

NATIONAL LOTTERIES COMMISSION

REQUEST FOR QOUTATION ONCE OFF MAINTENANCE OF XRAY MACHINES AND METAL DETECTORS

REQUEST FOR QUOTATION [RFQ] NO	RFQ/2022-24244
RFQ DESCRIPTIONS	Request for quotation once off maintenance of X-ray machines and metal detectors
FOR DELIVERY TO	All submissions Must be addressed to Senior Manager: Supply Chain Management, National Lotteries Commission Submission of Quotation: sereko.mosala@nlcsa.org.za 333 Grosvenor Street Block D Hatfield Gardens Hatfield Pretoria 0183
ISSUE DATE	24 August 2022
CLOSING DATE	31 August 2022
CLOSING TIME	11h00
RFQ VALIDITY PERIOD	The validity period of the quotation requested must be 60 days.
E-MAIL ADDRESS	sereko.mosala@nlcsa.org.za
NO HAND DELIVERED RFQ RESPONSES WILL BE ACCEPTED	

SECTION 2: TERMS AND CONDITIONS OF THE REQUEST FOR QUOTATIONS

- 1.1 This document may contain confidential information that is the property of NLC.
- 1.2 No part of the contents may be used, copied, disclosed or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a quotation in response to this RFQ without prior written permission from NLC.
- 1.3 All copyright and intellectual property herein vests with NLC .
- 1.4 Late and incomplete submissions will not be accepted.
- 1.5 No services must be rendered or goods delivered before an official NLC Purchase Order form has been received.
- 1.6 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za, **Suppliers must provide their CSD registration number (and attach a CSD Summary report) and ensure that the Tax Matters are compliant.**
- 1.7 All questions regarding this RFQ must be forwarded to sereko.mosala@nlcsa.org.za within 24 hours after the RFQ has been issued.
- 1.8 Any supplier who has reasons to believe that the RFQ specification is based on a specific brand must inform within two (2) days before the closing date of the RFQ.

1. General rules and instructions

- 2.1 News and press releases
 - 2.1.1 Bidders or their agents shall not make any news releases concerning this RFQ or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, NLC.
- 2.2 Precedence of documents
 - 2.2.1 This RFQ consists of several sections (see list). Where there is a contradiction in terms between the clauses, phrases, words, stipulations, or terms and herein referred to generally as stipulations in this RFQ and the stipulations in any other document attached hereto, or the RFQ submitted hereto, the relevant stipulations in this RFQ shall take precedence
 - 2.2.2 Where this RFQ is silent on any matter, the relevant stipulations addressing such matter and which appear in the PPPFA shall take precedence. Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that NLC may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by NLC.
 - 2.2.3 It is acknowledged that all stipulations in the PPPFA are not equally applicable to all matters addressed in this RFQ. It, however, remains the exclusive domain and election of NLC as to which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of NLC in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the Bidder(s). The Bidder(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

2.3 Preferential procurement reform

- 2.3.1 NLC supports B-BBEE as an essential ingredient of its business. In accordance with government policy, NLC insists that the private sector demonstrates its commitment and track record to B-BBEE in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices (SMMEDevelopment)etc.
- 2.3.2 NLC shall apply the principles of the Preferential Procurement Policy Framework Act, (Act No. 5 of 2000) to this proposal read together with the Preferential No. 5 of 2000) to this proposal read together with the Preferential Procurement Regulations published in Government Notice No.32 in Government Gazette No. 40553 dated 20 January 2017(~~the~~ Preferential Procurement Regulations, 2017+).

2.4 National Industrial Participation Programme

- 2.4.1 The Industrial Participation policy, which was endorsed by Cabinet on 30 April 1997, is applicable to contracts that have an imported content. The NIP is obligatory and therefore must be complied with. Bidders are required to sign and submit the Standard Bidding Document (SBD).

2.5 Language

- 2.5.1 Bids shall be submitted in English.

2.6 Gender

- 2.6.1 Any word implying any gender shall be interpreted to imply all other genders.

2.7 Headings

- 2.7.1 Headings are incorporated into this RFQ document and submitted in response thereto, for ease of reference only and shall not form part thereof for any purpose of interpretation or for any other purpose.

2.8 Occupational Injuries and Diseases Act 13 of 1993

- 2.8.1 The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFQ and/ or subsequent agreement. NLC reserves the right to request the Bidder to submit documentary proof of the Bidder's registration and ~~good~~ standing+with the Compensation Fund, or similar proof acceptable to NLC.

2.9 Processing of the Bidder's Personal Information

- 2.9.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors (~~Bidder Personal Information~~+) required under this RFQ is collected and processed for the purpose of assessing the content of its tender proposal and awarding the bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation including the PPPFA read with the Preferential Procurement Regulations, 2017. The Bidder is advised that Bidder Personal Information may be passed on to third-parties to whom NLC is compelled by law to provide such information. For example, where appropriate, NLC is compelled to submit information to National Treasury's Database of Restricted Suppliers.
- 2.9.2 All Personal Information collected will be processed in accordance with POPIA and with the NLC Data

Privacy Policy.

- 2.9.3 The following persons will have access to the Personal Information collected:
 - 2.9.3.1 NLC personnel participating in procurement/award procedures; and
 - 2.9.3.2 Members of the public: within seven working days from the time the bid is awarded, the following information will have to be made available on National Treasury's e- Tender portal.

2.10. Rejection of all Bids/Quotation and Disclaimer

The NLC reserves the right to reject all bids when deemed necessary. This is ~~is~~ when there is lack of effective competition, or bids/quotation are not substantially responsive.

- 2.10.1. The NLC reserves the right not to appoint a bidder.
- 2.10.2. The NLC reserves the right not to appoint a bidder
- 2.10.3. The NLC reserves the right not to appoint a bidder;
- 2.10.4. The NLC may appoint more than one bidder;
- 2.10.5. Award the contract or any part thereof to one or more bidders;
- 2.10.6. Request further information from any bidder after the closing date for clarity purpose.
- 2.10.7 Cancel this tender or any part thereof at any time;
- 2.10.8 Cancel this tender or any part thereof at any time;
- 2.10.9 Should any of the above occur, it will be communicated in writing to the bidders; and
- 2.10.10 Fraudulent practices shall result in immediate disqualification.

2.11. Costs

All costs and expenses incurred by the bidders in any way associated with the development, preparation and submission of responses and providing any additional information required by the NLC, will be borne entirely and exclusively by the bidders

2.12. Disqualification

- a). Any form of canvassing/lobbying/influence regarding the short listing will result in disqualification;
- b). Any non-disclosure of any other information pertaining to this bid will result in disqualification;
- c). Non-compliance with the bid requirements will invalidate the bid; and
- d). Non-compliance with all the applicable Acts, Regulations and Policies will result in the disqualification of the bid

SECTION 3: EVALUATION CRITERIA

The NLC will evaluate all quotations in terms of the Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA) using the price quoted and the BEE Status Level of Contributor and Points of the bidders,

Phase 1: Administrative Requirements

Administrative responsiveness check	RFQ Reference
All Standard Bid Documents were completed and returned by the closing date and time	
BBBEE Certificate or Sworn Affidavit as per the BEE Code of Good Practice	

Phase 2 : Mandatory Requirements

Administrative responsiveness check	RFQ Reference
ONLY Suppliers Registration with Department of Health for maintenance and installation of Radiation / Xray machines	
Bidder to provide three contactable reference letters where maintenance of x-ray machines and metal detectors was performed in the last 5 years	

Phase 2: The 80/20 Principle based on Price and BBBEE status level contributor.

Points will be awarded to a bidder for attaining the B-BBEE status level of contributor in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

4. Introduction

The National Lotteries Commission (The Commission) is a public entity established by Lotteries Act No. 57 of 1997, as amended to regulate the South African lotteries industry. The functions of the Commission can be divided into two categories, namely %regulation of National Lottery and other Lotteries+and %administration of the National Lottery Distribution Trust Fund (NLDTF)+.

The Distributing Agencies (DA~~s~~) who are appointed by the Minister of Trade & Industry are responsible for the adjudication of the funding applications as per the Lotteries Act and applicable Regulations.

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5. Background

In The National Lotteries Commission (NLC) is a public entity established in terms of the Lotteries Amendment Act (No 32 of 2013) to regulate the National Lottery as well as other lotteries, including society lotteries. The NLC evolved out of the National Lotteries Board, established in terms of the Lotteries Act No 57 of 1997. Amongst other things, the NLC is charged with the primary responsibility to manage the National Lottery Distribution Trust Fund (NLDTF) into which the proceeds of the National Lottery are deposited and subsequently distributed for good causes.

