



NAME OF BID	DEVELOPING THE HACKATHON CONCEPT TO AN APPLICATION FOR SMALL, MEDIUM, AND MICRO ENTERPRISES(SMME's)
BID NO.	FSCA2023/24-T013
CLOSING DATE	30 JANUARY 2024
CLOSING TIME	11h00 (South African Standard Time, obtained from Telkom SA SOC Limited by dialling 1026)

BIDDER NAME	
ID/REGISTRATION NUMBER	
CSD NUMBER	
CONTACT PERSON	
EMAIL ADDRESS	
TELEPHONE NUMBER	

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Executive Committee:

Commissioner: U. Kamlana | **Deputy Commissioners:** A. Ludin | K. Gibson | F. Badat

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A. INTRODUCTION TO BID

1. Introduction

- 1.1 The Financial Sector Conduct Authority (FSCA) was established in terms of the Financial Sector Regulation Act No. 9 of 2017. It is responsible for market conduct regulation and supervision of the financial services industry. The objectives of the FSCA are to enhance and support the efficiency and integrity of financial markets, to protect financial customers by promoting their fair treatment by financial institutions, as well as providing financial customers with financial education. The FSCA is a Schedule 3A Public Entity, in terms of the Public Finance Management Act (PFMA).
- 1.2 The vision of the FSCA is to ensure an efficient financial sector where customers are informed and treated fairly and its mission is to ensure a fair and stable financial market, where consumers are informed and protected, and where those that jeopardize the financial well-being of consumers are held accountable. Visit the FSCA website, www.fsc.co.za for further information about the FSCA.
- 1.3 The FSCA operates from offices in Pretoria at Riverwalk Office Park; 41 Matroosberg Road; Ashlea Gardens Extension 6; Menlo Park; Pretoria.
- 1.4 All information, including personal information collected during this process will be treated as confidential, and processed in line with the FSCA Privacy Policy. For more information on how your personal information is processed and how you can exercise your rights in term of applicable information privacy laws, please visit the Privacy Policy on www.fsc.co.za.
- 1.5 Bidders are hereby invited for appointment of a service provider to provide to develop the hackathon concept to an application for SMMEs for a period not exceeding nine (9) months for the development, testing and release, and for a period of three (3) years for maintenance and support with an option to exit after one (1) year. The contract will commence on 1 April 2024 or earlier.
- 1.6 This bid is subject to the Preferential Procurement Policy Framework Act No. 5 of 2000 and the Preferential Procurement Regulations, 2022, Broad-Based Black Economic Empowerment Act, the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract. Where, however, the special conditions of contract conflict with the general conditions of contract, the special conditions of contract prevail.

2. Briefing session

- 2.1 A **non-compulsory briefing** session will be held on **16 January 2024** at **11H00** for a maximum of 1 hours via Microsoft Teams. A link will be provided on the FSCA's website.

- 2.2 **THE FSCA WILL NOT BE COMPELLED TO REPEAT ANY ISSUES ALREADY COVERED TO LATECOMERS, NOR OPEN THE BRIEFING SESSION REGISTER ONCE THE SESSION IS CONCLUDED.**

3. Bid enquiries and questions

- 3.1 Enquiries relating to minor administrative issues with reference to the bid may be directed to:

Nobusi Mazwai/ Mulweli Ratshili
Supply Chain Management Department
Tel no.: (012) 422 2855/ (012) 422 2914
E-mail: tenders@fsca.co.za

- 3.2 All questions relating to the contents of the bid (conditions, rules, terms of reference etc.) must be forwarded in writing via email to tenders@fsca.co.za by not later than 22 January 2023. Questions received after this date will not be entertained.
- 3.3 All questions must reference specific paragraph numbers, where applicable.
- 3.4 All enquiries (received on or before the closing date for enquiries) will be consolidated and the FSCA will publish one response document on the FSCA website (www.fsca.co.za) within three (3) working days after the date in indicated in paragraph 3.2.
- 3.5 No requests for information shall be made to any other person or place and in particular not to the existing provider of this service.

4. Bid submission

- 4.1 Bid documents may either be posted (preferably by registered mail) or placed in the bid box or couriered to the physical address. Bids submitted by means of e-mail, telex facsimile, electronic or similar means shall not be considered.
- 4.2 Complete documents with supporting annexures shall be packaged, sealed, clearly marked and submitted strictly as follows:

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- 4.3 The FSCA requires two (2) printed copies, one (1) original and one (1) copy and one electronic copy (in electronic storage media, preferably a CD or flash drive/memory stick) in PDF format all bound in a sealed envelope marked as stated in paragraph 4.2.

- 4.4 Bids must be properly packaged and deposited on or before the closing date and before the closing time in the bid box situated at the reception area of the FSCA. The physical address of the FSCA is as follows:

Financial Sector Conduct Authority
Riverwalk Office Park, Block B
41 Matroosberg Road (Corner Garsfontein and Matroosberg Roads)
Ashlea Gardens, Extension 6
Menlo Park
Pretoria, 0081

GPS Coordinates	
Latitude	-25.7843344
Longitude	28.268365

- 4.5 Bid documents may also be posted (preferably by registered mail) to:

PO Box 35655
Menlo Park
Pretoria
0102

- 4.6 Bid documents will only be considered if received by the FSCA on or before the closing date and time, regardless of the method used to send or deliver such documents to the FSCA.

- 4.7 **Late submissions will not be accepted.**

- 4.8 Bidders must initial each page of the bid document on the bottom right-hand corner.

5. Pricing schedule

- 5.1 Only fixed prices will be accepted.
- 5.2 A pricing schedule must be submitted on a separate sheet from the technical proposal for ease of evaluation. The pricing schedule must be submitted adjacent to the SBD3.1 form in the bid proposal.

B. DEFINITIONS

6. Definitions

- 6.1 Unless inconsistent with or expressly indicated otherwise by the context.
- 6.1.1 **FSCA** shall mean the Financial Sector Conduct Authority or any successor in title.
- 6.1.2 **Contractor** shall mean the successful bidder whose bid has been accepted by the FSCA and shall include the bidders's personal representatives.
- 6.1.3 **Contract** shall include the General Conditions of Contract and Special Conditions of Contract, the specifications including any schedules attached to the specifications, and any agreement entered into in terms of these Special Conditions of Contract.
- 6.1.4 **Service** shall mean developing the hackathon concept to an application for SMMEs.
- 6.1.5 **Person** includes any company incorporated or registered as such under any law, any body of persons corporate or unincorporated, any trust. Person, firm or company shall include an authorised employee or agent of such person.
- 6.2 Except where the context indicates otherwise, in this document the singular includes the plural, and with reference to gender, the one includes the other.

C. BID RULES

7. Capabilities and experience of bidders

- 7.1 Bidders are required to provide all information as necessary to demonstrate their capabilities and experience with regard to the requested services.

8. Form of bid

- 8.1 The bid shall be signed and witnessed on the form of bid incorporated herein. The schedule of services shall be fully priced in South African Rand to show the total amount of the bid and shall be signed. The certificates, schedules and forms contained in this document shall be completed and signed by the bidder in blue or black ink.
- 8.2 **Please note:** No correction fluid such as Tippex or similar product is allowed. All changes must be scratched out and a signature next to each change
- 8.3 Where the space provided in the bound document is insufficient, separate schedules may be drawn up in accordance with the prescribed formats. These schedules shall be bound with a suitable contents page and submitted with the bid documents.

9. Signing of bid

- 9.1 The bid must be signed by a person who is duly authorised to do so.

10. Bid all inclusive

- 10.1 The bidder must provide an all-inclusive fee statement in the bid.

11. Alterations to bid documents

- 11.1 No unauthorised alteration or addition shall be made to the form of bid, to the schedule of quantities of services to be rendered or to any other part of the bid documents. If any such alteration or addition is made or if the schedule of quantities of services to be rendered, or other schedules or certificates are not properly completed, such submission may be disqualified.

12. Qualifications on bid

- 12.1 Bids submitted in accordance with this bid document shall be without any qualifications.

13. FSCA'S rights

- 13.1 The FSCA is entitled to amend any bid conditions, bid validity period, bid specifications, or extend the bid's closing date, all before the bid closing date.

The FSCA reserves a right to extend the bid validity period before its expiry period. All bidders, to whom the bid documents have been issued and where the FSCA have record of such bidders, may be advised in writing of such amendments in good time and any such changes will also be posted on the FSCA's website under the relevant bid information. All prospective bidders should, therefore, ensure that they visit the website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.

- 13.2 The FSCA reserves the right not to accept the lowest priced bid or any bid in part or in whole.
- 13.3 The FSCA reserves the right to award this bid as a whole or in part.
- 13.4 The FSCA reserves the right to conduct site visits at bidder's corporate offices and/or at client sites if so required.
- 13.5 The FSCA reserves the right to consider the guidelines and prescribed hourly remuneration rates for consultants as provided in the National Treasury Instruction Note 03 of 2017/2018: Cost Containment Measures, where relevant.
- 13.6 The FSCA reserves the right to request all relevant information, agreements and other documents to verify information supplied in the bid response. The bidder hereby gives consent to the FSCA to conduct background checks on the bidding entity and any of its directors/trustees/shareholders/members.

14. Undertaking by bidder

- 14.1 By submitting a bid in response to this bid, the bidder will be taken to have offered to render all or any of the services described in the bid response submitted by it to the FSCA on the terms and conditions and in accordance with the specifications stipulated in this bid document.
- 14.2 The bidder shall prepare for a possible presentation should the FSCA require such and the bidder shall be notified thereof in good time before the actual presentation date. Such presentation may include a practical demonstration of products or services as called for in this bid.
- 14.3 The bidder agrees that the offer contained in its bid shall remain binding upon him and receptive for acceptance by the FSCA during the bid validity period indicated in this document and calculated from the bid closing date. Its acceptance shall be subject to the terms and conditions contained in this bid document read with the bid.
- 14.4 The bidder furthermore confirms that they have satisfied themselves as to the correctness and validity of their bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all their obligations under a resulting contract

for the services contemplated in this bid; and that they accepts that any mistakes regarding price(s) and calculations will be at their risk.

14.5 The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on them under the supply agreement and Service Level Agreement (SLA) to be concluded with the FSCA, as the principal(s) liable for the due fulfilment of such contract.

14.6 The bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with this bid will become FSCA property unless otherwise stated by the bidder/s at the time of submission.

15. Central supplier database

15.1 The FSCA will not award any bid to a supplier who is not registered as a prospective supplier on the Central Supplier Database (CSD) as required in terms of National Treasury Circular No. 3 of 2015/2016 and National Treasury SCM Instruction Note 4A of 2016/2017.

15.2 The supplier is responsible to continuously update their information, including personal information on the CSD to ensure that it is complete, accurate and not misleading.

16. Supplier performance management

16.1 Supplier Performance Management is viewed by the FSCA as a critical component in ensuring it acquires value for money and maintains good supplier relations between the FSCA and all its suppliers.

16.2 The successful bidder shall upon receipt of written notification of an award, be required to conclude an SLA with the FSCA (where applicable), which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor and assess the supplier's performance and ensure effective delivery of service, quality and value-add to the FSCA's business.

16.3 The successful bidder will be required to comply with the above conditions, and also provide a scorecard on how their product/service offering is being measured to achieve the objectives of this condition.

17. Cancellation of contract

17.1 If the FSCA becomes aware or is satisfied that any person (including an employee, partner, director or shareholder of the bidder or a person acting on behalf of or with the knowledge of the bidder), firm or company; amongst others:

17.1.1 is executing a contract with the FSCA unsatisfactorily,

- 17.1.2 has in any manner been involved in a corrupt act or provided a gift or remuneration in relation to any officer or employee of the FSCA, in connection with obtaining or executing a contract,
- 17.1.3 has acted in bad faith, in a fraudulent manner or committed an offence in obtaining or executing a contract,
- 17.1.4 has in any manner influenced or attempted to influence the awarding of an FSCA's bid,
- 17.1.5 has when advised that his bid has been accepted, given notice of his inability to execute or sign the contract or to furnish any security required,
- 17.1.6 has engaged in any anti-competitive behaviour, including having entered into any agreement or arrangement, whether legally binding or not, with any other person, firm or company to refrain from bidding for this contract, or relating to the bid price to be submitted by either party,
- 17.1.7 has disclosed to any other person, any information relating to this bid, except where disclosure, in confidence, was necessary to obtain quotations required for the preparation of the bid,

the FSCA may, in addition to any other legal recourse, which it may have, cancel the contract between the FSCA and such a person, firm or company and/or resolve that no bid from such a person will be favourably considered for a period, as prescribed by the National Treasury.

- 17.2 Any restriction imposed upon any person shall apply to any other person with which such a person is actively associated.

18. Applicable laws

- 18.1 The laws of the Republic of South Africa shall be applicable to each contract created by the acceptance of a bid and each bidder shall indicate an address in the Republic and specify it in the bid as his *domicilium citandi et executandi* where any legal process may be served on him.
- 18.2 Each bidder shall accept the jurisdiction of the courts of the Republic of South Africa.

19. Reasons for disqualification of bid

- 19.1 The FSCA reserves the right to disqualify any unacceptable bid as defined in the PPPFA Act and such disqualification may take place without prior notice to the offending bidder. The grounds for disqualification amongst others could include the following:

- 19.1.1 bidders who submit incomplete information and documentation as specified in the requirements of this bid document;
- 19.1.2 bidders who submit information that is fraudulent, factually untrue or inaccurate;
- 19.1.3 bidders who receive information not available to other potential bidders through any means;
- 19.1.4 bidders who do not comply with mandatory requirements, if stipulated in the bid document;
- 19.1.5 bidders who fail to attend a compulsory briefing session and sign bid register, if stipulated in the bid advert and/ or in this bid document; and/or
- 19.1.6 bidders who fail to comply with FICA (Financial Intelligence Centre Act) requirements (where applicable).

20. Delegation of authority

- 20.1 The FSCA may delegate any power vested in it by virtue of these Terms of Reference to an officer or employee of the FSCA.

21. Bid rules are binding

- 21.1 The bid rules as well as the instructions given in the official bid notice shall be binding on all bidders submitting bid applications for the service or services set out in the bid document.

22. Language of contract

- 22.1 The bid documents are drafted in English and any contract, which originates from the acceptance of the bid, will be interpreted and construed in English.

D. TERMS OF REFERENCE

23. Objectives

23.1 The broad objectives of this bid include:

23.1.1 To provide bidders with adequate information to understand and respond to the FSCA's requirements to appoint a service provider to develop the hackathon concept to an application for SMMEs for a period not exceeding nine (9) months for the development, testing and release, and for a period of three (3) years for maintenance and support with an option to exit after one (1) year.

23.1.2 To ensure uniformity in the responses received from each prospective contractor.

23.1.3 To provide a structured framework for the evaluation of proposals.

24. Background

24.1 The FSCA's mandate is to enhance the efficiency and integrity of financial markets; promote fair customer treatment by financial institutions; provide financial education and promote financial literacy; and assist in maintaining financial stability.

24.2 The FSCA also has a mandate to provide and disseminate well-researched financial education content that is tailored to our target audiences. The financial education content is continuously updated and packaged in ways that are engaging, competitive and effective for our target audiences to utilise in their daily lives.

24.3 With the high unemployment rate in South Africa, it is becoming increasingly important for entrepreneurship to be encouraged, especially amongst the youth aged 15-35. One of the most important ways for sustainable entrepreneurship to flourish, is to disseminate financial literacy education, catering for SMMEs, that is packaged in innovative ways and suitable for all literacy levels.

24.4 When the FSCA launched the 'FSCA My Money Learning Series,' it sought to, among other objectives, encourage entrepreneurship through two of its sub-topics, "Start a Business" and "Business Finance." These sub-topics fall under the theme of Business Finance and can be accessed via www.fscamymoney.co.za. The FSCA seeks to continuously develop integrated digital learning solutions that would attract, engage and inform consumers about all aspects of starting and sustaining a business. This multi-dimensional digital learning eco-system is created to tap into many forms of digital edutainment, including gaming.

- 24.5 To grow the digital learning eco-system while creating opportunities for South African youth, the FSCA acquired a service provider to plan and facilitate a virtual hackathon in May 2023. During the hackathon suitably qualified youth were given the opportunity to work in small groups and develop a gaming solution created for SMMEs to learn how to start and grow their businesses.
- 24.6 The selected finalists were required to create a solution that responded to the FSCA's strategic objective of empowering households and small businesses to be financially resilient. This objective is further emphasised in Consumer Education Department's (CED) strategic objectives to develop bespoke projects, respond to gaps in current consumer education activities for the vulnerable and high impact groups such as students and SMME's, promote financial inclusion and shift consumer financial education activities toward digital financial literacy.
- 24.7 The virtual hackathon finalists consisted of youth; university students currently studying, recent graduates; or youth who have software development skills who used their skills in a virtual hackathon to develop a web and mobile game that aims encourage current and future SMME owners to start and sustain their businesses by playing the game.
- 24.8 The winning hackathon team were awarded a cash prize and an opportunity to be involved in the development on their gaming solution.
- 24.9 The FSCA now requires a contractor to develop the winning gaming solution into a web and mobile game application that will be rolled out to SMME owners, potential owners and youth entrepreneurs, amongst others in South Africa. This is to ensure that the game is marketed effectively to ensure a wide-scale take up of the game.

25. Purpose of the request for bid

- 25.1 The purpose of this bid is to appoint a contractor to develop the hackathon concept to an application for SMMEs for a period not exceeding nine (9) months for the development, testing and release, and for a period of three (3) years for maintenance and support with an option to exit after one (1) year.

26. Scope of work

- 26.1 The contractor will be required to develop the winning hackathon concept (refer to **Annexure A**) to an application for SMMEs as follows:

26.1.1 Game application development


- 26.1.1.1 The contractor is required to create a clear game application development and testing plan and present it to the FSCA's Consumer Education (CED) and ICT departments and other relevant stakeholders including the hackathon winners. The

development plan must be set out clear deadlines for all the milestones involved in the development and testing processes. The development and testing plan must be approved by the FSCA before the game development begins.

- 26.1.1.2 Develop the game application in its entirety by utilising the game concept as described in **Annexure A** that was created by the winning FSCA Hackathon team in May 2023 as well as the content available on www.fscamymoney.co.za.
- 26.1.1.3 Use and adapt the material as mentioned in 26.1.1.2 for utilisation in an application environment such as text and images to video format, or written material to interactive character speech. The contractor must ensure that the content selected for adaptation is accurate and works efficiently for users.
- 26.1.1.4 Develop the application using game theory and sound instructional design principles for the application to be engaging, interactive and informative for target audiences that the FSCA focuses its financial education on. The developed app must include a ranking system (scoreboard) that allows users to track their progress compared to other users.
- 26.1.1.5 Develop the app to include a reward system for users such as stickers, trophies, certification, and other milestones to form part of the ranking system.
- 26.1.1.6 Create and carry out a wide-reaching marketing campaign plan to ensure the successful uptake of the game.
- 26.1.1.7 Create a framework for the scalability, sustainability and improvement and maintenance of the app in the future as and when new content is required to be added to the application. Structure the app to be agile and customisable enough to be redesigned and adapted to the requirements of the users (target audience) post-development.

26.1.2 The contractor will be requested to test the application as follows:

- 26.1.2.1 By selecting two focus groups that align with the CED's target audiences for this project. The target audience should include but is not limited to SMME owners and young future entrepreneurs.
- 26.1.2.2 The focus groups must consist of no more than eight members per target audience outlined in 26.1.2.1. The focus

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groups will test the application for a period of 7-10 days and provide feedback that will be used to make improvement to the app before it is released to the public. The focus groups selected must be approved by the FSCA.

- 26.1.2.3 The contractor must cater refreshments for the focus groups selected with a limit of not more than R100 per person.
- 26.1.2.4 The contractor must test the feasibility of the game on different platforms such as Google Play Store and Apple iStore or any other application, store and advice on the most suitable platform for the game application to be released from.
- 26.1.2.5 The contractor must regularly meet with the FSCA to report on progress, as well as to discuss the alignment of the application to the FSCA's strategy, the longevity, success, and any other requirements which may arise from the application which may be out of scope.
- 26.1.2.6 After the testing has been completed and recommendations approved, the contractor will be required to adapt the game's content, functionality and any other relevant aspects to improve the game for increased effectiveness. The FSCA must approve all suggested changes to the game following the research conducted.
- 26.1.3 The contractor will be required to submit a final development and testing phase report which includes testing completed by the FSCA ICT team, as well as the focus group testing phases. The report must contain recommendations that will be used as a guideline for further development and possible changes to the application. The report must be submitted at the end of the first nine (9) months of the project.
- 26.1.4 **Application release, monitoring and reporting**
 - 26.1.4.1 Draft a clear marketing strategy for approval by the FSCA prior to the app's release that will include marketing before and after the release of the app.
 - 26.1.4.2 Submit the required graphics, content, and copy of the marketing material for review and approval by the FSCA.
 - 26.1.4.3 Conduct a comprehensive marketing drive to attract target audience to use and review the app.

26.1.4.4 Conduct analytics for the period of the maintenance phase of the app take up by target audience, as well as the reviews and questions provided by users.

26.1.4.5 Submit an analytics report with a clear narrative on the app's analytics and reviews by users which will be used to further improve the game throughout its lifespan. The report must include statistics and a narrative on the reach, impact and quality of reach for the target audiences that the application is created for. The report must be submitted at the end of the maintenance period with verbal updates during the period. The report must be reviewed and approved by the FSCA.

26.1.5 Maintenance and support

26.1.5.1 The contractor will be required to provide maintenance and support for the application for a period of three (3) years with an option to exit the contract after one (1) year.

26.1.6 Handover process

26.1.6.1 The contractor will be required to conduct a thorough handover process with the FSCA ICT department at the end of the contracting period to ensure that all aspects of the game application are suitable for further development and maintenance within the FSCA ICT environment.

27. Project Timelines

27.1.1.1 The inception meeting must take place within three (3) days after the purchase order has been issued. The final project timelines will be agreed upon at the inception meeting.

27.1.1.2 The development, testing and release of the application must be completed within the first nine (9) months of the project.

27.1.1.3 The reporting on the development of the application must take place continuously within the period of the contract. Reporting times will be agreed upon with the contractor.

28. Additional Information

28.1 The following additional information is applicable to this bid:

28.1.1 The contractor must work alongside the FSCA's CED and ICT departments through regular reporting on the progress of all project milestones.

- 28.1.2 The contractor must ensure that the game to be developed can be maintained and further developed within the FSCA ICT infrastructure environment. Further ensure that the game will not place any FSCA ICT Security infrastructure at risk.
- 28.1.3 All elements related to this project elements must be signed-off by the FSCA prior to further development, deployment, or publication.
- 28.1.4 The contractor must keep the hackathon winners updated on the progress of the development and receive creative and functionality suggestions from them.
- 28.1.5 The contractor must ensure that the FSCA ICT department has all the necessary codes and content to maintain and further develop the game as necessary.
- 28.1.6 The contractor must note that all codes, designs, open files, documents and any other elements associated with this project are the property of the FSCA as per the copyright assignment agreement in **Annexure B** and must be signed and submitted to the FSCA. This includes all prototypes and designs that are developed by the contractor.
- 28.1.7 The contractor must note that the technologies on which the web application needs to run when it is hosted on the FSCA network Windows Server 2022; IIS 10; SQL Server 2019 and ASP .Net

29. Bid evaluation

29.1 The proposals will be evaluated as follows.

29.1.1 Evaluation Stage One: Compliance

Compliance with administrative requirements stated in the Standard Bidding Documents and the mandatory requirements as listed in paragraph 35 below. In this evaluation stage, all bidders that fail to provide the required information and documentation, will be disqualified from further evaluation.

29.1.2 Evaluation Stage Two: Functional evaluation (Desktop evaluation)

In this evaluation stage, bidders are expected to obtain a minimum of 75 out of 100 points to proceed to the next evaluation stage. Failure to obtain the prescribed minimum points will automatically disqualify the bid offer from proceeding to the next evaluation stage.

29.1.3 Evaluation Stage Three: Preference Point System

The 80/20 preference point system shall be applicable to this phase, where 80 points represent maximum obtainable points for the lowest acceptable price, and 20 points represents specific goals. Points will be awarded to a bidder for attaining the specific goal points in accordance with the table as listed in the bid documentation.

29.1.4 **Evaluation Stage Four: Site Inspection**

At the FSCA's discretion, a site inspection may be conducted at this stage. The FSCA will visit the selected bidders' premises with the objective of verifying information as contained in their respective bid documents. Should it be discovered during a site inspection or presentation that the information submitted by the bidder is inconsistent with what is on their current premises of business, such bidders will be disqualified.

30. Functional evaluation (Desktop)

30.1 The bid/proposal will be evaluated for functionality and be rated as follows:

Table 1

ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
A. Project Plan	A.1. The bidder must submit a detailed project plan that meets all the requirements of the scope of work contained in this TOR.	A.1.1. The bidder did not submit a project plan.	0	35
		A.1.2. The bidder submitted a project plan which partially meets the requirements of this TOR.	1-3	
		A.1.3. The bidder submitted a detailed project plan which meets and/or exceeds all the requirements of this TOR.	4-5	
B. Organisational Prospectus	B.1. The bidder must submit a comprehensive organisational prospectus/profile indicating at least three years' experience in the	B.1.1. The bidder did not submit an organisational prospectus/profile	0	
		B.1.2. The bidder submitted a partially acceptable organisational prospectus/profile, with less than three years'	1-3	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
	relevant field related to the requirements of this TOR.	experience in the relevant field related to the requirements of this TOR.		15
		B.1.3. The bidder submitted a comprehensive prospectus/profile, with three and/or more years of experience in the relevant field related to the requirements of this TOR.	4-5	
C. Relevant qualifications	C.1. The bidder must submit the project team's CVs, which demonstrate the relevant experience and qualifications from accredited tertiary institutions. The project team as a minimum must include the following roles, all of whom need to	C.1.1. The bidder did not submit CVs.	0	20
		C.1.2. The bidder has submitted CVs of the project team which do not meet all the project requirements.	1-3	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
	have a minimum of 3 years' experience as per the requirements of this TOR. a) Project manager b) Application developer. c) Marketing officer/similar	C.1.3. The bidder has submitted CVs of the project team which meets or exceeds all the requirements.	4-5	
D. Track Record	D.1. The bidder must submit client reference letters on the client company's letterhead where	D.1.1. The bidder did not submit contactable reference letters.	0	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
	a similar project was successfully implemented by the bidder within the past three years from the closing date of this bid. For a reference letter to be considered complete, at least the following details are required:	D.1.2. The bidder submitted less than three client references submitted that meet the requirements of this TOR.	1-3	20
	a) Client company name; b) Client contacts person; c) Client contacts person email address; and d) Description of the project.	D.1.3. The bidder submitted three or more client references that meet or exceeds all the requirements of this TOR.	4-5	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
	e) Date project started and ended.			
E. Samples	E.1. The bidder must submit samples required in alignment to the requirements of this TOR of previous applications that have been completed and successfully launched to the public. Samples can be provided as screenshots, in PDF format, or as	E.1.1. The bidder did not submit samples that meet the requirements of this TOR.	0	20
		E.1.2. The bidder submitted two application samples in alignment with the requirements of this TOR.	1-3	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
	<p>an electronic link within the organisational prospectus. The following information must be included with the samples:</p> <p>a) Lifespan of app</p> <p>b) Usage statistics of app during the period</p> <p>c) Target groups that the apps focused on</p> <p>d) App must have been in existence in the past three years.</p>	E.1.3. The bidder submitted three or more samples that meet or exceeds all the requirements of this TOR.	4-5	
Total				100

31. Preference point system

31.1 General conditions

31.1.1 The applicable preference point system for this tender is the **80/20** preference point system. The 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included).

31.2 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

31.3 The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

31.4 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

31.5 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.


32. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

32.1 POINTS AWARDED FOR PRICE

32.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20

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$$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

Where

P_s	=	Points scored for price of tender under consideration
P_t	=	Price of tender under consideration
P_{min}	=	Price of lowest acceptable tender

33. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

33.1.1 POINTS AWARDED FOR PRICE

A maximum of 80 points is allocated for price on the following basis

80/20

$$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where


P_s	=	Points scored for price of tender under consideration
P_t	=	Price of tender under consideration
P_{max}	=	Price of highest acceptable tender

34. POINTS AWARDED FOR SPECIFIC GOALS

34.1.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender.

34.1.2 In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—:

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference

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point system; or


- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Specific goals for the tender and points claimed are indicated per the table below.

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system)/ (80/20 system)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Women ownership of 51% or more of the enterprise shareholding.	10	
Youth has/have ownership of 51% or more of the enterprise shareholding	10	
Note: In the event that the bidder is claiming specific goals, the FSCA will allocate points claimed, provided that proof of evidence such as valid BBBEE Certificates/sworn affidavits, CIPC etc. is attached. Failure to submit the acceptable verifiable proof will result in an allocation of 0 points.		

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

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35. Standard bidding documents

- 35.1 The following compulsory additional information are required. Failure to complete, and supply any of these documents might lead to disqualification from this bid:

Table 2

Invitation to bid	SBD 1
Pricing Schedule	SBD 3.1
Bidder's Disclosure	SBD 4
Preference Points Claim Form for Preferential Procurement Regulations 2022 Should a bidder not complete and sign the SBD6.1, the bidder will be allocated 0.00 points for specific goals	SBD 6.1

36. Timeline of the bid process


- 36.1 The period of validity of the bid and the withdrawal of offers, after the closing date and time are 120 days, expiring on 29 May 2024. The project timeframes of this bid are set out below:

Table 3

STAGE	DESCRIPTION OF STAGE	ESTIMATED COMPLETION DATE (OR WORK WEEK ENDING)
1.	Advertisement of bid on Government e-tender portal / print media / Tender Bulletin	13 December 2023
2.	Non-compulsory briefing session	16 January 2024
3.	Questions relating to bid from bidder(s)	22 January 2024
4.	Bid closing date	30 January 2024
5.	Compliance: Bid Evaluation Committee	07 February 2024
6.	Functional Evaluation: (Desktop evaluation)	21 February 2024
7.	Preference Point System: Bid Evaluation Committee	28 February 2024
8.	Bid Award: Bid Adjudication Committee	06 March 2024
9.	Notification of the outcome to the bidders	13 March 2024

- 36.2 All dates and times in this bid are South African Standard Time.

