

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE COMMUNITY SCHEMES OMBUD SERVICE					
BID NUMBER:	RFQ018-2023	CLOSING DATE:	7 June 2023	CLOSING TIME:	16h00
DESCRIPTION	THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT COMPREHENSIVE BACKGROUND SCREENING AND VERIFICATION SERVICES FOR EMPLOYMENT CANDIDATES FOR A PERIOD OF THREE (3) YEARS				
BID RESPONSE DOCUMENTS MAY BE EMAILED TO THE BELOW (EMAIL ADDRESS)					
quotations@csos.org.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Jabulile Sithole		CONTACT PERSON	Rapula Tisane	
TELEPHONE NUMBER	066 302 5937 /(010) 593 0533		TELEPHONE NUMBER	(010) 593 0533/ 083 603 3218	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	Jabulile.sithole@csos.org.za		E-MAIL ADDRESS	Rapula.Tisane@csos.org.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 DETIALED CSD REPORT REFLECTING EME OR QSE 51% OR MORE BLACK OWNERSHIP FOR AT LEAST ONE OF THE DESIGNATED GROUPS MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR SPECIFIC GOALS]					
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 PART B:3]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?

☐ YES ☐ NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA?

☐ YES ☐ NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

☐ YES

☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

☐ YES ☐ NO

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

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, 2022 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 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:



TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT COMPREHENSIVE BACKGROUND SCREENING AND VERIFICATION SERVICES FOR EMPLOYMENT CANDIDATES FOR A PERIOD OF THREE (3) YEARS



TERMS OF REFERENCE

APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT COMPREHENSIVE BACKGROUND SCREENING AND VERIFICATION SERVICES FOR THE CSOS EMPLOYMENT CANDIDATES OVER A PERIOD OF THREE (3) YEARS

CLOSING DATE FOR RFQ: 7 JUNE 2023



TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT COMPREHENSIVE BACKGROUND SCREENING AND VERIFICATION SERVICES FOR EMPLOYMENT CANDIDATES FOR A PERIOD OF THREE (3) YEARS

1. TERMS AND CONDITIONS

This Request for Proposal (RFP) has been compiled by the CSOS and is made available to Bidders subject to the following terms and conditions, which Bidders are deemed to acknowledge and accept:

- 1.1 A Bid submitted in response to this RFP will constitute a binding offer which will remain binding and irrevocable for a period of ninety (90) Days from the date of submission to the CSOS.
- 1.2 Unless or until a binding contract is concluded between the CSOS and the successful Bidder, the offer constituted by the Bid will be deemed not to have been accepted and no agreement will be deemed to be reached with any Bidder.
- 1.3 The CSOS reserves the right to amend, modify, withdraw or terminate this RFP or any of the requirements set out herein at any time (and from time to time), without prior notice and without liability to compensate or reimburse any Bidder or person.
- 1.4 Should this RFP be amended, the CSOS undertakes to publicize or send each Bidder in writing the amended RFP. No oral amendments by the Bidder or the CSOS shall be considered.
- 1.5 It is compulsory for a Bidder submitting a bid to be registered on the National Treasury's Central Supplier Database ("the CSD") and ensure that it remains registered for the duration of the services and/or contract, if successful.
- 1.6 The Bidder needs to ensure that it is tax compliant at the time of submitting its Bid and remains tax compliant for the duration of the contract and/or services, if successful, and undertakes to provide supporting documentation issued by the South African Revenue Services ("SARS") confirming it is tax compliant upon request by the CSOS.
- 1.7 The CSOS reserves the right to conduct site inspections or call for supporting documentation in order to confirm any information provided by a Bidder in its response to this Bid.
- 1.8 This RFP is not intended to form the basis of a decision to enter into any transaction with the CSOS and does not constitute an offer or recommendation to enter into such transaction, or an intention to enter into any legal relationship with any person.



TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT COMPREHENSIVE BACKGROUND SCREENING AND VERIFICATION SERVICES FOR EMPLOYMENT CANDIDATES FOR A PERIOD OF THREE (3) YEARS

- 1.9 Neither the CSOS or any of its respective directors, officers, employees, agents, representatives or advisors will assume any responsibility for any costs or expenses incurred by any party in or associated with preparing or submitting a Bid in response to this RFP.
- 1.10 No entity may be involved, whether directly or indirectly, in more than one Bid in response to this RFP. Failure to comply with this requirement may, within the sole discretion of the CSOS, result in disqualification of the relevant entity.
- 1.11 Any material change in the control and/or composition of any Bidder or any core member of a Bidder after submission of a Bid, shall be brought to the attention of the CSOS Supply Chain Management ("SCM") Section in writing. The CSOS shall be the sole arbiter as to what constitutes a material change in the control and/or composition of any Bidder and may in its sole discretion disqualify the Bidder from any further participation in the bid process.
- 1.12 Any requirement set out in this RFP which stipulates the form and/or content of any aspect of a Bid, is stipulated for the sole benefit of the CSOS, and unless the contrary is expressed, may be waived by the CSOS in its sole discretion at any stage in the bid process.
- 1.13 The CSOS and its advisors shall rely on a Bid as being accurate and complete in relation to the information and proposals provided therein by the Bidders.
- 1.14 All Bids submitted to CSOS shall become the property of the CSOS and will not be returned to the Bidders. The CSOS will make all reasonable efforts to maintain information contained in proposals in confidence.
- 1.15 A Bid submitted by the Bidder shall be considered irregular if it shows any omissions, or irregularities of any kind. However, the CSOS reserves the right to waive any irregularities and to make an award in the best interest of the organization.
- 1.16 The CSOS reserves the right to accept or reject in part or whole any Bid submitted, and to waive any technicalities if this is in the best interest of the organization.
- 1.17 The CSOS reserves the right to require a Bidder to provide a formal presentation of its RFP at a date and time to be determined by the CSOS. The CSOS shall provide



TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT COMPREHENSIVE BACKGROUND SCREENING AND VERIFICATION SERVICES FOR EMPLOYMENT CANDIDATES FOR A PERIOD OF THREE (3) YEARS

adequate instructions and clarification regarding the purpose and scope of the presentation. All expenses shall be borne by the Bidder.

- 1.18 In this RFP, the words “service provider”, “supplier” will be used interchangeably to refer to the Bidder.
- 1.19 All costs associated with the preparation and submission of the Bid remain the responsibility of the Bidder. The costs shall not be chargeable to the CSOS by the successful or unsuccessful Bidder.
- 1.20 All Bids must be formulated and submitted in accordance with the requirements of this RFP.
- 1.21 Bids received after the closing date and time as specified in this RFP shall be rejected.

2. INTRODUCTION

- 2.1 The Community Schemes Ombud Service is established in terms of the Community Scheme Ombud Service Act, 2011 [Act 9 of 2011) to regulate the conduct of parties within community schemes and to ensure their good governance. In order to deliver on its mandate, key amongst the priorities of the organisation are:
 - To establish a dispute resolution service within community schemes characterised by organisational excellence and a conducive organisational culture;
 - To promote good governance of community schemes by developing and implementing appropriate guidelines to enhance stability and harmonious relations amongst the parties;
 - To roll-out massive educational campaigns to educate and train stakeholders within community schemes and the public at large;
 - To enhance community schemes tenure as alternative tenure option; and



TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT COMPREHENSIVE BACKGROUND SCREENING AND VERIFICATION SERVICES FOR EMPLOYMENT CANDIDATES FOR A PERIOD OF THREE (3) YEARS

- To develop and implement appropriate organisational systems, controls and measures to enhance financial, economic and organisational efficiency.
- 2.2 The CSOS currently has its Head Office situated in Sandton, with three (3) regional offices in Gauteng, KwaZulu-Natal and Western Cape. The organization has projected a growth of additional regional and satellite offices in the next three years based on its stakeholders' needs and operational accessibility.

3. PROJECT BACKGROUND

- 3.1 The CSOS has advertised and continues to advertise positions in a bid to reduce the vacancy rate on its organisational structure.
- 3.2 It is against this backdrop that the CSOS would like to appoint a service provider to conduct background screening and personal information verification checks for its shortlisted candidates, for a period of thirty-six (36) months.

4. PROJECT PURPOSE

- 4.1 The purpose of the terms of reference is to source for a bidder to provide the Community Schemes Ombud Service (CSOS) background screening services for its candidates shortlisted following an interview process.

5. SCOPE OF WORK

The CSOS hereby requests experienced and reputable bidders to submit proposals for the provision of comprehensive pre-employment background screening and verification services on an "as and when required basis". The successful Bidder will **provide** the following services:

- 5.1 Pre-employment screening, verification services that are reliable.
- 5.2 Background screening and verification checks on potential candidates for employment screening to minimize potential hiring risks.
- 5.3 Individual or personal background checks required:
- 5.3.1. Criminal record (Fingerprint National Accessibility).



TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT COMPREHENSIVE BACKGROUND SCREENING AND VERIFICATION SERVICES FOR EMPLOYMENT CANDIDATES FOR A PERIOD OF THREE (3) YEARS

- 5.3.2. Qualification check (Senior Certificate and tertiary qualifications) from local and international institutions
- 5.3.3. Driver's license verifications
- 5.3.4. Identity verifications
- 5.3.5. Professional memberships
- 5.3.6. Previous employment history/confirmation
- 5.3.7. Credit check
- 5.4. Set up appointments with the candidates for criminal and other relevant checks where the presence or attendance of the candidate is required.
- 5.5. The proposed screening solution services must include the ability to complete all checks as noted in paragraph 5.3.
- 5.6. The turnaround time to complete all checks for each applicant should be within two business days.
- 5.7. The background checks must be captured and submitted electronically to a designated CSOS employee/ project manager.
- 5.8. The services must allow for the transmission of results for all checks to be completed electronically by an CSOS official/designated employee.
- 5.9. The proposal should include a description of all methods used for the ordering and transmission of results.
- 5.10. The services must include support services during the regular business hours of the CSOS.
- 5.11. The proposal must include monthly billing, accompanied by a report, which will clearly indicate the services which were provided, per applicant.

TEAM COMPOSITION

The bidder is expected to have a team of qualified professionals to be available to carry out the services when required.

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6. PROJECT TIME FRAME

6.1 The duration of this contract is three (3) years.

7 Supply Chain Management Compliance requirements

7.1 Bidders to attach the following SCM compliance requirements documents.

Documents required	Comply	Not Comply
Valid B-BBEE certificate issued by an accredited SANAS verification agency/Sworn Affidavit signed by the EME/QSE representative and attested by a Commissioner of Oath/B-BBEE certificate issued by the Companies and Intellectual Property Commission (CIPC).		
Proof of registration on the National Treasury Central Supplier Database (provide a full CSD report)		
Valid SARS tax pin/Tax compliance letter		
Standard Bidding Document (SBD 1,3.3,4, & 6.1)		

8 PROJECT EVALUATION CRITERIA

8.1 Phase 1: Mandatory Requirements

Bidders must comply with the following requirements in order to be evaluated further on pricing and specific goals. **Failure to comply with ALL the below requirements will result in your bid being disqualified.**

Description	Comply	Not Comply
Letter of references in the letterhead of the company or firm where similar services were rendered		

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(three letters and at least two should be from the public sector). The letters to be signed by an authorized person		
The bidder must provide the company profile which contain the entity's organizational structure, as well as a profile of core staff, their experience, and achievements in delivering a similar service. (Include CV of core staff)		
The bidder must demonstrate at least 10 years' experience within background and screening services (attach CIPC document)		

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT COMPREHENSIVE BACKGROUND SCREENING AND VERIFICATION SERVICES FOR EMPLOYMENT CANDIDATES FOR A PERIOD OF THREE (3) YEARS

7.2 Phase 2: the 80/20 Principle based on Price and specific goals.

7.3.2 Bidders that have met all mandatory requirements will be evaluated further in terms of the 80/20 preference points system, where 80 points will be for price only, and 20 points will be for specific goals.

Criteria	Sub Criteria	SUBSTANTIATION	Weighting/Points
Price	Detailed budget breakdown	Attach quotation on the company letterhead as per pricing schedule	80
Specific Goals	CSD report reflecting that company is at least 51% or more owned by black people for the below designated groups: <ul style="list-style-type: none"> • Women and/or • Youth and/or • People living with disability and/or • Black people who are military veterans. 	Detailed (Full Registration) CSD Report	20
Total Points for Price Specific Goals			100

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT COMPREHENSIVE BACKGROUND SCREENING AND VERIFICATION SERVICES FOR EMPLOYMENT CANDIDATES FOR A PERIOD OF THREE (3) YEARS

8 PRICING SCHEDULE

All bidders must complete the below price schedule and submit it together with the mandatory requirements:

BACKGROUND CHECK	TURNAROUND TIME	ESTIMATED QUANTITY	RATE FOR YEAR 1	YEAR 2 ANNUAL ESCALATION	YEAR 3 ANNUAL ESCALATION
Criminal record (Fingerprint National Accessibility)		1	R	R	R
Qualification check (Senior Certificate and tertiary qualifications) from local and international institutions		1	R	R	R
Driver's license verifications		1	R	R	R
Identity verifications		1	R	R	R
Professional memberships		1	R	R	R
Previous employment history/confirmation		1	R	R	R
Credit check		1	R	R	R
SUBTOTAL			R	R	R
VAT @15%			R	R	R



TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT COMPREHENSIVE BACKGROUND SCREENING AND VERIFICATION SERVICES FOR EMPLOYMENT CANDIDATES FOR A PERIOD OF THREE (3) YEARS

TOTAL (INCLUDING VAT)		R	R	R
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- 8.1 The CSOS undertakes to pay in full, within thirty (30) days, all valid claims for work done to its satisfaction upon presentation of a substantiated claim/invoice.
- 8.2 Payments will only be made on the basis of the work completed (milestones/deliverables) as per the project implementation plan to be agreed at the inception of the project.

9 PROPOSAL SUBMISSION REQUIREMENTS

The bidders are requested to structure proposals as follows and provide complete details as indicated:

- 9.1 Failure to adhere to ALL mandatory requirements will lead to a disqualification;
- 9.2 Detailed Cost Break-Down.

10 REPORTING REQUIREMENTS

10.1 KEY ROLE PLAYERS: CSOS

Mr. Rapula Tisane (Acting Senior Manager: Human Capital) CSOS Project Manager

Mr Lesiba Seshoka (Executive Manager: Corporate Services)

11 CONTACT DETAILS

- 11.1 For further information regarding technical matters can be sent via email to: Mr. Rapula Tisane rapula.tisane@csos.org.za on Tel: (010) 593 0533 Cell : 083 603 3218.
- 11.2 For further information regarding Supply Chain matters can be send via email to: Ms. Jabulile Sithole Jabulile.sithole@csos.org.za or at Tel: (010) 593 0533. Cell :066 302 5937

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER: **BID NO:**
**RFQ018-2023 THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT COMPREHENSIVE
 BACKGROUND SCREENING AND VERIFICATION SERVICES FOR EMPLOYMENT CANDIDATES
 FOR A PERIOD OF THREE (3) YEARS**

CLOSING TIME 7 JUNE 2023 at 16:00pm

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO <u>TAX</u>	DESCRIPTION	BID PRICE IN RSA CURRENCY INCLUSIVE OF <u>VALUE ADDED</u>
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**DESCRIPTION: THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT COMPREHENSIVE
 BACKGROUND SCREENING AND VERIFICATION SERVICES FOR EMPLOYMENT CANDIDATES
 FOR A PERIOD OF THREE (3) YEARS**

- Services must be quoted in accordance with the attached terms of reference.

BACKGROUND CHECK	TURNAROUND TIME	ESTIMATED QUANTITY	RATE FOR YEAR 1	YEAR 2 ANNUAL ESCALATION	YEAR 3 ANNUAL ESCALATION
Criminal record (Fingerprint National Accessibility)		1	R	R	R
Qualification check (Senior Certificate and tertiary qualifications) from local and international institutions		1	R	R	R
Driver's license verifications		1	R	R	R
Identity verifications		1	R	R	R
Professional memberships		1	R	R	R

Previous employment history/confirmation		1	R	R	R
Credit check		1	R	R	R
SUBTOTAL			R	R	R
VAT @15%			R	R	R
TOTAL (INCLUDING VAT)			R	R	R

Signature (Bidder)

Date

The financial proposal for this assignment should cover for all assignment activities as per terms of reference

2. Period required for commencement with project after acceptance of bid _____
- 3 Are the rates quoted firm for the full period? Yes/No
4. If not firm for the full period, provide details of the basis on which Adjustments will be applied for, for example consumer price index.

Technical enquiries regarding bidding procedures may be directed to:

Rapula Tisane

Tel: (010) 593 0533 / Cell : 083 603 3218

E-mail address: Rapula.Tisane@csos.org.za

Supply Chain queries may be directed to:

Jabulile Sithole

Cell: (010) 593 0533 /Cell: 066 302 5937

Email: jabulile.sithole@csos.org.za

PLEASE REFER TO THE ATTACHED TERMS OF REFERENCE FOR MORE INFORMATION.

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

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.

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:

.....

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

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.

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

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

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the **80/20** preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
(b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

		POINTS
PRICE		80
SPECIFIC GOALS	Detailed (Full Registration) CSD Report	20
Total points for Price and SPECIFIC GOALS		100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)} \end{array}$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

- P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
EME OR QSE which is at least 51% black owned by: <ul style="list-style-type: none"> • Women and/or; • Youth and/or • People living with disabilities, and/or • Military veterans 	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

- (a) disqualify the person from the tendering process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

<p>.....</p> <p>SIGNATURE(S) OF TENDERER(S)</p>	
SURNAME AND NAME:
DATE:
ADDRESS:

