South African Human Rights Commission

TENDER NUMBER	**RFP-HO-06-2026 - Brand Strategist**
DESCRIPTION	**Appointment of a suitably qualified Brand Strategist who will render brand management services for the Commission for a period of 6 months.**
PUBLISHED	**DATE: 13 August 2026**
TENDER BRIEFING	**NOT APPLICABLE** **Enquiries can be made in writing as follows: Administration/ Supply Chain Management** **tenderoffice@sahrc.org.za** **Technical: Eric Mokonyama** **emokonyama@sahrc.org.za**
CLOSING DATE	**DATE: 25 August 2026 TIME: 11H00 (GMT +2)** **Submissions to be done via email to:** **HOprocurement@sahrc.org.za**

1. BACKGROUND

The South African Human Rights Commission (SAHRC) is a Constitutional body established in terms of the Constitution of South Africa, 1996, as well as the South African Human Rights Commission Act, 40 of 2014. The SAHRC is under the strategic leadership of Commissioners. The administration of SAHRC is overseen by a Chief Executive Officer (CEO).

The Commission has recently received negative sentiments, especially on social media and in the press, over internal governance challenges and the promotion and protection of the rights of non-nationals. Despite statements issued to correct negative sentiments, misinformation and disinformation on the Commission's work and its composition continue to be shared on social media.

2. PURPOSE

To appoint a suitably qualified Brand Strategist to strengthen the South African Human Rights Commission's brand, improve its public image, and address negative perceptions through strategic brand management over a six-month period.

3. OBJECTIVE

The objective of this Request for Quotes (RFQ) is to appoint a suitably qualified Brand Strategist who will render brand management services for the Commission for a period of 6 months. The Brand Strategist will be responsible for developing and implementing strategies to shape the Commission's public image and perception.

The SAHRC requires a Brand Strategist with at least 10 years of development of brand strategies, social media imaging, and strategies to counter negative perceptions and create a positive brand.
The strategist should have some knowledge of human rights, be dynamic, have a proven record of repositioning brands, and be able to work under pressure and irregular hours.

4. SCOPE OF SERVICES

- Conduct research and survey: Analyse data to determine the best strategy to reposition the Commission's public image, identify trends and opportunities.
- Develop Brand Strategy: Define the brand's purpose, positioning, personality, and core messaging.
- Create brand voice and messaging: Counter misinformation and disinformation, especially on social media, and ensure a consistent tone and story are told across all communication channels.
- Formulate marketing plans: Develop and implement strategies and campaigns that align with SAHRC's promotion mandate across all communications channels.

- Analyse performance: Quarterly monitoring of SAHRC brand perception, customer sentiment, and campaign effectiveness to make necessary adjustments.

Deliverables

- Development of a Research Report and Analysis of the survey
- Development of a Branding Strategy
- Reposition the Commission's public image
- Social media: Monitoring, implementation and management of social media channel campaigns to reposition the public image of the SAHRC
- Quarterly performance reports showcasing positive repositioning of the public image of the SAHRC

5 . PROJECT TIMELINES

The project duration shall be six (6) months from the day of the contract signing.

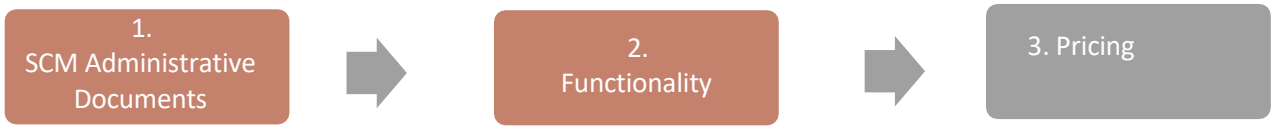
6. PRICING

Contracting A detailed price breakdown must be included with the total amount

All pricing must be shown inclusive of any applicable VAT.

7. EVALUATION CRITERIA

Bids will be evaluated on 80/20-point system as outlined in the PPR of 2022. The proposals will be evaluated in three phases:



a. Phase 1- SCM Administrative Documents

b. Phase 2 -Functionality

c. Phase 3-Price and specific goals

Phase 1: SCM Administrative Documents

a. Proposal

b. Central Supplier Database Report.

c. SBD (Standard Bidding Documents) 6.1 form to be completed fully and duly signed.

d. Service must provide supporting documents used to claim points under 4.2 of SBD 6.1

Phase 2: Functionality

All compliant quotes received will be evaluated based on the following criteria: functionality criteria will be further evaluated on applicable values as outlined below.

Evaluation on functionality, as in Table 1 below:

- Bidders will be evaluated out of 100 points and are required to achieve minimum threshold of 70 points.
- The overall score must be equal or above 70 points to proceed to for Price and Specific Goals evaluations.
- Bidders who fail to meet minimum threshold will be regarded as submitting a non-responsive bid and will not be considered for further evaluation on price and specific goals. The minimum threshold for qualification by functionality is 70, assessed as per criteria listed in Table 1 below:

Table 1: Functionality evaluation

Criteria	Maximum scoring points
Project Team Leader – Qualifications Qualification in Brand Management, Marketing, Strategic Communications, Public Relations, Corporate Communications or related field. **0 =** No proof of qualification submitted. **10 =** NQF Level 7 qualification. **20 =** NQF Level 8qualification. **30 =** NQF Level 9 or higher qualification. **Evidence:** Certified copy of qualification(s)	**30**
Project Team Leader Expertise – Relevant Experience Experience in brand strategy development and/or strategic communications.	**30**

0 = No CV submitted or no relevant experience. **10=** Less than 5 years' relevant experience. **15 =** 5–7 years' relevant experience. **20 =** 8–9 years' relevant experience. **30=** 10 years or more relevant experience **Evidence:** Attach the CV of the Team Leader, including details of relevant experience.	
Relevant Brand Strategy Reference letters must demonstrate successful completion of brand strategy or communication projects. **0 =** no reference letters submitted or they are not signed and on the letterhead of the company and dated **10 =** One (1) relevant reference letter. **20 =** Two (2) relevant reference letters. **30 =** Three (3) relevant reference letters. **40 =** Four (4) or more relevant reference letters. **Evidence:** Signed reference letters on the client's official letterhead, dated within the last five (5) years, including contact details and scope of services. The reference letters must clearly confirm the successful completion of brand strategy and/or communication projects**. Where two (2) or more reference letters are submitted from the same company, ONLY one (1) letter will be acceptable.**	**40**

Phase 3: Price and Specific Goals evaluation

Price evaluation based on the 80/20 preferential point system.

The contract would be awarded to the service provider scoring the highest score.

The points scored in respect of Specific Goals will be added to the points scored for price.
Only Bidders that have met the 70 point threshold to be considered for price and specific goals. Price and specific goals will be evaluated as follows:

In terms of regulation 6 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated on the 80/20-preference point system in terms of which points are awarded to bidders based on:

- The bid price (maximum 80 points)
- Specific Goals (maximum 20 points

i. ***Stage 1 – Price Evaluation (80 Points)***

Criteria	Points
Price Evaluation $Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right)$	80

The following formula will be used to calculate the points for price:

Where

- Ps = Points scored for comparative price of bid or offer under consideration.
- Pt = Comparative price of bid or offer under consideration.
- P min = Comparative price of lowest acceptable bid or offer
- Points must be awarded to a bidder for attaining the specific status level of contribution in accordance with the table below

a. Specific goals allocation

Quotations will be evaluated on the 80/20 preference point system if it is equal to or below R50 million in line with the PPPFA Act where price will be for 80 Points and Specific Goals will be for a maximum of 20 points. Specific Goals will be allocated in the following manner for all requests for quotations.

A maximum of 20 points may be allocated to a bidder for attaining the specific goals as indicated below. The calculation of points for specific goals will be based on the Central Supplier Database (CSD) report and/or the B-BBEE Certificate or Sworn Affidavit submitted with the quotation documents, together with the SBD 6.1 form, where bidders indicate how they claim points for specific goals.

In instances where discrepancies or differences are identified between the CSD report and the B-BBEE Certificate or Sworn Affidavit, the B-BBEE Certificate or Sworn Affidavit shall take precedence.

For each specific goal, bidders will be allocated points proportionate to the percentage of ownership or contribution achieved as per the supporting documentation.

SPECIFIC GOALS	POINTS
Suppliers with ownership of 51% or more by person/s who are black person/s	10
Suppliers with ownership of 51% or more by person/s who are black women	5

Suppliers with ownership of 51% or more by person/s who are black youth	3
Suppliers with ownership of 51% or more by person/s with disability	2

Specific goal points may be allocated to bidders on submission of the following documentation or evidence
A duly completed specific goals Claim Form: Standard Bidding Document (SBD 6.1); and

9. CONFIDENTIALITY, INDEPENDENCE AND OBJECTIVITY

The service provider will hold all material and information exchanged in the course of the implementation of this project in the strictest confidence and will take all steps necessary to prevent dissemination of this information to any third party, without the prior written agreement of the SAHRC as the SAHRC asserts its moral authority and copyright over the report. The service provider must ensure that its staff maintains their objectives by remaining independent of the activities they execute.

9.1 THE TOTAL COST WILL BE USED TO CALCULATE POINTS FOR PRICE CLARIFICATION

The SAHRC may request clarity of further information regarding any aspect of the bid. The service provider should supply the requested information within forty-eight (48) hours after the request has been made.

The SAHRC reserves the right to conduct a security background check or screening of the service provider.

The SAHRC reserves the right to conduct reference checks on the list of references provided by the service provider where similar work was conducted.

10. CONDITIONS OF TENDER

10.1 The SAHRC reserves the right not to award the tender.

10.2 Any conditions imposed by the service provider that is restrictive or contrary to any part of these Terms of Reference will automatically disqualify the service provider.

10.3 The service provider will be held liable for any damage or loss suffered by the entity, because of the provider's own or his/her employees 'negligence or intent, which originated at the site.

10.4 The service provider will have to pay damages or replace any stolen item damaged or stolen due to the negligence or intent of the service provider's employees.

10.5 The service provider must, at his/her own expenses, take out sufficient insurance against any claims, cost, loss and/or damage ensuing from his/her obligations and shall ensure that such insurance remains operative for the duration of this agreement.

10.6 SAHRC does not bind itself to accept the lowest quote.

10.7 SAHRC does not bind itself to make any selection from the proposals, or quotations received.

10.8 SAHRC reserves the right, at its sole discretion, to cancel this request for proposals and/or not to make any selection of the service provider/s at all.

10.9 All prices quoted must be VAT inclusive.

10.10 SAHRC will not make any upfront payments before the rendering of services.

10.11 The successful bidder shall provide the service required based on the set timelines and as per the schedule to be provided by SAHRC.

10.12 A pricing schedule with one of the specified elements omitted from the costing may be considered non- responsive.

10.13 The service provider will be expected to sign a contract with the SAHRC, including the General Conditions of Contract (GCC

10.14 The price proposal must be valid for 120 days.

11 CONTRACT PERFORMANCE

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11.1 If it is found that the information provided is false including the breach of the General Condition of Contract, The SAHRC reserves the right to terminate this contract with immediate effect.

11.2 The performance of the Service Provider shall be reviewed quarterly during the period of the signed Service Level Agreement

12 FORMAT AND SUBMISSION OF THE PROPOSAL

All the official forms (SBD) to be completed, signed and submitted with the proposal and for ease of reference, bids should be packaged in the following format:

- Annexure A - Signed Tender Document and Completed SBD Forms
- Annexure B – SCM Administrative Documents
- Annexure C - Functionality Response
- Annexure E – Pricing Proposal

13 BRIEFING/INFORMATION SESSION AND ENQUIRIES

Not Applicable

14 CLOSING DATE

14.1 Proposals must be submitted on or before **25 August 2026** at **11h00**

14.2 All documentation must be emailed to: HOprocurement@sahrc.org.za

14.3 Submissions should be made using the RFQ number for ease of reference

SBD1

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION					
BID NUMBER:	**RFP-HO-06-2026**	CLOSING DATE:	**25 August 2026**	CLOSING TIME:	**11:00**
DESCRIPTION	**Appointment of a suitably qualified Brand Strategist who will render brand management services for the Commission for a period of 6 months.**				

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)*

HOprocurement@sahrc.org.za

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**	
CONTACT PERSON	**Tender office**	CONTACT PERSON	**Eric Mokonyama**
TELEPHONE NUMBER	**011 877 3600**	TELEPHONE NUMBER	**011 877 3600**
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS	**tenderoffice@sahrc.org.za**	E-MAIL ADDRESS	**Emokonyama@sahrc.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
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	☐Yes ☐No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?	☐Yes ☐No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM 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, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER: ……

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

DATE: ……

SBD 3.1

PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: **ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder……	Bid number…….....
Closing Time 11:00	Closing date……...

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

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)

- Required by: …….
- At: …….
  …….
- Brand and model …….
- Country of origin …….
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s) …….
- Period required for delivery …….
  *Delivery: Firm/not firm
- Delivery basis …….

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

** “all applicable taxes” includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

*Delete if not applicable

SBD4

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

SBD 6.1

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

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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**

(*delete whichever is not applicable for this tender*).

a) The applicable preference point system for this tender is the 90/10 preference point system.

b) The applicable preference point system for this tender is the 80/20 preference point system.

c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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

(a) Price; and

(b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	**80**
SPECIFIC GOALS	**20**
Total points for Price and SPECIFIC GOALS	**100**

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

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

2. DEFINITIONS

(a) **"tender"** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price 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:

80/20 **or** **90/10**

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right) \text{ or } \quad Ps = 90\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

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:

80/20 **or** **90/10**

$$Ps = 80\left(1 + \frac{Pt - P\,max}{P\,max}\right) \text{ or } \quad Ps = 90\left(1 + \frac{Pt - P\,max}{Pmax}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = 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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Suppliers with ownership of 51% or more by person/s who are black person/s		10		
Suppliers with ownership of 51% or more by person/s who are black women		5		
Suppliers with ownership of 51% or more by person/s who are black youth		3		
Suppliers with ownership of 51% or more by person/s with disability		2		

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.

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SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: .....
DATE: .....

ADDRESS: .....
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Signed by ACOO

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Signed by Acting SCM Manager

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