

NATIONAL LOTTERIES COMMISSION

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY AND SUPPORT A WEB-BASED SAFETY, HEALTH, ENVIRONMENT AND QUALITY (SHEQ) PORTAL FOR NATIONAL LOTTERIES COMMISSION ON A ONE-OFF BASIS.

BID PROCESS	BID REQUIREMENTS
RFQ Number	RFQ2025-007-009
Bid Advertisement Date	09 July 2025 (on E-Tender only)
Closing date and time	17 July 2025 @11:00
Tender validity period	120 days from the closing date
Submission Instruction:	<p>The bid document must be submitted or delivered via memory stick (USB) USB With password will not be considered to:</p> <p>National Lotteries Commission Block D Hatfield Gardens 333 Grosvenor Street Hatfield</p>

SECTION 1: BACKGROUND, OVERVIEW AND RFP SCOPE OF REQUIREMENTS

1. INTRODUCTION

- 1.1. The National Lotteries Commission (NLC) is a public entity established by the Lotteries Act No. 57 of 1997 as amended, to regulate the National Lottery and other lotteries and to administer the National Lottery Distribution Trust Fund ("NLDTF"). In December 2014, the Lotteries Amendment Act 32 of 2013 was promulgated, and the Regulations thereof were published on 14 April 2015.
- 1.2. The National Lotteries Commission (NLC) seeks to appoint a suitably qualified and experienced service provider to provide a fully integrated web-based SHEQ Management system tool (off-the-shelf software), offering conformance to international standards, viz. ISO 9001, ISO 14001 and ISO 45001. This initiative forms part of the NLC's commitment to fostering a safe, compliant, and efficient workplace in line with applicable legislative and regulatory frameworks.

2. BACKGROUND

- 2.1. The NLC is mandated to regulate lotteries and sports pools, ensuring accountability, compliance, and transparency. In line with this, the NLC is enhancing its internal systems to include a centralised SHEQ portal that aligns with the Occupational Health and Safety Act, ISO standards (ISO 45001, 14001 and 9001), environmental legislation, and internal risk and quality frameworks.

3. OBJECTIVES

- 3.1. To streamline SHEQ management processes through a web-based centralised digital platform.
- 3.2. To ensure compliance with occupational health and safety, environmental legislations, and quality management standards.
- 3.3. To provide real-time monitoring, reporting, and auditing capabilities for SHEQ performance.

3.4. To facilitate employee engagement and training through the portal.

4. MANDATE

The NLC Occupational Health & Safety (OHS) office requires a suitable and qualified service provider to supply and support a web-based Safety, Health, Environment and Quality (SHEQ) portal for the National Lotteries Commission.

4.1 SCOPE OF WORK

The Occupational Health & Safety (OHS) office would like to procure an off-the-shelf software solution which is flexible and offers a modular system that can be configured to meet the NLC requirements.

The appointed service provider will be expected to:

4.1.1 Deploy a fully functional web-based SHEQ portal and integrate it into the NLC network environment

4.1.2 Include modules for:

- a. Health and safety incident reporting and tracking
- b. Health and safety risk assessments and corrective action tracking
- c. Environmental impact assessments
- d. Internal and external audit planning and reporting
- e. Document management (e.g., SOPs, MSDS, policies)
- f. Training records and compliance tracking

4.1.3 Provide dashboards and analytics for SHEQ KPIs and reporting.

4.1.4 Offer user access controls and compliance with data security standards (e.g., POPIA).

4.1.5 Delivery training for system users and SHEQ officers.

4.1.6 Provide ongoing technical support and system maintenance.

4.2 USERS

#	USERS	NUMBER OF USERS
1	Normal users	300
2	Power users	52
3	Administrators	2
	TOTAL NUMBER OF USERS	354

4.3 DELIVERABLES

- 4.3.1 Project inception report with project plan and timelines.
- 4.3.2 Provide a working demonstration of the tool to the technical committee.
- 4.3.3 Functional SHEQ portal with all required modules.
- 4.3.4 User Acceptance Testing (UAT).
- 4.3.5 User training, training materials and user manuals.
- 4.3.6 Final project close-out report.
- 4.3.7 Monthly and/or annual support and maintenance logs post-implementation.

4.4 SHEQ TOOL REQUIREMENTS

The following outlines the desired scope of service and tool requirements; however, the requirements are not limited only to the below. Additional service offerings provided by various software programmes will be considered as part of the evaluation.

4.4.1. Planning and Administration:

- SHEQ Planning and scheduling system (Events, Audits, Inspections, Training, etc.).

- Corrective Action Reporting (CAR) system with built-in Root Cause Analysis, incident report generation and escalation when not attended to timeously.
- Document and Information Management system – ability to generate document numbers, version control, upload document templates, etc.
- Customer satisfaction surveys.
- Supplier management system.
- Process Mapping Tool.
- SHE Risk Management Tool that includes monitoring of implementation and effectiveness of mitigation measures.
- SHEQ Auditing and management – allow for tracking of audit results and follow-up on audit findings.
- SHE Legal appointments and organograms generation – according to preset templates.
- SHE Representative monthly inspections template generation – electronic routing for signatures.
- SHE Committee meetings – scheduling, uploading of minutes and tracking of actions from meetings.
- Repository and document management component - ability to store documents, records and provide version control, document number, etc.
- Occupational Health Medical Records - Online management of employee medical records and health information.

4.4.2. Reporting and Analysis:

- Intelligent Reporting tool – to enable trend analyses, comparisons, etc.
- Hazard and risk reporting in real time – ability to use both desktop and smartphone platforms for risk reporting.
- Incident management module – trend analysis, graph generation, lessons learned.

4.4.3. Training:

- Computer-based training system for SHEQ topics.

- Training component to display a matrix, track training, generate reminders, and schedule.
- Emergency preparedness – scheduling, drill report generation, automatic raising of corrective actions for findings.

4.4.4. Modules:

- Medical surveillance module – scheduling, sending emails, reminders, and confidential patient records.
- Online registration system for completed Health Risk assessments.
- Business Intelligence Module - provision of dashboards that will allow for trend analysis.
- Occupational Hygiene module - ability to load reports, schedule testing as per legal requirements, generate compliance certificates and provide statistics on assessments done.

5. REPORTING REQUIREMENTS

- 5.1. Support and maintenance will continue post-deployment. The service provider shall submit a detailed work plan with clear timelines for each phase of the project.

6. DURATION OF THE MANDATE

- 6.1. The project should be completed within a period of 3 months from the date of appointment.

SECTION 2: NOTICE TO BIDDERS

7. Terms and Conditions of Request for Quotations (RFQ)

- 7.1 This document may contain confidential information that is the property of the NLC.
- 7.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFP without prior written permission from the NLC.
- 7.3 All copyright and intellectual property herein vests with the NLC.

- 7.4 Late and incomplete submissions will not be accepted.
- 7.5 No services must be rendered or goods delivered before an official NLC Purchase Order form has been received.
- 7.6 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.
- 7.7 Suppliers must provide their CSD registration number (and attach a CSD Summary report) and ensure that their tax matters are compliant.

8. General rules and instructions

8.1 News and press releases

- 8.1.1 Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement without the consent of, and then only in coordination with, the NLC.

8.2 Precedence of documents

- 8.2.1 This RFP consists of a number of sections. Where there is a contradiction in terms between the clauses, phrases, words, stipulations or terms and herein referred to generally as stipulations in this RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this RFP shall take precedence.
- 8.2.2 Where this RFP is silent on any matter, the relevant stipulations addressing such matter, and which appear in the PPPFA, shall take precedence. Bidders shall refrain from incorporating any additional stipulations in their proposal submitted in terms hereof other than in the form of a marked recommendation that the NLC may, in its sole discretion, elect to
- 8.2.3 import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by the NLC.
- 8.2.4 It is acknowledged that all stipulations in the PPPFA are equally applicable to all matters addressed in this RFP. It, however, remains the exclusive

domain and election of the NLC as to which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of the NLC in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the Bidder(s). The Bidder(s) shall take care to restrict their enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

8.3 Preferential procurement reform

8.3.1 The NLC supports B-BBEE as an essential ingredient of its business. In accordance with government policy, the NLC insists that the private sector demonstrates its commitment and track record to B-BBEE in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices (SMME Development), etc.

8.3.2 Bidders must be registered with the central supplier database (CSD) and submit a CSD report reflecting tax compliance.

8.4. The National Industrial Participation Programme

8.4.1. The Industrial Participation policy, which was endorsed by the Cabinet on 30 April 1997, is applicable to contracts that have imported content. The NIP is obligatory and therefore must be complied with. Bidders are required to sign and submit the Standard Bidding Document (SBD).

8.5. Language

8.5.1. Bids shall be submitted in English.

8.6. Gender

8.6.1. Any word implying any gender shall be interpreted to imply all other genders.

8.7. Headings

8.7.1. Headings are incorporated into this RFP document and submitted in response thereto, for ease of reference only and shall not form part thereof for any purpose of interpretation or any other purpose.

8.8. Occupational Injuries and Diseases Act 13 of 1993

8.8.1. The Bidder warrants that all its employees (including the employees of any subcontractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFP and/ or subsequent agreement. The NLC reserves the right to request the Bidder to submit documentary proof of the Bidder's registration and "good standing" with the Compensation Fund, or similar proof acceptable to the NLC.

8.9. Processing of the Bidder's Personal Information

8.9.1. All Personal Information of the Bidder, its employees, representatives, associates, and sub-contractors ("Bidder Personal Information") required under this RFP is collected and processed to assess the content of its tender proposal and award the bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation, including the PPPFA read with the Preferential Procurement Regulations, 2023.

8.9.2. The Bidder is advised that Bidder Personal Information may be passed on to third parties to whom the NLC is compelled by law to provide such information. For example, where appropriate, the NLC is compelled to submit information to the National Treasury's Database of Restricted Suppliers.

8.9.3. All Personal Information collected will be processed in accordance with POPIA and with the NLC Data Privacy Policy.

8.9.4. The following persons will have access to the Personal Information collected:

8.9.4.1. The NLC personnel are participating in procurement/award procedures.

8.9.4.2. Members of the public: within seven working days from the time the bid is awarded, the following information will have to be made available on the National Treasury's e-Tender portal.

8.9.4.2.1. Contract description and bid number.

8.9.4.2.2. Names of the successful bidder(s) and preference

points claimed.

8.9.4.2.3. the contract price(s) (if possible).

8.9.4.2.4. contract period.

8.9.4.2.5. Names of directors and

8.9.4.2.6. date of completion/award.

8.9.5. The NLC will ensure that the rights of the Bidder and of its employees and representatives (i.e. the right of access and the right to rectify) are effectively guaranteed in accordance with the procedures specified in the NLC PAIA manual.

8.9.6. In signing this document, the Bidder consents to the use of its Personal Information for the purposes as specified in section 2.9.1 above.

9. Formal Briefing Session

9.1. There will be no compulsory briefing session.

10. Validity Period

10.1. The NLC requires a validity period of 120 Days against this RFP. Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions. A written letter will be sent to every bidder who responded to the bid. In terms of procedural fairness, the bidders will be given an opportunity to respond, in writing, to the terms and conditions of the bid and the bid price. Such acceptance of the terms and conditions of the bid and bid price becomes legally binding in the procurement process. Any bidder that did not respond to the extension of the bid validity period, in writing, **WILL NOT** be considered further for the bid upon expiry of the initial validity period.

10.2. Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions, if the internal evaluation process is not finalised within the validity period.

11. National Treasury's Central Supplier Database

- 11.1. Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.
- 11.2. The NLC may not award business to a bidder who has failed to register on the CSD.
- 11.3. Only foreign suppliers with no local registered entity need not register on the CSD.
- 11.4. The CSD can be accessed at <https://secure.csd.gov.za/>

12. Confidentiality

- 12.1. Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding.
- 12.2. The NLC reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.
- 12.3. The Bidder acknowledges that it will obtain and have access to personal information of The NLC and agrees that it shall only process the information disclosed by the NLC in terms of this bid award and only for the purposes as detailed in this RFP and in accordance with any applicable law.
- 12.4. The Bidder shall notify the NLC in writing of any unauthorized access to personal information and the information of a third party, through cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such.

13. Communication

- 13.1. Specific queries relating to this RFP should be submitted penelope@nlcsa.org.za, before the closing date.

- 13.2. In the interest of fairness and transparency the NLC's response to such a query may be made available to other bidders.
- 13.3. It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the NLC in respect of this RFP between the closing date and the date of the award of the business.
- 13.4. Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of the state for a specified period.

14. Supplier Performance

- 14.1. The National Lotteries Commission conducts regular performance reviews in accordance with the requirements for the classification of the contract and or stakeholder by making use of supplier evaluation forms. The evaluation is conducted against the deliverables or scope of the contract with a minimum of an annual review done for contracts longer than a year and a review at completion of contract for those contracts less than a year.
- 14.2. Ad-hoc performance reviews shall be conducted where non-performance is identified outside the review period.
- 14.3. Non-performance will be addressed with at least a formal letter advising specific non-performing areas and stating remedial action/s required within specific time frames. Non-adherence to remedial actions shall lead to escalating performance management actions.
- 14.4. Any party to this agreement may request to participate in a joint performance review where appropriate and seek continuous improvement opportunities.

SECTION 3: EVALUATION CRITERIA

15. The NLC will evaluate all proposals in terms of the Preferential Procurement Regulation of 2023 and the Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). The six (6) phase evaluation criteria will be considered in evaluating the proposals.

Stage 1: Tender Closing and Opening

15.1. Tender closing details

The deadline for Tender submission is **17 July 2025 @11:00** Standard South African Time. **No Late bids will be accepted.**

National Lotteries Commission
333 Grosvenor Street
Block D, Hatfield Gardens,
Hatfield, Pretoria

Bid Formats - Bid submissions must be submitted in a PDF format that is protected from any modifications, deletions, or additions. Financial/pricing information must be presented in a separate folder from the Technical/Functional Response information. The onus is on the Bidder to ensure that all mandatory and required documents are included in the USB. Submissions (USB) must be prominently marked with the full details of the tender, namely Bidder's Name, Tender No and Tender Title. Tender submissions received after the submission/closing date and time will be declared late bid submissions and will not be accepted for consideration by the NLC.

15.2. Stage 2: Administrative Compliance

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation. The Administrative Compliance Evaluation will include the following:

EVALUATION CRITERIA	SUPPORTING DOCUMENT
1. Returnable documents (standard bidding documents) and/or schedules were completed, duly signed by the authorized person.	Standard Bidding Document (SBD1; SBD 6.1) Forms

EVALUATION CRITERIA	SUPPORTING DOCUMENT
2. Signed consent form in terms of the Protection of Personal Information Act 4 of 2013 (POPIA) (Consent Forms Attached to the Bid as part of the SBDs).	Signed POPIA Consent Form
3. registered with the central supplier database (CSD) with valid tax clearance compliant status on the closing date of submission of bid.	CSD Report with Tax Compliant Status.
4. BEE/Sworn affidavit	Certified Copy

15.3. Stage 3: Mandatory Compliance

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation.

EVALUATION CRITERIA	SUPPORTING DOCUMENT
1. Returnable documents (standard bidding documents) and/or schedules were completed, duly signed by the authorized person.	Standard Bidding Document (SBD 4) Forms
2. Joint Venture agreements must be submitted in a case of a bidder being in a joint venture.	Signed Joint Venture agreements
3. Pricing proposal (to be submitted on a separate folder from technical proposal	

15.4. Stage 4: Technical evaluation

15.4.1. The table below indicates the criteria which the service provider is expected to demonstrate, and which will form the evaluation criteria during the evaluation of the prospective service providers' proposals.

The following rating scale will be used to evaluate bid proposals:

RATING	DEFINITION	SCORE
Excellent	Exceeds the requirement. Exceptional demonstration by the bidder of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with supporting evidence.	5
Good	Satisfies the requirement with minor additional benefits . Above average demonstration by the bidder of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with supporting evidence.	4
Acceptable	Satisfies the requirement. Demonstration by the bidder of the relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods / services, with supporting evidence.	3
Minor Reservations	Satisfies the requirement with minor reservations . Some minor reservations of the supplier's relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services, with little or no supporting evidence.	2

RATING	DEFINITION	SCORE
Serious Reservations	Satisfies the requirement with major reservations . Considerable reservations of the bidder's relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services, with little or no supporting evidence.	1
Unacceptable	Does not meet the requirement. Does not comply and/or insufficient information provided to demonstrate that the bidder has the ability, understanding, experience, skills, resource & quality measures required to provide the goods / services, with little or no supporting evidence.	0

- 15.4.2. Functional evaluation will be done in *two phases*. The *first phase* will be based on the bidder's technical submission, and the *second phase* on a presentation and demonstration of the software package to be delivered by the bidder.
- 15.4.3. The purpose of the presentation is to provide the opportunity for the bidder to present their proposal, as well as to mutually clarify issues relating to the brief and project. It is not an opportunity for the bidders to amend their proposals.
- 15.4.4. The bidders who proceed to the second phase will each be allocated one (1) hour and thirty (30) minutes to present their proposal and will be expected to respond to clarity-seeking questions posed by the committee member(s). The bidding companies who qualify for the second phase of evaluation will be notified in advance of the date and venue of the presentations.
- 15.4.5. The following weighting system will apply and only bidders scoring a minimum of **70 points** or more will be eligible to migrate to the next evaluation phase of this bid.

CATEGORY & CRITERIA DESCRIPTION			POINTS
COMPANY EXPERIENCE	Bidder experience in rendering and developing SHEQ software services.		
	Bidders are required to submit their company profile that they have the required years of experience in the supply and support of a digital SHEQ portal.		
	Company profile clearly indicating the number of years in business providing software development services		
	Experience	Weight	Score
	5 years' and above experience in rendering and developing a SHEQ software services	5	20
	4 years' and less than 5 years' experience in rendering and developing a SHEQ software services	4	
	3 years' and less than 4 years' experience in rendering and developing a SHEQ software services	3	
	2 years' and less than 3 years' experience in rendering and developing a SHEQ software services	2	
	1 year and less than 2 years' experience in rendering and developing a SHEQ software services	1	
	1 year experience in rendering and developing a SHEQ software services or no experience	0	

CATEGORY & CRITERIA DESCRIPTION			POINTS
CONTACTABLE REFERENCE LETTER (S)	Bidder (s) are required to demonstrate relevant experience and competency of the company for all successfully completed projects.		
	Bidder must submit full details of reliable contactable dully signed reference letters where successfully completed projects where the business provided software development services		
	The bidder is required to provide contactable client references where their services can be verified. References should be presented in the form of a written letter on an official letterhead from clients where similar services have been provided and may not be longer than five (5) years. The letters must be dated and signed by the clients.		
	Reference letter from one company is deemed as one reference		
	No appointment letters from clients will be accepted as reference letters.		
	Reference Letters	Weight	Score
	Five relevant reference letters	5	20
	Four relevant reference letters	4	
	Three relevant reference letters	3	
	Two relevant reference letters	2	
One relevant reference letter	1		
No relevant reference letters provider or no letters attached	0		

CATEGORY & CRITERIA DESCRIPTION				POINTS
METHODOLOGY, APPROACH, AND PLAN	The bidder must demonstrate knowledge of the key requirements and expectations mentioned in this document.			
	The bidder must provide a project implementation plan which details how the service will be carried out. The project plan must have deliverables and time frames and systems/tools to be used.			
	Methodology to include the following 4 activities:			
	Planning and Administration			
	Reporting and Analysis			
	Training			
	Modules			
	Methodology	Approach	and Execution Plan	Weight
				Score
	Methodology	Approach	with 4 activities clearly covered in detail supported by the Execution Plan less than three months	5
	Methodology	Approach	with 4 activities clearly covered in detail supported by the Execution Plan with three months	4
	Methodology	Approach	with 3 activities clearly covered in detail supported by the Execution Plan with three months	3

CATEGORY & CRITERIA DESCRIPTION			POINTS
	Methodology Approach with 2 activities clearly covered in detail supported by the Execution Plan with three months	2	
	Methodology Approach with 1 activities clearly covered in detail supported by the Execution Plan with three months	1	
	No Methodology Approach and Execution Plan provided or activities not covered in detail	0	
TECHNICAL PRESENTATION OR DEMONSTRATION OF THE SOFTWARE SOLUTION	The service provider must clearly demonstrate how the software package will meet the requirements as set out in this document		
	Bidder to deliver a demonstration of the proposed system in line with the NLC requirements as outlined in the scope of service (section 4 above).		
	Technical Presentation or Demonstration	Weight	Score
	Software package provided fully meets the requirements, addresses all the four activities.	5	40
	Software package provided meets the requirements, addresses three out of four activities.	4	
	Software package provided meets the requirements, addresses two out of four activities.	3	

CATEGORY & CRITERIA DESCRIPTION			POINTS
	Software package provided meets the requirements, addresses one out of four activities.	2	
	Software package did not meet requirements	1	
	The bidder failed to provide the presentation or software demonstration and or bidder failed to attend	0	
TOTAL WEIGHTING:			100

15.5. Stage 5: The 80/20 Principle based on Price and Special goal as stated below.

Financial evaluation (*Pricing and Specific goals comparatives)

Price proposals (VAT inclusive) must be presented as per Annexure A Pricing Schedule. The evaluation for Pricing and BBBEE will include the following:

Evaluation Criteria	Final Weighted Scores
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<p>Price</p> <p>The following formula will be used to calculate the points out of 80 for price in respect of a tender with a Rand value equal to or above R30 000 and up to a Rand value of R50 million, inclusive of all applicable taxes:</p> $P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$ <p>Where:</p> <p>P_s = Score for the Bid under consideration</p> <p>P_t = Price of Bid under consideration</p> <p>P_{min} = Price of lowest acceptable Bid</p>	80
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Points will be awarded to a bidder as follows.

Specific Goals	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence
1. Procurement from entities who are black Owned			Copies of ID's/ CIPC Report CSD Recent Report
Tenderer who have 100% black Ownership	8	8	
Tenderer who have 51% to 99% black ownership	4		
Tenderer who have less than 51% black ownership	0		
2. Procurement from entities who are women Owned			

Specific Goals	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence
Tenderer who have 100% women ownership	4	4	B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who have 30% to 99% women ownership	2		
Tenderer who have less than 30% women ownership	0		
3. Black Youth Ownership			B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who have 100% black youth ownership	4	4	
Tenderer who have 30% to 99% black youth ownership	2		
Tenderer who have less than 30% black youth ownership	0		
4.Procurement from Disabilities			Letter from the Doctor confirming disability and CSD report
Tenderer who have 20% or more owners with disability	4	4	
Tenderer who have less than 20% but more than 10% owners with disability	2		
Tenderer who have less than 10% owners with disability	0		
Total points for specific goals		20	

15.6. **Stage 6: Due Diligence, Contract and Award**

The NLC reserves the right to undertake a due diligence exercise on the preferred bidder/s as part of a material risk evaluation aimed at determining to its satisfaction, the validity of the information provided by the Bidder. Such exercise shall be fully documented and may include, but need not be limited to, all or any combination of the following:

The contract and award stage are for negotiation after receipt of formal tenders and before the conclusion of contracts with suppliers/contractors submitting the lowest acceptable tender with a view to obtaining an improvement in price, delivery or content, in circumstances which do not put other tenderers at a disadvantage or affect adversely their confidence or trust in the competitive system. Bidders may be requested to provide their best and final offers based on contract negotiations.