- 36.3 Any time or date in this bid is subject to change at the FSCA's discretion. The establishment of a time or date in this bid does not create an obligation on the part

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of the FSCA to take any action or create any right in any way for any bidder to demand that any action be taken on the date established. The bidder accepts that, if the FSCA extends the deadline for bid submission (the Closing Date) for any reason, the requirements of this bid otherwise apply equally to the extended deadline.

E. ANNEXES

37. ANNEXURE A: GAME CONCEPT TO BE DEVELOPED BY WINNING BIDDER

Application name: Mogul

Description: Mogul is a smartphone game that will make entrepreneurship entertaining and simpler for individuals who need help starting a business and those who are already running SMMEs and are stuck and need direction. We want to empower SMMEs and aspiring entrepreneurs with the proper kind of tools.


Platforms/Infrastructure: MacOS, Android, iOS, Windows

Below is the game concept presentation and the links below contain the game files. The files will be provided should you not able to access the links.

GitHub Link: <https://github.com/RicardoMudinyane/mogul>

Zip Code Link (Google Drive): <https://drive.google.com/drive/folders/1MndIHkZBx3-5mj89ypEYRUNFGdU6y20h?usp=sharing>



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PROBLEM STATEMENT

Developing a mobile game that teaches/gamifies the process of starting a business and the subsequent successful management of the business' finances. The mobile game aims to stimulate entrepreneurship while teaching good financial practices behaviour within the SMME sector.




SOLUTION STATEMENT

According to University of Western Cape(2022) research, 70% - 80% of small enterprises fail in the first five years of operation. This is due to several issues, including a lack of capital, inadequate internal systems and processes that are not built to handle expansion or manage risk, financial mismanagement, and resource misallocation.

We built a smartphone game that will make entrepreneurship **entertaining** and **simpler** for individuals who need help starting a business and those who are already running SMMEs and are stuck and need direction. We want to **empower** SMMEs and aspiring entrepreneurs with the proper kind of tools.



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PRODUCT

- Simple UI and friendly to use.
- Competitive Challenges.
- Zero to Hero study material.
- Reminders to do your SARS return on time*
- Challenges included in the game are real life business challenges*



FINANCIAL VIABILITY




We will make use of in game Video Ads for extra points In the game.



Using In game micro-transactions (Buying bonus content in the game)



Partnering with actual financial services companies

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With our free gaming app, you can start and expand your business the proper way, with step-by-step instruction and templates to help you manage your resources efficiently and achieve success.



UNIQUE SELLING PROPOSITION (USP)


SOCIETAL IMPACT

SMMEs are drivers of inclusive economic growth and development in South Africa

Contribute significantly to the GDP (estimated at about 34% of the total contribution).

Major contribution to the employment sector. According to Small Business Facts they created 12.9 million job opportunities over the past two decades which is roughly 66% of the employment sector.

The success of these businesses beyond the five-year mark will ensure that this sector continues contributing towards the economic growth of the country.

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MARKETING STRATEGY

Using other games to advertise


The use of selective social media platforms

Prompting customer rewards when they refer us

App store optimization

Influencer endorsement

Working with organizations that promotes entrepreneurship

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38. ANNEXURE B: EXAMPLE OF COPYRIGHT ASSIGNMENT AGREEMENT

COPYRIGHT ASSIGNMENT AGREEMENT

THIS AGREEMENT is made this [day, month, year] _____ between

[Assignor] _____ of
 [Address] _____

(hereinafter referred to as the “Assignor”)

And

[Assignee] _____ on behalf of the Financial Sector Conduct Authority
 (FSCA)

*Of 41 Matroosberg Road, Riverwalk Office Park, Block B, Ashlea Gardens, Extension 6, Pretoria,
 0181 South Africa*

(hereinafter referred to as the “Assignee”)

WHEREAS the Assignor is the owner of the Copyright in the Copyright Works, as defined herein;

AND WHEREAS the Assignee wishes to acquire the ownership of the Copyright in the Copyright Works;


AND WHEREAS it is the desire and intention of the parties that the Assignee should become the owner of the Copyright in the Copyright Works;

NOW THEREFORE it is agreed as follows:

1. Definitions

In this agreement the following terms shall have the following meanings:

1.1 “ACCRUED CLAIMS” – all the Assignor’s accrued rights and claims against third parties arising out of any infringements of the Copyright in the Copyright Works subsisting and enforceable by the Assignor at the date of this agreement. Such rights shall include, but shall not be limited to, the right to claim for any infringer of the said Copyright the damages suffered by the Assignor arising from the infringement of such Copyright, delivery-up of any infringing copies of the Copyright Works in the possession or under the control of the said infringer, such so-called “additional damages” as the Assignor might have been entitled to claim from the infringer of the said Copyright, and generally whatsoever rights arising out of his ownership of the Copyright in the Copyright Works, which might have been enforceable by the Assignor against third parties at the date of this agreement.

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1.2 “COPYRIGHT WORK” – consists of [detailed description of work], a true copy / representation of which is annexed hereto marked Annexure “A”

1.3 “MORAL RIGHTS” - the Assignor’s right to claim authorship of the Copyright Work and to object to any distortion, mutilation or other modification of the Copyrighted Work which would be prejudicial to his honour or reputation.

1.4 “TERRITORY” – All signatory countries listed in the Berne Convention.

