

## REQUEST FOR QUOTATION

Supplier Name: .....

GOODS

**X**

SERVICE

Request For Quotation Number:	iLABS/RFQ 2023/24:102
Date Issued:	07 September 2023
Briefing Session If applicable (compulsory or not)	N/A
Description:	Appointment of a Service Provider to Supply Two (2) Next-Generation Firewalls (NGFW) Solution including Hardware and Licensing for Five (5) years.
Closing Date:	27 September 2023
Closing Time:	11:00
Delivery Address:	iThemba LABS, ATT: SCM Department, Old Faure Road, Faure, 7131
Submit RFQ to:	<a href="mailto:scm1@tlabs.ac.za">scm1@tlabs.ac.za</a>
Date Goods or Service Required:	Once-off procurement from receipt of Official Purchase Order.
For More Information (Technical):	Ms. Melanie Robertson Email: <a href="mailto:m.robertson@ilabs.nrf.ac.za">m.robertson@ilabs.nrf.ac.za</a>
For More Information (Supply Chain Management):	Ms. Lee-Ann Benjamin Email: <a href="mailto:scm1@tlabs.ac.za">scm1@tlabs.ac.za</a>

**THE FOLLOWING CONDITIONS WILL APPLY:**

- **Where quotations / proposals are R 2 000.00 or more, preferential Procurement System Applicable: 80/20**
- Price(s) quoted must be valid for at **least sixty (60) days from date of your offer.**
- Price(s) quoted must be firm and must be inclusive of VAT.
- A firm delivery period must be indicated.
- **Submit your B - BBEE Certificate as accredited with SANAS or Sworn affidavit if you are claiming for Equity/ B - BBEE points, failing which, the B - BEEE claimed will be forfeited or zero points will be allocated.**
- Provide CSD Summary Report ([www.csd.gov.za](http://www.csd.gov.za) )
- The attached forms to be completed by the Bidder (where applicable):
  - SBD 4 – Declaration of Interest with Government
  - SBD 6.1 – Preference Points Claim (South African Companies Only)
- This request for formal quotation is subject to the Preferential Procurement Policy Framework Act and The Preferential Procurement Regulations, 2022, The General Conditions of Contract (GCC and, if applicable, any other special Conditions of Contract.

**REGISTRATION ON THE CENTRAL SUPPLIER DATABASE (CSD):**

The bidder must be on the National Treasury's Central Supplier Database in order to do business with the NRF and for the NRF to award a bid and sign the subsequent contract. Registration on the CSD ([www.csd.gov.za](http://www.csd.gov.za)) is compulsory and bids from unregistered bidders are not considered.

National Treasury Contact Details: +27 (0) 12 406 9222 or email [csd.support@treasury.gov.za](mailto:csd.support@treasury.gov.za)

## SCHEDULE 1 - SPECIFICATION

### **Introduction to the NRF**

The National Research Foundation ("NRF") is a juristic person established in terms of the National Research Foundation Act, Act 23 of 1998, and a Schedule 3A Public Entity in terms of the Public Finance Management Act. The NRF is the government's national agency responsible for promoting and supporting research and human capital development through funding researchers, provision of the National Research Platforms, and science outreach platforms/programs to the broader community. The NRF provides these services in all fields of science and technology, including natural science, engineering, social science, and humanities.

The NRF is a schedule 3A entity under the PFMA (Act 29 of 1999), which is required to plan and report on its activities and organizational performance, and which is to be audited by the AGSA on an annual basis. As part of the AGSA audit requirements, the NRF has to collect / document and store details, data and/or information of all persons and activities that form part of its performance record as proof thereof. In terms of this requirement, all persons making use of NRF facilities, platforms, equipment, tools etc., for research and related purposes are required to provide their personal details/data/information as per the template below or other similarly appropriate format. By completing your information in the template/register/record below and appending your signature thereto, you confirm your consent, in line with the Protection of Personal Information Act 4 of 2013, whereby the NRF and any of its business units may process (collect, receive, record, organize, collate, share, store, update, modify, retrieve, alter, consult, use, disseminate, distribute, merge, link, erase or destroy) the personal information you provide within and amongst its business units/functions for the purpose of fulfilling its statutory mandate, public accountability and other regulatory/legal requirements.

### **Introduction to the Business Unit responsible for this RFQ**

iThemba LABS (Laboratory for Accelerator-Based Sciences) is a multi-disciplinary research laboratory based at two sites in the Western Cape and Gauteng respectively, these provide facilities for:

- Basic and applied nuclear physics research using particle beams
- Research Radiation Biophysics
- The supply of accelerator-produced radioactive isotopes for nuclear medicine and research

Please visit the iThemba LABS website ([www.tlabs.ac.za](http://www.tlabs.ac.za)) for more information.

### **Evaluation Process**

- Evaluation of proposals:

All proposals will be evaluated by Supply Chain Management for administrative compliance, functionality, price and B-BBEE. Based on the results of the evaluation process and upon successful negotiations, iThemba LABS will approve the awarding of the contract to successful bidder.

- Preference points system:

The 80/20 preference point system will be used where 80 points will be dedicated to price and 20 points to B-BBEE status. If all bids received are more than R 1 000 000.00, the proposal will be cancelled and re-issued.

**Supplier Response**

<b>Name of Supplier:</b>	
<b>Address of Supplier:</b>	
<b>Contact Person:</b>	
<b>Contact Tel:</b>	
<b>Email Address:</b>	
<b>CSD Supplier Number:</b>	MAAA.....
<b>Lead Time for delivery</b>	
<b>Currency:</b>	ZAR
<b>Payment terms:</b>	30 days from the date of receiving invoice

<b><u>Administrative Compliance Returnable Documents</u></b> <b>(M – Mandatory); (O – Optional)</b>	<b>Submitted</b>	
Bidders Disclosure (SBD 4), signed and completed.	<b>M</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Preference Points Claimed (SBD 6.1), signed and completed with BBBEE certificate or sworn affidavit (applicable for local bidders).	<b>M</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Vendor Partner Status (please provide certificate)	<b>M</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
Three contactable and written references for similar projects completed, in the format specified in the section “Reference Letter format for Bidder”	<b>M</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>(M – Mandatory); (O – Optional)</b>	<b>Submitted</b>	
Pricing completed	<b>M</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No

## **DETAILED SPECIFICATIONS:**

iThemba LABS (Laboratory for Accelerator-Based Sciences) is a multi-disciplinary research laboratory based at two sites in the Western Cape and Gauteng respectively. The current network firewall, FortiGate 300D, at the Gauteng office has reached its end-of life and is no longer supported. iThemba LABS Gauteng requires the services of a supplier to supply two Next Generation Firewalls (NGFW) with Unified Threat Protection and licensing.

### **1.1 General Requirements**

- 2 x NGFW (including rack mounts) iThemba LABS Tandem & AMS (TAMS) – HA Active/Passive (minimum 20Gbps IPv4 Firewall throughput in a High Availability configuration).
- The location of iThemba LABS Gauteng (TAMS) is as follows:
  - 1 Jan Smuts Ave, Braamfontein, Johannesburg: DMS = 26°11'09.7"S 28°01'47.9"E
  - DD = (-26.18587921030936, 28.02972299634883)
  - (Located in: University of the Witwatersrand)

The NGFW must be capable of supporting these next generation security applications on a unified platform:

The following requirements must be met for these 2 x NGFW Active/Passive Configuration (High Availability configuration) hardware appliances including rack mounts. Each must have:

- Stateful Inspection Firewall
- Intrusion Prevention System (IPS)
- Application Control and URL filtering
- Anti-Bot, Anti-Spam and Anti-Virus
- Data Loss Prevention
- IPSec VPN
- Mobile Access & Security
- Security Management
- Threat Prevention Updates
- Logging and Monitoring
- Management portal
- Universal ZTNA
- Virtual firewall and / or separate routing instance support
- Segmentation - All devices must allow for partitioning of the NGFW into multiple instances on the same hardware device

## 1.2. Requirements for NGFW

- Have the ability to integrate with Microsoft Active Directory/LDAP to associate traffic to user.
- To ensure optimal performance for delay and jitter-sensitive applications, such as VOIP, High Definition video, and future real-time sensitive applications, the Next Generation Firewall shall process all data for all active services as a single stream to minimize delay and jitter.
- To prevent evasive tactics used by modern hackers and malware, the NGFW shall be port agnostic and analyse all data on all ports all the time for applications identification.
- To reduce administrative costs, overhead, and human error, the NGFW shall simplify management by having a single tab for configuring policy for all running features, including application, user, and content identities. It shall be able to use all three identification methods in a single policy, to accept or deny traffic, packet shape, QOS, and Policy route traffic.
- To maximize the granularity of security policies, the NGFW shall allow policy creation and enforcement based on any combination of date, time-of-day, ingress and egress hardware port, ingress and egress software port, application identification, user identification, and content identification.
- All required performance specifications shall be from published public sources from production environments with all required features and applications simultaneously active.
- To prevent evasive users and applications from bypassing security functions, all product functions for IPS, Threat Prevention, and Anti-Virus, shall not require specific software port and protocol combinations for detection, mitigation, or enforcement.
- Identify and control circumventors.
- Identify and control applications sharing the same connection.
- Provide application function control.
- Deal with unknown traffic by policy.
- Scan for viruses and malware in allowed collaborative applications.
- Deliver the same throughput and performance with application control active.
- Handle Intrusion Prevention/Intrusion Detection. The IPS and firewall module must be integrated on one platform. IPS must be policy-based rule inspection.
- Ability to handle multiple VPN sessions, support site-to-site VPN, as well as clientless SSL VPNs for remote access. This should also allow the administrator to apply security rules to control the traffic inside the VPN.
- Ability to limit or disable specific applications, categories or traffic flows.
- Handle URL Filtering.
- Ability to provide in-depth reporting.
- Provide real time threat prevention.
- Ability to work with Standards based protocols.

- VoIP and H323 Compliant.
- IPv4 and IPv6 compliant.
- Provide High Availability.
- Ability to download and update with latest threats intelligence, get latest software and firmware updates from manufacturers.
- Appliances should allow for hardware components to be upgradeable or replaceable.
- Appliances must support both NAT / route and transparent operating modes.
- Appliances must support various interface modes (sniffer, port aggregated, loopback, VLANs (802.1Q and Trunking)
- Firewall must make use of stateful packet inspection technology.
- Firewall must support VoIP traffic (SIP/H.323, SCCP NAT traversal, RTP pin holing
- The platform must be able to support both IPv4 and IPv6.
- The platform must have built in DHCP, NTP, and DNS server and proxy.
- Firewall must support static and dynamic policy routing.
- Minimum of 450GB internal storage for all firewall appliances

### 1.3 Solution Evaluation

Below are minimum specifications of the solution required:

Hardware:	
I.	2 x NGFW hardware Appliances (including rack mounts).
II.	Minimum 2x 10 GE SFP+ slots per appliance with each port having short range single mode (LR) transceiver modules
III.	Minimum 12 x GE RJ45 ports per appliance
IV.	Minimum 4 x GE SFP slots per appliance
V.	At least 480GB SSD built-in storage.
VI.	Dual Power supply redundancy per appliance
VII.	Minimum IPv4 Firewall Throughput: 20 Gbps per appliance
VIII.	Minimum concurrent session (TCP): 1.5 million connections per appliance
IX.	Minimum connection rate: 56000 new sessions per second per appliance
X.	Load balancing support: Active/Passive, Active/Active & Clustering
XI.	Latency: 5 microseconds or less per appliance
XII.	IPS throughput with TCP and UDP traffic blend, with customized IPS Policy, scanning all part of sessions in both directions must be at least 2.6 Gbps per appliance
XIII.	Minimum IPsec VPN Throughput (512 byte) of 20 Gbps per appliance
XIV.	Minimum 2000 Gateway-to-Gateway IPsec VPN Tunnels per appliance



XV.	Minimum 50000 Client-to-Gateway IPsec VPN Tunnels per appliance
XVI.	Minimum SSL-VPN Throughput of 5 Gbps per appliance
XVII.	Appliance should allow for hardware components to be upgradeable/replaceable
<b>Peripherals:</b>	
I.	Appliance must be equipped with: <ul style="list-style-type: none"> <li>• 4 x 10 GE SFP SX Transceiver Module FN-TRAN-SX</li> <li>• 4 x LC to LC 1m 2 core Fiber Patch cables</li> <li>• 6 x Cat 5e UTP 2m fly leads</li> </ul>
<b>Solution:</b>	
I.	Appliance must support load balancing (Active/Passive, Active/Active & Clustering).
II.	Refer to <b>1.3. Requirements for NGFW</b>
III.	Performance and Monitoring: <ul style="list-style-type: none"> <li>• The proposed solution should be managed centrally through a single Management Console</li> <li>• The management platform should be configured to proactively detect the health issues and service degradation/interruptions and should be able to create event / alerts to the relevant administrators through Email, SMS etc.</li> </ul>

#### 1.4 Warranties and Subscriptions

- The supplier shall provide iThemba LABS with a 5-year warranty and hardware swap out support on the physical hardware / firmware after the commissioning date.
- FortiCare Premium or Equivalent
- Unified Threat protection (UTP) 5-year bundle
- All pricing shall be based solely on annual licensing for the hardware/services supplied by the quoted appliance. Per user or per object pricing for licenses will not be considered.

#### 1.5 Preliminary Acceptance Tests

- iThemba LABS reserves the right to carry out inspection and / or test the configuration of the supplied system to check conformity to the original bid specification as stipulated in this bid document.
- Preliminary acceptance tests shall be conducted by Powering Up and continuous operation of all the devices on a 24x7 basis to ascertain that all features and integration with the existing environment are working in the desired fashion for at least three (3) months.
- Should all tests carried out prove to be unsuccessful and certain features are not working, penalties will be implemented as per statement of performance levels on page 10.
- Should the devices fail to meet the specifications as outlined in Bullet 1.1 – 1.3, the Supplier shall within a period of two (2) days provide a suitable replacement for the devices free of cost.

## 1.6 Delivery

- The bidder should be available to start with the exercise immediately upon award, supplying all equipment, peripherals, and accessories within four (4) to eight (8) weeks.

## 1.7 After sales support, contacts and communication

- If during the warranty period the equipment is not in working order, or not working satisfactorily owing to faulty hardware or configuration, on notification the supplier will take immediate steps to rectify the defects and/or replace the affected parts on site and on own expense within 5 to 7 working days.
- The supplier must describe how they will ensure that the reported defects will be corrected and a plan of action should be drawn up that will guarantee that the repairs will be done in a reasonable period of time as agreed by both parties.

## 1.8 References

The bidder shall supply three contactable and written references for similar projects completed, in the format specified in the section "Reference Letter format for Bidder" at the end of this document, detailing the nature of service provided for these references (both professional services and hardware delivery and integration), and that the work completed met expectation.

## 1.9 Performance Levels

PERFORMANCE LEVELS (General Condition of Contract Clause No: 22)
<p>If the contracted bidder fails to meet any performance level:</p> <ol style="list-style-type: none"><li>a. The contracted bidder shall investigate and report on the root causes of the performance level failure;</li><li>b. Promptly correct the failure and begin meeting the set performance levels;</li><li>c. Advise the NRF as to the extent requested by the NRF of the status of remedial efforts being undertaken with respect to such performance level failure; and</li><li>d. Take appropriate preventive measures to prevent the recurrence of the performance level failure.</li></ol>
STATEMENT OF PERFORMANCE LEVELS

Service	Measurement methodology	Penalty trigger level	Penalty
Delivery of entire project	Delivery within specified timelines	The appointed bidder fails to deliver within specified timeframes	1% of the contract value for the first week, 0.25% of the contract value for each day thereafter than the contracted completion date.
Warranty and hardware swap out support on the physical hardware / firmware for a period of five years	The appointed bidder confirms that it will provide iThemba LABS with a 5-year warranty and hardware swap out support on the physical hardware / firmware after the installation and commissioning date. This shall include any licensing required for firmware updates and threat intelligence updates, for 5 years upon signing the contract	The appointed bidder fails to honour one or more of the terms of the warranty	iThemba LABS will notify the appointed bidder in writing to honour the breached warranty term, failing which a penalty of 5% shall be imposed on all invoices submitted by the appointed bidder until such time as the warranty terms are observed. iThemba LABS reserves the right to terminate the contract in the event of persistent breach of warranty terms.

### Pricing Schedule

Supplier Specifications include Model if applicable	Quantity	Price Per Unit (Incl. VAT)	Total (Incl. VAT)
2 x NGFW hardware Appliances (including rack mounts).			
Appliance must be equipped with: <ul style="list-style-type: none"> <li>4 x 10 GE SFP SX Transceiver Module FN-TRAN-SX</li> <li>4 x LC to LC 1m 2 core Fiber Patch cables</li> </ul> 6 x Cat 5e UTP 2m fly leads			
5-year warranty and hardware			
Unified Threat protection (UTP) 5-year bundle			
(Any other cost if applicable)			
Delivery Charge to iThemba LABS			
<b>TOTAL (VAT INCLUSIVE)</b>			

## 6. REFERENCE LETTER ANNEXURE

Bidder's Letterhead

We are submitting a quotation for the request described below. We appreciate your assistance and effort in completing on your letterhead the reference as set out below on your experience with us.

<b>Referee Letterhead</b>	<b><u>Referee Legal Name</u></b>	
<b><u>REFERENCE ON COMPANY:</u></b>		
<b>RFQ Number:</b>	iLABS/RFQ 2023/24:102	
<b>RFQ Description:</b> Appointment of a Service Provider to Supply Two (2) Next-Generation Firewalls (NGFW) Solution including Hardware and Licensing for Five (5) years.		
Describe the service/work the above bidder provide to you below		
Project Value	Contact Number	Years of Installation

## STANDARD BIDDING DOCUMENT (SBD) 4

### 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

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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.

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:

.....  
.....

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 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.

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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.

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



## STANDARD BIDDING DOCUMENT (SBD) 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); 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 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

Where

- P<sub>s</sub> = Points scored for price of tender under consideration
- P<sub>t</sub> = Price of tender under consideration
- P<sub>min</sub> = Price of lowest acceptable tender

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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

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

$$P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

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 (B-BBEE Status Level of Contributor)	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)
1	10	20		
2	9	18		

3	6	14		
4	5	12		
5	4	8		
6	3	6		
7	2	4		
8	1	2		
Non-compliant contributor	0	0		

#### 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.

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

**Note: It is advised that documents be returned in PDF**