

NATIONAL LOTTERIES COMMISSION

APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO RENDER MARKETING AND BRANDING SERVICES FOR THE NATIONAL LOTTERIES COMMISSION ON AN AS-AND-WHEN-REQUIRED BASIS

BID PROCESS	BID REQUIREMENTS
Tender Number	NLC2025-018
RFP Description	APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO RENDER MARKETING AND BRANDING SERVICES FOR THE NATIONAL LOTTERIES COMMISSION ON AN AS-AND-WHEN-REQUIRED BASIS
RFP Issue Date	2015/11/13
Compulsory Briefing Session	2025/11/28 @11:30
Submissions	All submissions Must be addressed to Supply Chain Management, NLC Submission of proposals through (<i>online submission on e-tender</i>) Enquiries ONLY can be emailed to: penelope@nlcsa.org.za
Closing date and time	2025/12/09 @11:00
RFPs Validity Period	The validity period of the Proposals requested must be 120 days from the closing date.

TERMS OF REFERENCE FOR THE APPOINTMENT OF A PANEL OF SERVICE PROVIDERS FOR THE PROVISION OF MARKETING AND BRANDING SERVICES TO THE NATIONAL LOTTERIES COMMISSION (NLC) ON AN AS-AND-WHEN-REQUIRED BASIS

SECTION 1: INTRODUCTION, BACKGROUND AND SCOPE OF REQUIREMENTS.

1. INTRODUCTION

- 1.1. The National Lotteries Commission was established in terms of the Lotteries Act No. 57 of 1997, as amended (Lotteries Act), to regulate the National Lottery as well as other lotteries and societies.

The NLC aims to ensure that funds raised through the National Lottery are distributed equitably and expeditiously across South Africa to advance social upliftment of communities in need, with the aim to address poverty and reducing reduce inequalities in line with the National Development Plan.

- 1.2. As part of its strategic objectives to enhance visibility, strengthen stakeholder engagement, and reinforce a positive public image, the NLC seeks to appoint a panel of suitably qualified and experienced service providers to render marketing and branding services on an as-and-when-required basis.

These services are integral to ensuring that the NLC's brand identity, communication, and promotional activities are effectively implemented and aligned with its vision and values.

2. BACKGROUND

- 2.1. The National Lotteries Commission (NLC) has made significant progress in recent years in strengthening its systems, operations, and governance frameworks. As part of its broader modernisation agenda, the NLC has implemented critical reforms aimed at improving efficiency, transparency, and accountability across its core functions of regulation and grant-making.

These changes have included the roll-out of improved technological systems,

enhancements in internal controls, and the streamlining of business processes to better serve the public and its stakeholders. The NLC's transformation journey also includes a renewed commitment to restoring its reputation and building public confidence through credible, values-driven communication.

In this context, marketing and branding have become essential pillars in shaping how the NLC is perceived by the public, stakeholders, media, and partners. With a stronger emphasis on transparency and service delivery, the NLC recognises the need for professional marketing and branding support to accurately reflect its evolving identity and to communicate its progress effectively.

In line with its responsibilities under the Public Finance Management Act (PFMA) Section 51(1)(a), the NLC is required to maintain efficient, effective, and transparent systems, which include reputational and communications management. To support these requirements, the NLC intends to appoint a panel of experienced Marketing and Branding service providers who will deliver on various needs on an as-and-when-required basis over a **Three-year period**.

This appointment will assist the NLC in ensuring that its visual identity, messaging, and stakeholder engagement remain aligned with its transformation progress and strategic objectives.

2. OBJECTIVE

The primary objective of this Terms of Reference is to appoint a panel of suitably **QUALIFIED AND EXPERIENCED** (in the MARKETING AND COMMUNICATIONS INDUSTRY) service providers to render **MARKETING AND BRANDING** services to the National Lotteries Commission (NLC) on an as-and-when-required basis over a three-year period.

The specific objectives are to:

- Support the NLC in strengthening its brand identity and positioning across various platforms and stakeholder groups.
- Develop and implement integrated marketing and branding strategies that reflect the NLC's transformation progress and strategic direction.

- Ensure consistent, clear, and accurate messaging in support of the NLC's modernisation efforts, regulatory mandate, and grant-making functions.
- Provide professional design, production, and creative services that enhance the quality, appeal, and relevance of the NLC's communications and promotional materials.
- Assist in the development and rollout of internal and external campaigns that improve public awareness, stakeholder engagement, and media relations.
- Mitigate risks of misinformation and misaligned narratives by supporting proactive and coordinated brand communication initiatives.
- Provide rapid response branding and design support for time-sensitive projects and events.
- Maintain compliance with corporate identity standards and ensure alignment with governance and regulatory requirements.

3. SCOPE OF WORK AND DELIVERABLES

The scope of work for the appointed panel of service providers will cover a comprehensive range of marketing and branding services that align with the NLC's strategic objectives. The appointed agencies will be expected to deliver high-quality services across the following key components. **Bidders must list and demonstrate proven experience in at least three (3) of the listed services as part of their submission.**

3. 1. Development of Marketing and Communication Strategies

- **Objective:** Develop holistic marketing and communication strategies that are aligned with the NLC's goals, audience insights, messaging frameworks, and stakeholder engagement requirements.
- **Tasks:**
 - Conduct market and audience research to inform strategy development.
 - Design and implement appropriate messaging strategies that resonate with internal and external stakeholders.
 - Formulate long-term and short-term communication strategies for various initiatives and campaigns.

- Ensure all strategies are aligned with the NLC's core mandates of regulation and grant-making.

3. 2. Copywriting, Language, Editing, and Proofreading Services

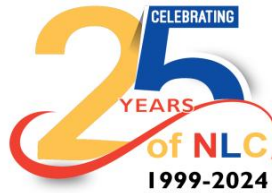
- **Objective:** Provide comprehensive language and communication services to ensure all content is compelling, accurate, inclusive, accessible, and aligned with the NLC's tone, style, and messaging across various platforms.
- **Tasks:**
 - Develop and write engaging content for press releases, articles, newsletters, websites, social media, and other communication materials.
 - Translate materials into multiple languages, as required.
 - Adapt content for cultural relevance and accessibility, ensuring inclusivity for diverse audiences.
 - Edit and proofread all content to ensure accuracy, clarity, consistency, and professional polish.
 - Ensure all content meets accessibility standards, including for people with disabilities.

3.3. Media Buying and Placement

- **Objective:** Execute media buying strategies for print and radio, ensuring effective audience targeting and optimised advertisement placements.
- **Tasks:**
 - Negotiate and purchase media space for targeted print and radio advertisements.
 - Monitor ad performance and adjust placements to ensure maximum reach and impact.

3.4. Brand Activations

- **Objective:** Plan and execute brand activations that align with the NLC's objectives, creating meaningful engagement with stakeholders.
- **Tasks:**



- Coordinate all aspects of brand activations including promotional activities, from logistics to branding.

3.5. Production of Publications

- **Objective:** To develop, design, and produce high-quality publications that effectively communicate the NLC's programmes, achievements, and impact to stakeholders
- **Tasks:**
 - Flyers, Leaflets and Brochures, Posters, magazines, and Newsletters, Logos
 - Design and printing of Annual report, Strategic plan, Annual Performance Plan

3.6. Production of Directional Signages and Branding

- **Objective:** Provide high quality signages and branding material
- **Task**
 - Wall-mounted signs, Wall projecting signs, and Combined Pylon,
 - Way findings signs, window decals, and office hour sign
 - Billboards
 - Backdrop banners, Pull up banners, Tear drop, Pole banners, car branding, gazebos,

3.7. Production of Corporate Gifts/Promotional items

- **Objective:** Provide high-quality corporate gifts and promotional material for the NLC
- **Tasks:**
 - Paper bags, lanyards, squeeze bottles, Umbrella, Conference bags, key rings, golf shirts, Caps, Note pads, name tags, Mouse pads, and jackets

3.8. Photography and Videography

- **Objective:** Provide high-quality photography and videography services to support marketing and branding efforts.
- **Tasks:**
 - Capture high-resolution images and videos that reflect the NLC's values and initiatives.

- Produce promotional videos, event highlights, and other multimedia content for use across platforms.
- Ensure videos and images are optimized for digital and social media distribution

3.9. Webinar Project Management/Livestreaming

- **Objective:** Provide project management for webinars, ensuring seamless execution and effective content delivery.
- **Tasks:**
 - Plan and organise webinars, including setting up platforms, content creation, and live streaming.
 - Coordinate speaker participation and ensure technical support during webinars.
 - Promote webinars and ensure they align with the NLC's branding and communication objectives.

4. Reporting

Line:

The appointed Service Providers will report directly to the Senior Manager for Marketing and Communications, or their delegate within the Stakeholder Management, Marketing and Communication (SMMC) department of the National Lotteries Commission (NLC). Regular updates, progress reports, and review meetings will be required to ensure continuous alignment with the NLC's objectives.

- **Delivery and Compliance:**

The Service Providers must ensure that all deliverables are completed within the agreed-upon timeframes and in accordance with the NLC's specifications, quality standards, and branding guidelines. Timely execution, responsiveness to feedback, and strict adherence to project milestones are critical.

- **Resource Capability:**

The Service Providers must be adequately equipped with the necessary physical infrastructure, equipment, and technology to deliver high-quality services. This includes access to production facilities, design tools, editing suites, and other relevant software required to execute marketing and branding deliverables effectively.

- **Human Resource Capacity and Expertise:**

While an Account Manager must be allocated as the primary liaison for the NLC, the appointed agencies must also demonstrate sufficient human resource capacity and expertise across all relevant disciplines, including but not limited to:

- Development of Marketing and Communication Strategies
- Copywriting and Editing
- Graphic Design and Animation
- Brand Activations
- Media Buying and Planning
- Digital Marketing and Social Media Management
- Videography and Photography
- Translation and Multilingual Adaptation

- **Flexibility and Responsiveness:**

The Service Providers must be flexible and responsive to urgent or ad-hoc requirements that may arise, ensuring availability and agility to support campaigns, crisis communication, and time-sensitive initiatives when needed.

- **Confidentiality and Compliance:**

All Service Providers will be required to maintain strict confidentiality of NLC information and comply with relevant legislative and regulatory frameworks, including the PFMA and POPIA, as well as internal NLC policies and procedures.

5. REPORTING REQUIREMENTS AND DURATION OF THE PROJECT

The duration of the contract is three (3) years which may be effective on the date of appointment, the date of signing of a service level agreement (SLA), or as directed and at the discretion of the NLC.” The successful bidder will be expected to commence work from the date of appointment until the last item has been delivered, as per the delivery dates to be communicated with the appointed bidder/s on an as and when required basis.

6. PANEL UTILISATION

- 6.1. Work or task orders must be monitored and distributed fairly and equitably among the panel members.

- 6.2. The allocation of work must be based on market-related rates/prices and may be on a rotation basis to ensure that members of the panel are given an opportunity.
- 6.3. Work or task orders are placed against contracts with sufficient funds and time available for the completion of the supply/services.
- 6.4. Work or task orders are supported by a purchase order number confirming the order/commitment.
- 6.5. The programme targets and objectives are monitored and tracked which must be supported by a list and proof of rotation and this report must be drawn every quarter to determine adherence.
- 6.6. The NLC reserves the right to negotiate with the enlisted members of the panel the service cost fee/rates at inception and/or anytime during the life of the contract to standardise them across the panel. The NLC further reserves the right to re-negotiate the prices if the market environment has changed to ensure prices stay on the market-related level.

7. VALIDITY PERIOD

- 7.1 The NLC requires a validity period of 120 days from the closing date of this RFP.
- 7.2 Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions. A written letter will be sent to every responsive bidder to the bid. In terms of procedural fairness, the bidders will be given an opportunity to respond, in writing, to the terms and conditions of the bid and the bid price. Such acceptance of the terms and conditions of bid and bid price becomes legally binding in the procurement process. Any bidder, that did not respond to the extension of the bid validity period, in writing, WILL NOT be considered further for the bid upon expiry of the initial validity period.

8. COMPULSORY BRIEFING SESSION

28 November 2025 @11:30

SECTION 2: NOTICE TO BIDDERS

1. TERMS AND CONDITIONS OF REQUEST FOR THE TENDER (RFP)

- 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 Commission 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 No. 5 of 2000 and Preferential Procurement Regulations (PPR) of 2022.
- 1.7 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.
- 1.8 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za, suppliers must provide their CSD registration number (and attach CSD Registration report) and ensure that the tax matters are compliant.

2. GENERAL TERMS AND CONDITIONS

- 2.1 A bid submitted in response to this RFP will constitute a binding offer which will remain binding and irrevocable for a period of 120 days from the closing date of this RFP.
- 2.2 Unless or until a binding contract is concluded between the NLC and the successful Bidder, the offer constituted by the Bid will be deemed not to have been accepted and no agreement will be deemed to be reached with any Bidder. No services must be rendered, or goods delivered before an official NLC Purchase Order form has been issued.
- 2.3 The NLC reserves the right to amend, modify, withdraw or terminate this RFP or any of the requirements set out herein at any time (and from time to time), without prior notice and without liability to compensate or reimburse any Bidder or person.
- 2.4 Should this RFP be amended, the NLC undertakes to publicize or send each Bidder in writing the amended RFP. No oral amendments by the Bidder or the NLC shall be considered.
- 2.5 Any attempt to alter the terms and conditions or the scope of work may result in the bid being considered nonresponsive.
- 2.5 Precedence of documents

- 2.5.1 This RFP 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 RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this RFP shall take precedence.
- 2.5.2 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.
- 2.5.3 It, however, remains the exclusive domain and election of NLC as to which of these stipulations are applicable and to what extent. Bidders hereby acknowledge 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.
- 2.6 News and press releases
- 2.6.1 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, NLC.
- 2.7 Preferential procurement reform
- 2.7.1. NLC shall apply the principles of the PPPFA to this proposal read together with the PPR.
- 2.8 National Industrial Participation Program
- 2.8.1 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").
- 2.9 It is compulsory for a Bidder submitting a bid to be registered on the National Treasury's Central Supplier Database ("CSD") and ensure that it remains registered for the duration

- of the services and/or contract, if successful. The Bidder must provide their CSD registration number and attach their CSD Summary report.
- 2.10 The Bidder needs to ensure that it is tax compliant at the time of submitting its Bid and remains tax compliant for the duration of the contract and/or services, if successful, and undertakes to provide supporting documentation issued by the South African Revenue Services (“SARS”) confirming it is tax compliant upon request by the NLC.
- 2.11 The NLC reserves the right to conduct site inspections or call for supporting documentation in order to confirm any information provided by a Bidder in its response to this Bid.
- 2.12 This RFP is not intended to form the basis of a decision to enter into any transaction with the NLC and does not constitute an offer or recommendation to enter into such transaction, or an intention to enter into any legal relationship with any person.
- 2.13 Neither the NLC or any of its respective directors, officers, employees, agents, representatives or advisors will assume any responsibility for any costs or expenses incurred by any party in or associated with preparing or submitting a Bid in response to this RFP.
- 2.14 No entity may be involved, whether directly or indirectly, in more than one Bid in response to this RFP. Failure to comply with this requirement may, within the sole discretion of the NLC, result in disqualification of the relevant entity.
- 2.15 Any material change in the control and/or composition of any Bidder or any core member of a Bidder after submission of a Bid, shall be brought to the attention of the NLC Supply Chain Management (“SCM”) section in writing. The NLC shall be the sole arbiter as to what constitutes a material change in the control and/or composition of any Bidder and may in its sole discretion disqualify the Bidder from any further participation in the bid process.
- 2.16 Any requirement set out in this RFP which stipulates the form and/or content of any aspect of a Bid, is stipulated for the sole benefit of the NLC, and unless the contrary is expressed, may be waived by the NLC in its sole discretion at any stage in the bid process.
- 2.17 The NLC and its advisors shall rely on a bid as being accurate and complete in relation to the information and proposals provided therein by the bidders.

- 2.18 All Bids submitted to NLC shall become the property of the NLC and will not be returned to the Bidders. The NLC will make all reasonable efforts to maintain information contained in proposals in confidence.
- 2.19 A Bid submitted by the Bidder shall be considered irregular if it shows any omissions, or irregularities of any kind. However, the NLC reserves the right to waive any irregularities and to make an award in the best interest of the organisation.
- 2.20 The NLC reserves the right to accept or reject in part or whole any Bid submitted and to waive any technicalities if this is in the best interest of the organization.
- 2.21 The NLC reserves the right to require a Bidder to provide a formal presentation of its RFP at a date and time to be determined by the NLC. The NLC shall provide adequate instructions and clarification regarding the purpose and scope of the presentation. The Bidder shall bear all expenses.
- 2.22 All costs associated with the preparation and submission of the Bid remain the responsibility of the Bidder. The costs shall not be chargeable to the NLC by the successful or unsuccessful Bidder.
- 2.23 All Bids must be formulated and submitted in accordance with the requirements of this RFP.
- 2.24 Bids received after the closing date and time as specified in this RFP shall be rejected.
- 2.25 The NLC is not obliged to appoint a bidder with the lowest price, if, based on its sole discretion and assessment, the said bidder does not exhibit or demonstrate adequate capacity or full comprehension of the scope of work to be undertaken. In this regard, the NLC may appoint the lower-ranked bidder provided that the reasons for such deviation are properly justified and accurately recorded.
- 2.26 A Bidder or any party acting on behalf of a Bidder shall not make any announcement or press releases concerning this RFP or the awarding of any resulting agreement without the prior written consent of, and then only in co-ordination with, the NLC.
- 2.27 The assessment and award of the bid shall be conducted in accordance with applicable legislation.
- 2.28 Processing of Bidder's Personal Information
 - 2.28.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFP is collected and processed to assess the content of its tender proposal and award the

- bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation, the Preferential Procurement Regulations, 2022. The Bidder is advised that Bidder's 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 the National Treasury's Database of Restricted Suppliers.
- 2.28.2 All Personal Information collected will be processed in accordance with POPIA and with the NLC Data Privacy Policy.
- 2.28.3 The following persons will have access to the Personal Information collected:
- 2.28.3.1 NLC personnel participating in procurement/award procedures; and
- 2.28.3.2 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 the National Treasury's e-Tender portal.
- 2.29 All Personal Information of the Bidder, including its employees, representatives, associates, and sub-contractors required under this RFP is collected and processed for the purpose of assessing the content of its bid proposal and awarding the bid. By submitting a bid, the Bidder consents to the use of its Personal Information as stipulated in this RFP.
- 2.30 A Bidder's 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 the National Treasury's Database of Restricted Suppliers.
- 2.31 All Personal Information collected will be processed in accordance with the Protection of Personal Information Act, 2013 (POPIA) and with the NLC Data Privacy Policy.
- 2.32 It is prohibited for Bidders to attempt, either directly or indirectly, to canvass or engage in any manner with any officer or employee of the NLC in respect of this RFP between the closing date and the date of award of this bid
- 2.33 Any word implying any gender shall be interpreted to imply all other genders.
- 2.34 Bids shall be submitted in English.
- 2.35 In this RFP, the words "service provider" "supplier" will be used interchangeably to refer to the Bidder.

2.36 Rejection of all Bids/Proposals s and Disclaimer

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

3. CONFIDENTIALITY

- 3.1 Bids submitted for this Request for Proposals s will not be revealed to any other bidders and will be treated as contractually binding.
- 3.2 The Commission reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in the proposal/ Proposals s.
- 3.3 The Bidder acknowledges that it will obtain and have access to personal information of The Commission and agrees that it shall only process the information disclosed by the Commission in terms of this bid award and only for the purposes as detailed in this RFP and in accordance with any applicable law.
- 3.4 The Bidder shall notify the Commission 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 report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such.

4. COMMUNICATION

- 4.1 Specific queries relating to this RFP should be submitted bids@nlcsa.org.za and penelope@nlcsa.org.za before the closing date.
- 4.2 In the interest of fairness and transparency the Commission's response to such a query may be made available to other bidders.
- 4.3 It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the Commission in respect of this RFP between the closing date and the date of the award of the business.
- 4.4 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.

5. SUPPLIER PERFORMANCE

- 5.1 The NLC 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.
- 5.2 Ad-hoc performance reviews shall be conducted where non-performance is identified outside the review period.
- 5.3 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.
- 5.4 Any party to this agreement may request to participate in a joint performance review where appropriate and seek continuous improvement opportunities.

SECTION 3: EVALUATION CRITERIA

The Commission will evaluate all proposals in terms of the Preferential Procurement Regulation of 2022 and Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). The below phases evaluation criteria will be considered in evaluating the proposals, being:

STAGE 1: RFP CLOSING DATE AND SUBMISSION INSTRUCTIONS AND FORMAT

RFP Closing Details

- 1.1 The deadline for Bid submission is **09 December 2025 @11:00 Standard** South African Time. bidders will be submitted via e-Tender portal. (no physical submissions will be accepted)
- 1.2 No late submissions will be accepted.
- 1.3 The onus is on the Bidder to ensure that all administrative and mandatory required documents are included in their submission.
- 1.4 Submissions must be prominently marked with the full details of the tender namely Bidder's Name, RFP No and Title.
- 1.5 No hardcopies will be accepted
- 1.6 It is the responsibility of the bidder to ensure that he submitted USB opens and do not contain any viruses (empty USBs will not be considered)

2. BID FORMAT

- 2.1 Bid submissions must be submitted in a PDF format that is protected from any modifications, deletions, or additions.
- 2.2 Financial/pricing information must be presented in a separate attachment from the Technical/Functional Response information.
- 2.3 The onus is on the Bidder to ensure that all mandatory and required documents are included in the electronic submission.
- 2.4 Submissions must be prominently marked with the full details of the tender namely Bidder's Name, Tender No and Tender Title.
- 2.5 Tender submissions received after submission date and time will be declared late and will not be accepted for consideration by the NLC.
- 2.6 The NLC will not be responsible for any failure or delay in the submission or receipt of the bid including but not limited to:
 - Network
 - Loadshedding
 - Traffic
 - Struggling to find parking
 - Courier arriving late

STAGE 2: ADMINISTRATIVE COMPLIANCE

- 1.1 All bid respondents must submit required documents that comply with all this RFP.
- 1.2 The Administrative Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Document/Content
SCM - SBD 1 - Invitation to Bid	Fully Completed Standard and duly signed
SCM - SBD 6.1 - Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022	Fully Completed Standard and duly signed
CSD Registration	Proof of CSD registration

Original Signed consent form in terms of the Protection of Personal Information Act No.4 2013 (POPIA)	POPIA Consent Form
BBBEE Certificate in terms of Codes of Good Practice-Valid	A valid BEE Certificate/Sworn affidavit

TAGE 3: MANDATORY 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 Mandatory Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Document
1. In the event of the bidder being in a joint venture (JV), a signed JV agreement must be submitted (where applicable).	JV Agreement.
2. Bidders must submit a fully complete declaration of interest form (failure to declare honestly will lead to bidder being disqualified).	SBD 4.
3. Industry Affiliations bidders must demonstrate affiliation with at least one recognised South African professional body relevant to the marketing and communications industry. Copies of valid affiliation certificates acceptable for: • MASA – Marketing Association of South Africa • ACASA – Association for Communication and Advertising South Africa • PRISA – Public Relations Institute of Southern Africa	Bidders must be affiliated with at least one recognised South African professional bodies listed below.

• SACIA – <i>South African Communications Industries Association</i> • Printing SA – <i>Printing Industries Federation of South Africa NPC</i> • SAIP – <i>South African Institute of Printing</i> • Printing SA • DEFSA- <i>Design Education Forum of Southern Africa</i> • DISA -<i>Design Institute of South Africa</i> • PDMSA- <i>Print and Digital Media South Africa</i> • PIFSA -<i>Printing Industries Federation of South Africa</i> • ARB -<i>Advertising Regulatory Board</i>	
4. Attending the formal briefing session (Signing in the attendance register) is compulsory	Attendance registers and Briefing session certificate

STAGE 4 TECHNICAL PROPOSAL EVALUATION

Table 1: Rating Scale

Rating	Definition	Score
Excellent	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.	5
Good	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	4

	potential added value, with supporting evidence.	
Acceptable	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.	3
Minor Reservations	Does not meet 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.	2
Serious Reservations	Does not meet 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.	1
Unacceptable	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, resources & quality measures required to provide the goods / services, with little or no supporting evidence.	0

1.1. Only bid proposals that meet the mandatory requirements will be evaluated on functionality criteria.

1.2. The bidder must score a minimum of **70%**, during stage 4 to be recommended for appointment as panellists for the above-mentioned bid.

EVALUATION CRITERIA	Scoring Matrix	% Weight
1. Company Experience and Capability		
1.1. Written Reference Letters		40%
Bidders must provide a minimum of five (5) reference letters and should be verifiable from different state entities (government departments, public entities, state-owned enterprises, or municipalities) for marketing and branding services as described in Section 1 of this RFP, rendered within the past five (5) years from the closing of the bid. Each letter from one organisation / entity will be regarded as one reference, regardless of the number of projects completed with that organisation. Reference Letter Requirements: Each letter must: - Be printed on the official letterhead of the respective state entity - Be signed and dated by an	5 Points – Five or more valid reference letters with supporting POE, all within the last 5 years 4 Points – Four valid reference letters with POE, within the last 5 years 3 Points – Three valid reference letters with POE, within the last 5 years 2 Points – Two valid reference letters with POE, within the last 5 years 1 Point – One valid reference letter with POE, within the last 5 years 0 Points – No reference letters submitted or letters do not meet the requirements	

EVALUATION CRITERIA	Scoring Matrix	% Weight
authorised official - Clearly outline the services provided, specifically relating to Category 4 (Scope) of this RFP. Supporting Evidence (POE): N.B. ALL REFERENCE LETTERS MUST BE ACCOMPANIED BY PURCHASE ORDER (PO) The bidder must provide proof of execution for each reference letter by submitting at least one of: - Links to video content, campaign footage, or radio clips - Samples of artwork, printed material, or branded collateral - Screenshots or links to media placements - Photographic evidence from brand activations or events - Delivery note ♦ Multiple reference letters from the same state entity will be regarded as one reference for evaluation purposes.		

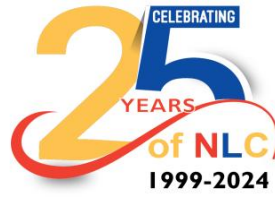
EVALUATION CRITERIA	Scoring Matrix	% Weight
♦ Only references for similar work completed within the last 5 years will be accepted.		
1.2. Company Experience & Capability		20%
Bidders are required to submit a comprehensive company profile demonstrating their capacity and capability to render the required marketing and branding services as outlined in the Terms of Reference. The company profile must clearly indicate a minimum of 5 years' experience in delivering, implementing, and supporting services similar to those specified in the ToR. Bidders must list and demonstrate proven experience in at least three (3) of the listed services (as indicated on the scope of work) as part of their submission. Bidders must highlight their achievements and provide detailed descriptions of previous projects that are directly aligned with the scope of work.	• 5 Points – 5 years or more of relevant experience clearly demonstrated in the company profile • 4 Points – 4 to less than 5 years of relevant experience • 3 Points – 3 to less than 4 years of relevant experience • 2 Points – 2 to less than 3 years of relevant experience • 1 Point – 1 to less than 2 years of relevant experience • 0 Points – No information provided or less than 1 year of relevant experience	

EVALUATION CRITERIA	Scoring Matrix	% Weight
2. Resource Capacity and Ability to Implement Bidder(s) are required to demonstrate that they have the necessary resources and relevant expertise to successfully undertake and complete marketing and branding projects as outlined in the Terms of Reference. AN ORGANOGRAM AND A SUMMARY OF THE TEAM MEMBERS ROLES, EXPERIENCE AND QUALIFICATIONS MUST BE INCLUDED IN A MATRIX FORMAT. Demonstrate organisational Structure- List Project Manager and Team Leader and their designated support structure (Roles).		
2.1. Experience and Qualifications of Project manager and the Team Leader The Project Manager and Team Leader must have more than 5 years of experience in managing and delivering integrated marketing, branding, and communication services across various platforms, along with a relevant qualification in Marketing, Communication Science, Media Studies, Journalism, Public Relations, Brand Management, or Business Management / Business Administration. <i>Bidders must propose a Project Manager and a Team Leader as part of the project team. The evaluation will consider both their qualifications and relevant work experience, scored as follows:</i>		40%
Role Description: Responsible for overall project oversight, planning, coordination, and ensuring that deliverables meet the NLC's objectives and timelines. Acts as the main point of contact between the NLC and the service provider's	Minimum Qualification Requirement: Bachelor's Degree or Diploma qualifications in marketing, Communication science, Communications, Media studies, Journalism, Public relations, Brand management,	

EVALUATION CRITERIA	Scoring Matrix	% Weight
team, manages risks, and ensures reporting and quality control. A. Experience and Qualifications of the Project Manager The Project Manager must have a minimum of five (5) years' experience in the development and execution of marketing strategies, media planning, brand activations, and creative production. The incumbent is required to hold at least a Bachelor's degree (NQF 7) in Marketing, Communication Science, Communications, Media Studies, Journalism, Public Relations, Brand Management, or Business Management/ Business Administration. An abridged curriculum vitae (CV) accompanied by copies (preferably certified) of qualifications must be submitted and should be verifiable with SAQA or any other educational body, and include at least three (3) contactable references for verification.	or Business management/Business Administration. A. Project Manager Qualifications (0 – 5 points): 10% • 5 points – Bachelor's degree (NQF 7) • 4 points – National Diploma / Advanced Diploma (NQF 6) • 3 points – Higher Certificate (NQF 5) • 0 points – No qualification provided Experience (0 – 5 points): 10% • 5 points – 5 years or more of relevant project management experience • 4 points – 4 to less than 5 years of relevant experience	20%

EVALUATION CRITERIA	Scoring Matrix	% Weight
	3 points – 3 to less than 4 years of relevant experience 2 points – 2 to less than 3 years of relevant experience 1 point – 1 to less than 2 years of relevant experience 0 points – Less than 1 year or no CV submitted	
B. Team Leader	Scoring Matrix	% Weight
Role Description: Responsible for leading day-to-day implementation, coordinating tasks with the delivery team, and reporting progress to the Project Manager. Ensures that deliverables are produced to the required standard and within deadlines. The Team Leader must have a minimum of five (5) years' experience in leading marketing activities, including campaign execution, content production, digital marketing, and creative coordination. The incumbent is	B. Team Leader Qualifications (0 – 5 points): 10% 5 points – Bachelor's degree (NQF 7) 4 points – National Diploma / Advanced Diploma (NQF 6) 3 points – Higher Certificate (NQF 5) 0 points – No qualification provided	20%

EVALUATION CRITERIA	Scoring Matrix	% Weight
required to hold at least a Bachelor's degree (NQF 7) in Marketing, Communication Science, Communications, Media Studies, Journalism, Public Relations, Brand Management, or Business Administration/ Business Management. An abridged curriculum vitae (CV) accompanied by copies (preferably certified) of qualifications must be submitted and should include at least three (3) contactable references for verification.	Experience (0 – 5 points): 10% • 5 points – 5 years or more of relevant project leadership experience • 4 points – 4 to less than 5 years of relevant experience • 3 points – 3 to less than 4 years of relevant experience • 2 points – 2 to less than 3 years of relevant experience • 1 point – 1 to less than 2 years of relevant experience • 0 points – Less than 1 year or no CV submitted	
Total:		100%



Total Weighting:	
Minimum qualifying score required:	70

STAGE 5: EVALUATION OF PRICE AND SPECIFIC GOALS (APPLICABLE TO THE APPINTED PANEL)

Evaluation Criteria	Final Weighted Scores
Price The following formula will be used to calculate the points out of 80 for price in respect of a tender with a Rand value equal to or above R30 000 and up to a Rand value of R50 million, inclusive of all applicable taxes: $P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$ Where: P_s = Score for the Bid under consideration P_t = Price of Bid under consideration P_{min} = Price of lowest acceptable Bid	80

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{max} = Price of highest acceptable bid

A maximum of 20 points to be awarded to a tenderer for the specific goal specified.

DESCRIPTION	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence
1. Procurement from entities who are black Owned			
Tenderer who has 100% black Ownership	8	8	Copies of ID's/3 Report from closing date of the bid/ CSD Recent Report
Tenderer who has 51% to 99% black	4		
Tenderer who has less than 51% black ownership	0		
2. Procurement from entities who are Owned by black women			
Tenderer who has 100% women ownership	4	4	B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who has 30% to 99% women ownership	2		
Tenderer who has less than 30%	0		

ownership			
3. Procurement from Black Youth Ownership		4	B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who has 100% youth ownership	4		
Tenderer who has 30% to 99% ownership	2		
Tenderer who has less than 30% youth	0		
4. Procurement from Disabilities Owned		4	Letter from the Doctor disability and CSD report
Tenderer who has 20% or more owners with disability	4		
Tenderer who has less than 20% but more than 10% owners with disability	2		
Tenderer who has less than 10% owners with disability	0		

INVITATION TO BID (SBD 1) PART A

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS							
BID NUMBER:		ISSU E DATE:		CLOSIN G DATE:		CLOSING TIME:	
DESCRIPTION	APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO RENDER MARKETING AND BRANDING SERVICES FOR THE NATIONAL LOTTERIES COMMISSION ON AN AS-AND-WHEN-REQUIRED BASIS						
BID RESPONSE MUST BE SUBMITTED VIA THE BELOW ADDRESS							
bidders will be submitted via e-Tender portal. (no physical submissions will be accepted)							
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACT PERSON	Supply Chain Management			CONTACT PERSON	Penelope Soyingwa		
TELEPHONE NUMBER	012 432 1300			TELEPHONE NUMBER	012 432 1414		
FACSIMILE NUMBER				FACSIMILE NUMBER			
E-MAIL ADDRESS	bids@nlcsa.org.za			E-MAIL ADDRESS	penelope@nlcsa.org.za		
SUPPLIER INFORMATION							
NAME OF BIDDER							
POSTAL ADDRESS							
STREET ADDRESS							
TELEPHONE NUMBER	CODE		NUMBE R				
CELL PHONE NUMBER							
FACSIMILE NUMBER	CODE		NUMBE R				
E-MAIL ADDRESS							
VAT REGISTRATION NUMBER							
SUPPLIER COMPLIANCE STATUS	TAX COMPLI ANCE ESYSTE M PIN:		OR	CENT RAL SUPPL IER DATAB	UNIQUE REGISTRATION REFERENCE NUMBER:MAAA		

				ASE	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	[TICK APPLICABLE BOX] Yes No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] Yes 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]					
1. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED?	Yes ☐ No ☐ [IF YES ENCLOSE PROOF]	2. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS / SERVICES / WORKS OFFERED?	Yes ☐ No ☐ [IF YES, ANSWER 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 PINCODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 BELOW.					

TERMS AND CONDITIONS FOR BIDDING

TAX COMPLIANCE REQUIREMENTS

BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

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.

APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.

- v. BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- vi. IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- vi. WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

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: _____

SECTION 5: BIDDER'S DISCLOSURE (SBD 4)

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

Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

YES/NO

2.1.2 If so, furnish particulars:

.....

.....

2.2 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

2.2.1 If so, furnish particulars:.....

.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and 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.

- 3.5 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

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.

SBD 6.1

SECTION 6: 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)

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
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	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 Proposals s, 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:

$$\frac{Ps}{P_{min}} = 80 (1 - \frac{Pt - P_{min}}{P_{min}})$$

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 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 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 the 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 either the 90/10 or 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.)

1. Procurement from entities who are black Owned	Sub - points for specific goals	Maximum points for specific goals	Number of points claimed (80/20 system) (To be completed by the tenderer)
Tenderer who have 100% black Ownership	8	8	
Tenderer who have 51% to 99% black ownership	4		
Tenderer who have less than 51% black ownership	0		
2. Procurement from entities who are women Owned			
Tenderer who have 100% women Ownership	4	4	
Tenderer who have 30% to 99% women ownership	2		
Tenderer who have less than 30% women Ownership	0		
3. Black Youth Ownership		4	
Tenderer who have 100% youth ownership	4		
Tenderer who have 30% to 99% youth Ownership	2		
Tenderer who have less than 30% youth Ownership	0		
4.Procurement from Disabilities			
Tenderer who have 20% or more owners with disability	4	4	
Tenderer who have less than 20% but more than 10% owners with disability	2		
Tenderer who have less than 10% owners with disability	0		
Total points for specific goals		20	

5. DECLARATION WITH REGARD TO COMPANY/FIRM

- 5.1. Name of company/firm.....
- 5.2. Company registration number:
- 5.3 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]
- 5.4 I, the undersigned, who is duly authorized 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;
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;
 - iv) 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 *audialteram*

partem (hear the other side) rule

has been applied; and

- (e) forward the matter for criminal prosecution, if deemed necessary.

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

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: _____

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