Chapter eight (8) of the Minimum Information Security Standards (MISS), 1996, requires of the National Lotteries Commission as a public entity to implement measures to control the physical access to the NLC premises. The NLC has been operating its physical access security utilizing Xray machine and Metal detectors to ensure safe environments for all the NLC employees. To ensure continued physical security and Life span of the equipment it is required that the equipment be serviced regularly to comply with the Department of Health Radiation Regulation. The NLC procured the following machines in November 2015:

It is with the above that the NLC requires a qualified contractor to assist with the once off maintenance of X-ray machines and metal detectors.

6. RFP Scope of Requirements

The services to be provided include:

Corrective Maintenance (CM)

- Service exchange generator
- Service exchange x-ray controller
- Service exchange computer

Spare Parts

Service provider to provide all related spare parts and related items in cases where they are Corrective Maintenance.

The Contractor will liaise with the NLC on any proposed works and identify works where the Contractor:

- Does not have the required skills to undertake the works,
- Is required to be licensed or hold a qualification,
- Proposes to use a subcontractor, and or

- Has any other restriction or limitation in relation to the works?

Description of Xray machines and Metal detectors

QTY	Description
6	FISCAN CMEX-B6550A X-Ray Scanner
2	FISCAN CMEX-T5030 X-Ray Machine
10	GARRETT PD6500i Walk Through Metal Detectors

Provincial Addresses

Office Name	Address	Xray Machine	Metal Detectors
Head Office	333 Grosvenor Street, Hatfield Gardens, Block D, Pretoria	1 x FISCAN CMEX-B6550A X-Ray Scanner 1 x FISCAN CMEX-T5030 X-Ray Machine	2 x GARRETT PD6500i Walk Through Metal Detectors
Limpopo	5 Landros Mare Street, Polokwane, Limpopo	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors
North-West	12 Visser Street, Mafikeng Industrial, Mafikeng	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors
Mpumalanga	29 Rood Street, Sonheuwel, Nelspruit	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors
Free State	280/282 Stateway, Bedelia, Welkom	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors
KZN	5 Walnut Road, Smartxchange Building, Office 22, Durban	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors
Northern	11a Schmidtsdrift		

Cape	Road, Kimberley	1 x FISCAN CMEX-T5030 X-Ray Machine	1 x GARRETT PD6500i Walk Through Metal Detectors
Eastern Cape	7 Rochester Road, Vincent, Eastern London	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors
Western Cape	130 Bree Street, Manhattan Place, Cape Town	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors

7. Deliverables

- Cleaning out the machines
- Check x-ray generator voltages and currents.
- Checking the radiation levels
- Checking the functioning of the emergency stops and interlock switches.
- Checking for physical wear of the movable and mechanical parts of the machines
- Checking of all keyboard's functions
- Radiation leakage testing to ensure that radiation shields are not damaged.
- Radiation Authorities
- Service exchange generator
- Service exchange x-ray controller
- Service exchange computer
- Provide Technical Service report per province as per the requirements

8. Reporting Requirements

The service provider will report to the NLC Appointed Engineers and Supply Chain management & Facilities (SCM&F) Department

9. Duration of the Project

The expected duration of the project is three (3) weeks after the receipt of appointment letter

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	24244	CLOSING DATE:	31 August 2022	CLOSING TIME:	11:00
DESCRIPTION	Request for quotation once off maintenance of X-ray machines and metal detectors				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Sereko Mosala		CONTACT PERSON	Khayaletu Ncwane	
TELEPHONE NUMBER	012 432 1406		TELEPHONE NUMBER	012 432 1494	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	Sereko.mosala@nlcsa.org.za		E-MAIL ADDRESS	Khaya@nlcsa.org.za	
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
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
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)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS					

SBD1

SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.



PART B
TERMS AND CONDITIONS FOR BIDDING

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6	WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7	NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.+

SIGNATURE OF BIDDER:

0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0

CAPACITY UNDER WHICH THIS BID IS SIGNED:

0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0

(Proof of authority must be submitted e.g. company resolution)

DATE:

[illegible]

ANNEXURE 1

Name of

bidder.....

PRICING SCHEDULE:

REQUEST FOR QOUTATION ONCE OFF MAINTENANCE OF XRAY MACHINES AND METAL DETECTORS

Please provide prices (VAT Inclusive) using table below for the appointment of a service provider to render once off maintenance of XRAY machines and metal detectors

TABLE 1:

Office Name	Xray Machine	Metal Detectors	Amount (Vat inclusive)
Head Office	1 x FISCAN CMEX-B6550A X-Ray Scanner 1 x FISCAN CMEX-T5030 X-Ray Machine	2 x GARRETT PD6500i Walk Through Metal Detectors	
Limpopo	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors	

ANNEXURE 1

North West	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors	
Mpumalanga	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors	
Free State	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors	
KZN	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors	
Northern Cape	1 x FISCAN CMEX-T5030 X-Ray Machine	1 x GARRETT PD6500i Walk Through Metal Detectors	
Eastern Cape	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors	
Western Cape	1 x FISCAN CMEX-B6550A X-Ray Scanner	1 x GARRETT PD6500i Walk Through Metal Detectors	

ANNEXURE 1

TOTAL BID AMOUNT (VAT INCLUSIVE)			
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.....
Name & Surname of Representative

.....
Signature

.....
Date

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:

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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:

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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.

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.

- 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 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.

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Signature

Date

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Position

Name of bidder

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.21.2

- a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or

1.3 Points for this bid shall be awarded for:

- (a) Price; and
(b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)
 \end{array}$$

Where

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

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

- 5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 6.1 B-BBEE Status Level of Contributor: . = ò ò ò (maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

- 7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES		NO	
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- 7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted%
- ii) The name of the sub-contractor ò ò ò ò ò ò ò ò ò ò ò ò ò ò ò ò ò ò ò ò ..
- iii) The B-BBEE status level of the sub-contractor.....ò ò ò ò ò ..
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
-----	--	----	--

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		

Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name _____ of
company/firm: 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 .

8.2 VAT _____ registration
number: 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 .

8.3 Company _____ registration
number: 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 .

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
☐ One person business/sole propriety
☐ Close corporation
☐ Company
☐ (Pty) Limited
 [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
 0 0 ..

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
☐ Supplier
☐ Professional service provider
☐ Other service providers, e.g. transporter, etc.
 [TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business: 0 0 0 0 0 0 0 0 0 0

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a

fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have .

- (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

WITNESSES

1. ō ō ō ō ō ō ō ō ō ō ō ō ō ō ..

2. ō ō ō ō ō ō ō ō ō ō ō ō ō ō .

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SIGNATURE(S) OF BIDDERS(S)

DATE: ō ō ō ō ō ō ō ō ō ō ō ō ō ō ..

ADDRESS ō ō ō ō ō ō ō ō ō ō ō ō ō ō ..

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SCM: **CONSENT** **REQUEST FORM**

REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF PROCUREMENT OF GOODS AND SERVICES APPLICATION, IN LINE WITH THE NLC's SUPPLY CHAIN MANAGEMENT POLICY, IN TERMS OF SECTION 11(1)(a) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.4 OF 2013) ("**POPIA**").

TO: _____

FROM: _____

ADDRESS: _____

Contact number: _____

Email address: _____

PART A

1. In terms of the PROTECTION OF PERSONAL INFORMATION ACT, consent for processing of personal information of a data subject (the person/entity to whom personal information relates) must be obtained for the purpose of processing of application for procurement of goods and services, in line with the NLC's supply chain management policy, and storage of your personal data by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMSs or e-mail, which is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by us (NLC). After you have indicated your wishes in Part B, you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.
2. "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—
 - 2.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 2.2 dissemination by means of transmission, distribution or making available in any other form; or
 - 2.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.
3. "Personal information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—
 - 3.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
 - 3.2 information relating to the education or the medical, financial, criminal or employment history of the person;

- 3.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- 3.4 the biometric information of the person;
- 3.5 the personal opinions, views or preferences of the person;
- 3.6 correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- 3.7 the views or opinions of another individual about the person; and
- 3.8 the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

Full names of the designated person on behalf of the Responsible Party

Signature of Designation person

PART B

I, _____ (full names), duly authorized, hereby:
Consent to the processing of my/our personal information for the application of
procurement of goods and services, in line with the NLC supply chain management
policy, in terms of section 11(1)(a) of POPIA.

SPECIFY GOODS AND SERVICES (Edit/Click on services not required):

- ☐ Product Information
- ☐ Product Updates
- ☐ Industry Newsletters
- ☐ Price Changes

Method of Communication will be via: Email/Postal

☐ Give my consent.

By Ticking the next box, I am aware that I am Digitally Signing this Consent
request Form:

☐

Full Name:

Date:

WITHDRAWAL OF CONSENT ONCE GIVEN

You may withdraw your consent at any time.

Write or email us at the address above, advising us of your consent withdrawal