2. Assignment of Rights of Copyright

For good and sufficient consideration, the Assignor hereby assigns, transfers and makes over to the Assignee the all it’s Copyright in the Copyright Works in the territory.

3. Cession of Accrued Claims

The Assignor hereby cedes, transfers and makes over to the Assignee the Accrued Claims. The Assignee may exercise and enforce the Accrued Claims in its own name and on its own behalf as though it were the Assignor.

4. Waiver of Moral Rights

The Assignor hereby waives in favour of the Assignee or any successor in title any Moral Rights which may vest in him.

5. Warranty

i. The Copyrighted Work is original and its making did not constitute an infringement of any copyright;


ii. Copyright subsists in the Copyrighted Work;

iii. He is the owner of the Rights of Copyright without encumbrance at the date of this agreement and that he has not assigned, ceded, transferred or made over the Rights of Copyright or the Accrued Claims to any other party.

6. Acceptance by Assignee

The Assignee hereby accepts the rights assigned, ceded, transferred or made over to it in Clause 2 and 3.

7. Proof of Title to Rights

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The Assignor shall, when called upon to do so by the Assignee, provide all reasonable information, materials, co-operation and/or assistance to the Assignee to enable the Assignee to prove the subsistence of Copyright and the Assignee's title to such Rights of Copyright before any court or wherever such proof may be reasonably required.

THUS DONE AND SIGNED AT [PLACE]_____ on this [DAY]_____ of [YEAR]

_____.

For and on behalf of the

Name and Surname:

Date:

F. STANDARD BIDDING DOCUMENTS**Standard Bidding Document (SBD 1)**
PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FINANCIAL SECTOR CONDUCT AUTHORITY					
BID NUMBER:	FSCA2023/24-T013	CLOSING DATE:	30 JANUARY 2024	CLOSING TIME:	11H00
DESCRIPTION	DEVELOPING THE HACKATHON CONCEPT TO AN APPLICATION FOR SMMEs				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Riverwalk Office Park, Block B					
41 Matroosberg Road (Corner Garsfontein and Matroosberg Roads)					
Ashlea Gardens, Extension 6, Menlo Park					
Pretoria, South Africa, 0081					
BIDDING PROCEDURE AND TECHNICAL ENQUIRIES MAY BE DIRECTED TO					
DEPARTMENT	Supply Chain Management Department				
FACSIMILE NUMBER	Not applicable				
E-MAIL ADDRESS	tenders@fsca.co.za				
TELEPHONE NUMBER	012 422 2855 / 012 422 2980				
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		

CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

**** “all applicable taxes” includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.**

*Delete if not applicable

Standard Bidding Document (SBD 4)

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state?

YES/NO

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO.....**

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

3.1 I have read and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

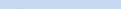
3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

Standard Bidding Documents (SBD 6.1)

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to invitations to tender:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and the applicable preference point system for this tender is the 80/20 preference point system.

- 1.2 Points for this tender shall be awarded for: Price; and Specific Goals.

- 1.3 The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

- 1.4 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.5 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing

and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 points is allocated for price on the following basis:

80/20

$$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

Where:

P_s	=	Points scored for price of tender under consideration
P_t	=	Price of tender under consideration
P_{min}	=	Price of lowest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

Specific goals for the tender and points claimed are indicated per the table below.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Women ownership of 51% or more of the enterprise shareholding	10	
Youth has/have ownership of 51% or more of the enterprise shareholding	10	
Note: In the event that the bidder is claiming specific goals, the FSCA will allocate points claimed, provided that proof of evidence such as valid BBBEE Certificates/sworn affidavits, CIPC etc. is attached. Failure to submit the acceptable verifiable proof will result in an allocation of 0 points.		

DECLARATION WITH REGARD TO COMPANY/FIRM

- 4.2. Name of company/firm.....
- 4.3. Company registration number:
- 4.4. TYPE OF COMPANY/ FIRM
- ☐ Partnership/Joint Venture / Consortium
 - ☐ One-person business/sole propriety
 - ☐ Close corporation
 - ☐ Public Company
 - ☐ Personal Liability Company
 - ☐ (Pty) Limited
 - ☐ Non-Profit Company
 - ☐ State Owned Company
- [Tick applicable box]
- 4.5. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:
- i) The information furnished is true and correct;
 - ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
 - iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
 - iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)**SURNAME AND NAME:****DATE:****ADDRESS:**

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G. ADMINISTRATIVE CHECKLIST

Hereunder is a checklist to ensure that the bid document is complete in terms of administrative compliance. Please ensure that the following forms have been completed and signed and that all documents, as requested, are attached to the tender document.

ITEM	DOCUMENT REFERENCE		ACTION TO BE TAKEN	YES/NO
1.	SBD 1	Invitation to bid	Is the form duly completed and signed?	
2.	SBD 3.1	Pricing Schedule	Is the form duly completed and signed?	
3.	SBD 4	Declaration of Interest	Is the form duly completed and signed?	
4.	SBD 6.1	Preference Points Claim Form for Preferential Procurement Regulations 2022	Is the form duly completed, specific goals points claimed, and form signed?	
5.	Tender submission		Two (2) printed copies (One (1) original copy and One (1) copy of original submitted?)	
			One (1) electronic copy submitted?	

I, the undersigned (name)

certify that the information furnished on this checklist is true and correct.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder