



the DOJ & CD

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

REQUEST FOR QUOTATION (RFQ)

The Department of Justice and Constitutional Development invites all interested parties to submit bids for requirements as stipulated below:

DOCUMENT NUMBER:	RFQ 2023/0004
RFB ISSUE DATE:	13 September 2023
RFB CLOSING TIME AND DATE:	29 September 2023
DESCRIPTION:	ANATOMICAL DETAILED DOLLS FOR SEXUAL OFFENCES (100 SETS)
PERIOD:	For a once off period
RESPONSES TO THIS RFB SHOULD BE FORWARDED TO:	<u>RFQ.SCM@justice.gov.za</u>
ENQUIRIES:	E-Mail Address: <u>RFQ.SCM@justice.gov.za</u>

PART A

SBD 1 - INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

BID NUMBER:	RFQ 2023/0004	CLOSING DATE:	29 Sept 2023	CLOSING TIME:	11h00AM
DESCRIPTION ANATOMICAL DETAILED DOLLS FOR SEXUAL OFFENCES (100 SETS)					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BID RESPONSE DOCUMENTS MUST BE EMAILED TO <u>RFQ.SCM@JUSTICE.GOV.ZA</u> EMAIL ADDRESS BEFORE CLOSURE					

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:	
CONTACT PERSON	Shapho Bernard	CONTACT PERSON	
TELEPHONE NUMBER	0123151243	TELEPHONE NUMBER	
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS	<u>RFQ.SCM@justice.gov.za</u>	E-MAIL ADDRESS	<u>RFQ.SCM@justice.gov.za</u>

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
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[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 ENCLOSURE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
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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, 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 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:.....

PART C:

SCM PRE COMPLIANCE CHECK APPLICABLE TO THIS BID

Without limiting the generality of the Department and other critical requirements on this Bid, bidder(s) must submit the documents listed in below table. All documents must be completed and signed by the duly authorised representative of the prospective bidder(s). During this phase Bidders' responses will be evaluated based on SCM compliance with the listed administration and mandatory bid requirements.

DOCUMENT THAT MUST BE SUBMITTED		
INVITATION TO BID – SBD 1	YES	<ul style="list-style-type: none">• Complete and sign the supplied pro forma document
PRICING SCHEDULE – FIRM PRICES (PURCHASES) – SBD 3.1	YES	<ul style="list-style-type: none">• Complete and sign the supplied pro forma document
DECLARATION OF INTEREST – SBD 4	YES	<ul style="list-style-type: none">• Complete and sign the supplied pro forma document
PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 – SBD 6.1	YES	<ul style="list-style-type: none">• Complete and sign the supplied pro forma document
DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS - SBD 6.2	YES	<ul style="list-style-type: none">• Complete and sign the supplied pro forma document

DOCUMENT THAT MUST BE SUBMITTED			
ANNEXURE C: LOCAL CONTENT DECLARATION - SUMMARY SCHEDULE	YES	<ul style="list-style-type: none"> • Complete and sign the supplied pro forma document 	
GOOD STANDING ON TAX AFFAIRS	NO	<ul style="list-style-type: none"> • The bidder must be in good standing with SARS in respect of any relevant legislative tax commitments and must provide together with the bid response a SARS pin number for verification purposes. 	
REGISTRATION ON CENTRAL SUPPLIER DATABASE (CSD)	NO	<p>Bidders must be registered on the Central Supplier Database (CSD).</p> <ul style="list-style-type: none"> • If you are not registered proceed to complete the registration of your company prior to submitting your Bid. Visit https://secure.csd.gov.za to obtain your vendor number. • Submit a recent detailed proof of CSD report. 	

**PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

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

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

PART D – BID SPECIFICATION

SPECIFICATION FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR THE SUPPLY OF (100) SETS OF ANATOMICAL DETAILED DOLLS DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT AT VARIOUS COURTS.

1. PURPOSE:

The Department of Justice and Constitutional Development (DoJ & CD) would like to invite suitably qualified prospective bidders for the for Anatomical Detailed Dolls for Sexual Offences (100 Sets)

2. BACKGROUND:

The Chief Directorate: Promotion of the Rights of Vulnerable Groups (Victim Support) has the responsibility to procure Anatomical Dolls which were internationally found to be useful in obtaining evidence from children who had been sexually abused, especially children who were younger or who suffered from mental disability and did not have the terminology necessary to describe the sexual abuse. These dolls will in the circumstance assist Intermediaries to easily extract evidence from children when giving evidence in Sexual Offences Courts

3. SCOPE OF WORK

For the Supply and Delivery of for Anatomical Detailed Dolls for Sexual Offences (100 Sets) for various Courts within the Department of Justice.

1. **DETAILED SPECIFICATIONS:** *(Bidders are required to mark with a cross/tick on the YES column as an indication that they comply with the specification. Failure to comply with any of the below mandatory requirements will result in the disqualification of the bidder's proposal).*

3. DETAILED SPECIFICATIONS:



The length will differ since a set is made up of six different dolls which are as follows: Mother, Father, Grand Mother, Grand Father, Boy Child and Girl Child. The adults are approximately 65-70cm high and the children slightly smaller.

ITEM	DESCRIPTION
3.1 Graphic Design of Anatomical Dolls.	<p>Design Anatomical Correct Dolls are intended to be a general replica of the human body and include sexual body parts. The use of the dolls depends on the presence of certain features.</p> <p>Adult dolls must be larger than the dolls depicting children. This must be clear enough so that the children using the dolls can distinguish between the adult dolls and the child dolls. The child doll should reach below the shoulder of the adult doll. The adult doll should be approximately 50 cm in length as the children may have difficulty manipulating a doll that is too large. It is important that the hair and facial features correlate to the sex of the doll so that the child can easily identify the gender of the dolls.</p> <p>Since the dolls are going to be used by young children, they should be made out of fabric that is durable, washable and well-sewn to withstand being handled often and undressed frequently. Most professionals also prefer the dolls to be soft so that the bodies can be manipulated by the child. Fingers must be clearly separated so that the child can insert them into oral, anal or genital openings, if necessary.</p>
3.1.1 Production of Anatomical Correct Dolls	<p>Each set of the Anatomically Correct Dolls must consists of the following members:</p> <ul style="list-style-type: none"> • A boy-child • A girl- child • An adult male • An adult female • A grandmother • A grandfather
3.1.2 Body parts	Body parts must be depicted according to the different ages of the dolls, e.g. the mother must show breasts
3.1.3 Male Adult Doll:	The penis must be firmly attached, stiff and slightly erect and narrow enough to insert into other doll openings. Genital hair must be included, although hair on the doll's chest and underarms is optional. The nipples and navel must be marked. Anal and oral openings must be included but the tongue in the doll's mouth can be optional.

3.1.4 Male Child Doll:	The genitalia must be proportionate and appropriate to the intended age of the doll. Most child dolls are prepubescent and, therefore, genital development must be relative. The anal and oral openings must be big enough to accommodate the male adult's penis. The navel and the nipples must be marked.
3.1.5 Female Adult Doll:	The breasts and nipples of the doll should be as natural looking as possible. Pubic hair must be included and the navel defined. Vaginal, anal and oral openings must be big enough to accommodate the penis of the adult male.
3.1.6 Female Child Doll:	The genitalia must be proportionate and appropriate to the intended age of the doll. The nipples and navel must be marked and the vaginal, anal and oral openings must be big enough to accommodate the penis of the adult male doll.
3.1.7 Mouth	Mouth must have an internal 'tongue'
3.1.8 Race	Race of each doll must give neutral skin colour, i.e. it must NOT depict a particular race.
3.1.9 Hair	No wool must be used as the depiction of hair as it tends to be untidy and scary to some children, especially when it is black or dark brown. Human hair must be used in all dolls.
3.1.10 Genitalia	Genitalia must be age-appropriate. The penis must be erect. Nipples and navel must be well defined. Vaginal, anal and oral openings must be big enough to accommodate the male organ.
3.1.11 Clothing	Clothing must be gender and age-appropriate, and also easily removable by a child. Clothing, especially pants and underwear, should slip off easily and should be appropriate to the represented age and gender of the doll.
3.1.12 Facial features	Facial features of the dolls must be age-identifiable and reasonably attractive and appealing with neutral expression.

Additional Information

- a. Equipment supplied will be paid in full upon sign-off of the delivery note/invoice

4. DELIVERABLE

For the Supply and Delivery of for Anatomical Detailed Dolls for Sexual Offences (100 Sets) for various Courts within the Department of Justice.

5. GUIDE FOR PRE-QUALIFYING DURING THE VARIOUS STAGES OF EVALUATION

Bidders are advised to, amongst others, observe compliance requirements and use the listed elements as a "Pre-Submission Checklist" for a bid response. Omissions or errors from the bidders' side including incorrectly completing and failure to supplying these documents will compromise and may invalidate the bid:

- a) SBD 1 (Invitation to Bid);
- b) Bidder must provide together with the bid response a SARS pin number for verification purposes;
- c) SBD 4 (Declaration of interest);
- d) SBD 6.1 (Preference Points Claim Form In Terms Of the Preferential Procurement Regulations 2022); **preference will be given to bidders with the QSE and EME status;**
- e) Bidder to indicate by means of a tick (✓) compliance or non-compliance to each item/furniture requirement set out in paragraph 4;

Mandatory Bid Requirements: Failure to comply will lead to disqualification

- f) SBD 6.2 (Declaration Certificate For Local Production And Content For Designated Sectors); Annexure C – (Local Content Declaration- Summary Schedule),
- g) Bidders are required to comply with the National Treasury designated sectors circular regarding minimum threshold for local production and content for furniture products, as failure to do so shall lead to disqualification (Please see table below as reference):

6. DURATION

This will be a once off Purchase.

8. DELIVERY AND INSTALLATION

- 8.1** Manufactured materials shall be delivered in the original packages, containers or bundles bearing the name of the manufacture and the brand. Temporary coverings, provided at the bidder's option to protect the work during shipment, storage and installation, shall be carefully selected to avoid development of deleterious effects in the work;
- 8.2** All manufactured articles, materials and equipment shall be applied, installed, connected, erected, stored, used, cleaned and conditioned in accordance with the manufacturer's written specifications or instructions unless hereinafter specified to the contrary;
- 8.3** Any Anatomical Doll which does not conform to the specification requirements or standards shall be disapproved and condemned by DoJ & CD and in which case it shall be removed and replaced by the bidder before any payments are processed;
- 8.4** In the event of the bidder requiring any additional workforces to ensure completion of work within the agreed time, this would be for the account of the bidder;
- 8.5** All work must be done to the acceptable standard level of the trade and to the satisfaction of the manufacturer/designer as well as DoJ & CD;
- 8.6** Special care shall be taken in the handling of the Anatomical Dolls to avoid it either being scratched or defaced during installation. No materials showing evidence of such mishandling shall be accepted and shall be replaced by the bidder at his/her expense;
- 8.7** All Dolls which have been warped, bowed, deformed or otherwise damaged or defaced shall not be installed. The bidder shall remove and replace such item as required;

9. SPECIAL CONDITIONS

9.1 PACKAGING

The Anatomical dolls must be supplied must be delivered in protective packaging. DoJ & CD will not accept any damaged furniture.

9.2 TRAVEL

Travel between the prospective contractor's place of work to the DoJ & CD, 329 Pretorius Street, Momentum Centre, Pretoria, will be at the contractor's cost.

9.3 GCC

Government Procurement General Conditions of contract (GCC) as issued by National Treasury will be applicable on all instances. The general conditions are available on the National Treasury website (www.treasury.gov.za).

9.4 PAYMENT

Advance payment will not be made and, payments shall be processed on the satisfactory delivery and installation per phase completed on site and to the satisfaction of the DoJ & CD representative certifying that such furniture was delivered and installed satisfactory. Invoices shall be entertained in terms of the PFMA and therefore paid within (30) days on receipt of a valid invoice.

9.5. VAT

The price quoted by the prospective supplier must include Value Added Tax (VAT).

9.6 POLICIES & PROCEDURES

The successful supplier must at all times comply with DoJ & CD's policies and procedures as well as maintain a high level of confidentiality of information.

9.7 CONFIDENTIALITY

All information, documents and reports must be regarded as confidential and may not be made available to any unauthorized person or institution without the written consent of the Director General or his delegate. At the end of the contract period or termination of the contract, all information (customers' personal information, transactional information and other relevant information) will become the property of DoJ & CD.

9.8 COSTS

DoJ & CD will not be held responsible for any costs incurred by the service provider in the preparation and submission of the bid.

It must be noted that the price tendered must be inclusive of all costs (VAT, Delivery, Warranty / guarantee, installation cost etc.).

Bidders are requested to submit their price quotes, which require prices to be quoted on a fixed price basis for duration of the contract.

9.9 MINIMUM TECHNICAL SPECIFICATIONS

Failing to comply with any of the mandatory and technical specifications as proposed in the RFQ document will result in the invalidation of the prospective bidder's proposal prior to the evaluation of functionality criteria.

9.10 GUARANTEE

DoJ & CD requires a minimum of 5 years guarantee from the prospective bidder against factory defaults. The successful bidder will be required to provide furniture parts, spares, consumables and appurtenances that become defective during the warranty period without any charge. Regardless of the above guarantee, DoJ & CD requires a design continuity of 10 years.

9.11 PENALTIES

The Supply, delivery of Anatomical Dolls be completed by the contractor within period per the agreed schedule with the successful bidder. In the event of late delivery of any such

based on the agreed delivery schedule, a monetary penalty of 25% to the value of the furniture that was to be delivered for that particular phase of the project.

9.12. MANUFACTURING

During the manufacturing stage, the contractor will on request from DoJ & CD, be required to arrange and accompany DoJ & CD officials on further visits to the factories where the Anatomical Dolls are being manufactured, during the manufacturing process and prior to delivering such to inspect and verify progress of products being manufactured for DoJ & CD. The purpose of the inspection is to ensure faithful adherence to specifications, quality standards, and completion of manufacturing and shipment within the specified time.

9.14 CLEANING UP

The contractor shall ensure that the area within the premises where the work is performed is maintained in a neat and orderly condition. All creates, waste, wrapping materials, etc. need to be removed at the end of each day. Offices should be operational immediately, or otherwise within (2) days after the said installation of the specific furniture delivered.

9.15 COVER QUOTING

Bidders submitting two or more offers on the same bid under same or different names without declaring interest will be disqualified.

10. CONTACT PERSONS

All enquiries can be sent to RFQ.SCM@justice.gov.za

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.

2.2 Do you, or any person connected with the bidder, have a relationship

1 the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

with any person who is employed by the procuring institution? YES/NO

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? YES/NO

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned,
(name)..... in
submitting the accompanying bid, do hereby make the following
statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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

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

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

1. GENERAL CONDITIONS

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

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

1.2 **To be completed by the organ of state**
(delete whichever is not applicable for this tender).

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

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

POINTS	
PRICE	
SPECIFIC GOALS	
Total points for Price and SPECIFIC GOALS	100

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

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

2. DEFINITIONS

- (a) "tender" means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) "price" means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) "tender for income-generating contracts" means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) "the Act" means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20	or	90/10
--------------	-----------	--------------

$$Ps = 8 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \text{ or } Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

80/20

or

90/10

$$Ps = 8(1 + \frac{Pt - P_{max}}{P_{max}}) \text{ or } Ps = 90(1 + \frac{Pt - P_{max}}{P_{max}})$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Enterprises with ownership of 51% or more by person/s who are black person/s		10		
Enterprises with ownership of 51% or more by person/s who are women		5		
Enterprises with ownership of 51% or more by person/s who are youth		3		
Enterprises with ownership of 51% or more by person/s with disability		2		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole proprietor
- 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:

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand
 y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on <http://www.thedti.gov.za/industrialdevelopment/ip.jsp> at no cost.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
--	-------------------------------------

Anatomical Dolls	

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

YES		NO	
-----	--	----	--

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrial development/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names), do hereby declare, in my capacity as of (name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5

of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

Annex D

Imported Content Declaration - Supporting Schedule to Annex C

(D1) Tender No.				
(D2) Tender description:				
(D3) Designated Products:	*			
(D4) Tender Authority:				
(D5) Tendering Entity name:				
(D6) Tender Exchange Rate:	Pula			
		EU	R 9.00	GBP R 12.00

A. Exempted imported content

(D19) Total exempt imported value

This total must correspond with
Annex C - C21

B. Imported directly by the Tenderer

(D32) Total imported value by tenderer

C. Imported by a 3rd party and supplied to the Tenderer

(D45) Total imported value by 3rd party

D. Other foreign currency payments

D. Other foreign currency payments					Calculation of foreign currency payments	Summary of payments
Type of payment	Local supplier making the payment	Overseas beneficiary	Foreign currency value paid	Tender Rate of Exchange		Local value of payments
(D46)	(D47)	(D48)	(D49)	(D50)		(D51)

Signature of tenderer from Annex B

(D52) Total of foreign currency payments declared by tenderer and/or 3rd party

(D53) Total of imported content & foreign currency payments - (D32), (D45) & (D52) above

This total must correspond with
Annex C - C23

Annex C

Local Content Declaration - Summary Schedule

C1)	Tender No.
C2)	Tender description:
C3)	Designated product(s)
C4)	Tender Authority:
C5)	Tendering Entity name:
C6)	Tender Exchange Rate:
C7)	Specified local content %

Note: VAT to be excluded from all calculations

Signature of tenderer from Annex B

(C21) Total Exempt

(C22) Total Tender value net of exempt imported content

(C23) Total Imported content

(C24) Total local content

[C23] Average local connectivity % of neighbors

Date: _____

Annex E

Local Content Declaration - Supporting Schedule to Annex C

(E1)	Tender No.	
(E2)	Tender description:	
(E3)	Designated products:	
(E4)	Tender Authority:	
(E5)	Tendering Entity name:	

Note: VAT to be excluded from all calculations

(E10) Manpower costs (Tenderer's manpower cost)

(E11) Factory overheads (Rental, depreciation & amortisation, utility costs, consumables etc.)

1000

(E12) Administration overheads and mark-up (Marketing, insurance, financing, interest etc.)

1000

(E13) Total local content

This total must correspond with Annex C - C24

Signature of tenderer from Annex B

Date: