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<b>REQUEST FOR QUOTATION</b>	<b>CHERWELL IT SERVICE MANAGEMENT MAINTENANCE AND SUPPORT</b>
<b>RFQ NUMBER</b>	<b>82/2024</b>
<b>CLOSING DATE</b>	<b>6 DECEMBER</b>
<b>CLOSING TIME</b>	<b>16:00</b>

## 1. INTRODUCTION

- 1.1. The Office of the Pension Funds Adjudicator (OPFA) was established in terms of section 30B of the Pension Funds Act No.24 of 1956 with effect from 1 January 1998 to investigate and determine complaints lodged in terms of the Act. The mission of the organisation is to resolve complaints in terms of the ACT. The OPFA is located in Pretoria and has about 80 users.
- 1.2. In supporting the mission of the OPFA, Information and Communication Technology (ICT) has been identified as one of the key drivers in modernising and continuously improving the functioning of the organisation. This modernisation is aimed at improving service delivery to the stakeholders of the office and optimising internal operations. To this end, various investments have been made on underlying technologies to support the mission on the organisation and to ensure business continuity.
- 1.3. Part of the OPFA technology landscape includes the Cherwell IT Service Management used to deliver ICT services to OPFA users. The solution is implemented on Windows Server 2019 and SQL 2019.
- 1.4. The OPFA environment currently has the following Cherwell modules implemented, along with eleven (11) concurrent user licenses.
  - 1.4.1. Incident/ Service Request
  - 1.4.2. Problem management
  - 1.4.3. Service Asset and Configuration
  - 1.4.4. Change Request
  - 1.4.5. Knowledge management
  - 1.4.6. Supplier
  - 1.4.7. Agreement
  - 1.4.8. Service Catalogue
  - 1.4.9. Work Unit

1.5. The OPFA is thus inviting suitable service providers to provide the following services

1.5.1. Maintenance and support of the Cherwell ITSM solution for a period of 12 months.

1.5.2. Develop, test, and implement new business requirements.

1.5.3. Provide licensing for the production, development test and DR environments.

## **2. SCOPE OF GOODS AND SERVICES (TESTING, PRODUCTION, DISASTER RECOVERY)**

2.1. ***Maintenance and Support of the Cherwell ITSM solution (Excluding Windows and SQL environment which are supported internally) for a period of 12 months.*** The following are minimum requirements: -

2.1.1. Software Updates - Implementing regular Cherwell maintenance updates (e.g., patching). This will be done at least once a month during maintenance weekend, or as an when required based on urgent business need (e.g., security requirements).

2.1.2. Incident and Problem Management - Performing break fixes services (incident and problem management) in case any component of the Cherwell environment malfunctions (technical and functional). This includes dealing with OEM, where required.

2.1.3. Service Requests – Ad-hoc service requests (e.g. making minor changes or updates to existing modules and functionality).

2.1.4. Security Management – Ensuring that the Cherwell environment is secure.

2.1.5. Monitoring – Monitoring the Cherwell environment.

2.1.6. Documentation - Ensuring that the Cherwell documentation is always up to date.

2.1.7. IT Continuity – Participate in the backup and restoration of the Cherwell environments.

2.1.8. Reporting – Producing customised reports and maintaining existing reports.

## 2.2. **Ad-hoc Enhancements services**

2.2.1. This is a provision that will be used to implement **new** business requirements These ad-hoc requests will be initiated by the OPFA. Once the service provider receives a request its responsibilities will include the following

2.2.1.1. Analysing the requirements in consultation with the OPFA.

2.2.1.2. Documenting the solution design (functional and technical).

2.2.1.3. Completing a change request form.

2.2.1.4. Developing, testing and implementing the enhancement.

2.2.1.5. Developing testing and training material.

2.2.1.6. Updating the documentation.

2.2.2. The service provider must make provision of 120 hours for ad-hoc services. These services will be initiated by the OPFA based on business requirements. The service provider is not entitled to utilising these hours. The payment for these services will be prorated based on the hours used.

## 2.3. **License Management**

2.3.1. There must be provision for both server and user licenses in the following environments for a period of 12 months

2.3.1.1. Production

2.3.1.2. Development

2.3.1.3. Testing

2.3.1.4. Disaster Recovery

### 3. EXCLUSIONS

- 3.1. Hosting services.
- 3.2. Licensing for Windows and SQL
- 3.3. Infrastructure provisioning and maintenance including Microsoft Hyper V.
- 3.4. Maintenance and Support of the SQL environment.

### 4. SERVICE LEVEL AGREEMENT

#### 4.1. Maintenance and Support

Description	Mean time to Respond	Mean time to Repair	Target	Penalties
<b>Incidents – Normal</b>	1 hour	8 hours	95%	3% of the monthly invoice
<b>Incidents – Critical</b> (Complete system failure)	1 hour	4 hours	95%	3% of the monthly invoice
<b>Service requests</b>	1 hour	8 hours	95%	3% of the monthly invoice
<b>Service requests</b> (New enhancements/business requirements)	1 hour	4 hours	95%	3% of the monthly invoice
<b>Problem Management</b>	n/a	40 hours	90%	3% of the monthly invoice
<b>Problem Management</b> (Root cause Analysis Report)	n/a	40 hours	100%	3% of the monthly invoice
<b>Reports</b>		As per agreed reporting dates	100%	5% of the monthly invoice

## 6. COST MODEL/PRICING SCHEDULE

ITEM #	DESCRIPTION	SCOPE SECTION	COST (EXCL VAT)	COST (INCL VAT)
1.	Maintenance and Support of the Cherwell ITSM solution	2.1		
2.	Ad-hoc Enhancement (120 hours)	2.2		
3.	Licensing	2.3		
TOTAL				

## 7. PRICE AND BID VALIDITY

- 7.1. Only firm prices received will be accepted.
- 7.2. Bids will be valid for the period of sixty days from closing date.

## 8. EVALUATION

- 8.1. The 80/20 preference point system shall be applicable to this bid, where 80 points represent maximum obtainable points for the lowest acceptable price, and 20 points represents the specific goals. Points will be awarded to a bidder for attaining the specific goals outlined in accordance with the table below:

#	Specific Goals of Preference	Proof/ Evidence required	Points Allocation
01	51% or more ownership by black people	CSD report/BEE Certificate or Sworn Affidavit	5
02	51% or more ownership by black women	CSD report/BEE Certificate or Sworn Affidavit	5
03	30% or more ownership by people living with disabilities	CSD report/BEE Certificate or Sworn Affidavit	3
04	30% or more ownership by youth	CSD report/BEE certificate or Sworn Affidavit	3
05	EME/QSE	CSD Reports/ BEE certificate or Sworn affidavits	4
<b>TOTAL POINTS</b>			<b>20</b>

- To claim preference, point bidders must submit evidence of the specific goals as per the table above. No points will be allocated if no supporting evidence is provided when submitting the bid.
- The OPFA will further extract CSD reports from the CSD system during the evaluation of bids. It is the responsibility of the Bidders to ensure information is updated and correct as per the points being claimed.

