**SBD 6.1**

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

This preference form must form part of all RFQ’s 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. The following preference point systems are applicable to this RFQ:
* the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
	1. **To be completed by the organ of state**

1. The applicable preference point system for this RFQ is the 80/20 preference point system.
2. The 80/20 preference point system will be applicable in this RFQ. The lowest/ highest acceptable RFQ will be used to determine the accurate system once RFQ’s are received.
	1. Points for this RFQ (even in the case of a tender for income-generating contracts) shall be awarded for:
3. Price; and
4. Specific Goals.
	1. **To be completed by the organ of state:**

The maximum points for this RFQ are allocated as follows:

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

* 1. Failure on the part of the service provider to submit proof or documentation required in terms of this RFQ to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
	2. The organ of state reserves the right to require of a service provider, either before a RFQ is adjudicated or at any time subsequently, to substantiate any claim regarding preferences, in any manner required by the organ of state.
1. **DEFINITIONS**
2. **“RFQ”** 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.
3. **“price”** means an amount of money tendered for goods or services andincludes all applicable taxes less all unconditional discounts.
4. **“Rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
5. **“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
6. **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).
7. **FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES**
	1. **POINTS AWARDED FOR PRICE**
		1. **THE 80/20 PREFERENCE POINT SYSTEMS**

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

 **80/20**

 Ps = Points scored for price of tender under consideration

 Pt = Price of tender under consideration

 Pmin = Price of lowest acceptable tender

1. **POINTS AWARDED FOR SPECIFIC GOALS**
	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 RFQ.

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

***Note to service provider: The service provider 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)** |
| **1. Procurement from service providers who are Black Owned** |
| 91% - 100% | 8 |  |
| 81% - 90% | 7 |  |
| 71% - 80% | 6 |  |
| 61% - 70% | 5 |  |
| 51% - 60% | 4 |  |
| 41% - 50% | 3 |  |
| 0% - 40% | 0 |  |
|  |  |  |  |  |  |  |  |  |  |  |
| **2. SMME's and B-BBEE Status Level of Contributor** |
| Level 1 - EME/QSE | 4 |  |
| Level 2 - EME/QSE | 3 |  |
| Level 3 EME/QSE | 2 |  |
| Level 4 - EME/QSE | 1 |  |
| Level 5 - 8 and non-compliant - EME/QSE  | 0 |  |
|  |  |  |  |  |  |  |  |  |  |  |
| **3. Women Ownership** |
| 91% - 100% | 8 |  |
| 81% - 90% | 7 |  |
| 71% - 80% | 6 |  |
| 61% - 70% | 5 |  |
| 51% - 60% | 4 |  |
| 41% - 50% | 3 |  |
| 0% - 40% | 0 |  |

 **DECLARATION WITH REGARD TO COMPANY/FIRM**

* 1. Name of company/firm…………………………………………………………………….
	2. Company registration number: …………………………………………………………...
	3. 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]

* 1. 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:
1. The information furnished is true and correct;
2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
3. 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;
4. 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 –
	1. disqualify the person from the tendering process;
	2. recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
	3. 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;
	4. 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
	5. forward the matter for criminal prosecution, if deemed necessary.

……………………………………….

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

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

**DATE:** ………………………………………………………

**ADDRESS**: ………………………………………………………

 ………………………………………………………

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