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<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE COUNCIL FOR MEDICAL SCHEMES</b>					
BID NUMBER:	RFP/CMS/CEO/010525	CLOSING DATE:	23 August 2024	CLOSING TIME:	11:00 AM
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER FOR THE FACILITATION AND REVIEW OF STRATEGIC PLANS AND STRATEGIC RISK MANAGEMENT ASSESSMENT FOR THE COUNCIL FOR MEDICAL SCHEMES				
<b>BID/QUOTATION RESPONSE DOCUMENTS MUST BE DELIVERED TO THE FOLLOWING ADDRESS:</b>					
Block A, Eco Glades 2 Office Park, 420 Witch-Hazel Avenue, Eco Park, Centurion, 0157					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Vuyelwa Duduma		CONTACT PERSON	Mondi Govuzela	
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	<a href="mailto:vduduma@medicalschemes.co.za">vduduma@medicalschemes.co.za</a>		E-MAIL ADDRESS	<a href="mailto:m.govuzela@medicalschemes.co.za">m.govuzela@medicalschemes.co.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]  <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
<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?	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES, ANSWER PART B:3]

**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>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.</b>	

**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](http://WWW.SARS.GOV.ZA).
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER: .....

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

DATE: .....

## 1. BACKGROUND OF THE COUNCIL FOR MEDICAL SCHEMES

The Council for Medical Schemes (CMS) is a statutory body established by the Medical Schemes Act (131 of 1998) to provide regulatory supervision of private health financing through medical schemes; and functions as a Schedule 3A Public Entity.

## 2. VISION

To be an agile and transformative Regulator in order to promote affordable and accessible healthcare cover towards universal health coverage.

## 3. MISSION

The CMS regulates the medical schemes industry in a fair and transparent manner and achieves this by:

- **Protecting the public** and informing them about their rights, obligations, and other matters in respect of medical schemes.
- Ensuring that **complaints raised by members** of the public are handled appropriately and speedily.
- Ensuring that all entities conducting the business of medical schemes and other regulated entities **comply with the Medical Schemes Act**.
- Ensuring the improved management and **governance** of medical schemes.
- **Advising the Minister of Health** of appropriate regulatory and policy interventions that will assist in attaining national health policy objectives.
- Ensuring collaboration with other **stakeholders** in executing our regulatory mandate.

## 4. PURPOSE

- 4.1. The purpose of this request for proposal is to request a suitable management consulting service provider to submit a proposal with regard to the provision of strategic review and strategic risk management services to the CMS.
- 4.2. Prospective Bidders should be familiar with the provisions of:
  - 4.2.1. the Public Finance Management Act and its related National Treasury Regulations
  - 4.2.2. the Department of Planning, Monitoring and Evaluation frameworks on strategic planning
  - 4.2.3. as well as the financial services industry, medical schemes industry, health care sector and
  - 4.2.4. the regulatory environment
- 4.3. The contract term will be for a period of the term of the project estimated for a **maximum period of five (5) months**. The contract will also be assessed and monitored in accordance with the requirements of Supply Chain Management.

## 5. THE PURPOSE OF TERMS OF REFERENCE

- 5.1. The objective of the strategic review function for the CMS is to provide independent, objective project management and consulting services designed to add value and improve the CMS's process in reviewing and designing a new strategy **(Strategic Plan) for the next five-year period (2025-2030), development of the Annual Performance Plan (2025/26) and the revised Risk Management Strategy.**

## 6. BACKGROUND

- 6.1. A major focus of planning at the organisational level is the preparation of the Strategic Plans, Annual Performance Plans and Risk Management Strategy. The requirement for public entities to undertake strategic planning is set out in Chapter 3 of the Public Service Regulations, 2016 as well as Treasury Regulations for Departments, Trading Entities, Constitutional Institutions and Public Entities, 2005. The regulations require departments to produce a five-year strategic plan, ideally

from the first planning cycle following an election, linked to the identified outcomes of the institution. The Annual Performance Plan must be produced, setting out performance indicators and targets for budget programmes and sub-programmes where relevant, to facilitate the institution realising its outcomes set out in the Strategic Plan and Annual Strategic Plan.

- 6.2. The Council for Medical Schemes seeks to appoint a service provider to facilitate the planning process and development of the Strategic Plan 2025 – 2030 and Annual Performance Plan for 2025/26 and to update the Risk Management Strategy.

## **7. SCOPE OF WORK**

### **PHASE 1**

- 7.1. Facilitate the first two-day Strategic Planning and Review Session for Senior Management on 5 – 6 September 2024.
- 7.2. Develop a report from the Strategic Planning and Review Sessions as well as the development and finalisation of the Strategic Plan and the Annual Performance Plans.
- 7.3. Record notes of the meetings to finalise these planning documents, as well as develop the Presentation of the draft Strategic Plan and APP to be tabled at the Executive Management Committee.
- 7.4. Use the planning tools for situational analysis to prepare a draft Situational Analysis report, which must provide an analysis of the external and internal environment in which the CMS operates. This must give a critical review of the CMS in relation to its performance and organisational environment, and support the framing of critical issues, which influence the content of the organisation's future plans.

### **PHASE 2**

- 7.5. Facilitate the second three-day Strategic Planning and Review Session for the Council of the CMS (the Board) on 25 – 27 September 2024.
- 7.6. Develop a report from the Strategic Planning and Review Sessions and development and finalisation of the Strategic Plan and the Annual Performance Plans.
- 7.7. Gather inputs from Council members, which will then be incorporated on the draft Strategic Plan/ Annual Performance Plans based on workshop conversations for submission to National Treasury (NT) and Department of Planning, Monitoring and Evaluation (DPME) on the last day of October.

### **PHASE 3**

- 7.8. The successful service provider will provide Risk Management services to the CMS. The service provider will be expected to deliver amongst others the following key requirements:
  - 7.8.1. To facilitate a strategic risk workshop with ARC to ensure that strategic, operational and fraud risks that can impede the CMS from achieving its strategic outcomes efficiently and economically are identified and assessed in line with the CMS Enterprise Risk Management (ERM) policy and methodology;

7.8.2. To ensure that uncertainties and untapped opportunities that affect an organisation's strategy and strategy execution are explored;

7.8.3. To develop the CMS risk appetite and tolerance levels/statement with Council (Board) members in line with the best business practices and norms

7.8.4. To conduct an assessment of the risk maturity level of the organisation and make recommendations for the improvement plan

7.8.5. To review and update CMS Enterprise Risk Management (ERM) policy and framework

7.8.6. To conduct a maturity assessment for the organisation in line with Treasury classification.

## 8. REQUIREMENT FOR THE PROJECT

8.1. Project Leader's must have a master's degree in social sciences or public management/administration, or equivalent qualification (NQF level 9) linked to public sector strategic planning, ie, Strategic Planning, Strategic Management or Government Planning. The project leader with qualifications equivalent to (NQF level 9) will be required to attach the academic record (certificates) to demonstrate the connection to the public sector strategic planning

8.2. The team members must also have a bachelor's degree in social sciences or public management/administration, or equivalent qualification (NQF level 7) linked to public sector strategic planning, ie, Strategic Planning, Strategic Management or Risk Management. The team members with qualifications equivalent to (NQF level 7) will be required to attach the academic record (certificates) to demonstrate the connection to the public sector strategic planning.

8.3. Experience in the Theory of Change concept for planning in the Public Sector and development of a logical framework.

8.4. Project Leader must demonstrate experience in any of the following sectors:

- National and Provincial departments
- Government components listed in Schedule 3 of the Public Service Act (1994), as amended by Act 30 of 2007 constitutional institutions listed in Schedule 1 and public entities listed in Parts A and C of Schedule 3 of the PFMA Act No 1 of 1999
- Regulatory environment
- Healthcare sector

8.5. Company experience – minimum of 2 years.

8.6. **Methodology:** Develop and implement a project plan for facilitation and development of the Strategic Plan, APP and Strategic Strategy

**8.6.1. Reporting Requirements** - The service provider shall report to the Acting Chief Executive and Registrar.

## 1. FRAUD AND IRREGULARITIES

1.1. In planning and conducting its work, the strategic review function should familiarise itself with the CMS Fraud and

Corruption Prevention Policy, which will be made available to the successful bidder.

