



**sanedi**

South African National Energy  
Development Institute.

**REQUEST FOR QUOTATIONS FOR THE APPOINTMENT OF THE REVIEW OF  
CURRENT GREEN HYDROGEN RESEARCH ACTIVITIES, PUBLIC SECTOR  
OBJECTIVES AND PRIVATE SECTOR NEEDS**

NAME OF BIDDER.....

POSTAL ADDRESS .....

STREET ADDRESS .....

CONTACT PERSON .....

TELEPHONE NUMBER Code ..... Number .....

CELL PHONE NUMBER Code ..... Number .....

FACSIMILE NUMBER Code .....Number .....

E-MAIL ADDRESS .....

**Signature of Bidder** ..... **Date** .....

<b>RFQ Number</b>	0523
<b>Date of RFQ</b>	18 May 2023
<b>SANEDI Contact</b>	All enquiries must be directed to:  Name: Ms Vulani Ngoveni e-mail address: <a href="mailto:enquiries.procurement@sanedi.org.za">enquiries.procurement@sanedi.org.za</a> Website address: <a href="http://www.sanedi.org.za">www.sanedi.org.za</a>
<b>Closing date</b>	02 June 2023 at <b>11:00am</b>  NO LATE SUBMISSIONS WILL BE ACCEPTED.
<b>Submission methods</b>	The submissions should be made to the following email:  <a href="mailto:quotes.procurement@sanedi.org.za">quotes.procurement@sanedi.org.za</a>  <b>NB: failure to submit in the correct email will render your submission non-responsive.</b>
<b>Work specification (and Technical specifications)</b>	<b>1. Project Background</b> In its ambition to develop the hydrogen economy, South Africa began with the Cabinet approval of the Hydrogen South Africa Energy Research, Development, and Innovation Strategy in 2008 (HySA Strategy). The HySA strategy was driven by the Department of Science and Innovation (DSI). The Strategy identified hydrogen fuel cell technologies (HFCT) for their potential to reduce emissions and secure the country's energy future by promoting proactive innovation at the same time developing the human resources required for future industries in hydrogen economy. This Strategy is been implemented in the context of the DST's innovation strategies, the Department of Mineral Resources and Energy's policies and strategies on sustainable energy systems, and the Department of Trade and Industry's industrial development strategies.  Building on the successful implementation of the HySA Strategy, DSI, together with other government departments, initiated the development of the Hydrogen Society Roadmap (HSRM) for South Africa <sup>2</sup> in March 2020. In 2021, the Department of Trade, Industry and Competition (DTIC) established a panel to focus on the development of a South Africa Green Hydrogen Commercialisation Strategy under the co-ordination by the Industrial Development Corporation (IDC) until 30 November 2022. Subsequently the commercialisation strategy was approved by the South African cabinet for public comments until 03 February 2023. Currently, South Africa through the execution of catalytic projects (i.e., Hydrogen Valley <sup>3</sup> ) and establishment of various renewable energy projects seeks to operationalise the DSI's Hydrogen Society Road Map, and fast track the development of a green hydrogen sector. This initiative has attracted participation of the private sector in various roles including ranging from investors and potential off-takers for future exports of hydrogen or its deliverables. <sup>2</sup>

In the context of a rapidly decreasing global carbon budget and urgency to identify adequate solutions for decarbonizing the so-called hard-to-abate sectors. Green hydrogen produced from water electrolysis using solar and wind energy, can help in eliminating carbon dioxide (CO<sub>2</sub>) emissions in the hard-to-abate sectors like steel, chemicals, long-haul transport, shipping, and aviation. The green hydrogen can be stored for future utilisation conversion into green hydrogen-based Power-to-X products such as ammonia and synthetic jet fuels or it can be stored for future on-demand electricity applications or transported industrial applications like steel, chemicals and aviation. Using fuel cells, hydrogen and oxygen can be converted into electric energy and water, where this electric energy can be used for stationary power generation or electric vehicles applications.<sup>3</sup>

Sources: 1DSI National Hydrogen and Fuel Cell Technologies Research, Development, and Innovation Strategy; 2The Hydrogen Society Roadmap (HSRM) for South Africa; 3IRENA (2021), Making the breakthrough: Green hydrogen policies and technology costs, Abu Dhabi.

## 2. About the South African National Energy Development Institute (SANEDI)

SANEDI was established by the National Energy Act, 2008 (No. 34) as a successor to the previous South African National Energy Research Institute (Pty) Ltd (SANERI) and the National Energy Efficiency Agency (NEEA). SANEDI is a Schedule 3A Public Entity as of 31 December 2010 and operationalised on 1 April 2011. SANEDI was created to assist the Department of Energy in achieving its strategic objectives as outlined in the National Energy Act, 2008 (No. 34 Of 2008), described as to:

- Promote the diversification of energy supply;
- Ensure emerging energy technologies are incubated and commercialised;
- Ensure appropriate human capital is developed to support new industries;
- Stimulate innovation in energy research & development (R&D) and introduce the next wave of generation capacity in South Africa.

SANEDI's mandate is to serve as a catalyst for sustainable energy innovation, transformation, and technology diffusion in support of South Africa's sustainable development and as such has a valuable role to play in the green hydrogen sector development in South Africa.

Furthermore, due to SANEDI's key mandate around energy research and innovation, the Department of Science and Innovation (DSI) appointed SANEDI as Energy Secretariat. The objective of establishing the Energy Secretariat is to support the successful commercialisation and upscaling of knowledge outputs from the broader energy RDI portfolio and ensuring systemic impact in the National System of Innovation (NSI). The Secretariat is an administrative office of the DSI as directed by the Chief Director Hydrogen Energy. The scope of the Secretariat covers the following DSI energy-related programmes;

- Hydrogen South Africa (HySA);
- Energy Storage RDI Initiative;
- Renewable Energy Hub and Spokes;
- Coal CO<sub>2</sub> to X RDI Programme;
- SAR Chairs Programme;

- Centres of Competencies

The GIZ support will strengthen the operation and functions of the Secretariat through enhanced process, co-ordination and management, which will lead to increased research, innovation, and commercialisation outputs of the green hydrogen research portfolio of South Africa. The support will also enable the Secretariat to deliver an improved information and communication service to the green hydrogen research and private sector stakeholders. The work of the Secretariat will further be supported by an integrated expert (CIM) in coordination with the H2.SA programme.

**3. About the GIZ H2.SA** Given the positive outlook of SA as a potential supplier of green H2 products, the GIZ was commissioned by the German Federal Ministry for Economic Cooperation and Development (BMZ) in 2019 to develop a project concept for a future green hydrogen project in South Africa (H2.SA). The H2.SA project is focusing on supporting South African stakeholders from the public and private sector as well as civil society in setting up favourable regulatory, institutional, and technical framework conditions for a green hydrogen economy.

Within this framework, the H2.SA project collaborates with the Investment Infrastructure Office (IIO) of the SA Presidency as the political partner, as well as other energy and climate sector partners in SA's public and private sectors. Briefly, the H2.SA project consists of four thematic areas (also called Workstreams, WS):

- WS 1: Strategy Development and Regulatory Framework
- WS 2: Private Sector Engagement and Support
- WS 3: Training, Research, and Innovation
- WS 4: Sustainability Impact and Just Transition

The project H2.SA: Promoting a South African Green Hydrogen Economy in South African, implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) supports South African public and private sector stakeholders in the development of a green hydrogen economy.

**4. Objective of the Consultancy** The objectives of the project are to:

- provide an overview of current green hydrogen research activities that are underway at South African Universities, Universities of Technology, Science Councils, and other research institutions.
- outline the alignment of current GH2 research activities with the public sector green hydrogen policy objectives and private sector needs/priorities.
- identify common themes and priorities in the research, to identify possible gaps that are not being covered.
- compile a profile of the GH2 researchers actively working in the field and to make recommendations on future GH2 research focal areas for South Africa

By reviewing current green hydrogen research activities and results, informed decisions can be made regarding future research activities that can support public sector objectives and private sector needs. This will enhance collaboration between the public sector, private sector, academia, and industry associations regarding research, innovation, and commercialisation of the green hydrogen research portfolio of South Africa.

## 2. Project Objective

The results and deliverables of the work under this consultancy are as follows:

- One (1) research report outlining the current green hydrogen research activities, their alignment with private sector needs as well as public sector policy objectives of South Africa.
- Three (3) sectoral workshops (public, private and academia) to solicit inputs and streamline recommendations.

## 3. Scope of Work

Activity	Recommended time allocation
<ul style="list-style-type: none"><li>• Collect information on current green hydrogen research at Universities, Universities of Technology, Science Councils, and other Research Institutions.</li><li>• Analyse public sector policies and strategies to identify green hydrogen objectives.</li><li>• Analyse private sector needs in terms of supportive research.</li></ul>	20 days
<ul style="list-style-type: none"><li>• Analyse current green hydrogen research information to formulate common research themes and current research gaps, public sector objectives and private sector needs.</li></ul>	10 days
<ul style="list-style-type: none"><li>• Based on analysis of current work, and common themes, compile a short review of potential green hydrogen research gaps.</li><li>• Identify potential gaps/opportunities and formulate recommendations for future research focal areas in South Africa.</li><li>• Conduct three (3) sectoral workshops (public, private and academia) to solicit inputs from stakeholders.</li></ul>	10 days 5 days 5 days
<ul style="list-style-type: none"><li>• Identify NRF rated and other prominent GH2 researchers in South Africa and compile short profiles on each active researcher in the field</li></ul>	10 days

## 5. Project Duration

- ✓ Work should commence within one week of conclusion of the contract and should be concluded within sixty (60) days thereafter.

<p><b>BRIEFING SESSION</b></p>	<p><b>COMPULSORY BRIEFING</b>  A <b>compulsory</b> briefing session will take place virtually. Details of this briefing will be shared with interested bidders on receipt of their RSVP to SANEDI Procurement by <b>23 May 2023 at 12:00pm</b>.</p> <p><b>Date of Compulsory Briefing: 24 May 2023 at 11:00am</b></p> <p>Information required for Briefing Session RSVP;  <b>Company Name:</b>  <b>Represented by:</b>  <b>Email address:</b>  <b>RFQ Reference:</b></p>														
<p><b>Evaluation Criteria</b></p>	<table border="1"> <thead> <tr> <th data-bbox="391 653 889 726">Criteria</th> <th data-bbox="889 653 1341 726">Scoring Guidelines [with scores judged between 1 and 10]</th> <th data-bbox="1341 653 1500 726">Weighting</th> </tr> </thead> <tbody> <tr> <td data-bbox="391 726 889 1262"> <p><b>1.Experience of key staff</b>  Curriculum vitae of key staff working on the project:</p> <ul style="list-style-type: none"> <li>•Experience/understanding of key staff in the relevant field according to the scope of works.</li> <li>•Tangible experience in the field according to the scope of works.</li> </ul> </td> <td data-bbox="889 726 1341 1262"> <p>1 – 5 = little to no relevant experience in the green hydrogen research and energy sector of any staff</p> <p>5 – 7 = some relevant experience in the green hydrogen research and energy sector of any staff across the proposed team</p> <p>7 – 10 = extensive relevant experience in the green hydrogen research sector and energy sector of any staff across the proposed team</p> </td> <td data-bbox="1341 726 1500 1262"> <p><b>20%</b></p> </td> </tr> <tr> <td data-bbox="391 1262 889 1440"> <p><b>2. Qualification of key staff</b>  Professional qualifications of key staff In Science and/ engineering (minimum at bachelors’ level)</p> </td> <td data-bbox="889 1262 1341 1440"> <p>1– 5 = Degree</p> <p>5-7 = Honours degree</p> <p>7-10 = PHD/ Masters degree</p> </td> <td data-bbox="1341 1262 1500 1440"> <p><b>15%</b></p> </td> </tr> <tr> <td data-bbox="391 1440 889 1906"> <p><b>3. Capacity, capability and experience of organisation(s)</b>  Description of company profile, company history including years in the relevant business (minimum 5 years), description of project team including roles, list of previous work in the relevant field according to the scope of works requirements.</p> </td> <td data-bbox="889 1440 1341 1906"> <p>1 – 5 = little to no relevant capacity, capabilities and experience within the organisation with little to no evidence of previous relevant work in the green hydrogen research and energy sector</p> <p>5 – 7 = some relevant capacity, capabilities and experience with some evidence of previous relevant work in the green hydrogen research and energy sector</p> </td> <td data-bbox="1341 1440 1500 1906"> <p><b>30%</b></p> </td> </tr> </tbody> </table>			Criteria	Scoring Guidelines [with scores judged between 1 and 10]	Weighting	<p><b>1.Experience of key staff</b>  Curriculum vitae of key staff working on the project:</p> <ul style="list-style-type: none"> <li>•Experience/understanding of key staff in the relevant field according to the scope of works.</li> <li>•Tangible experience in the field according to the scope of works.</li> </ul>	<p>1 – 5 = little to no relevant experience in the green hydrogen research and energy sector of any staff</p> <p>5 – 7 = some relevant experience in the green hydrogen research and energy sector of any staff across the proposed team</p> <p>7 – 10 = extensive relevant experience in the green hydrogen research sector and energy sector of any staff across the proposed team</p>	<p><b>20%</b></p>	<p><b>2. Qualification of key staff</b>  Professional qualifications of key staff In Science and/ engineering (minimum at bachelors’ level)</p>	<p>1– 5 = Degree</p> <p>5-7 = Honours degree</p> <p>7-10 = PHD/ Masters degree</p>	<p><b>15%</b></p>	<p><b>3. Capacity, capability and experience of organisation(s)</b>  Description of company profile, company history including years in the relevant business (minimum 5 years), description of project team including roles, list of previous work in the relevant field according to the scope of works requirements.</p>	<p>1 – 5 = little to no relevant capacity, capabilities and experience within the organisation with little to no evidence of previous relevant work in the green hydrogen research and energy sector</p> <p>5 – 7 = some relevant capacity, capabilities and experience with some evidence of previous relevant work in the green hydrogen research and energy sector</p>	<p><b>30%</b></p>
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	<b>4. Portfolio of evidence</b> List of previous work in green hydrogen research and energy sector, research reviews that the bidder has successfully implemented projects in the relevant field according to the scope of works requirements.	0 = no portfolio of evidence provided  1 – 5 = 2 – 3 projects in the relevant field 10%  5 – 7 = 4 – 5 projects in the relevant field  7 – 10 = 6 projects in the relevant field	<b>10%</b>
	<b>5. Project plan and Methodology</b> Evidence: Detailed methodology and project plan of the work to be undertaken – concise approach to investigate concept of key focal areas. Approach to plan, design, execute and analyse work assignment. •Comprehensive methodology outlining key focal areas and analysis. • Comprehensive project plan with clear deliverables, milestones, and timelines.	1 – 5 = basic repetition of the “Scope of Work”  5 – 7 = outline of Project plan and methodology  7 – 10 = detailed methodology and project plan that includes other factors, not directly addressed above, but deemed necessary for the project	<b>25%</b>
	<b>Total</b>		<b>100%</b>
	<b>Technical Threshold</b>		<b>80%</b>
<b>Terms and Conditions</b>	The RFQ shall be subjected to the SANEDI procurement terms and conditions which can be found on <a href="http://www.sanedi.org.za">www.sanedi.org.za</a> .  New suppliers are requested to apply for registration as suppliers on the database as no RFQs will be considered without suppliers firstly being registered on the supplier database.		
<b>Quoted Price excluding Disbursements VAT inclusive</b>	<b>(Attach a formal quotation on company official letterhead to this RFQ)</b> R		
<b>Discounted amounts</b>	R		
<b>Disbursements VAT inclusive</b>	R		

<b>Total Amount VAT inclusive</b>	R
<b>Other Requirements</b>	<p>The supplier must submit the following returnable schedules:</p> <ol style="list-style-type: none"> <li>1. Pricing schedule</li> <li>2. Attach SBD9, SBD 4 and SBD 6.1</li> <li>3. Attach valid tax clearance</li> <li>4. Certified BBBEE certificate</li> <li>5. CSD Report</li> </ol> <p>Forms are available on <a href="http://www.sanedi.org.za">www.sanedi.org.za</a></p>

#### **SBD 4: Bidder's Declaration of Interest**

	<p>Any legal person, including persons employed by the state, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favoritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where</p> <ul style="list-style-type: none"> <li>- the bidder is employed by the state; and/or</li> <li>- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.</li> </ul>
	<p><b>In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.</b></p>

<b>COMPANY &amp; REPRESENTATIVE DETAILS</b>	
Full Name of bidder or his or her representative	
Identity Number	
Position occupied in the Company (director, trustee, shareholder, member):	

	Registration number of company, enterprise, close corporation, partnership agreement or trust	
	Tax Reference Number	
	VAT Registration Number	

	<b>DECLARATIONS</b>	<b>YES</b>	<b>NO</b>
	Are you or any person connected with the bidder presently employed by the state?		
	If so, furnish the following particulars:  Name of person / director / trustee / shareholder/ member		
	Name of state institution at which you or the person connected to the bidder is employed :		
	Position occupied in the state institution		
	Any other particulars:		
	If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?		
	If yes, did you attach proof of such authority to the bid document?  <u>(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.</u>		
	If no, furnish reasons for non-submission of such proof:		

	Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?		
	If so, furnish particulars:		
	Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?		
	If so, furnish particulars:		
	Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies  Wither or not they are bidding for this contract?		
	If so, furnish particulars:		

<b>Full details of directors / trustees / members / shareholders.</b>			
The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in the table below.			
Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number / Persal Number


“State” means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

**DECLARATION OF INTEREST**

I, the undersigned (name).....

Certify that the information furnished in this declaration is correct and I accept that SANEDI may reject the bid or act against me should this declaration prove to be false.

Name of Enterprise Bidding: .....

Name of Authorised Representative .....

Signature of Authorised Bidder .....

Date .....

**SBD 9: Certificate of Independent Bid Determination**

I, the undersigned, in submitting the accompanying bid for .....

in response to the invitation for the bid made by SANEDI do hereby make the following statements that I certify to be true and complete in every respect:

I therefore certify, on behalf of ..... that I have read and I understand the contents of this Certificate;

1. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
2. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
3. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
4. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

(a) has been requested to submit a bid in response to this bid invitation;

(b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and

(c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

5. 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 will not be construed as collusive bidding.

6. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

(a) prices;

(b) geographical area where product or service will be rendered (market allocation)

(c) methods, factors or formulas used to calculate prices;

(d) the intention or decision to submit or not to submit, a bid;

(e) the submission of a bid which does not meet the specifications and conditions of the bid; or

(f) bidding with the intention not to win the bid.

7. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

8. 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.
9. 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.

Name of Enterprise Bidding: .....

Name of Authorised Representative .....

Signature of Authorised Bidder .....

Date .....

## 1. Preference Points

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

**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 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 Preference Points applicable:

a) The applicable preference point system for this tender is the **80/20** preference point system.

1.3 Points for this tender shall be awarded for:

(a) Price; and

(b) Specific Goals.

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

	POINTS
Price	80
Specific Goals	20
<b>Total points for price and specific goals</b>	<b>100</b>

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 SANEDI 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 SANEDI.

## **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).
- (f) “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (g) “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;
- (h) “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;
- (i) “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (j) “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;
- (k) “functionality” means the ability of a tenderer to provide goods or services in accordance with

specifications as set out in the tender documents.

(l) “proof of B-BBEE status level of contributor” means:

- B-BBEE Status level certificate issued by an authorized body or person;
- A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
- Any other requirement prescribed in terms of the B-BBEE Act;
- “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;

### 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

#### 3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left( 1 + \frac{Pt - Pmax}{Pmax} \right) \quad \text{or} \quad Ps = 90 \left( 1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = 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:

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 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 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.

Table 1: 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)			Number of points claimed (80/20 system)  (To be completed by the tenderer)
	Total points possible	Indicator	Points allocated	
B-BBEE Status level of Contributor	10	Level 1	10	
		Level 2	9	
		Level 3	8	
		Level 4	5	
		Level 5	4	
		Level 6	3	
		Level 7	2	
		Level 8	1	
		Non-compliant	0	
Women	5	Women Owned 76% - 100%	100%	

		Women Owned 51% - 75%	75%	
		Women Owned 26% - 50%	50%	
		Women Owned 5% - 25%	25%	
		Women Owned less than 5% - 0%	0%	
Youth	2.5	Youth Owned 76% - 100%	100%	
		Youth Owned 51% - 75%	75%	
		Youth Owned 26% - 50%	50%	
		Youth Owned 5% - 25%	25%	
		Youth Owned less than 5% - 0%	0%	
Persons with Disability	2.5	Person with Disability 76% - 100%	100%	
		Persons with disability 51% - 75%	75%	
		Persons with disability 26% - 50%	50%	
		Persons with disability 5% - 25%	25%	
		Persons with disability less than 5% - 0%	0%	
<b>TOTAL FOR SPECIFIC GOALS</b>	<b>20</b>			

**DECLARATION WITH REGARD TO COMPANY/FIRM**

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

4.4 Company registration number:.....

4.5 TYPE OF COMPANY/FIRM

Type of Firm	Tick the applicable box here
Partnership/Joint Venture/ Consortium	
One-person business/sole propriety	
Close corporation	
Public Company	
Personal Liability Company	
(Pty) Limited	
Non -Profit Company	
State Owned Company	

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 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.

.....	
<b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....
	.....