



REQUEST FOR QUOTATION

PROVISION OF A CLOUD BASED PBX SOLUTION FOR A PERIOD OF 36 MONTHS

RFQ NUMBER:	ECIC37Q-2021/22
CLOSING DATE AND TIME:	3 September 2021 15H00 (South African Standard Time)
RFQ VALIDITY PERIOD	60 days (Commencing from the RFQ closing date)
DESCRIPTION	Provision of a Cloud Based PBX solution
EMAIL FOR SUBMISSION OF QUOTES	procurement@ecic.co.za
ENQUIRY	Name: Mehnaaz Omar Tel: 012 471 3855 procurement@ecic.co.za
This bid is subject to the Preferential Procurement Policy Framework Act No. 5 of 2000 and the Preferential Procurement Regulations, 2017, the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract. Where, however, the special conditions of contract conflict with the general conditions of contract, the special conditions of contract prevail.	

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Terms of Reference

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A. INTRODUCTION TO THE REQUEST FOR QUOTATION

1. Introduction

- 1.1 The Export Credit Insurance Corporation of South Africa (SOC) LTD (ECIC)¹ is a self-sustained state-owned entity listed under Schedule 3B of the Public Finance Management Act 1 of 1999 (as amended) and established in terms of the Export Credit and Foreign Investments Insurance Act 78 of 1957 (as amended).
- 1.2 The mandate of the ECIC is to facilitate and encourage South African export trade, by underwriting export credit loans and investments outside the country, to enable South African contractors to win capital goods and services contracts in countries outside South Africa. The ECIC is a registered short-term insurer and is regulated by the Financial Sector Conduct Authority and Prudential Authority. Currently exempted in terms of FAIS Notice 78 of 2019.
- 1.3 ECIC operates from offices at Block C7 Eco Origins Office Park, 349 Witch Hazel Avenue, Highveld Ext 79, Centurion, 0157, South Africa.

2. Background

- 2.1 ECIC currently has an on-premises Avaya PABX (Private Automatic Branch Exchange) solution and the specification is as follows:

Description	Model
Avaya PABX	Avaya Office 500 v2
5 x Avaya Conference IP phones	B179
11 x Avaya Executive IP phones	9608G
3 x Avaya Dect phones 3720	DH3 – CAAA/1G

- 2.2 The ECIC currently uses a VoiS service connected to Dimension Data via a SIP trunk.
- 2.3 ECIC requires a suitable service provider to provide a cloud based PABX solution for a period of 36 months.

3. Purpose

- 3.1 Proposals are hereby invited for the appointment of a service provider to supply and configure a Cloud Based PBX (Private Business eXchange) Solution, including support and maintenance for a period of three (3) years.

¹ Further information on the ECIC can be found at www.ecic.co.za

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4. Pre-qualification Criteria

- 4.1 This bid is open for bidders who are authorised reseller / partner / distributor or original manufacturer of the proposed solution and are authorised electronic communications service provider.
- 4.2 The bidder must attach proof of authorisation by manufacturer and copy of license from Independent Communications Authority of South Africa (ICASA).
- 4.3 ECIC will only consider a bid if the relevant bidder meets the pre-qualification criteria mentioned in this paragraph 4. Where a bidder fails to meet the prequalification criteria, the bid will be considered an unacceptable bid and will be disqualified from further evaluation.

5. Submission of the proposals

- 5.1 Bid documents must be clearly marked for ease of reference.
- 5.2 Bid documents must be submitted on PDF format to the following email address:
procurement@ecic.co.za

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B. TERMS OF REFERENCE

6. Scope of work

6.1 The appointed bidder will be required to:

Description		Quantity	
6.1.1	Supply, and configure a Cloud based VoIP PBX solution (telephony system) to cater for 1 external number and up to 100 extensions.	External number	1
		Extensions	100
6.1.2	Supply compatible mobile IP telephone sets for the users. The telephones provided must be compatible to the Cloud PBX Solution provided.	95	
6.1.3	Supply compatible mobile IP conferencing telephone sets. The telephones provided must be compatible to the Cloud PBX Solution provided.	5	
6.1.4	Supply compatible mobile IP telephone sets for the reception. The telephones provided must be compatible to the Cloud PBX Solution provided.	2	
6.1.5	Training of the Users and ICT technical team on how to administer and use the solution	Administrators	2
		Super Users	5

6.1.6 Porting of the existing head office number (012 471 3800) to the provided PBX Solution.

6.1.7 Provide softphones or application (App) for using the system on a laptop or mobile device (compatible with Windows 10, Android and iOS devices).

6.1.8 Provide an electronic telephone management system with a capability for centralised billing and setting thresholds per user for monthly expenditure on calls.

6.1.9 Deliver the goods supplied to ECIC at the following address:

ECIC Offices
 Block C7 Eco Origins Office Park
 349 Witch Hazel Avenue
 Highveld Ext 79
 Centurion
 0157

ECIC is in the process of changing offices and the new offices are in Midrand (about 20 kilometers from the current offices).

6.1.10 Provide second level (2nd level) support for the PBX Solution provided for a period of three years.

6.1.11 Set up and configure the provided system/solution.

6.2 **Please note that the service provider will not be required to provide a network link and switches, as these will be provided by the ECIC.**

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7. Solution requirements

7.1 The provided solution must meet the following:

7.1.1 Provide for:

7.1.1.1 Call forwarding.

7.1.1.2 Call transfer.

7.1.1.3 Teleconferencing.

7.1.1.4 Voicemail.

7.1.1.5 Voice recording.

7.1.1.6 Music on hold.

7.1.1.7 Auto attendant.

7.1.1.8 Call encryption.

7.1.1.9 Call reporting and analytics.

7.1.2 Guaranteed 99.5% availability of the system (Enterprise grade availability).

8. Pre-qualification

8.1 Bidders must provide:

8.1.1 Proof that they are an authorised reseller / partner / distributor or original manufacturer of the proposed solution.

8.1.2 Proof of their electronic communications service license as issued by the Independent Communications Authority of South Africa (ICASA).

9. Bid/contract conditions

9.1 The appointed bidder must enter into a confidentiality undertaking as part of the service level agreement.

9.2 ECIC requires a guaranteed 99.5% availability of the system (Enterprise grade availability).

9.3 ECIC requires a second level support on the provided solution.

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10. Bid evaluation

10.1 The proposals will be evaluated as follows:

10.1.1 Evaluation Phase One: Pre-qualification

10.1.1.1 Bidders must provide:

10.1.1.1.1 Proof that they are an authorised reseller / partner / distributor or original manufacturer of the proposed solution.

10.1.1.1.2 Proof of their electronic communications service license as issued by the Independent Communications Authority of South Africa (ICASA).

10.1.1.2 ECIC will only consider a bid if the relevant bidder meets the pre-qualification criteria mentioned in paragraph 10.1.1.1. Where a bidder fails to meet the prequalification criteria, the bid will be considered an unacceptable bid and will be disqualified from further evaluation.

10.1.2 Evaluation Phase Two: Preference point system

10.1.2.1 This bid will be evaluated using the preference points system. The formula below will be used to calculate the preference procurement points for price:

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid or offer under consideration

Pmin = Comparative price of lowest acceptable bid

10.1.2.2 Depending on the bidder's level of broad-based black empowerment contribution, a maximum of 20 points may be allocated to a bidder. The points scored by a bidder for broad-based black economic empowerment contribution will be added to the preference procurement points allocated for price.

10.1.2.3 The table below reflects the number of points to be allocated to a bidder based on broad-based black economic empowerment contribution:

Table 2

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18

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

C. ANNEXES

Annexure 1: Terms and conditions of request for quotation

1. The potential bidders are required to provide the goods/services as indicated on the scope of work or specifications of good/services required by the corporation. ECIC standard conditions of purchase shall apply.
2. ECIC reserves the right not to procure the goods and/or services.
3. Late and incomplete submissions will not be accepted.
4. Bidders are required to attach the latest Central Supplier Database (CSD) report from the National Treasury or register their company onto the CSD website address: www.csd.gov.za.
5. Bidders are required to submit B-BBEE Certificates/ sworn affidavits from the dtic website for QSE and EME suppliers with their quotations. Failure to submit the BEE Certificate will disqualify the bidder from earning BBEE points.
6. No services must be rendered, or goods delivered before an official ECIC Purchase Order has been to the supplier.
7. Bidders are required to complete and return the attached Standard Bidding Documents.
8. Bidders are required to attach the company profile to their submissions, where applicable.
9. ECIC reserves the right to conduct site visits to the selected bidders.
10. ECIC reserves the right to conduct business with ethical suppliers.
11. ECIC shall not be obliged to accept the lowest of any quotation, offer or proposal. Despite preferential procurement regulations 3(4), 4(4), 5(4), 6(4) and 8(8) that state the only the quotation or proposal with the highest number of points may be selected, a contract may, on reasonable grounds, be awarded to a respondent that did not score the highest number of points.

12. Accelerating transformation within the Corporation

The Corporation will use the objective criteria to evaluate this RFQ in preference of suppliers who are EME's and QSE's in order to elevate the BBEE scorecard of the ECIC. This is according to section 2(1) (f) of the Act.

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13. **ECIC reserves the right to disqualify any bidder**, based on any one or more of the following, and such disqualification **may** take place without prior notice to the **non-compliant bidder**.
 - 13.1. bidders who submitted incomplete information and documentation essential for the adjudication of the requirements of this RFQ;
 - 13.2. bidders who submitted information that is fraudulent, factually untrue or inaccurate, for example memberships that do not exist, experience, etc.;
 - 13.3. bidders who received information not available to other vendors through fraudulent means; and/or
 - 13.4. bidders who do not comply with mandatory requirements as stipulated in this RFQ.
14. All bidders to note that payments are processed within 30 days after receipt of the invoice.
15. This terms and conditions govern the contract for procurement of goods/services for the ECIC.
16. ECIC reserves the right to request for demonstration of products or items as and when required through presentation.
17. ECIC preferred bidders should obtain a Purchase Order prior to rendering of services or providing goods to the corporation. Should there be additional services/goods which were not part of the initial purchase order, ECIC will not be responsible for payment of such without a purchase order.

Annexure 2: Protection of Personal Information

PROTECTION OF PERSONAL INFORMATION

1. ECIC recognises that when the Bidder submit its proposal in response to this Request for Quotations, it will provide personal information, which ECIC will process for the sole purpose of evaluating the Bidder's proposal. By submitting its proposal in responding to this Request for Quotations, the Bidder hereby provide its consent to the processing of its Personal Information by ECIC.
2. The following terms shall have the meaning ascribed to them:
 - 2.1. **"Personal Information"** shall bear the same meaning as ascribed to it under POPI;
 - 2.2. **"POPI"** means Protection of Personal Information Act, No. 4 of 2013;
 - 2.3. **"Responsible Party"** shall bear the same meaning as ascribed to it under POPI; and
 - 2.4. **"RFQ"** means this Request for Quotations.
3. ECIC as the Responsible Party undertakes to:
 - 3.1. comply with the provisions of POPI as well as all applicable legislation as amended or substituted from time to time;
 - 3.2. treat all Personal Information strictly as defined within the parameters of POPI;
 - 3.3. process Personal Information only in accordance with the consent it was obtained for, for the purpose agreed, as permitted by law;
 - 3.4. secure the integrity and confidentiality of any Personal Information in its possession or under its control by taking appropriate, reasonable technical and organisational measures to prevent loss, damage, unauthorised destruction, access, use, disclosure or any other unlawful processing of Personal Information;
 - 3.5. not transfer any Personal Information to any third party in a foreign country unless such transfer complies with the relevant provisions of POPI regarding transborder information flows; and
 - 3.6. not retain any Personal Information for longer than is necessary for achieving the purpose in terms of RFQ or in fulfilment of any other lawful requirement.
4. ECIC will ensure that all reasonable measures are taken to:
 - 4.1. identify reasonably foreseeable internal and external risks to the Personal Information in its possession or under its control;

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- 4.2. establish and maintain appropriate security safeguards against the identified risks;
 - 4.3. regularly verify that the security safeguards are effectively implemented;
 - 4.4. ensure that the security safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards;
 - 4.5. provide immediate notification to the Bidder if a breach in information security or any other applicable security safeguard occurs; provide immediate notification to the Bidder where there are reasonable grounds to believe that the Personal Information has been accessed or acquired by any unauthorised person;
 - 4.6. remedy any breach of a security safeguard in the shortest reasonable time and provide the Bidder with the details of the breach and, if applicable, the reasonable measures implemented to address the security safeguard breach;
 - 4.7. provide immediate notification to the Bidder where the Bidder has, or reasonably suspects that, Personal Information has been processed outside of the purpose agreed to or consented to;
 - 4.8. provide the Bidder, upon request, with all information of any nature whatsoever relating to the processing of the Personal Information for the purpose of the RFQ and any applicable law; and
 - 4.9. notify the Bidder, if lawful, of receipt of any request for access to Personal Information, in its possession and relating to the Bidder.
5. The Bidder has the right to inspect the Personal Information processing operations, as well as the technical and organisational information security measures employed by the ECIC to ensure compliance with the provisions of this Annexure.

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Annexure C: Format for pricing schedule

- Bidders are required to submit their pricing schedule which must include items as indicated below:

Table 1

FIXED COSTS		Quantity	Amount (Rand)
Description			
Once-off setup and configuration cost			
Reception IP phones (once off outright purchase)		2	
Conference IP phones (once off outright purchase)		5	
User IP phones (once off outright purchase)		95	
Telephone management system			
Softphones or application (App) for using the system on a laptop or mobile device (compatible with Windows 10, Android and iOS devices)			
Porting of the existing head office number (012 471 3800)			
User training		Administrators	2
		Super Users	5
Cloud PBX system subscription (1 external number and up to 100 extensions)			
Year 1	Cloud PBX system subscription, including support (1 external number and up to 100 extensions).	12 months	
Year 2	Cloud PBX system subscription, including support (1 external number and up to 100 extensions).	12 months	
Year 3	Cloud PBX system subscription, including support (1 external number and up to 100 extensions).	12 months	
Any other costs not indicated above.			
Sub Total (excluding VAT)			
Value Added Tax (at 15%)			
Total (Including VAT)			

- The quotation must be on the letterhead of the bidder.

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3. Bidders are also required to provide the following call rates across the various networks and geographical locations. The pricing should be inclusive of VAT and shown per minute.

Table 2

Call description	Rate per minute (in South African Currency)
Mobile calls (MTN, Vodacom, Cell-C, Telkom, etc.)	
Landline calls	
Connection fee per call (where applicable)	

4. No charge should be incurred for internal calls (extensions) and South African toll-free numbers (0800 numbers).
5. ECIC will use the amounts provided for in Table 1 and Table 2 for Price Evaluation purposes. The rates provided in Table 2 will be multiplied by assumed calls and the amount arrived at on this table will not form part of the fixed contract, as the actual amount will vary on month to month.
6. Bidders are also required to provide list and rate for international calls. ECIC reserves the right to disqualify any bidder whose international rates appears to be unreasonable. The international rates will not be used for evaluation but are required for planning purposes.

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D. APPLICABLE STANDARD BIDDING DOCUMENTS

SBD 1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/PUBLIC ENTITY)					
BID NUMBER:	ECIC37Q-2021/22	CLOSING DATE:	3 September 2021	CLOSING TIME:	15:00
DESCRIPTION	PROVISION OF A CLOUD BASED PBX SOLUTION FOR A PERIOD OF 36 MONTHS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Preferably via email: procurement@ecic.co.za					
OR					
Block C7 Eco Origins Office Park 349 Witch Hazel Avenue Highveld Ext 79 Centurion 0157					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mehnaaz Omar		CONTACT PERSON	Mehnaaz Omar	
E-MAIL ADDRESS	procurement@ecic.co.za		E-MAIL ADDRESS	procurement@ecic.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> YES <input type="checkbox"/> NO [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	

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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- | | | |
|---|------------------------------|-----------------------------|
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

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PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, 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 favouritism, 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-

- the bidder is employed by the state; and/or
- 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.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:.....

2.3 Position occupied in the Company (director, trustee, shareholder², member):

.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:

.....

2.5 Tax Reference Number:

2.6 VAT Registration Number:

2.6.1 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 paragraph 3 below.

¹"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.

²"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.

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2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 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:	

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attach proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

2.8 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? **YES / NO**

2.8.1 If so, furnish particulars:

.....

2.9 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 **YES / NO**

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the evaluation and or adjudication of this bid?

2.9.1 If so, furnish particulars.

.....
.....
.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

YES/NO

2.10.1 If so, furnish particulars.

.....
.....
.....

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

YES/NO

2.11.1 If so, furnish particulars:

.....
.....
.....

3. Full details of directors / trustees / members / shareholders.

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Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number / Peral Number

4. DECLARATION

I, THE UNDERSIGNED
(NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 AND 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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

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

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

1. GENERAL CONDITIONS

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

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

1.2

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

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

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

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

2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20

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

80/20

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

Where

P_s = Points scored for price of bid under consideration

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Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

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

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

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

5. BID DECLARATION

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

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

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

7. SUB-CONTRACTING

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

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....

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- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm.....

8.2 VAT registration Number.....

8.3 Company registration number.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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.....

8.6 COMPANY CLASSIFICATION

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

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
 - (a) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (b) disqualify the person from the bidding process;
 - (c) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (d) 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;
 - (e) recommend that the bidder or contractor, its shareholders and directors, or only

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the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

- (f) forward the matter for criminal prosecution.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>
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<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE.....</p> <p>ADDRESS.....</p> <p>.....</p> <p>.....</p>