## **9. PROTECTION OF PERSONAL INFORMATION ACT (POPIA)**

- 9.1. "POPIA" shall mean the Protection of Personal Information Act (Act Number 4 of 2013), as amended from time to time.
- 9.2. All information collected and submitted by bidders will be used by the OPFA for the evaluation and adjudication of this bid to determine the bidders' suitability and compliance to deliver the goods/services required. By submitting this bid the bidder gives consent for the OPFA to process the personal information provided by the bidder accordingly.
- 9.3. "Personal Information" (PI) shall mean the race, gender, sex, pregnancy, marital status, national or ethnic origin, colour, sexual orientation, age, physical or mental health, disability, religion, conscience, belief, culture, language and birth of a person; information relating to the education or the medical, financial, criminal or employment history of the person; any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person; the biometric information of the person; the personal opinions, views or preferences of the person; correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence; the views or opinions of another individual about the person whether the information is recorded electronically or otherwise.
- 9.4. The parties acknowledge that for the purposes of this bid and agreement the parties may come into contact with or have access to PI and other information that may be classified or deemed as private or confidential and for which the other party is responsible. Such PI may also be deemed or considered as private and confidential as it relates to any third party who may be directly or indirectly associated with this agreement. Further, it is acknowledged and agreed by the parties that they have the necessary consent to share or disclose the PI and that the information may have value.
- 9.5. The parties agree that they will at all times comply with POPIA's Regulations and Codes of Conduct and that it shall only collect, use and process PI it comes into contact with pursuant to this agreement in a lawful manner, and only to the extent required to execute the services, or to provide the goods and to perform their respective obligations in terms of this agreement.
- 9.6. The parties agree that it shall put in place, and at all times maintain, appropriate physical, technological, and contractual security measures to ensure the protection



and confidentiality of PI that it, or its employees, its contractors or other authorised individuals comes into contact with pursuant to this agreement.

- 9.7. Notify each other immediately where it has reasonable grounds to believe that the Personal Information in respect of this agreement, which has been provided to it including any Personal Information which it has processed, has been lost, destroyed, or accessed or acquired by any unauthorised person.
- 9.8. Unless so required by law, the parties agree that it shall not disclose any PI as defined in POPIA to any third party without the prior written consent of the other party, and notwithstanding anything to the contrary contained herein, shall any party in no manner whatsoever transfer any PI out of the Republic of South Africa.

## STANDARD BIDDING FORMS: PART A: INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE OFFICE OF PENSION FUNDS ADJUDICATOR</b>					
BID NUMBER:	RFQ: 82/2024	CLOSING DATE: 6 December 2024		CLOSING TIME:	16:00
DESCRIPTION	Cherwell Maintenance and Support				
<b>BID RESPONSE DOCUMENTS MUST BE SUBMITTED ELECTONICALLY</b>					
<b>QUOTATIONS AND ALL SUPPORTING DOCUMENTS MUST BE EMAILED TO: <a href="mailto:tenders@pfa.org.za">tenders@pfa.org.za</a></b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Lebogang Mabala		CONTACT PERSON	Magadi Tshitanye	
TELEPHONE NUMBER	012 748 4048		TELEPHONE NUMBER	012 748 4048	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	<a href="mailto:tenders@pfa.org.za">tenders@pfa.org.za</a>		E-MAIL ADDRESS	<a href="mailto:tenders@pfa.org.za">tenders@pfa.org.za</a>	
<b>SUPPLIER INFORMATION</b>					
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]  Yes                      No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX]  Yes                      No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes                      No  [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE <b>GOODS /SERVICES /WORKS OFFERED?</b>		Yes                      No  [IF YES, ANSWER THE QUESTIONNAIRE BELOW ]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					<b>YES / NO</b>
1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? 2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? 3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? 4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? 5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?					

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, 2022, 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: .....

## **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

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.

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.

.....

**Date**

.....

**Signature**

.....

**Position**

.....

**Name of bidder**

## SBD 6.1

### 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**

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#### 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 regarding 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:

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

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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \end{array}$$



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

Where

- Ps = Points scored for price of tender under consideration  
 Pt = Price of tender under consideration  
 Pmax = Price of highest acceptable tender

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
51% or more ownership by black people	5	
51% or more ownership by black women	5	

30% or more ownership by people living with disabilities	3	
30% or more ownership by youth	3	
EME/QSE	4	
<b>Total points allocated</b>	<b>20</b>	
Number of points claimed by the bidder		

#### 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 because 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

because of that person's conduct.

- (c) cancel the contract and claim any damages which it has suffered because 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:** .....  
.....  
.....  
.....