

## PART A INVITATION TO BID (SBD 1)

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	<b>RFQ/2024 - 056</b>	CLOSING DATE:	<b>15 March 2024</b>	CLOSING TIME:	<b>11H00</b>
DESCRIPTION	<b>REQUEST FOR PRICE QUOTATION FOR THE APPOINTMENT OF A PANEL OF CATERERS OF NOT MORE THAN FIVE (5) SERVICE PROVIDERS FOR THE NATIONAL LOTTERIES COMMISSION</b>				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<b>NATIONAL LOTTERIES COMMISSION OFFICE</b>					
<b>333 GROSVENOR STREET,</b>					
<b>BLOCK D HATFIELD GARDENS,</b>					
<b>HATFIELD,</b>					
<b>PRETORIA</b>					
<b>0083</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Penelope Soyingwa		CONTACT PERSON	Penelope Soyingwa	
TELEPHONE NUMBER	(012) 432 1414		TELEPHONE NUMBER	(012) 432 1414	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	penelope@nlcsa.org.za		E-MAIL ADDRESS	penelope@nlcsa.org.za	
<b>SUPPLIER INFORMATION</b>					
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:		<b>O R</b>	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]  Yes                      No		B-BBEE STATUS LEVEL SWORNAFFIDAVIT		[TICK APPLICABLE BOX]  Yes                      No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes                      No  [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		Yes                      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.**

**PART B  
TERMS AND CONDITIONS FOR  
BIDDING**

**1. BID SUBMISSION:**

- 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. TAX COMPLIANCE REQUIREMENTS**

- 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."

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

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

DATE:

.....

**REQUEST FOR PRICE QUOTATION FOR THE APPOINTMENT OF A PANEL OF CATERERS OF NOT MORE THAN FIVE (5) SERVICE PROVIDERS FOR THE NATIONAL LOTTERIES COMMISSION FOR A PERIOD OF TWELVE (12) MONTHS**

<b>REQUEST FOR QUOTATION [RFQ]NO</b>	<b>RFQ/2024-056</b>
<b>RFQ DESCRIPTIONS</b>	REQUEST FOR PRICE QUOTATION FOR THE APPOINTMENT OF A PANEL OF CATERERS OF NOT MORE THAN FIVE (5) SERVICE PROVIDERS FOR THE NATIONAL LOTTERIES COMMISSION
<b>FOR DELIVERY TO</b>	All submissions Must be addressed to Senior Manager Supply Chain Management, National Lotteries Commission Submission of Quotation:  333 Grosvenor Street Block D Hatfield Gardens Hatfield Pretoria 0183
<b>ISSUE DATE</b>	<b>28 February 2024</b>
<b>CLOSING DATE</b>	<b>15 March 2024</b>
<b>CLOSING TIME</b>	11h00
<b>RFQ VALIDITY PERIOD</b>	The validity period of the quotation requested must be 90 days.
<b>E-MAIL ADDRESS</b>	<a href="mailto:penelope@nlcsa.org.za">penelope@nlcsa.org.za</a>
<b>ONLY USB SUBMISSIONS WILL BE ACCEPTED (no hard copies will be accepted)</b>	

# REQUEST FOR PRICE QUOTATION FOR THE APPOINTMENT OF A PANEL OF CATERERS OF NOT MORE THAN FIVE (5) SERVICE PROVIDERS FOR THE NATIONAL LOTTERIES COMMISSION

## SECTION 1: BACKGROUND, OVERVIEW AND RFP SCOPE OF REQUIREMENTS

### 1. BACKGROUND

The National Lotteries Commission (NLC) 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 the regulation of National Lottery and other Lotteries” and “administration of the National Lottery Distribution Trust Fund (NLDTF).

The National Lotteries Commission (NLC) 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 NLC regularly hosts different meetings which require catering services that can accommodate the needs of various religious and ethnic groups.

The NLC invites suitably qualified and experienced bidders to submit proposals for a panel of not more than five (5) caterers for the NLC. In line with the requirements of the Public Finance Management Act (PFMA) No. 1 of 1999 and Treasury Regulations, the NLC seeks to engage the services of a duly service provider.

### 2. PURPOSE

The purpose of the terms of reference (TOR) is to appoint a suitably qualified and experienced panel of qualified caterers of not more than 5 for a period of 12 months.

### 3. OBJECTIVES

The primary objective of this TOR is to appoint a panel of caterers that will provide catering services for all dietary preferences, including but not limited to vegetarian, kosher and halaal with valid certification from respective bodies.

## 4. SCOPE OF WORK

### The scope of work entails the following:

The appointed service providers should expect to render, amongst others, the following scope of services:

4.1 Supply and deliver food as per specification;

4.2 Prepare nutritional, quality food in a hygienic environment.

### 4.3 Delivery

Delivery of equipment and setting up of food must be completed at least thirty (30) minutes before food is served.

### 4.4. Catering equipment

The caterers shall be responsible for the following:

- Ensure there is adequate crockery, cutlery, glassware, table cloths & required catering equipment;
- Provide and arrange décor when required; and
- Ensure that waiters and/or waitresses dress appropriately when serving food; i.e. the correct Personal Protective Equipment ("PPE") for catering services whilst on NLC site and/or premises.

### 4.5 Expectations

4.5.1 An expectation of a wide choice of food that is varied regularly;

4.5.2 A need for comfort and aesthetically pleasing setup; and

4.5.3 A high expectation in terms of hygiene and safety of food.

## 5. DELIVERABLES

The following are the expected deliverables for the catering services to be provided when required:

- Full catering services for the NLC; and
- To be able to provide the service within twenty-four (24) hours of receiving the request

## 6. REPORTING REQUIREMENTS

The successful service provider will report to Finance Division.

## 7. DURATION OF THE PROJECT

The expected duration of the contract is twelve (12) Month after the signing of a service level agreement (SLA).

## SECTION 2: NOTICE TO SERVICE PROVIDERS

- 1.1 This document may contain confidential information that is the property of the 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 proposal in response to this RFP without prior written permission from the NLC.
- 1.3 All copyright and intellectual property herein vests with the 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 This RFP will be evaluated in terms of the 80/20 preference point system prescribed by the Preferential Procurement Policy Framework Act of 2000 and PPR of 2022.
- 1.7 Suppliers are required to register on the Central Supplier Database at [www.csd.gov.za](http://www.csd.gov.za).
- 1.8 Suppliers must provide their CSD registration number (and attach a CSD Summary report) and ensure that their tax matters are compliant.
- 1.9 All questions regarding this RFP must be forwarded to [bids@nlcsa.org.za](mailto:bids@nlcsa.org.za) cc [penelope@nlcsa.org.za](mailto:penelope@nlcsa.org.za), five (5) days prior closing date.
- 1.10 Any supplier who has reasons to believe that the RFP specification is based on a specific brand must inform the NLC via the email.

## 2. 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 RFP or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, the NLC.
- 2.2 Precedence of documents
  - 2.2.1 This RFP consists of several sections. Where there is a contradiction in terms between the clauses, phrases, words, stipulations, or terms and herein referred to generally as stipulations in this RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this RFP shall take precedence.

- 2.2.2 Where this RFP 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 the 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 the NLC.
- 2.2.3 It is acknowledged that all stipulations in the PPPFA are not equally applicable to all matters addressed in this RFP. It, however, remains the exclusive domain and election of the NLC as to which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of the 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 The NLC supports B-BBEE as an essential ingredient of its business. In accordance with government policy, the 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 (SMME Development) etc.
- 2.4 National Industrial Participation Program.
- 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 RFP 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 RFP and/ or subsequent agreement. The 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 the 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 RFP 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 and NLC SCM Policy.

The Bidder is advised that Bidder Personal Information may be passed on to third parties to whom the NLC is compelled by law to provide such information. For example, where appropriate, the 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 NLC will ensure that the rights of the Bidder and of its employees and representatives (i.e., the right of access and the right to rectify) are effectively guaranteed in accordance with the procedures as specified in the NLC PAIA manual.

2.9.4 In signing this document, the Bidder consents to the use of its Personal Information for the purposes as specified in section 2.9.1 above.

## 3. National Treasury’s Central Supplier Database

3.1 Bidders are required to self-register on National Treasury’s Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.

3.2 The NLC may not award business to a bidder who has failed to register on the CSD.

3.3 Only foreign suppliers with no local registered entity need not register on the CSD.

3.4 The CSD can be accessed at <https://secure.csd.gov.za/>.

## 4. Confidentiality

4.1 Bids submitted for this Request for Quotation will not be revealed to any other bidders and will be treated as contractually binding.

4.2 The NLC reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.

4.3 The Bidder acknowledges that it will obtain and have access to personal information of The NLC and agrees that it shall only process the information disclosed by the NLC in terms of this bid award and only for the purposes as detailed in this RFP and in accordance with any applicable law.

4.4 The Bidder shall notify the NLC in writing of any unauthorised access to personal information and the information of a third party, through cybercrimes or suspected

cybercrimes, in its knowledge and reports such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such.

## **5. Communication**

- 5.1 Specific queries relating to this RFP should be submitted [penelope@nlcsa.org.za](mailto:penelope@nlcsa.org.za), before the closing date.
- 5.2 In the interest of fairness and transparency the NLC's response to such a query may be made available to other bidders.
- 5.3 It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the NLC in respect of this RFP between the closing date and the date of the award of the business.
- 5.4 Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

## **6. supplier performance**

- 6.1. The National Lotteries Commission conducts regular performance reviews in accordance with the requirements for the classification of the contract and or stakeholder by making use of supplier evaluation forms. The evaluation is conducted against the deliverables or scope of the contract with a minimum of an annual review done for contracts longer than a year and a review at completion of contract for those contracts less than a year.
- 6.2. Ad-hoc performance reviews shall be conducted where non-performance is identified outside the review period.
- 6.3. Non-performance will be addressed with at least a formal letter advising specific non-performing areas and stating remedial action/s required within specific time frames. Non-adherence to remedial actions shall lead to escalating performance management actions.
- 6.4. Any party to this agreement may request to participate in a joint performance review where appropriate and seek continuous improvement opportunities.

### **1. Formal Briefing Session**

- 1.1 No briefing session.

### **2. Validity Period**

- 2.1 The Commission requires a validity period of 90 [one hundred and twenty] Business Days [from closing date] against this RFP.
- 2.2 Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions, if the internal evaluation process are not finalised within the validity period.

### **3. National Treasury's Central Supplier Database**

- 3.1 Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.
- 3.2 The Commission may not award business to a bidder who has failed to register on the CSD.
- 3.3 Only foreign suppliers with no local registered entity need not register on the CSD.
- 3.4 The CSD can be accessed at <https://secure.csd.gov.za/>

### **4. Confidentiality**

- 4.1 Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding.
- 4.2 The Commission reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.
- 4.3 The Bidder acknowledges that it will obtain and have access to personal information of The NLC and agrees that it shall only process the information disclosed by the NLC in terms of this bid award and only for the purposes as detailed in this RFP and in accordance with any applicable law.
- 4.4 The Bidder shall notify the NLC in writing of any unauthorised access to personal information and the information of a third party, through cybercrimes or suspected.

5.6 cybercrimes, in its knowledge and report such crimes or suspected crimes to therelevant authorities in accordance with applicable laws, after becoming aware of such.

### **5. Communication**

- 5.1 Specific queries relating to this RFP should be submitted [penelope@nlcsa.org.za](mailto:penelope@nlcsa.org.za) before the closing date.
- 5.2 In the interest of fairness and transparency the NL C's response to such a query may be made available to other bidders.
- 5.3 It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the NLC in respect of this RFP between the closing date and the date of the award of the business.
- 5.4 Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

## 6. TECHNICAL EVALUATION

### 1.1 Bid Formats

Bid submissions must be submitted in a PDF format that is protected from any modifications, deletions, or additions.

Financial/pricing information must be presented in a separate attachment from the Technical/Functional Response information. The onus is on the Bidder to ensure that all mandatory and required documents are included in the electronic submission.

Submissions must be prominently marked with the full details of the tender namely Bidder's Name, Tender No and Tender Title.

Bidders are advised to email electronic submissions at least thirty minutes before the bid closing time to cater for any possible delay in transmission or receipt of the bid. The onus is on bidder to ensure that the bid is submitted on time.

Tender submission received after submission date and time will be declared late bid submissions and will not be accepted for consideration by the NLC.

#### Stage 1: Tender Closing and Opening

##### Tender closing details

The deadline for Tender submission is **15 March 2024** Standard South African Time. Any late bids will not be accepted.

National Lotteries Commission  
333 Grosvenor Street  
Block D,  
Hatfield  
Gardens  
Hatfield, Pretoria  
0083

#### Stage 2: Administrative Compliance

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation. The Administrative Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Document
1. Returnable documents (standard bidding documents) and/or schedules were completed, duly signed by the authorized person.	Standard Bidding Document (SBD6.1) Forms

2. Signed consent form in terms of the Protection of Personal Information Act 4 of 2013 (POPIA) (Consent Forms Attached to the Bid as part of the SBDs).	Signed POPIA Consent Form
3. registered with the central supplier database (CSD) with valid tax clearance compliant status on the closing date of submission of bid.	CSD Report with Tax Compliant Status.
4. BEE/Sworn affidavit	Copy certificate

### Stage 3: Technical evaluation Mandatory Compliance requirements

EvaluationCriteria	Supporting Document
1. Fully completed Standard Bidding Documents (SBD4)	SBD 4
2. Joint Venture agreements must be submitted in a case of a bidder being in a joint venture	Signed Joint Venture agreements.
3. A certificate from the municipality for food safety, health and waste management must be submitted.	Copy of municipality certification
4. A valid letter of Good Standing from the Occupational Injuries and Diseases Act (COIDA)	Valid copy of COIDA Registration Certificate
5. A valid Public Liability Insurance cover of a minimum of R2 million rand.	Proof of insurance of R 2 million Rand or letter of Intent
6. Provide 3 written reference letters for catering services work undertaken by the bidder within the previous 2 years.  <i>(Multiple letters of reference from one client will be regarded as one reference, despite it being for different appointments for the same services. Letters must include the company name, contact name, address, phone number, a brief description of the services that you provided and signed).</i>	Valid reference letters

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids who do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation.

**Stage 4: Technical evaluation ( table 4.1)**

<b>Rating</b>	<b>Definition</b>	<b>Score</b>
<b>Excellent</b>	Exceeds the requirement. Exceptional demonstration by the Service Provider of the relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with supporting evidence.	<b>5</b>
<b>Good</b>	Satisfies the requirement with minor additional benefits. Above average demonstration by the Service Provider of the relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with supporting evidence.	<b>4</b>
<b>Acceptable</b>	Satisfies the requirement. Demonstration by the Service Provider of the relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods / services, with supporting evidence.	<b>3</b>
<b>Minor Reservations</b>	Satisfies the requirement with minor reservations. Some minor reservations of the supplier's relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services, with little or no supporting evidence.	<b>2</b>
<b>Serious Reservations</b>	Satisfies the requirement with major reservations. Considerable reservations of the Service Provider's relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods / services, with little or no supporting evidence.	<b>1</b>
<b>Unacceptable</b>	Does not meet the requirement. Does not comply and/or insufficient information provided to demonstrate that the Service Provider has the ability, understanding, experience, skills, resource & quality measures required to provide the goods / services, with little or no supporting evidence.	<b>0</b>

The evaluation for the Technical and Functional will be done during site visit and the threshold will include the following:

<b>CRITERIA</b>		
<b>1. COMPANY EXPERIENCE</b>	<b>SCORING MATRIX - (0-5)</b>	<b>WEIGHT (%)</b>
<p><b>Site inspection to the premises to be conducted to assess the following,</b></p> <ul style="list-style-type: none"> <li>• Food safety, and</li> <li>• Food set-up</li> <li>• Whether food prepared in a hygienic environment?</li> <li>• The chefs, waiters and / or waitresses available.</li> <li>• Office with Computer for administration purposes.</li> </ul>	<ul style="list-style-type: none"> <li>• Bidder with no experience in food safety, food set up, no office for administration, food not prepared in hygienic environment and Chefs, waiters available for preparation of food = 0 Point</li> <li>• Bidder with has experience in food safety, food set up, has office for administration, food is prepared in hygienic environment and Chefs, waiters available for preparation of food = 5 Point</li> </ul>	<b>35%</b>
<b>2. CAPACITY AND ABILITY TO DELIVER CATERING SERVICES</b>		
<p><b>Site inspection to the premises to be conducted to assess the following,</b></p> <ul style="list-style-type: none"> <li>• Adequate refrigeration facility</li> <li>• The ingredients freshly procured and meals freshly prepared</li> </ul>	<ul style="list-style-type: none"> <li>• Bidder with has no adequate refrigeration facility and ingredient are not freshly procured and freshly prepared = 0 Point</li> <li>• Bidder with has adequate refrigeration facility and ingredient are freshly procured and freshly prepared = 5 Point</li> </ul>	<b>30%</b>

3. Infrastructure and equipment		
<p><b>Site inspection to the premises to be conducted to assess the infrastructure, equipment and demonstration as follows:</b></p> <p>Assessment to be made on the availability of resources including and not limited to kitchen equipment. The bidder must ensure necessary equipment for catering service are in good order i.e.</p> <ul style="list-style-type: none"> <li>• kitchen,</li> <li>• pots, plates, side plates, cups, bowls, warmers, cutlery and crockery, tablecloths, etc.</li> <li>• The premises where food is prepared is maintained in a clean and orderly manner, with good housekeeping principles.</li> <li>• Is the operating building secured with the necessary infrastructure to provide the required service.</li> <li>• Vehicle/s available for delivery of food</li> </ul>	To be evaluated as per table 4.1	35%
<b>Total</b>		<b>100%</b>
<b>Minimum qualifying score required:</b>	<b>75%</b>	

**Stage 5: The 80/20 Principle based on Price and Special goal as stated below.**

***Points will be awarded to a bidder as follows.***

Evaluation Criteria	Final Weighted Scores
---------------------	-----------------------

**Price**

80

The following formula must be used to calculate the points out of 80 for price in respect of an invitation for a tender with a Rand value equal to or below R50 million, inclusive of all applicable taxes:

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

Where-

*P<sub>s</sub>* = Points scored for price of tender under consideration.

*P<sub>t</sub>* = Price of tender under consideration; and

*P<sub>min</sub>* = Price of lowest acceptable tender

## Stage 4: Pricing and Special goal

**Pricing Schedule: Please refer to Annexure A**

**The evaluation for Pricing and Special goal will include the following:**

1. Procurement from entities who are Black Owned	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence
91% - 100%	6	<b>10</b>	Copies of ID's/ 3 months CIPC Report from the closing date of the bid / CSD Recent Report
81% - 90%	5		
71% - 80%	4		
61% - 70%	3		
51% - 60%	2		
41% - 50%	1		
0% - 40%	0		
2. Procurement from entities who are Black women Owned		<b>8</b>	B-BBEE Certificate / B-BBEE Sworn Affidavit
91% - 100%	10		
81% - 90%	6		
71% - 80%	5		
61% - 70%	4		
51% - 60%	3		
0%-50%	0		
3. Procurement from Disabilities		<b>2</b>	Letter from the Doctor confirming disability and CSD report
Procurement from entities who are at least 51% owned by persons with disabilities.	2		
Less than 51% ownership from people with disabilities	0		
Total points for specific goals		<b>20</b>	

**Top five bidders who score the highest points on Price and Specific goals will be recommended for appointment.**

## Stage 5: Due Diligence

NLC reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period. This may include site visits and requests for additional information.

## **Stage 6: Contract and Award**

The stage is for negotiation after receipt of formal tenders and before the conclusion of contracts with suppliers/contractors submitting the lowest acceptable tender with a view to obtaining an improvement in price, delivery or content, in circumstances which do not put other tenderers at a disadvantage or affect adversely their confidence or trust in the competitive system. Service Providers may be requested to provide their best and final offers based on contract negotiation.



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2.2 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.

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 consortium 2 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.

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3.5 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.

3.6 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.

3.7 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



## 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

#### 1.2 To be completed by the organ of state

*(delete whichever is not applicable for this tender).*

- a) The applicable preference point system for this tender is the **80/20** preference point system.
  - b) The **80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
- 1.3 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.

#### 1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
<b>PRICE</b>	80
<b>SPECIFIC GOALS</b>	20
<b>Total points for Price and SPECIFIC GOALS</b>	100

- 1.5 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.
- 1.6 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**

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

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

#### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOMEGENERATING PROCUREMENT

##### 3.2.1. POINTS AWARDED FOR PRICE

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

**80/20**

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

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

#### 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:
- 4.2. 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 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 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system: or
  - (b) any other invitation for tender, that either the 80/20 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.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

***(Note to organs of state: Where the 80/20 preference point system is applicable, corresponding points must also be indicated as such.***

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

4. Procurement from entities who are Black Owned	Sub - points for specific goals	Maximum points for specific goals	To be evaluated by the bidder
91% - 100%	6	<b>10</b>	
81% - 90%	5		
71% - 80%	4		
61% - 70%	3		
51% - 60%	2		
41% - 50%	1		
0% - 40%	0		
5. Procurement from entities who are Black women Owned			
91% - 100%	10	<b>8</b>	
81% - 90%	6		
71% - 80%	5		
61% - 70%	4		
51% - 60%	3		
0%-50%	0		
6. Procurement from Disabilities			
Procurement from entities who are at least 51% owned by persons with disabilities.	2	<b>2</b>	
Less than 51% ownership from people with disabilities	0		
Total points for specific goals		<b>20</b>	

## DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:  
.....

4.5. 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]

4.6. 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 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 *audit*.
  - (e) *alteram partem* (hear the other side) rule has been applied; and
  - (f) forward the matter for criminal prosecution, if deemed necessary.

.....  
**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

.....



**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 another 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 requestForm:

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.