SBD1

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	11:00
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
NATIONAL LOTTERIES COMMISSION OFFICE					
The bid document must be submitted at the below address via 1 USB for the attention of Penelope Soyingwa (The envelope must be clearly marked with company name and contact details)					
333 GROSVENOR STREET,					
BLOCK D HATFIELD GARDENS,					
HATFIELD,					
PRETORIA					
0083					
Bidders must complete bid submission register on submission					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Penelope Soyingwa		CONTACT PERSON	Penelope Soyingwa	
TELEPHONE NUMBER	(012) 432 1414		TELEPHONE NUMBER	(012) 432 1414	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	penelope@nlcsa.org.za		E-MAIL ADDRESS	penelope@nlcsa.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:		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:

.....

BIDDER'S DISCLOSURE (SBD 4)

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.

Bidder's declaration

- 1.1 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**

- 1.1.1 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

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.

1.1.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

YES/NO

1.1.3 If so, furnish particulars:

.....

.....

1.2 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

1.2.1 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

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.

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

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.

- 3.5 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

SECTION 6: 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)

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 80/20 preference point system.
- b) The 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 PREFERENCE POINT SYSTEMS

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

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

Where

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

FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOMEGENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

Where

Ps = Points scored for price 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 the 80/20 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 the 80/20 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 the 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.)

1. Procurement from entities who are Black Owned	Sub - points for specific goals	Maximum points for specific goals	Number of points claimed (80/20 system) (To be completed by the tenderer)
Tenderer who have 100% black Ownership	8	8	
Tenderer who have 51% to 99% black ownership	4		
Tenderer who have less than 51% black ownership	0		
2. Procurement from entities who are women Owned		4	
Tenderer who have 100% women Ownership	4		
Tenderer who have 30% to 99% women ownership	2		
Tenderer who have less than 30% women Ownership	0		
3. Black Youth Ownership		4	
Tenderer who have 100% black youth ownership	4		
Tenderer who have 30% to 99% black youth Ownership	2		
Tenderer who have less than 30% black youth Ownership	0		
4. Procurement from Disabilities		4	
Tenderer who have 20% or more owners with disability	4		
Tenderer who have less than 20% but more than 10% owners with disability	2		
Tenderer who have less than 10% owners with disability	0		
Total points for specific goals		20	

5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1. Name of company/firm.....

5.2. Company registration number:

5.3 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]

5.4 I, the undersigned, who is duly authorized 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;
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;
- iv) 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 favorable 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 *caudolateral 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:

SCM:

CONSENT REQUEST FORM

REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF PROCUREMENT OF GOODS AND SERVICES APPLICATION, IN LINE WITH THE NLC's SUPPLY CHAIN MANAGEMENT POLICY, IN TERMS OF SECTION 11(1)(a) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.4 OF 2013) ("POPIA").

TO: _____

FROM: _____

ADDRESS: _____

Contact number: _____

Email address: _____

PART A

1. In terms of the PROTECTION OF PERSONAL INFORMATION ACT, consent for processing of personal information of a data subject (the person/entity to whom personal information relates) must be obtained for the purpose of processing of application for procurement of goods and services, in line with the NLC's supply chain management policy, and storage of your personal data by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMSs or e-mail, which is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by us (NLC). After you have indicated your wishes in Part B,

you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.
2. "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—
 - 2.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;

- 2.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.
3. “Personal information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—
- 3.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well- being, disability, religion, conscience, belief, culture, language and birth of the person;
 - 3.2 information relating to the education or the medical, financial, criminal or employment history of the person;
 - 3.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
 - 3.4 the biometric information of the person;
 - 3.5 the personal opinions, views or preferences of the person;
 - 3.6 correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - 3.7 the views or opinions of another individual about the person; and
 - 3.8 the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

Full names of the designated person on behalf of the Responsible Party
