



REQUEST FOR QUOTATION

| | |
|---|-------------------------|
| RFQ No.: | Contact Person: |
| BS/2023/RFQ1505 | Tebogo Moloisane |
| RFQ Issue Date: | Contact Details: |
| Request for quotation – 15 November 2023 | 011-805-9661 |
| Closing Date: 22 November 2023 | TebogoM@bankseta.org.za |
| Description of services/products required: | |
| APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT A PERFORMANCE MANAGEMENT TRAINING | |

Part A: Request for Quotation Documentation

- Cover Letter;
- Terms of Reference / Specifications;

Part B: Returnable Documents and Schedules:

- **Returnable Documents which must accompany the quotation**
 - BANKSETA will check the tax status of the service provider on the CSD report
 - CSD Master Registration report.
- **Returnable Forms which must accompany the quotation**

The forms must be fully completed, signed and dated appropriately (see annexure)

- SBD 4: Bidder's Disclosure
- SBD 6.1 Preference Points Claim Form (complete the part that is applicable to the BANKSETA Preferential Procurement Policy) (NB. BANKSETA will not allocate points for BBBEE status Level Contributor)

PLEASE NOTE:

- Supplier must be registered on the National Treasury Central Supplier database;
- The quotation must be on the supplier's letterhead;
- Quotations must be in accordance with the specifications, unless otherwise stipulated;
- Where applicable, the official pricing structure must be used. Should the allocated pricing page / information be insufficient, you may include an additional copy of the price page;
- Suppliers must complete all the Returnable Schedules and also submit all the Returnable Documents.
- The quotation must be valid for 90 days.

Enquiries with regard to specifications may be directed to:

Name: Tebogo Moloisane

Telephone No: 011 805 9661

Email : TebogoM@bankseta.org.za

| RFQ CLOSING | | |
|------------------|--------------|---|
| CLOSING DATE | CLOSING TIME | MODE OF SUBMISSION |
| 22 November 2023 | 16:00:59PM | ELECTRONIC PDF SENT TO: TEBOGOM@BANKSETA.ORG.ZA AND SCM@BANKSETA.ORG.ZA |

1. BACKGROUND

BANKSETA is a statutory body established through the Skills Development Act of 1998 to enable its stakeholders to advance the national and global position of the banking and micro-finance industry. As guided by its mandate the BANKSETA is an agent of transformation and will promote employment equity and broad-based BEE through skills development.

A performance management Balanced Scorecard was introduced around 2018, to evaluate the individual's performance against the set business targets and to ensure that the whole team is committed to such deliverables in line with the sector Skills Plan. The BANKSETA embraces performance management as an instrument that contribute to striving for excellence and fulfil its skills development mandate.

2. SCOPE OF WORK

The successful service provider will be required to do the following:

- Understanding of the performance indicators on the balanced scorecard in line with the strategic objectives for BANKSETA;
- Conduct a detailed training with staff members, revisiting the identified standard descriptors and success indicators on the performance document; ensuring that all staff members share the same understanding of the process and the definitions;
- Train the management team on performance management, focusing on the areas not limited to:
 - ✓ Setting individual objectives
 - ✓ Conducting effective performance appraisal meetings.
 - ✓ Giving and receiving Feedback.
 - ✓ Identifying training & development needs and writing Performance Development Plans (PDP's).
 - ✓ Standards of rating; evidence and how to evaluate objectively.
- **Training will be conducted physical (service provider training facility) and/or Hybrid.**

3. COMPETENCY AND EXPERTISE REQUIRED

As a minimum requirement, the service provider should be able to demonstrate:

- The provider must provide the minimum of 3 written references (on company letter head), where they conducted the similar project.
- The provider must have a minimum of 5 years of experience where similar assignments/service was rendered. The provider must submit a company registration date and list of projects concluded for a duration of 5 years.

- The provider must present a methodology that would be carried out throughout the exercise.
- The provider must provide an example of a performance management template produced in the past.
- The provider must compile a project implementation plan including timelines.

4. IMPLEMENTATION DATE

- The projected implementation date will be in March 2024 and duration will be for 1-2 days.

5. CONTRACTING

- The contract is only valid upon signing the contractual agreement.

The services required are for the following office:

| Province | Physical Address |
|----------------|---|
| GAUTENG | <ul style="list-style-type: none"> • Eco Origin Office Park, Block C2, 349 Witch-hazel Avenue, • Eco Park Estate, Highveld, Centurion, 0144 |

7. MANDATORY REQUIREMENTS

The bidders must comply to the requirement below and failure to do so will result in disqualification:

As a minimum requirement, the service provider should be able to demonstrate:

- The provider must provide the minimum of 3 written references (on company letter head), where they conducted the similar project.
- The ability, experience, and resources to complete the assignment by the due date.
- The provider must have a minimum of 5 years of experience where similar assignments/service was rendered.
- The provider must present a methodology that would be carried out throughout the exercise.
- The provider must provide an example of a performance management template produced in the past.
- The provider must compile a project implementation plan including timelines.

8. PRICE AND PREFERENCE POINTS EVALUATION

The tender will be evaluated using the following:
80/20 PRICE PREFERENCE POINT SYSTEMS

| Points for Price | Preference Points Utilising BANKSETA Goals | Total Points |
|------------------|--|--------------|
| 80 | 20 | 100 |

A maximum of 80 points is allocated for price using the following formula:

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

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.

9. PREFERENCE POINTS UTILISING BANKSETA GOALS

In terms of Gazette 2721, the BANKETA has allocated preference points to be awarded to tenderers who meet certain BANKSETA Goals as follows:

| No | Specific Goals | 80/20 Preference Point system |
|----|---|-------------------------------|
| 1. | Empowerment of black persons- Ownership by black persons – 51% threshold as explained below | 6 |
| 2. | Promotion of Local production and Delivery by South Africans – 100% threshold as explained below | 6 |
| 3. | Empowerment of Women - Women Ownership- Threshold 50% as explained below | 2 |
| 4 | Youth Empowerment Youth Ownership – 33% Threshold as explained below | 2 |
| 5. | Empowerment of Persons with Disabilities - Ownership of People with Disabilities – 20% threshold for Ownership and 10% threshold for Persons with Disabilities as explained below | 2 |
| 6. | Promotion of small and medium businesses, co-operatives, and non-governmental institutions in all areas- rural and urban areas – as explained below | 2 |

| | | |
|--|--|-----------|
| | Total Points allocated towards specific goals | 20 |
|--|--|-----------|

The Service provider should complete the preference point bidding form attached.

10. EXPLANATIONS

- 10.1 Black persons are as defined in Broad based black economic empowerment Act (B-BBEE) which currently means Africans, Coloureds and Indians:
 (a) who are citizens of the Republic of South Africa by birth or decent; or
 (b) who became citizens of the Republic of South Africa by naturalisation –
 (i) before 27 April 1994.
 (ii) on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to that date.
- 10.2 Black Person Ownership points will be awarded to a Tenderer who have 51% or more black ownership who are actively involved in the day-to-day activities of the company or entity. The shareholding will determine the ownership. The position and role that black owners play in the company should be stated.
- 10.3 Promotion of Local Production and Services Delivered by South Africans
 The goods supplied should be 100% manufactured or assembled in South Africa from 100% local materials and any services supplied should 100% utilising South African citizens.
- 10.4 Women ownership points will be awarded to a Tenderer who have 50% or more women ownership, who are actively involved in the day-to-day activities of the company or enterprise and are South African citizens. The position and role that women owners play in the company should be stated.
- 10.5 Youth ownership points will be awarded to a Tenderer who have 33% or more youth ownership being persons 35 years and below, determined at the date of tender/ RFQ closing. Youth ownership will be determined based on the shareholding of the members who are defined as youth and are South African citizens.
- 10.6 Persons with Disability Ownership points will be awarded to a Tenderer who have 20% or more shareholding by South African citizen persons with disability who are actively involved in the day-to-day activities of the company or entity are **OR** to tenderers who employ 10% or more South African persons with disability on a permanent basis. Disability ownership will be determined by the shareholding of the enterprise owned by such a South African citizen person with disability who are actively involved in the day-to-day activities of the company or enterprise OR by enterprises whose permanent staff complement consists of 10% or more South African citizen persons with disabilities.

The disabilities need to be legally verifiable for points to be claimed.

An entity may only claim once under this category regardless of if it qualifies under both South African citizen persons with disabilities ownership and employment of South African persons with disability.

10.7 Small and medium business includes all South African businesses, co-operatives and non-governmental organisations with annual turnover up to R10 million or alternatively, these entities are recently incorporated, have been operating for less than one year and are projected to have annual turnover of less than R10 million in the first year. The ownership of small and medium business, co-operatives or non-governmental organisations should be 100% South African citizens (or entities owned 100% by South Africa citizens).

10.8 An entity may claim points based on the same shareholding or persons in more than one category. For example black female disabled shareholders under 35 who is a SA citizen may lead a business to claim points under Empowerment of women, youth empowerment and empowerment of persons with disabilities.

10.9 False Information from Bidders

Should the BANKSETA ascertain that any bidder has submitted any false information, the BANKSETA may disqualify the bidder/service provider, cancel any award without prejudice to any other remedies available to BANKSETA and report the service provider to National Treasury.

The bidder/service provider will be given an opportunity to give reasons why BANKSETA should not take actions detailed above where false information has been submitted.

11. COMPLIANCE STATUS

- a. The BANKSETA before making an award, shall check on the Central Supplier Database CSD whether.
 - the bidder's tax status is compliant and
 - the bidder or any of its directors are not listed / indicated as restricted from doing business with the public sector, and/or are person(s) prohibited/ its directors are not employees of the state and have no conflict of interest in the BANKSETA, or have written authority to do work with the state as per the legislation.
- b. The BANKSETA will not award to service providers who do not comply with the above.

12. RFQ CONDITIONS

- a. BANKSETA reserves the right to withdraw or amend terms of reference by notice in writing by advertising in the media in which the RFQ was originally advertised prior to the closing date.
- b. BANKSETA reserves the right not to award this RFQ and the right to reduce the quantities awarded.
- c. BANKSETA reserves the right to verify the information submitted and request for further information during evaluation of the proposal.
- d. BANKSETA shall not be liable for any direct, indirect, consequential or other losses or damages including loss of profit that may be incurred by any person including, but not limited to, an Applicant, Short Listed Applicant or Successful Applicant, or any director, officer or associated company thereof, as a result of any reliance on or use of information supplied in response to this RFQ or as a result of the RFQ process contemplated in this RFQ document.
- e. BANKSETA makes no representations, undertakings or warranties whatsoever to any person in respect of the RFQ or any information contained in the RFQ.
- f. This RFQ is confidential and proprietary to BANKSETA and may not be used, reused, copied or distributed for any purpose, other than in relation to the RFQ process, without BANKSETA's prior written consent.
- g. POPIA - The Protection of Personal Information Act, ("POPIA") includes the right to protection against unlawful collection, retention, dissemination and use of personal information. BANKSETA complies with POPIA in collecting, processing and distributing of Personal Information, which include cooperation with the Regulator as provided for in the act.

13. REVIEW PROCESS

- h. In order to evaluate and adjudicate proposals effectively, it is imperative that applicants submit responsive applications. To ensure an application will be regarded as responsive it is imperative to comply with all conditions pertaining to the application and to complete all the mandatory fields and questionnaires.
- i. All applications duly lodged as per the submission requirements will be evaluated in accordance with the stipulated minimum requirement.
- j. The validity period of proposals is at least **90 days** after closing.

12. QUOTATION/PRICING

- The quotation should be on the service provider/bidder's letterhead.

- The pricing should show VAT separately.
- No pricing adjustment will be allowed after closing date.

BANKSETA PREFERENCE POINTS CLAIM DOCUMENT

1.1 The service provider is requested to complete the form below accurately and fully to show the areas where it wishes to claim preference points.

It is the service providers responsibility to ensure that the form is accurately and fully completed.

1.2 For shortlisted service providers, BANKSETA may request additional information and evidence to support the preference points claimed.

1.3 An entity may claim points based on the same shareholding or persons in more than one category. For example, black female disabled shareholders under 35 who is a SA citizen may lead a business to claim points under Empowerment of women, youth empowerment and empowerment of persons with disabilities.

The BANKSETA will allocate preference points as follows:

| No | Specific Goals | 80/20 Preference Point system |
|-----------|---|--------------------------------------|
| 1. | Empowerment of black persons- Ownership by black persons – 51% threshold as explained below | 6 |
| 2. | Promotion of Local production and Delivery by South Africans – 100% threshold as explained below | 6 |
| 3. | Empowerment of Women - Women Ownership- Threshold 50% as explained below | 2 |
| 4 | Youth Empowerment Youth Ownership – 33% Threshold as explained below | 2 |
| 5. | Empowerment of Persons with Disabilities - Ownership or of People with Disabilities – 20% threshold for Ownership and 10% threshold for of Persons with Disabilities as explained below | 2 |
| 6. | Promotion of small and medium businesses, co-operatives, and non-governmental institutions in all areas- rural and urban areas – as explained below | 2 |
| | Total Points allocated towards specific goals | 20 |

1.4 Empowerment of black persons- Ownership by black persons Black Person Ownership

1.4.1 Black persons are as defined in Broad based black economic empowerment Act (B-BBEE) which currently means Africans, Coloureds, and Indians:

(a) who are citizens of the Republic of South Africa by birth or decent; or

(b) who became citizens of the Republic of South Africa by naturalisation –

(i) before 27 April 1994.

(ii) on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to that date.

| Preference Point | Service Provider to INDICATE YES OR NO | No of Points per BANKSETA Preference point System | For BANKSETA USE Only Points Claimed |
|--|--|---|--------------------------------------|
| Does the service provider wish to claim points under black ownership t where 51% or more ownerships is by black people | | 6 | |

IF YES please provide the following details

| DETAILS OF BLACK OWNERS | | | | |
|-------------------------|---------------------------|-----------|---|-------------------------|
| | Full Name of Black Owners | ID Number | Ownership Percentage (via shareholding) | Position in the Company |
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| 7 | | | | |
| 8 | | | | |
| 9 | | | | |

| | | | | |
|-----------|----------------------------------|--|--|--|
| | | | | |
| 10 | | | | |
| | TOTAL Black Ownership | | | |

For shortlisted service providers, BANKSETA will request additional information and evidence to support the information shown for the preference points claimed. Please note that such additional information may include but is not limited to certified IDs, naturalisation records for owners not South African by birth and CIPC records of the entity.

1.5 Preference Points Claimed for Empowerment of 100% Local production of Goods and/or 100% Use of South African Citizens for Delivery of Services.

The goods supplied should be 100% manufactured or assembled in South Africa from 100% local materials and any services supplied should 100% utilising South African citizens. If only services are being sought, the services should be delivered using 100% South African citizens.

| Preference Point | Service Provider to Indicate YES OR NO | No of Points per BANKSETA Preference point System | For BANKSETA USE Only Points Claimed |
|--|--|---|--------------------------------------|
| Does the service provider wish to claim points under Promotion of Local production and Delivery by South Africans – 100% threshold | | 6 | |

IF YES please provide the following details

| Details | Service Provider to Indicate YES or NO |
|--|--|
| 2.1 If goods are to be supplied are these 100% assembled or manufactured in South Africa | |
| 2. If goods are to be supplied are these 100% assembled or manufactured in South Africa | |
| 2.3 If services are to be supplied, are these to be delivered 100% by South African citizens. Kindly note that the citizen status of employees is stated in the ID document | |

For shortlisted service providers, BANKSETA will request additional information and evidence to support the information shown for preference points claimed. Please note that such additional information may include but is not limited to sworn affidavits, details of manufacturing/assembly plant, details of main raw material suppliers, employee lists and ID numbers.

1.6 Preference Points Claimed for Empowerment of Women – Through Women Ownership of the Entity- Threshold 50%

Women ownership points will be awarded to a Tenderer who have 50% or more women ownership, of the company or enterprise. The position and role that women owners play in the company should be stated. The woman should be South African citizens.

| Preference Point | Service Provider to Indicate YES OR NO | No of Points per BANKSETA Preference point System | For BANKSETA USE Only Points Claimed |
|--|--|---|--------------------------------------|
| Does the service provider wish to claim points under women ownership where 50% or more ownerships is by women who are South African citizens | | 2 | |

IF YES please provide the following details

| DETAILS OF WOMEN OWNERS WHO ARE SOUTH AFRICAN CITIZENS | | | | |
|--|---------------------------|-----------|---|-------------------------|
| | Full Name of Black Owners | ID Number | Ownership Percentage (via shareholding) | Position in the Company |
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| | TOTAL WOMEN OWNERSHIP | | | |

For shortlisted service providers, BANKSETA will request additional information and evidence to support the information shown for preference points claimed. Please note that such additional information may include but is not limited to certified IDs and CIPC records.

1.7 Preference Points Claimed for Empowerment of Youth Through Youth Ownership of the Service Provider /Enterprise– 33% Threshold

1.7.1 Youth ownership points will be awarded to a Tenderer who have 33% or more youth ownership being persons 35 years and below, determined at the date of tender/ RFQ closing. Youth ownership will be determined based on the shareholding of the members who are defined as youth and are South African citizens, .

| Preference Point | Service Provider to Indicate YES OR NO | No of Points per BANKSETA Preference point System | For BANKSETA USE Only Points Claimed |
|--|--|---|--------------------------------------|
| Does the service provider wish to claim points under Youth Ownership – 33% Threshold. The youth should be South African citizens | | 2 | |

IF YES please provide the following details

| DETAILS OF YOUTH OWNERS WHO ARE SOUTH AFRICAN CITIZENS | | | | |
|--|---------------------------|-----------|---|-------------------------|
| | Full Name of Black Owners | ID Number | Ownership Percentage (via shareholding) | Position in the Company |
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| | TOTAL YOUTH OWNERSHIP | | | |

For shortlisted service providers, BANKSETA will request additional information and evidence to support the information shown for preference points claimed. Please note that such additional information may include but is not limited to certified IDs and CIPC records.

1.8 Preference Points Claimed for Empowerment of Persons with Disabilities - Ownership or Employment of People with Disabilities – 20% threshold for Ownership and 10% threshold for Employment of Persons with Disabilities of Youth Empowerment

1.8.1 Persons with Disability Ownership points will be awarded to a Tenderer who have 20% or more shareholding by South African citizen persons with disability

OR

to tenderers who employ 10% or more South African persons with disability on a permanent basis.

Disability ownership will be determined by the shareholding of the enterprise owned by such a South African citizen person with disability.

OR

by enterprises whose permanent staff complement consists of 10% or more South African citizen persons with disabilities. Any disabilities need to be legally verifiable for points to be claimed.

Kindly note that full points are awarded for either ownership of persons with disabilities or employment of persons with disabilities.

| Preference Point | Service Provider to Indicate YES OR NO | No of Points per BANKSETA Preference point System | For BANKSETA USE Only Points Claimed |
|--|--|---|--------------------------------------|
| Does the service provider wish to claim points under Persons with Disability Ownership points will be awarded to a Tenderer who have 20% or more shareholding by South African citizen persons with disability OR to tenderers who employ 10% or more South African persons with disability on a permanent basis. | | 2 | |

IF YES please provide the following details

| DETAILS OF OWNERS WHO HAVE DISABILITIES AND ARE SOUTH AFRICAN CITIZENS | | | | |
|--|---|-----------|---|-------------------------|
| | Full Name of Persons with Disabilities Owners | ID Number | Ownership Percentage (via shareholding) | Position in the Company |
| 1 | | | | |
| 2 | | | | |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| | TOTALPERSON WITH DISABILITIES OWNERSHIP | | | |

AND/OR

| Total Number of Permanent Employees | Number of Permanent Employees with Disabilities | % Of Employees with Disabilities |
|-------------------------------------|---|----------------------------------|
| | | |

For shortlisted service providers, BANKSETA will request additional information and evidence to support the information shown for preference points claimed. Please note that such additional information may include but is not limited to certified IDs, CIPC records, employee list, disabilities list or certificates of disability.

1.9 Preference Points Claimed for Empowerment Small and Medium Enterprises Including Co-operatives and Non-Governmental Organisations in All Areas – Rural and Urban

1.9.1 Small and medium business includes all South African businesses, co-operatives, and non-governmental organisations with annual turnover up to R10 million or alternatively, these entities are recently incorporated, have been operating for less than one year and are projected to have annual turnover of less than R10 million in the first year. The ownership of small and medium business, co-operatives or non-governmental organisations should be 100% South African citizens (or entities owned 100% by South Africa citizens).

| Preference Point | Service Provider to Indicate YES OR NO | No of Points per BANKSETA Preference point System | For BANKSETA USE Only Points Claimed |
|--|--|---|--------------------------------------|
| Does the service provider wish to claim points under small and medium business includes all South African businesses, co-operatives, and non-governmental organisations with annual turnover up to R10 million or alternatively, these entities are recently incorporated, have been operating for less than one year and are projected to have annual turnover of less than R10 million in the first year. The ownership of small and medium business, co-operatives or non-governmental organisations should be 100% South African citizens (or entities owned 100% by South Africa citizens). | | 2 | |

IF YES please provide the following details

| DETAILS OF THE BUSINESS | | | | |
|-----------------------------|-----------------------|--|---|--|
| Dated Business Incorporated | Financial Year Ending | Turnover in Prior Financial Year of the Enterprise | Budgeted Turnover This Current Financial Year | Turnover to Date in Current Financial Year |
| | | | | |

For shortlisted service providers, BANKSETA will request additional information and evidence to support the information shown for preference points claimed. Please note that such additional information may include but are not limited to CIPC records, annual financial statements and sworn affidavits.

1.10 False Information from Bidders

Should the BANKSETA ascertain that any bidder has submitted any false information, the BANKSETA may disqualify the bidder/service provider, cancel any award without prejudice to any other remedies available to BANKSETA and report the service provider to National Treasury.

The bidder/service provider will be given an opportunity to give reasons why BANKSETA should not take actions detailed above where false information has been submitted.

BIDDER'S DISCLOSURE**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 |
|-----------|-----------------|---------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

- 2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

- 2.2.1 If so, furnish particulars:

.....

- 2.3 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

- 2.3.1 If so, furnish particulars:

.....

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.

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 time of the official bid opening or of the awarding of the contract.
- 3.5 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.
- 3.6 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

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF BANKSETA PREFERENCE POINTS CLAIM

This preference form should 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 SHOULD STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE

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
- b) Either the 80/20 preference point system will be applicable to 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 |
|---|--------|
| PRICE | 80 |
| B-BBEE STATUS LEVEL OF CONTRIBUTOR | 20 |
| Total points for Price and B-BBEE should 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 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\begin{array}{ccc}
 \text{80/20} & \text{or} & \text{90/10} \\
 P_s \leq \frac{80}{1} \left(\frac{P_t - P_{\min}}{P_t - P_{\min}} \right) & & P_s \leq \frac{90}{1} \left(\frac{P_t - P_{\min}}{P_t - P_{\min}} \right)
 \end{array}$$

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 should 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 should 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 should be in accordance with the table reflected in paragraph 4.1 and should 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"/> |
|-----|--------------------------|----|--------------------------|

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

(***Tick applicable box***)

| | | | |
|-----|--------------------------|----|--------------------------|
| YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

- 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 √ | 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

.....

.....

.....

.....

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;

- iv) 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 –
- (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 favorable 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

1.

2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....