



### **REQUEST FOR QUOTATION (RFQ)**

The South African Qualifications Authority (SAQA) invites Service Providers to submit Quotations for requirements stipulated below:

<b>DOCUMENT NUMBER:</b>	<b>SAQA RFQ – HS Training 2023</b>
<b>RFQ ISSUE DATE:</b>	<b>06 March 2023</b>
<b>RFQ CLOSING DATE AND TIME:</b>	<b>10 March 2023, @ 11:00</b>
<b>RFQ VALIDITY PERIOD</b>	<b>90 DAYS (FROM RFQ CLOSING DATE)</b>
<b>PERIOD</b>	<b>N/A</b>
<b>DESCRIPTION:</b>	<b>To appoint an accredited training provider to conduct aHealth and Safety training onsite at SAQA.</b>
<b>RESPONSES TO THIS RFQ SHOULD BE FORWARDED TO:</b>	<b><a href="mailto:RFQ@saqa.co.za">RFQ@saqa.co.za</a></b>
<b>ENQUIRY</b>	<b>Mr Kyle Govender</b> <b>E-mail: <a href="mailto:KGovender@saqa.co.za">KGovender@saqa.co.za</a></b>

## **TERMS OF REFERENCE**

### **1. INTRODUCTION**

- 1.1 The South African Qualifications Authority (SAQA) is a public entity listed in Schedule 3A of the Public Finance Management Act (PFMA). It is mandated by the National Qualifications Framework (NQF) Act, 67 of 2008, to oversee the further development and implementation of the NQF, advance the objectives of the NQF and coordinate its three Sub-Frameworks.
- 1.2 South African Qualifications Authority (SAQA) has a responsibility to ensure adequately and appropriately organised training and development for all staff to ensure the acquisition of the necessary skills, knowledge, and attitudes.

### **2. PURPOSE**

- 2.1 The purpose of this Request for Quotation (RFQ) is to appoint an accredited training provider to conduct Health and Safety training onsite at SAQA.

### **3. SCOPE OF SERVICES**

- 3.1 Provide the following Health and Safety training onsite at SAQA:
- a) First aid level one training – One day training for six employees.
  - b) Basic Firefighting training – One day training for five employees.
  - c) Emergency preparedness training – One day training for nine employees.
- 3.2 The Service provider must be an accredited training provider with the HWSETA to provide the abovementioned Health and Safety training.

#### 4. MANDATORY REQUIREMENTS

- 4.1. Bidders are required to explicitly mark either “COMPLY”, “OR “DO NOT COMPLY” on every mandatory requirement. Failure to do so will be taken as a “DO NOT COMPLY”.
- 4.2. Bidders may where necessary, refer to additional reference material submitted by document name/number, page number and paragraph. Where a reference in substantiation is made to another page (“off -page”) in the bidder’s submission, such referenced page shall be clearly identified by a unique reference number. During the evaluation, SAQA reserves the right to treat a question for which an “off-page” referenced substantiation page cannot be located based on such a unique reference number as a “DO NOT COMPLY”.
- 4.3. The functions below are minimum requirements. If any of these functions cannot be catered for then the bidder will be non-compliant and accordingly disqualified:

The bidding company is required to submit a proposal with a price schedule in response to the Terms of Reference in the following format:

<b>DETAIL OF PROPOSAL DOCUMENTS(SUBMISSION FORMAT CHECKLIST)</b> (BIDDERS MUST INDICATE WITH A TICK IF COMPLIED OR NOT COMPLIED WITH THE FORMAT)	<b>Comply</b>	<b>Not-Comply</b>
<b>Part 1: SARS Tax Compliance Requirement</b> Bidders must state their National Treasury (CSD) Central Supplier Database’s Supplier Number or Unique number and Tax Pin in their bids to		

enable SAQA to confirm suppliers' tax status. <b>(RECENT CSD REPORT MUST BE ATTACHED).</b>		
<b>Part 2: Proof of service provider being accredited.</b> Bidders are required to submit valid proof of being accredited by the HWSETA to offer the required health and safety courses by SAQA.		
<b>Part 3: Course brochure/information</b> Bidders are required to submit a brochure or information on the required health and safety courses, indicating the duration, the level, course modules/ course outcomes and other information applicable to the course.		
<b>Part 4:</b> Service providers are required to submit a quotation to conduct the required health and safety courses onsite at SAQA as per scope of services.		

#### 4. EVALUATION CRITERIA

The bid will be evaluated in two (2) stages:

##### 4.1 Stage 1: Screening of mandatory documents and administrative checks.

**NB:** Bidders must comply with this section as it forms the basis of the evaluation of the bidder's proposal. For a bidder to qualify to be evaluated for price and preference points, a bidder must not have been disqualified in compliance with the mandatory requirement below:

- 1.1 Submit valid proof of the training provider being accredited by the HWSETA.

1. Bidders must complete, sign, and submit the attached SBD 4 and SBD 6.1 forms.
2. The proposal and required documents must be submitted using the PDF format only, through email to [rfq@saga.co.za](mailto:rfq@saga.co.za).

3. STAGE 2: Price and Preference Points Evaluations

Price and Preference Points Evaluation as follows:

- a) All bidders that have passed the mandatory requirements will be evaluated in terms of the 80/20 system prescribed by SAQA in line with PPR 2022 as follows:
  - i) 80 Points for pricing.
  - ii) 15 preference points for the company that has at least 51% black ownership
  - iii) 5 preference Points for the company that has at least 30% black woman ownership.

**NB: Bidders must submit the certified B-BBEE Certificates copies/Sworn Affidavits indicating ownership percentage to claim the preference point.**

4. PROTECTION OF PERSONAL INFORMATION

- 6.1 In this clause, the words “personal information”, “processing” and “responsible party” have the meanings ascribed to them in the Protection of Personal Information Act, 2013 (Act No.4 of 2013).
- 6.2 SAQA will comply with the Protection of Personal Information Act, 2013 (Act No.4 of 2013, (POPIA) by lawfully processing personal information submitted by bidders in accordance with the conditions of lawful processing as set out in POPIA.
- 6.3 All bidders must comply with their obligations as set out in POPIA for which they are a Responsible Party before sharing any information with SAQA.
- 6.4 SAQA will not be held liable for any non-compliance with the provisions of POPIA or unlawful processing or sharing of information by a bidder.

## 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 interest<sup>1</sup> 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

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<sup>1</sup> 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 consortium<sup>2</sup> 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

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<sup>2</sup> 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**

*(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	
SPECIFIC GOALS	
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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:

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

80/20                      or                      90/10

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:

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

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)


### 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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