## 2. ACCOUNTABILITY

2.1. The strategic review function shall be ultimately accountable to the Accounting Authority of the CMS.

## 3. RESPONSIBILITY

3.1. The strategic review function has the responsibility to:

- 3.1.1. Understand the scope and deliver the project within five (5) months from the date of appointment, taking into consideration that the first draft of the five-year Strategic Plan and the Annual Performance Plan are due for submission to the Executive Authority by the last day of October, after this is recommended to the Accounting Authority for approval by the Audit and Risk Committee.
- 3.1.2. Develop a project plan using an appropriate project plan methodology, including any risk or control concerns deemed necessary.
- 3.1.3. Maintain a professional management consulting staff with sufficient knowledge, skills, experience, and professional certifications to meet requirements of the project.
- 3.1.4. Ensure that there is strategic review staff continuity for the duration of the project.
- 3.1.5. Evaluate and assess significant merging/consolidating functions and new or changing services, processes, operations, and control processes coincident with their development, implantation, and/or expansion of the strategic review function.
- 3.1.6. Issue periodic reports, present these to the EMC and Committees of the Accounting Authority as and when required to do so.

## 12.1. EVALUATION CRITERIA

3.1.7. Evaluation of bids will be conducted in three (3) phases as follows:

Stage	Details
<b>Phase 1</b>	<b>Mandatory evaluation criteria:</b> The purpose of this criteria is to evaluate the bidders on their eligibility and compliance with applicable laws and regulations. Bidders who fail mandatory criteria will not proceed to <b>Phase 2</b> .
<b>Phase 2</b>	<b>Technical / Functional evaluation criteria:</b> The purpose of this criteria is to evaluate the bidders on their technical competencies. Bidders who fail mandatory criteria will not proceed to <b>Phase 3</b> .
<b>Phase 3</b>	<b>Price and Specific Goals evaluation criteria:</b> The purpose of this criteria is to evaluate the bidders based on the bid price and Specific Goals.

## 12.2. Phase 1 - Mandatory Technical Evaluation Criteria

- a) Bidders must meet all the following criteria to be considered for further evaluation. Failure to meet all the following criteria will lead to automatic disqualification:

**Table 2 - Mandatory Technical Evaluation Criteria**

Mandatory Technical Criteria	Comply	Does not Comply	X-Cross Reference/ Comments. (Bidder to complete this column)
1. The bidder must provide two (2) testimony letters as proof that they provided Strategic Review including Strategic Risk Management Services to their respective clients in the public sector. <b>Testimony letters (on company letterhead) must include website address, the name of the organisation, contact person and details.</b>  2. Testimony letters must be related to Strategic Review and Strategic Risk Management Services. <b>CMS will not accept any letter that is not relevant to the Strategic Review including Strategic Risk Management Services.</b>  3. <b>The testimony letters must not be older than 5 years.</b>			
4. Bidders must include the following in their written response (Executive summary/ Business profile): <ul style="list-style-type: none"> <li>• A description of the nature of the company;</li> <li>• The location(s) where the company operates;</li> <li>• The history of the company; and</li> <li>• Registration information</li> </ul>			
5. Submission of bid documents on or before the closing date and time. <ul style="list-style-type: none"> <li>• All bids must be submitted, before the bid Closing Date and Time, in the tender box at the address listed on the cover page. All bids submitted after the Closing Date and time will not be considered. <b>Bids must be registered on the bid submission register.</b></li> </ul>			

- b) In their responses, Bidders must state whether they comply or do not comply with each of the requirements above and provide a comment substantiating their claim or provide a cross reference where in the proposal they address this requirement.
- c) If a Bidder does not comply with any requirement in the mandatory criteria, they will be disqualified and will not be considered for further evaluation on technical criteria.

## 12.3. Phase 2 - Functional/ Technical Evaluation Criteria

Bidders will be evaluated in terms of the prevailing supply chain policy applicable to Council for Medical Schemes and it should be noted that:

- (a) A minimum of **70** points out of 100 points on technical capability will be the cut-off to qualify for further evaluation of Price and specific goals.
- (b) The Council for Medical Schemes will analyse and assess technical capability and therefore the bidder should demonstrate the following:

**Table 1 - Weighted Functional/ Technical Evaluation Criteria**

CRITERIA	SUB-CRITERIA	WEIGHTING and MAXIMUM POINTS	CROSS-REFERENCE TO RESPONSE SUPPORTING		
1. Expertise & Capabilities of the proposed team (attach CV's and valid certified copies of Qualifications)	1.1. Provide qualifications of the Project Leader (Attach Valid Certified copies of certificates)	10			
	<table><tr><td>No qualification information</td><td>0</td></tr><tr><td>Master's degree in Social or Public Management / Business Administration/ Risk Management/ Auditingor equivalent qualification (NQF level 9) linked to public sector strategic planning. The project leader with qualifications equivalent to (NQF level 9) , i.e., Strategic Planning, Strategic Management or Government Planning will be required to attach the academic record to demonstrate the connection to the public sector strategic planning.</td><td>10</td></tr></table>			No qualification information	0
	No qualification information	0			
	Master's degree in Social or Public Management / Business Administration/ Risk Management/ Auditingor equivalent qualification (NQF level 9) linked to public sector strategic planning. The project leader with qualifications equivalent to (NQF level 9) , i.e., Strategic Planning, Strategic Management or Government Planning will be required to attach the academic record to demonstrate the connection to the public sector strategic planning.	10			
1.2. Provide qualifications of the proposed team members assigned to the project (Attach Valid Certified copies of certificates)	5				
<table><tr><td>No qualification information</td><td>0</td></tr><tr><td>Bachelor's degree in Social or Public Management / Business Administration Risk Management / Auditing (NQF level 7) linked to public sector strategic planning. The project leader with qualifications equivalent to (NQF level 7) , i.e., Strategic Planning, Strategic Management or Government Planning will be required to attach the academic</td><td>5</td></tr></table>			No qualification information	0	Bachelor's degree in Social or Public Management / Business Administration Risk Management / Auditing (NQF level 7) linked to public sector strategic planning. The project leader with qualifications equivalent to (NQF level 7) , i.e., Strategic Planning, Strategic Management or Government Planning will be required to attach the academic
No qualification information	0				
Bachelor's degree in Social or Public Management / Business Administration Risk Management / Auditing (NQF level 7) linked to public sector strategic planning. The project leader with qualifications equivalent to (NQF level 7) , i.e., Strategic Planning, Strategic Management or Government Planning will be required to attach the academic	5				



	<table><tr><td>record to demonstrate the connection to the public sector strategic planning.</td><td></td></tr></table>	record to demonstrate the connection to the public sector strategic planning.									
record to demonstrate the connection to the public sector strategic planning.											
	<p><b>1.3. Demonstrate experience of the Project Leader in strategic planning in the following sectors (Attach Valid testimony letters or list of Contactable References):</b></p> <ul style="list-style-type: none"><li>• National and Provincial departments</li><li>• Government components listed in Schedule 3 of the Public Service Act (1994), as amended by Act 30 of 2007; constitutional institutions listed in Schedule 1 and public entities listed in Parts A and C of Schedule 3 of the PFMA Act No 1 of 1999</li><li>• Regulatory environment</li><li>• Healthcare sector</li></ul> <table><tr><td>0-2 years' experience</td><td>0</td></tr><tr><td>3-5 years' experience</td><td>20</td></tr><tr><td>6-7 years' experience</td><td>30</td></tr><tr><td>8 and more years' experience</td><td>40</td></tr></table>	0-2 years' experience	0	3-5 years' experience	20	6-7 years' experience	30	8 and more years' experience	40	40	
0-2 years' experience	0										
3-5 years' experience	20										
6-7 years' experience	30										
8 and more years' experience	40										
	<p><b>1.4. The bidder must demonstrate experience of the proposed Team members in strategic planning and strategic risk management in the public sector:</b></p> <table><tr><td>0-1 years' experience</td><td>0</td></tr><tr><td>2-3 years' experience</td><td>10</td></tr><tr><td>4-5 years' experience</td><td>15</td></tr><tr><td>6 and more years' experience</td><td>20</td></tr></table>	0-1 years' experience	0	2-3 years' experience	10	4-5 years' experience	15	6 and more years' experience	20	20	
0-1 years' experience	0										
2-3 years' experience	10										
4-5 years' experience	15										
6 and more years' experience	20										

2. Organisational Experience and Capacity	2.1. Company Experience - The company to demonstrate experience where they were appointed with similar services	10		
	0-2 years' experience			0
	3-5 years' experience			5
	6-7 years' experience			7
	8 and more years' experience			10
3. Strategic Approach & Methodology	3.1. The bidder must be able to develop and implement a project plan for facilitation and development of the Strategic Plan, Annual Performance Plan, (Phase 1 & 2).	15		
	No project plan developed			0
	General Project plan that is not in line with the revised Framework for Strategic Plan and APP			5
	The project plan shows an understanding of the revised Framework for Strategic Plan and APP			10
	The project plan shows an understanding of the revised Framework for Strategic Plan and APP with clear steps demonstrating how the Strategic Plan/ APP will be enhanced			15

	<b>3.1. The bidder must be able to develop and implement a project plan for facilitation and development of the Strategic Risk Management Strategy (Phase 3).</b>		<b>15</b>	
	The proposal is unlikely to satisfy the scope. Bidder does not deal with the critical aspects of the scope requirements, failed to demonstrate understanding of work and/or methodology, and the approach provided is not consistent with the scope of work required (shows no proper understanding of CMS' requirements and below par risk management training and facilitation skills).	<b>0</b>		
	The proposal addresses the majority of the scope of work requirements and project plan; proposals fit the scope of work and consider all critical activities necessary to meet the requirements, and there are adequate details provided (shows an average understanding of CMS's requirements and acceptable probity audit and risk management training and facilitation skills).	<b>10</b>		
	The proposal meets 'Excellent' rating and provides value add, cost saving, innovation, and efficiency and/or has gone beyond the call of the scope of work requirement (shows an in-depth understanding of CMS' requirements and advanced risk management training and facilitation skills)	<b>15</b>		

#### 12.4. Phase 3 - Price and Specific Goals

In order to facilitate a transparent selection process that allows an equal opportunity to all bidders, Council for Medical Schemes has a Supply Chain Management policy that will be adhered to. Proposals will be evaluated in terms of the prevailing Supply Chain Management policy applicable to Council for Medical Schemes and it should be noted that proposals will be assessed using the 80/20 formula (Preference Points System) for Price and Specific Goals as indicated in the PPPFA Regulations.

**Table 1- Price and Specific Goals**

CRITERIA	SUB-CRITERIA		WEIGHTING/ POINTS
Price	Detailed price breakdown		80
Specific Goals	(a) Historically Disadvantaged Individuals (5 Points)		20
	80% - 100% Black Owned	5 Points	
	50% - 79.99 Black Owned	4 Points	

20% - 49.99% Black Owned	3 Points
1% - 19.99 Black Owned	1 Point
Below 1% Black Owned	0 Point

**(b) Size of the Company (3 Points)**

EME	3 Points
QSE	2 Points
Generic Enterprise	1 Points

**(c) Black Woman Owned Enterprise (5 Points)**

75% - 100% Black Women Owned	5 Points
51% - 74,99% Black Women Owned	3 Points
1% - 50,99% Black Women Owned	1 Point
Below 1% Black Owned Women	0 Point

**(d) Ownership by People with Disabilities (3 Points)**

75% - 100% Ownership by People with Disabilities	3 Points
51% - 74,99% Ownership by People with Disabilities	2 Points
1% - 50,99% Ownership by People with Disabilities	1 Point
Below 1% Ownership by People with Disabilities	0 Point

**(e) Ownership by Youth (under 35 years) (4 Points)**

75% - 100% Ownership by Youth	4 Points
51% - 74,99% Ownership by Youth	3 Points
20% - 50,99% Ownership by Youth	2 Point

	1% - 19,99% Ownership by Youth	1 Point		
	Below 1% Ownership by Youth	0 Point		
<b>TOTAL</b>				<b>100</b>

#### 12.4.1. General Conditions to specific goals

12.4.1.1. Only a bidder who has completed and signed the declaration (SBD 6.1.) part of the RFQ documentation will be considered for preference points.

12.4.1.2. CMS may, before a RFQ is adjudicated or at any time, require a bidder to substantiate claims it has made with regard to preference.

#### 12.4.2. Submission of mandatory documents

12.4.2.1. Bidders must submit the following documents for verification of specific goals points:

- Attach certified copy/ copies of South African ID of Directors/ Owners/ Shareholders to claim points for **Historically Disadvantaged Individuals (HDI)**
- B-BBEE Certificate and Sworn Affidavit to claim points for **Size of the Company**
- Attach medical certificate/ letter from the accredited Health Professional to claim points for **Ownership for People Disability**
- Attach copy of B-BBEE Certificate/ sworn affidavit, certified ID copy/ copies, CIPC document to claim points for **Black Women Owned Enterprise**
- Attach certified copy of ID/ Sworn Affidavit/ CIPC document to claim points for **Youth Ownership**
- Fully completed and signed **SBD 6.1.**

12.4.2.2. Failure on the part of a bidder to submit proof and above-mentioned documentation, complete and sign as required in SBD 6.1. in terms of this bid to claim points for specific goals with the bid, will interpret to mean that the preference points for specific goals are not claimed.

## 4. INSTRUCTIONS TO BIDDERS

### 4.1. Terms and Conditions

The Council for Medical Schemes reserves the right, under exceptional circumstances, to extend the closing date. All proposals and all subsequent information received from bidders will not be returned.

The adjudication process does not represent a commitment on the part of Council for Medical Schemes to proceed further with that proposal or of any other bidder.

### 4.2. Changes to this RFQ document

Council for Medical Schemes reserves the right to make changes on this RFQ Document. All changes will be communicated to those firms that have responded to the RFQ. No reliance shall be placed on other information or comment from any other person.

#### 4.3. **Validity Period**

The validity period of the RFQ/RFP is **ninety (90)** days. Request for extension of validity period will be communicated to those service providers who responded to the RFQ/ RFP.

#### 4.4. **Confidentiality**

Any information relating to the submissions, through the process or otherwise shall be treated in strict confidence.

#### 4.5. **Other matters**

Council for Medical Schemes reserves the right not to enter into any relationship and no correspondence pertaining to submissions will be entered into.

If the Council for Medical Schemes does not accept any proposal, it will declare this RFQ call process closed and may then elect to:

- Proceed on a completely different basis; and
- Not appoint any respondent in the event it deems proposals not appropriate.

The Council for Medical Schemes will not accept any responsibility for costs incurred by bidders in preparing and submitting proposals.

The Council for Medical Schemes reserves the right to engage in a process to validate all claims made in the proposal.

The Council for Medical Schemes reserves the right to cancel the award if it is determined that the supplier/service provider recommended for award, has engaged in corrupt or fraudulent activities in competing for the contract in question. For the purposes of this RFP/RFT, RFQ, "fraudulent practice" means a misrepresentation of facts in order to influence a selection process or the execution of a contract to the detriment of the accounting officer/authority and includes collusive practices among bidders/contractors (prior to or after submission of proposals) designed to establish prices at artificial, non-competitive levels and to deprive the accounting officer/authority of the benefits of free and open competition.

The selection of the qualifying bid/quotations will be at Council for Medical Schemes' sole discretion. Council for Medical Schemes does not bind itself to accept any bid/quotations and reserves the right not to appoint the bidder.

### 5. **PAYMENT STRUCTURE**

- 5.1. Council for Medical Schemes undertakes to pay in full within thirty (30) days, all valid claims for work done to its satisfaction upon presentation of a substantiated claim/invoice.
- 5.2. Payments will only be made based on the work completed (milestones/ deliverables) as per the project implementation plan to be agreed at the inception of the project.

### 6. **GENERAL**

Below are compulsory requirements for this service:

- 6.1. It is important to note that the successful bidder will work under the supervision of a Council for Medical Schemes representative, abide by Council for Medical Schemes' Code of Conduct, and other organizational guidelines.
- 6.2. Kindly submit the following document:
  - **Valid and Original or Certified B-BBEE Status Level Verification Certificates issued by SANAS for Generic Companies with a total turnover of R 50 million and above.**

- Enterprise Medium Enterprise (EME's) with a total turnover below R 10 million and Qualifying Supplier Enterprise (QSE's) with a turnover of R 10 million to R 50 million may submit affidavit obtainable from Department of Trade and Industry (DTI) website.
- Original Valid Tax Clearance Certificate or SARS PIN Document.
- CIPC Document
- Complete the attached SBD 1, 4 and 6.1
- National Treasury Central Supplier Database Report

**SBD4  
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:

.....  
.....

<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.



### 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.
- 3.5. 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.
- 3.6. 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.
- 3.7. 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

<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.

## 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**

#### 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
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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:

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

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:

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

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—
- 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
  - 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)
a) Historically Disadvantaged Individuals	N/A	<b>5 Points:</b> <ul style="list-style-type: none"> <li>80% - 100% Black Owned – <b>5 Points</b></li> <li>50% - 79.99 Black Owned - <b>4 Points</b></li> <li>20% - 49.99% Black Owned <b>3 Points</b></li> <li>1% - 19.99 Black Owned - <b>1 Point</b></li> <li>Below 1% Black Owned - <b>0 Points</b></li> </ul>	N/A	
Size of the Company/ Enterprise	N/A	<b>3 Points:</b> <ul style="list-style-type: none"> <li>Exempted Medium Enterprise- <b>3 Points</b></li> </ul>	N/A	

		<ul style="list-style-type: none"> <li>Qualifying Exempted Enterprise – <b>2 Points</b></li> <li>Generic Enterprise - <b>1 Point</b></li> </ul>		
Black Women Owned Enterprise	N/A	<b>5 Points:</b> <ul style="list-style-type: none"> <li>75% - 100% Black Women Owned - <b>5 Points</b></li> <li>51% - 74,99% Black Women Owned – <b>3 Points</b></li> <li>1% - 50,99% Black Women Owned - <b>1 Point</b></li> <li>Below 1% Black Owned Women-<b>0 Point</b></li> </ul>	N/A	
Ownership by People with Disabilities	N/A	<b>3 Points:</b> <ul style="list-style-type: none"> <li>75% - 100% Ownership by People with Disabilities – <b>3 Points</b></li> <li>51% - 74,99% Ownership by People with Disabilities - <b>2 Points</b></li> <li>1% - 50,99% Ownership by People with Disabilities - <b>1 Point</b></li> <li>Below 1% Ownership by People with Disabilities-- <b>0 Point</b></li> </ul>	N/A	
Ownership by Youth (under 35 years)	N/A	<b>4 Points:</b> <ul style="list-style-type: none"> <li>75% - 100% Ownership by Youth- <b>4 Points</b></li> <li>51% - 74,99% Ownership by Youth-<b>3 Points</b></li> <li>20% - 50,99% Ownership by Youth-<b>2 Points</b></li> <li>1% - 19,99% Ownership by Youth-<b>1 Points</b></li> <li>Below 1% Ownership by Youth- <b>0 Points</b></li> </ul>	N/A	

#### DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety

- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses, or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders, and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

.....  
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: .....

DATE: .....

ADDRESS: .....

.....  
.....  
.....  
.....