



# Provincial Supply Chain Management

## Price Schedule – Professional Services

Page 1 of 3

|                    |  |               |  |
|--------------------|--|---------------|--|
| <b>Bidder Name</b> |  | <b>Bid No</b> |  |
|--------------------|--|---------------|--|

**NOTE: If the information required regarding each item cannot be inserted in the space provided on either page 1, 2 or 3 of this form, additional information may be attached to this form.**

The Gauteng Provincial Treasury (GPT) is acting as Common Service Provider or buying organisation on behalf of all Gauteng Provincial Government Customer Departments / Institutions. The goods / services are therefore required by the Customer Department / Institution, as indicated on RFP 01.

### CONDITIONS

1. All goods or services purchased will be subject to General Conditions of Contract.
2. All prices quoted must be inclusive of Value Added Tax (VAT) and prices must be quoted in South African currency.
3. In case of goods all delivery and/or railage charges must be included in the offered price(s) and goods must be delivered to the address indicated on RFP 01.
4. All delivery lead times submitted must be firm.
5. Firm prices, being prices deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise, are preferred to variable prices.
6. In case of bidding a price(s) subject to variance, please supply full details by completing RFP 07.
7. If an estimated quantity is called for, no guarantee is given that this or any quantity will be bought by GPG.

### PRICING

| DESCRIPTION | PERIOD |
|-------------|--------|
|             |        |

|                                                                                                                                                                                                      |          |                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------------------------------------------------------------------|
| <b>PRICE (including VAT) *</b>                                                                                                                                                                       | <b>R</b> | (Refer to par. 16 of RFP 03 and condition no 3 on RFP 06 page 1 of 3 *) |
| <b>Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.</b> |          |                                                                         |
| <b>How many days from the Closing Date of the Bid is the offer valid?</b>                                                                                                                            |          |                                                                         |

### DELIVERY

|                                                                                                     |  |   |  |   |  |
|-----------------------------------------------------------------------------------------------------|--|---|--|---|--|
| TIME REQUIRED FOR DELIVERY (START) ACCEPTANCE OF BID (PLEASE STATE IN HOURS, DAYS, WEEKS OR MONTHS) |  |   |  |   |  |
| Is the delivery period(s) for this service firm? (Also see condition no 4 on REP 06.1 page 1 of 3)  |  | Y |  | N |  |

### SPECIFICATION AND GUARANTEE

|                     |  |                                                |   |  |   |  |
|---------------------|--|------------------------------------------------|---|--|---|--|
| <b>Service Name</b> |  | <b>Is the offer strictly to specification?</b> | Y |  | N |  |
|---------------------|--|------------------------------------------------|---|--|---|--|

(For specification – see RFP 05)

|                                                 |
|-------------------------------------------------|
| <b>If not to specification, state deviation</b> |
|                                                 |
|                                                 |
|                                                 |

**GAURANTEE** (Also see warranty requirements as required in terms of par. 15 of the General Conditions of Contract)

|                                     |   |  |   |  |
|-------------------------------------|---|--|---|--|
| <b>Is the service/s guaranteed?</b> | Y |  | N |  |
|-------------------------------------|---|--|---|--|



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# Provincial Supply Chain Management

## Price Schedule – Professional Services

Page 2 of 3

**If a specific guarantee is required in the RFP specification, are the goods/services ACCORDINGLY guaranteed?**

Y

N

(For specification – see RPF 05)

**Indicate names and addresses of offices from where the service/s will be managed?**

| SITE INFORMATION |  |                  |  |
|------------------|--|------------------|--|
| Office Name      |  | Physical Address |  |
| Office Name      |  | Physical Address |  |
| Office Name      |  | Physical Address |  |

## PROJECT PLAN OVERVIEW

**The accompanying information must be used for the formulation of proposals**

| 1. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF). |    |             |            |
|----------------------------------------------------------------------------------------------------------------------------|----|-------------|------------|
| PERSON AND POSITION                                                                                                        | NO | HOURLY RATE | DAILY RATE |
|                                                                                                                            |    |             |            |
|                                                                                                                            |    |             |            |
|                                                                                                                            |    |             |            |
|                                                                                                                            |    |             |            |
|                                                                                                                            |    |             |            |
|                                                                                                                            |    |             |            |

| 2. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT |            |           |
|-----------------------------------------------------------------------------------------------------|------------|-----------|
| PHASE                                                                                               | RAND VALUE | MAN HOURS |
|                                                                                                     |            |           |
|                                                                                                     |            |           |
|                                                                                                     |            |           |
|                                                                                                     |            |           |
|                                                                                                     |            |           |
|                                                                                                     |            |           |





# Provincial Supply Chain Management

**Non-firm Prices**
**Page 1 of 5**

**NOTE: If the information required regarding each item cannot be inserted in the space provided on either page 1, 2, 3, 4 or 5 of this form, additional information may be provided on a photocopy of this form.**

The \*Gauteng Provincial Treasury (GPT) is acting as Common Service Provider or buying organisation on behalf of all Gauteng Provincial Government Customer Departments / Institutions. The goods / services are therefore required by the Customer Department / Institution, as indicated on RFP 01.

"Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise. "Non-firm" prices are all prices other than "firm" prices and which are either subject to Rate of Exchange claims and/or subject to published indices or documentary evidence.

In case of a contract being awarded as a result of this RFP, all applications for price adjustments must be referred to the GPT, Private Bag X112, Marshalltown. 2107. Price adjustments shall not be backdated and shall be applicable from date of approval by the GPT. The successful supplier shall submit an application, in writing and supported by documentary proof, to the GPT thirty (30) days before the effective date of any price adjustment, whether based on RoE (par. 1), formula(e) (par. 1 and/or 2) or documentary proof (par. 3).

**NOTE: Non-firm prices may be loaded when calculating comparative prices.**

## 1. CLAIMS SUBJECT TO RATE OF EXCHANGE (RoE)

In case of bid prices being subject to Rate of Exchange (RoE) variations, please specify the amount, as well as the applicable rate of exchange at the time of bidding applicable to each item.

Price adjustments, based on changes in the rate of exchange, shall only be considered if the change, based on the previous rate, had moved by more than 5%.

### 1.1 COMPILING THE RoE FORMULA - Cost breakdown structure

**A cost breakdown in terms of local & imported components must be submitted for each item as follows:**

| Imported portion | % | Local portion | % | Total | 100 % |
|------------------|---|---------------|---|-------|-------|
|------------------|---|---------------|---|-------|-------|

Whatever breakdown chosen in terms of local and imported components cannot be changed over the duration of any contract awarded based on this RFP.

### 1.2 AMOUNT(S) SUBJECT TO RoE VARIANCE - IMPORTED PORTION OF RoE FORMULA

**Amount(s) subject to exchange rate variations – please specify for each item number individually.**

|                     |  |
|---------------------|--|
| Item N <sup>o</sup> |  |
| ROE Variance        |  |

(as per item number on RFP 06 Price Schedule)

### 1.3 BASE RoE - IMPORTED PORTION OF RoE FORMULA

**Exchange rate applicable as at the time of bidding – please specify every currency applicable and indicate which items are affected by which exchange rate**

|                     |  |
|---------------------|--|
| Item N <sup>o</sup> |  |
| EXCHANGE RATE       |  |

(as per item number on RFP 06 Price Schedule)



# Provincial Supply Chain Management

Non-firm Prices

Page 2 of 5

## 2. CLAIMS SUBJECT TO PUBLISHED INDICES

**For all items to which non-firm prices apply, bidders must submit a cost breakdown, which indicates the proportion of the prices subject to adjustment.**

| Item N <sup>o</sup> |
|---------------------|
|---------------------|

(as per item number on RFP 06 Price Schedule)

Where price adjustments based on an escalation formula is chosen as the method of price adjustment, variations in the actual costs for whatever reason are for the account of the successful bidder. This implies that:

- formula-based adjustments (as per this method in par 2) and
- proven cost increases (as per the method in par 3) cannot both be entertained at the same time for the same cost element.

### 2.1 METHOD 1: FORMULA BASED ADJUSTMENTS

**2.1.1** The escalation (or price adjustment) formula shall provide for a minimum fixed element of at least 15% of the price, which shall not be subject to adjustment. The following standard formula structure is prescribed for calculating escalation / price adjustments:

**IN CASES OF PERIOD CONTRACTS, NON FIRM PRICES WILL BE ADJUSTED (LOADED) WITH THE ASSESSED CONTRACT PRICE ADJUSTMENTS IMPLICIT IN NON FIRM PRICES WHEN CALCULATING THE COMPARATIVE PRICES**

**IN THIS CATEGORY PRICE ESCALATIONS WILL ONLY BE CONSIDERED IN TERMS OF THE FOLLOWING FORMULA:**

$$Pa = (1 - V)Pt \left( D1 \frac{R1t}{R1o} + D2 \frac{R2t}{R2o} + D3 \frac{R3t}{R3o} + D4 \frac{R4t}{R4o} \right) + VPt$$

Where:

|               |   |                                                                                                                                                  |
|---------------|---|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Pa            | = | The new escalated price to be calculated.                                                                                                        |
| (1-V)Pt       | = | 85% of the original bid price. <b>Note that Pt must always be the original bid price and not an escalated price.</b>                             |
| D1, D2..      | = | Each factor of the bid price eg. labour, transport, clothing, footwear, etc. The total of the various factors D1, D2...etc. must add up to 100%. |
| R1t, R2t..... | = | Index figure obtained from new index (depends on the number of factors used).                                                                    |
| R1o, R2o      | = | Index figure at time of bidding.                                                                                                                 |
| VPt           | = | 15% of the original bid price. This portion of the bid price remains firm i.e. it is not subject to any price escalations.                       |

The following index/indices must be used to calculate your bid price:

| Index | Dated | Index | Dated | Index | Dated |
|-------|-------|-------|-------|-------|-------|
|       |       |       |       |       |       |
|       |       |       |       |       |       |



# Provincial Supply Chain Management

**Non-firm Prices**
**Page 3 of 5**

## 2.1.2 Cost breakdown structure

A percentage (%) cost breakdown for each item must be submitted according to the following example – actual figures to be added to the table (2<sup>nd</sup> column) in par. 2.1.3 below:

– the various elements specified in this paragraph will form the series (D1, D2 ... up to Dn) in the formula to be indicated in par 2.1.1 above.

### EXAMPLE OF COST BREAKDOWN STRUCTURE

Direct labour 25%\*\*  
 Direct material 30%\*\*  
 Transport 25%\*\*  
 Other overheads 20%\*\*

*Total 100%*

FURNISH A BREAKDOWN OF YOUR PRICE IN TERMS OF ABOVE-MENTIONED FORMULA. THE TOTAL OF THE VARIOUS FACTORS MUST ADD UP TO 100%.

| FACTOR<br>(D1, D2 etc. eg. Labour, transport etc.) | PERCENTAGE OF BID PRICE |
|----------------------------------------------------|-------------------------|
|                                                    |                         |
|                                                    |                         |
|                                                    |                         |
|                                                    |                         |
|                                                    |                         |
|                                                    |                         |
|                                                    |                         |
|                                                    |                         |
|                                                    |                         |
|                                                    |                         |

**Whatever breakdown of index series are chosen cannot be changed over the duration of any contract awarded based on this RFP.**

## 2.2 APPLICATION OF THE PRICE ADJUSTMENT FORMULA

### 2.2.1. Fixed price period

GPG suggests an initial fixed period of at least six (6) months from the effective date of any agreement, which may be awarded as a result of this RFP. Specify from what date the first price adjustment would be applicable (as per item number on RFP 06 Price Schedule)

### 2.2.2 Frequency of price adjustments after fixed price period

GPG suggests quarterly adjustments, after the initial fixed price period. Longer periods than three (3) months (quarterly) between adjustments will be considered even more favourably.

(as per item number on RFP 06 Price Schedule)



# Provincial Supply Chain Management

**Non-firm Prices**
**Page 4 of 5**

## 3. METHOD 2: ADJUSTMENTS BASED ON DOCUMENTARY PROOF

Price adjustments shall also be considered based on independent trust worthy documentary proof of cost, price variances or payments (forward cover cost).

GPG would however prefer claims based on published indices (as per the method in par 2 above), as a result of the fact that the confidentiality regarding source and price of goods can be maintained with a formula. Providing substantiating or supporting documentation (as per this method in par 3) often reveals information that may be considered confidential by the bidder.

Please again note that

- formula-based adjustments (as per the method in par 2) and
- proven cost increases (as per this method in par 3) cannot both be entertained at the same time for the same cost element.

### 3.1. Amount(s) subject to change based on documentary proof –

**Please specify for each item individually.**

| Item N <sup>o</sup> |  |
|---------------------|--|
| Amount              |  |

(as per item number on RFP 06 Price Schedule)

#### 3.2.1. Fixed price period

GPG suggests an initial fixed period of at least six (6) months from the effective date of any agreement, which may be awarded as a result of this RFP. Specify from what date the first price adjustment would be applicable.

(as per item number on RFP 06 Price Schedule)

#### 3.2.2 Frequency of price adjustments after fixed price period

GPG suggests quarterly adjustments, after the initial fixed price period. Longer periods than three (3) months (quarterly) between adjustments will be considered even more favourably.

(as per item number on RFP 06 Price Schedule)



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# Provincial Supply Chain Management

**Non-firm Prices**

**Page 5 of 5**

## 4 PRICES SUBJECT TO RATE OF EXCHANGE VARIATIONS

**4.1. Please furnish full particulars of your financial institution, state the currencies used in the conversion of the prices of the items to South African currency, which portion of the price is subject to rate of exchange variations and the amounts remitted abroad.**

| PARTICULARS OF FINANCIAL INSTITUTION | ITEM NO | PRICE | CURRENCY | RATE | PORTION OF PRICE SUBJECT TO ROE | AMOUNT IN FOREIGN CURRENCY REMITTED ABROAD |
|--------------------------------------|---------|-------|----------|------|---------------------------------|--------------------------------------------|
|                                      |         |       |          | ZAR= |                                 |                                            |
|                                      |         |       |          | ZAR= |                                 |                                            |
|                                      |         |       |          | ZAR= |                                 |                                            |
|                                      |         |       |          | ZAR= |                                 |                                            |
|                                      |         |       |          | ZAR= |                                 |                                            |
|                                      |         |       |          | ZAR= |                                 |                                            |

**4.2 Adjustments for rate of exchange variations during the contract period will be calculated by using the average monthly exchange rates as issued by your commercial bank for the periods indicated hereunder: (Proof from bank required)**

| AVERAGE MONTHLY EXCHANGE RATES FOR THE PERIOD: | DATE DOCUMENTATION MUST BE SUBMITTED TO THIS OFFICE | DATE FROM WHICH NEW CALCULATED PRICES WILL BECOME EFFECTIVE | DATE UNTIL WHICH NEW CALCULATED PRICE WILL BE EFFECTIVE |
|------------------------------------------------|-----------------------------------------------------|-------------------------------------------------------------|---------------------------------------------------------|
|                                                |                                                     |                                                             |                                                         |
|                                                |                                                     |                                                             |                                                         |
|                                                |                                                     |                                                             |                                                         |

|                                     |  |
|-------------------------------------|--|
| Name(s) & Signature(s) of Bidder(s) |  |
| <b>CAPACITY</b>                     |  |
| <b>DATE:</b>                        |  |

|                                                                                                                                                             |                                             |              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|--------------|
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|                                                                                                                                                             | <h2>PREFERENCE POINTS CLAIM FORM</h2>       | Page: 1 of 6 |

### 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 exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the  preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

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     |
|----------------------------------------------------------|------------|
| <b>PRICE</b>                                             |            |
| <b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>                |            |
| <b>Total points for Price and B-BBEE must not exceed</b> | <b>100</b> |

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.

|                                                                                                                                                                       |                                             |                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|---------------------|
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|                                                                                                                                                                       | <h2>PREFERENCE POINTS CLAIM FORM</h2>       | <p>Page: 2 of 6</p> |

## 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 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;

|                                                                                                                                                              |                                             |              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|--------------|
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|                                                                                                                                                              | <h2>PREFERENCE POINTS CLAIM FORM</h2>       | Page: 3 of 6 |

### 3. POINTS AWARDED FOR PRICE

#### 3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

**80/20**

**or**

**90/10**

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = 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                               |

|                                                                                                                                                              |                                                                         |              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|--------------|
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|                                                                                                                                                              | <h2 style="text-align: center;">PREFERENCE POINTS CLAIM FORM</h2>       | Page: 4 of 6 |

### 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 |  | NO |  |
|-----|--|----|--|

7.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted?
- (ii) the name of the sub-contractor?
- (iii) the B-BBEE status level of the sub-contractor?
- (iv) whether the sub-contractor is an EME or QSE? 

|     |  |    |  |
|-----|--|----|--|
| YES |  | NO |  |
|-----|--|----|--|

(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 least 51% owned by:   | EME<br>√ | QSE<br>√ |
|-------------------------------------------------------------------|----------|----------|
| 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                            |          |          |
| <b>OR</b>                                                         |          |          |
| Any EME                                                           |          |          |
| Any QSE                                                           |          |          |

**If feasible to subcontract for a contract above R30 million, an organ of state must apply subcontracting to advance designated groups. (As per Preferential Procurement Regulations 2017)**


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# Provincial Supply Chain Management

## PREFERENCE POINTS CLAIM FORM

Page: 5 of 6

### 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 [TICK APPLICABLE BOX]

- Partnership/Joint Venture / Consortium

- One person business/sole propriety

- Close corporation

- Company

- (Pty) Limited

☐  
☐  
☐  
☐

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

8.6 COMPANY CLASSIFICATION [TICK APPLICABLE BOX]

- Manufacturer

- Supplier

- Professional service provider

- Other service providers, e.g. transporter, etc.

☐  
☐  
☐  
☐

 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-BBEE 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;
- (iv) If the B-BBEE status level of contribution 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 –

|                                                                                                                                                              |                                             |              |
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|                                                                                                                                                              | <h2>PREFERENCE POINTS CLAIM FORM</h2>       | Page: 6 of 6 |

- (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only 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
- (e) forward the matter for criminal prosecution.

## WITNESSES

|                                     |
|-------------------------------------|
| Name(s) & Signature(s) of Bidder(s) |
|-------------------------------------|

DATE:

ADDRESS:

|  |
|--|
|  |
|--|

|   |  |
|---|--|
| 1 |  |
|---|--|

|   |  |
|---|--|
| 2 |  |
|---|--|