



NATIONAL YOUTH DEVELOPMENT AGENCY
OUR YOUTH. OUR FUTURE.

REQUEST FOR QUOTATION (RFQ)

To:	All participating bidders	From NYDA	Mmabatho Tseko
Date:	21/05/2026	Number of Pages	20
Contact details	087 158 6378	Mmabatho.Tseko@nyda.gov.za	
Project description	Procurement of Forensic Investigation Services		
RFQ number	RFQ2026/001-05817/NYDA		

CLOSING DATE: 26/05/2026 at 17:00

SUBMISSION EMAIL ADDRESS: Quotations2@nyda.gov.za

Issued by:

National Youth Development Agency
7 Naivasha Road
Sunninghill
2191

Name of Bidder:

ADDRESS :

LAND LINE : **Cell No:**

EMAIL:

Contents

A.	ADMINISTRATIVE COMPLIANCE	5
B.	TERMS OF REFERENCE/SPECIFICATION	7
C.	PRICING SCHEDULE	12
D.	BIDDERS DISCLOSER	13
E.	PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022	16

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	RFQ2026/001-05817/NYDA	CLOSING DATE:	26 May 2026	CLOSING TIME:	17:00
DESCRIPTION	Request for Quotation – Forensic Investigation Services				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
NATIONAL YOUTH DEVELOPMENT AGENCY					
7 NAIVASHA ROAD					
SUNNINGHILL					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Quotations2		CONTACT PERSON	Mmabatho Tseko	
TELEPHONE NUMBER	087 158 6345		TELEPHONE NUMBER	087 158 6378	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	Quotations2@nyda.gov.za		E-MAIL ADDRESS	Mmabatho.Tseko@nyda.gov.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART THE QUESTION BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				<input type="checkbox"/> YES <input type="checkbox"/> 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, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).

2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

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

DATE:

A. ADMINISTRATIVE COMPLIANCE

	QUOTATION DATA	Compliance			
		Yes	No	Noted	If no, indicate deviation
1.	EVALUATION PROCESS				
1.1	<u>STAGE ONE:</u> ADMINISTRATION COMPLIANCE				
1.1.1	<p>All quotes will be evaluated to determine compliance with quotation requirements and conditions. Quotes with obvious deviations from the requirements/conditions, will be eliminated from further adjudication.</p> <p>(a) Eligibility/mandatory requirements</p> <p>Quotes will only be compliant if bidder has submitted the following documents:</p> <ul style="list-style-type: none"> • A proof that the bidder is in good standing with SARS. Such information will be verified through Central Supply Database (CSD) or using SARS e-filing pin prior to the award of the bid. • SBD1 - Invitation to bid • SBD 4 (Bidders Disclosure) - A completed and duly signed declaration of Interest. Should a conflict of interest be declared or identified, the bid would be declared non-responsive • A completed and signed pricing schedule using the template provided. <p>Failure to provide any mandatory information required will result in the submission being considered non-responsive</p>				
1.2	<p><u>STAGE TWO</u></p> <p>PRICE AND SPECIFIC GOALS</p> <p>In order for the bidder to claim specific goals:</p> <ul style="list-style-type: none"> • The bidder must indicate how they claim points for each preference point system in the SBD 6,1 form, and; • A BBBEE Certificate/Sworn Affidavit must be attached. <p>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.</p>				

	QUOTATION DATA	Compliance			
		Yes	No	Noted	If no, indicate deviation
1.2.1	Price and Specific Goals evaluation will only be done to bidders who went pass Stage 1				
1.3	ADJUDICATION OF BID				
1.3.1	The bid shall be awarded at the sole and absolute discretion of NYDA. NYDA hereby represents that it is not obliged to award this bid to any bidder. NYDA is entitled to retract this bid at any time as from the date of issue and is not obliged to award this bid to the bidder that quotes the lowest.				
1.3.2	A bidder shall be disqualified from bidding if any attempt is made either directly to solicit and/or canvass any information from any employee or agent of NYDA regarding this bid from the date the offer is submitted until the date of award of the bid.				
1.4	Awarding of contract				
1.4.1	This is the final stage of the evaluation process and will be based on the PPPFA Preference Point System of 80/20 where Price will amount to 80 points, and specific goals will amount to 20 points. The award of business will be made to a bidder who has scored the highest overall points for this stage of the evaluation, unless objective criteria exist, justifying an award to another bidder				
1.4.2	NYDA reserves the right to award this bid in full or in Part.				
1.4.3	No service rendered or delivery to be made without a purchase order. Services rendered or goods delivered without a purchase order will not be paid for.				
1.4.4	NB: SHOULD THE APPOINTED SERVICE PROVIDER DECIDE TO OUTSOURCE THE SERVICES OR WORK UNDER THIS RFQ, THEY MUST ENSURE THAT THEY DO NOT APPOINT A PERSON OR COMPANY OWNED BY A PERSON WORKING FOR THE STATE. FAILURE TO ADHERE TO THIS CLAUSE WILL LEAD TO DISQUALIFICATION AND CANCELLATION OF PURCHASE ORDER AND OR CONTRACT				

B. TERMS OF REFERENCE FOR FORENSIC INVESTIGATION SERVICES

(Investigation into Leakage of Confidential Information)

1. INTRODUCTION AND BACKGROUND

The National Youth Development Agency (NYDA) is currently experiencing incidents involving the **leakage of confidential and sensitive organisational information** to unauthorised external parties / stakeholders by NYDA employees including Board members and board staff. These incidents pose significant risks to the Agency, including **reputational damage, operational compromise, legal exposure, and potential violations of applicable legislation.**

In line with its governance mandate, the Internal Audit and Risk Management Unit conducted a **preliminary assessment**, which confirmed that the matter is both **credible and high-risk**, warranting a **full-scale forensic investigation.**

Given the **technical complexity**, potential involvement of internal and/or external individuals, and the need for **independence, objectivity, and legal defensibility**, the NYDA requires the services of a **qualified and experienced Digital Forensic Investigation Firm (Cyber/Forensic Investigator).**

The appointed Service Provider must possess:

- **Specialised expertise in digital or ICT forensics,**
- **Data leakage investigations,**
- **Cyber forensics, and**
- **Insider threat analysis**, as well as be capable of tracing, identifying, and evidencing the source, method, and extent of the information leakage.

The Service Provider must demonstrate a strong understanding of relevant legislation, including but not limited to:

- The **Public Finance Management Act (PFMA), Act No. 1 of 1999 (as amended)**
- The **Protection of Personal Information Act (POPIA), Act No. 4 of 2013**
- The **Cybercrimes Act, Act No. 19 of 2020**
- The **Protected Disclosures Act, Act No. 26 of 2000**
- The **Prevention and Combating of Corrupt Activities Act, Act No. 12 of 2004**
- Any other applicable public sector governance and ICT security prescripts

2. PURPOSE

The purpose of this Terms of Reference is to source quotations from qualified Forensic Investigation Service Providers to:

- a. Conduct an **independent forensic investigation** into the leakage of confidential NYDA information **from 01 July 2025 to date** in respect of the following subject matters:
 1. Head Office Building Assessment Report – the report is saved - **NYDA Condition and Risk Assessment Report Rev 0_Kuv_2025.**

2. Recruitment Report of Independent Audit and Risk Committee (ARC) members – the report is saved - **Recruitment report of the ARC Independent Member,**
3. Recruitment Report of Independent Chairperson Audit and Risk Committee (ARC)
4. Lease buildings Supply Chain Management reports
5. Board Chairperson trip to America;

No.	Subject / Keyword
1	ARC Chair Recruitment
2	ARC Members Recruitment
3	Executive Chairpersons New York Trip
4	Head Office Lease Agreement
5.	National Youth Development Agency Condition and Risk Assessment Final Report
6.	Building Assessment Report

- b. Identify the source(s), method(s), and extent of the information leak(s) / Identify potential sources and channels of confidential information leakage;
- c. Establish whether there has been any **unauthorised dissemination** of sensitive organisational information;
- d. Determine whether the leakage is due to **internal misconduct, negligence, system vulnerabilities, or external intrusion;**
- e. Establish whether there is **prima facie evidence of misconduct, fraud, cybercrime, or governance breaches;**
- f. Identify the trends, sequence of events as well as the modus operandi;
- g. Identify all possible perpetrators;
- h. Support the investigation with credible digital evidence or manual evidence;
- i. Provide **legally sound, evidence-based findings** that can support disciplinary, civil, or criminal proceedings; and
- j. Recommend **remedial actions and control improvements** to prevent future occurrences / Strengthen internal controls and prevent future occurrences.

3. SCOPE OF WORK

The appointed Forensic Investigation Service Provider will be required to perform the following:

a. Investigation Planning and Scoping

- Review all preliminary information, incident reports, and internal assessments;
- Define the investigation approach, methodology, and tools to be utilised;
- Identify key risk areas, systems, and individuals for investigation.

b. Digital Forensic Analysis

- Conduct forensic imaging and analysis of relevant devices (e.g., laptops, servers, mobile devices);

- Analyse **1. email communications (through Microsoft database exchange extraction from the exchange server), 2. file transfers, 3. system logs, and 4. network activity;**
- Made a forensic image of extracted content to obtain a time and date stamp verification;
- Develop a **Geospatial mapping chart** of showing analysed email leakage or information / document dissemination to external parties.
- Indexed content using specialised e-discovery analysis software, etc.
- Perform analysis of the content whilst flagging and tagging content relevant to the investigation.
- Extract and package the evidence file
- Trace unauthorised data access, extraction, or transmission;
- Identify use of external storage devices, cloud services, or unauthorised platforms.

c. Leak Tracking and Source Identification

- Trace the origin and flow of leaked information;
- Identify individuals or entities responsible for the leakage;
- Determine whether the leak was intentional, negligent, or system driven.

d. Cybersecurity and Control Assessment

- Assess existing ICT controls, access management, and data protection mechanisms;
- Identify vulnerabilities that may have enabled the leak;
- Evaluate compliance with POPIA and internal ICT governance frameworks.

e. Interviews and Evidence Corroboration

- Conduct confidential interviews with relevant employees, management, and stakeholders;
- Correlate testimonial evidence with digital forensic findings.

f. Legal and Governance Assessment

- Assess findings against applicable legislation, NYDA policies, and governance standards;
- Determine potential legal implications and breaches.

g. Reporting

- Produce a **comprehensive forensic investigation report**, including:
 - Methodology and scope
 - Detailed findings and evidence including supporting exhibits as well as **Geospatial mapping Chart** of analysed email leakage or information / document dissemination to external parties
 - Root cause analysis
 - Legal considerations
 - Conclusions
 - Recommended actions

h. Advisory Support

- Provide guidance on:
 - Disciplinary processes
 - Criminal referrals (e.g., SAPS, Hawks ([Directorate for Priority Crime Investigation](#) (DPCI)), Special Investigating Unit (SIU), etc)
 - Civil recovery options
 - Strengthening internal controls and data protection measures

4. RESOURCE ALLOCATION AND TIMEFRAME

The investigation is expected to be conducted over a **period of one (1) month (4 weeks)** from the date of appointment.

The Service Provider is expected to allocate an appropriately skilled team, which may include:

Role	Scope of Contribution
Lead Forensic Investigator (Digital/Cyber Specialist)	Overall investigation leadership, forensic strategy, advanced analysis, and report sign-off
Digital Forensic Analyst	Technical data extraction, system analysis, log review, and evidence processing
Cybersecurity Specialist	Assessment of system vulnerabilities, access controls, and data protection mechanisms
Legal/Forensic Advisor	Legal alignment, evidentiary standards, and governance compliance

The Service Provider must ensure that:

- Adequate resources are allocated to **complete the investigation within the stipulated one-month period**;
- All work is conducted in accordance with **forensic standards and chain-of-custody requirements**;
- Any extension of time must be **motivated and approved in writing by NYDA**.

5. KEY DELIVERABLES

The Service Provider will be required to deliver:

- An **Inception Report** outlining methodology and investigation plan (within 5 working days);
- **Progress updates** (weekly or as agreed);
- A **Draft Forensic Investigation Report**;
- A **Final Investigation Report** incorporating NYDA inputs;
- Supporting evidence files and documentation (where applicable);
- Practical recommendations for **risk mitigation and control improvements**.

6. CONFIDENTIALITY AND ETHICS

Given the sensitivity of the investigation, the Service Provider must:

- Maintain strict **confidentiality** of all information;
- Comply fully with **POPIA** and data protection requirements;
- Ensure independence, objectivity, and **no conflict of interest**;
- Adhere to professional forensic and ethical standards.

7. REPORTING LINES

The Service Provider will report directly to the:

Internal Audit and Risk Management Unit

National Youth Development Agency (NYDA)

Mr Abbey Nkabinde – Snr Manger Internal Audit Services - Abbey.Nkabinde@nyda.gov.za

Dr Ayanda Ntanda – Organisational Risk Manager – Ayanda.Ntanda@nyda.gov.za

C. Price schedule

DESCRIPTION	QUANTITY	PRICE PER HOUR	TOTAL PRICE EXCLUDING VAT
Forensic Investigation Services	01	R	R
Total Excluding VAT		R	R
VAT		R	R
Total Including VAT		R	R

COMPANY NAME : _____

SIGNATURE OF BIDDER: _____

CAPACITY : _____

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

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

2.2.1 If so, furnish particulars:

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.

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 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

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.

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

May 2011

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

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

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

1. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

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

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	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:

80/20

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

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = 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 points is allocated for price on the following basis:

80/20

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

Where

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

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Number of points claimed (80/20 system) (To be completed)

	(To be completed by the organ of state)	by the tenderer)
At least 51% owned by black people that are youth	8	
At least 51% owned by women	8	
AT least 10% owned by persons with disability	4	

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.

 SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME:
DATE:
ADDRESS:

