



cooperative  
governance  
Department:  
Cooperative Governance  
REPUBLIC OF SOUTH AFRICA



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## MUNICIPAL INFRASTRUCTURE SUPPORT AGENT (MISA)

REFERENCE NO: MISA/HR/EHWM/012/2022/23

### APPOINTMENT OF A BIDDER TO PROVIDE EMPLOYEE HEALTH AND WELLNESS MANAGEMENT SERVICES AT MUNICIPAL INFRASTRUCTURE SUPPORT AGENT (MISA)

December 2022

<b>Beneficiary</b>	Municipal Infrastructure Support Agent
<b>Contact Person</b>	Ms. Lumka Tyikwe: 012 848 5325 or Lumka.tyikwe@misa.gov.za
<b>Postal Address</b>	1303 Heuwel Avenue, Riverside Office Park, Letaba House, Centurion 0046
<b>Project Name</b>	Appointment of a bidder to provide Employee Health and Wellness Management Services for the Municipal Infrastructure Support Agent (MISA).
<b>Reference No.</b>	<b>MISA/HR/EHWM/012/2022/23</b>
<b>Online Briefing Session Date</b>	12 December 2022 @ 10H00
<b>Closing Date and time</b>	20 January 2023 @11:00am

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## **1. INVITATION**

- 1.1 The Municipal Infrastructure Support Agent (MISA) intends to provide Employee Health and Wellness Management Services for the Municipal Infrastructure Support Agent (MISA).

## **2. DURATION**

- 2.1 The bidder is required to provide this service over a period of thirty-six (36) months. MISA may extend the duration at its discretion if necessary.

## **3. BACKGROUND**

- 3.1 The Municipal Infrastructure Support Agent (MISA) is a government component in terms of section 7(5)(c) of the Public Service Act, 1994 (promulgated under Proclamation No. 103 of 1994). It has been established under the executive authority of the Minister for Cooperative Governance and Traditional Affairs, with the Department of Cooperative Governance (DCoG) as its principal department. Accordingly, MISA operates within the department's broader legislative and policy mandates.

### **3.2. MISA's objectives are:**

- To support municipalities to effectively undertake Comprehensive Infrastructure Planning.
- To support municipalities to procure and develop their infrastructure effectively and efficiently.
- To support the management of (infrastructure) operations and ensure a proper maintenance programme for municipal infrastructure.
- To provide specialized technical and management support to municipalities to ensure accelerated delivery of municipal infrastructure and service provision.
- To develop and coordinate the strengthening of technical capacity in municipalities and within the sector as well as facilitate increased access to funding; and
- To monitor the efficiency, effectiveness and impact of infrastructure projects and support initiatives.

- 3.3. MISA is in the process of implementing an integrated health and wellness programme in line with the National Mental Health Policy Framework and Strategic Plan (2013 -2020), as proposed by the South African Government, to uphold and monitor wellness within the organization, for the promotion, prevention, and treatment of Mental Health Disorders.

## **4. OBJECTIVES**

- 4.1 MISA does not have, in its staff establishment, the capacity to undertake the employee health and wellness internally, and thus requires the services of a reputable Employee Health and Wellness Service Provider to assist therein.

- 4.2 The successful bidder is expected to make available at least four (4) resources to be

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accessible to MISA employees virtually and/or face-to-face as and when required for the duration of services. The resources must be registered counsellors and have the skill and capacity to provide the required services.

4.3 The integrated wellness programme should address and monitor the following key areas: -

- a) **Prevention of Harm** which requires support employee health and psychological wellbeing through the prevention of harm and identification of potential hazards.
- b) **Promotion of Health** to optimize health and psychological wellbeing, by encouraging a culture of wellness, inclusive of mind, body, and spirit.
- c) **Resolution of Occurrences or Harm** to support employee health and psychological wellbeing through the respectful resolution of occurrences or taking corrective action against potential harm.
- d) **Organizational Culture** to promote a work environment of psychological wellbeing by monitoring employee engagement and perception of the workplace.
- e) **Sustainability & Continual Improvement** to assesses the work environment on a continual basis to improve employees' psychological wellbeing.

4.4 Proposed fees with detailed cost breakdown must be quoted for the different levels of resources to be made available clearly stating rates of each team member.

## 5. SCOPE OF WORK

The successful bidder is expected to provide Employee Health and Wellness programmes aligned to the DPSA Employee Health and Wellness Strategic Framework to alleviate and assist in eliminating workplace and workforce problems by providing supportive, diagnostic, referral, and counselling treatment services to MISA employees covering the following areas: These services include:

SERVICES	TYPE OF SERVICE
5.1 Face-to-face and telephone counselling.	24/7 access to services by employees
5.2 referral for psychological symptoms or mental health disorders (e.g., depression, stress, anxiety).	referrals as per the cases identified
5.3 marital or family-related issues.	counselling sessions
5.4 legal and financial problems.	1 workshop/ information session conducted per annum for employees
5.5 catastrophic medical problems (e.g., AIDS, Cancer, COVID-19, Substance Abuse).	counselling sessions
5.6 pre-retirement planning needs.	annual session for qualifying employees
5.7 career-related difficulties.	assessments conducted for employees
5.8 organisational effectiveness and development programmes.	assessments relating to effectiveness and development programmes conducted per employee category
5.9 management skills on Emotional Intelligence (EQ)	workshops conducted for management (4 interventions per annum)
5.10 nurse on-site for employee wellness check-up including tests for glucose, cholesterol, BMI, Blood pressure, etc.	Conducted on a quarterly basis

## **6. PROJECT OUTPUT AND OUTCOMES**

- 6.1 The service provider will be expected to provide the following to the satisfaction of MISA:
- a) Physical Wellness (Individual) – promotion of physical activity, good nutrition, healthy sleeping, management of substance abuse and awareness and wellness education
  - b) Psycho-social Wellness (Individual) – stress management, substance abuse management, economic/ financial stress management and counselling services.
  - c) Organisational Wellness – management of workplace interpersonal relations (bullying), change management and
  - d) Work Life Balance – introduction of flexible policies, retirement programme, financial and legal services/ sessions and mainstreaming of gender, disability, and youth into wellness programme.
- 6.2 The Service Provider will be expected to produce detailed monthly reports detailing how each service category has been utilised as per the set MISA service standards including recommendations on where MISA management needs to intervene.
- 6.3 A record of engagements with MISA staff and stakeholders.
- 6.4 Further, it is expected that all data, information, reports, and any other documents required by MISA management relating to services rendered will be made available by the Service Provider at any point in time subject to prior proper arrangement.
- 6.5 The bidders will outsource other professional services that are not psychology related with relevant service providers, for example financial and legal sessions that will be conducted for employees.
- 6.6 The resources made available by the service provider must be able to travel to all sites where MISA offers support throughout the country. All cost related to travelling and accommodation will be the expense of MISA. Kilometres claimed will be paid at prevailing government rates. All travel must be prior approved by MISA.

## **7. PROJECT MANAGEMENT**

The MISA Project Manager is the Director: Human Resource Management & Development.

## **8. TECHNICAL PROPOSAL**

Bidders must be able to provide detailed project plans/ proposal and be able to demonstrate programmes they have developed in relations to all aspects as mentioned above.

- 8.1 A company profile that highlights experience in providing employee wellness services.
- 8.2 At least three client reference letters of similar projects undertaken by the company in a medium to large complex organisation, preferably public sector.
- 8.3 Team leader's curriculum vitae showing experience in Employee Health and

Wellness and Counselling services, as well as copies of a tertiary qualification in the field of Clinical Psychology and Counselling or related equivalent tertiary qualifications and professional registration with the HPCSA.

- 8.4 Curriculum vitae of three (3) additional resources with relevant experience in Counselling, Employee Health, and wellness services, as well as copies of a tertiary qualification in the field of Psychology and Counselling or related equivalent tertiary qualifications and professional registration with the HPCSA.

## **9. FINANCIAL PROPOSAL**

- 9.1 Complete the pricing schedule attached below and transfer the information therein to the relevant SBD forms.
- 9.2 The pricing schedule must include all costs involved including but not limited to, costs for specialists, logistical costs and the bidder must indicate discount price and any special conditions attached to the discount and price offer where applicable.

## **10. EVALUATION CRITERIA**

Bids are invited based on submission of proposal and will be evaluated in three stages, namely pre-qualification, functionality, price and B-BEEE.

**NB: Bidders (as well as each member of JV or consortium or partnership agreement) must submit proof of registration with the National Treasury's centralised supplier database Bidders must ensure that they are registered on the CSD before bid closing date and before they submit bid proposals.**

### **10.1 STAGE 1 – PRE-QUALIFICATION**

#### **Mandatory documents**

- 10.1.1 Partnership agreements (if a bidder has a partnership agreement in place that enables the partnership to automatically continue to function in the event of a death or withdrawal of one of the partners)
- 10.1.2 Completed and appropriately signed SBD forms: SBD 3.3 and SBD 4.

All bids will be pre-qualified to ensure compliance to mandatory requirements. Should the mandatory requirements as stated above not be met, bids will be considered as non-responsive and will be disqualified.

#### **Non-mandatory Documents**

- 10.1.3 Company Profile
- 10.1.4 BBBEE Certificate
- 10.1.5 SARS Tax Clearance Certificate or Pin verification code together with copy of tax clearance certificate (Verification will be done by MISA with SARS prior to appointment)

## 10.2 STAGE 2 - FUNCTIONALITY EVALUATION

10.2.1 The following criteria and weights will be applied when bids are evaluated on functionality:

	REQUIRED COMPETENCIES	POINTS
1.	<b>Company Experience:</b> A minimum of five (5) years' experience is required in providing similar services with minimum three (3) projects handled supported by reference letters from contactable and verifiable references on the company's letterhead  <b>Experience:</b> Less than 5 years = 0 5 years = 5 Above 5 - 8 years = 7 Above 8 years = 10  <b>Projects:</b> Less than 3 projects = 0 Between 3 and 5 projects = 5 More than 5 projects = 10	20
2.	<b>Team Leader</b> <b>Qualification</b> Degree / Honours Degree / Post Graduate Diploma / Master's Degree in Clinical and Counselling Psychology <ul style="list-style-type: none"> <li>• Degree / B- Tech = 1 points</li> <li>• Honours Degree = 3 points</li> <li>• Master's degree and above = 5 points</li> </ul>	5
	<b>Experience</b> No. of years' experience in field of Clinical and/or Counselling Psychology as mental health wellness specialist at supervisory level: <ul style="list-style-type: none"> <li>Less than 5 years = 0 points</li> <li>5 years = 2 points</li> <li>Above 5 but less than 10 years = 5 points</li> <li>10 years but less than 15 years = 7 points</li> <li>15 years and above = 10 points</li> </ul>	10
3.	<b>Resource 1</b> <b>Qualifications</b> Degree / Honours Degree / Postgraduate Diploma/ Master's Degree in Clinical and Counselling Psychology and proof of registration with HPCSA Degree and proof of registration with HPCSA = 1 points Hons Degree/ Postgraduate Diploma and proof of registration with HPCSA = 3 points	5

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	<b>Master's Degree and proof of registration with HPCSA</b> <b>= 5 points</b>	
	<b>Experience</b> <b>No. of years' experience in field of Clinical and/or Counselling Psychology as Mental Health Wellness Specialists:</b> Less than 5years = 0 points 5 years = 3 points Above 5 but less than 10 years = 5 points 10 years but less than 15 years = 7 points 15 years and above = 10 points	10
<b>4.</b>	<b>Resource 2</b>	
	<b>Qualifications</b> <b>Degree / Honours Degree / Postgraduate Diploma/ Master's Degree in Clinical and Counselling Psychology and proof of registration with HPCSA</b>  Degree and proof of registration with HPCSA = 1 points Hons Degree/ Postgraduate Diploma and proof of registration with HPCSA = 3 points Master's Degree and proof of registration with HPCSA = 5 points	5
	<b>Experience</b> <b>No. of years' experience in field of Clinical and/or Counselling Psychology as Mental Health Wellness Specialists:</b>  Less than 5years = 0 points 5 years = 3 points Above 5 but less than 10 years = 5 points 10 years but less than 15 years = 7 points 15 years and above = 10 points	10
<b>5.</b>	<b>Resource 3</b>	
	<b>Qualifications</b> <b>Degree / Honours Degree / Postgraduate Diploma/ Master's Degree in Clinical and Counselling Psychology and proof of registration with HPCSA</b>  Degree and proof of registration with HPCSA = 1 points Hons Degree/ Postgraduate Diploma and proof of registration with HPCSA = 3 points Master's Degree and proof of registration with HPCSA = 5 points	5
	<b>Experience</b> <b>No. of years' experience in field of Clinical and/or Counselling Psychology as Mental Health Wellness Specialists:</b>  Less than 5years = 0 points 5 years = 3 points Above 5 but less than 10 years = 5 points 10 years but less than 15 years = 7 points 15 years and above = 10 points	10

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<b>6.</b>	<b>Project Plan/ Proposal:</b> The project plan/ proposal should cover aspects as listed in paragraph 4.3 and 6.1 above as well as the DPSA Employee Health and Wellness Strategic Framework. <ul style="list-style-type: none"> <li>• Psychological and Emotional Wellness = 3points</li> <li>• Physical Wellness = 3 points</li> <li>• HIV/AIDS Management = 3 points</li> <li>• Drug and alcohol management = 3 points</li> <li>• Work-life Balance = 2points</li> <li>• Reporting = 3 points</li> <li>• Organisational effectiveness and development programmes = 3 points</li> </ul>	<b>20</b>
	<b>TOTAL =</b>	<b>100</b>

### 10.2.2 FUNCTIONALITY

Service providers need to score a minimum of **70 points** on functionality to go through to price and BEE evaluation.

### 10.3 STAGE 3 - PRICE AND BBEE

#### Points for B-BBEE Status Level of Contribution ( $P_p$ )

Maximum of **20 points** are allocated for Preferential Procurement Goal. Preference point must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

<b>B-BBEE Status Level of Contributor</b>	<b>Number of point (80/20 system)</b>
<b>1</b>	<b>20</b>
<b>2</b>	<b>18</b>
<b>3</b>	<b>16</b>
<b>4</b>	<b>12</b>
<b>5</b>	<b>8</b>
<b>6</b>	<b>6</b>

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<b>B-BBEE Status Level of Contributor</b>	<b>Number of point (80/20 system)</b>
<b>7</b>	<b>4</b>
<b>8</b>	<b>2</b>
<b>Non-compliant contributor</b>	<b>0</b>

### **Points for Bid Price ( $P_s$ )**

Maximum of 80 points are allocated to Bid Price on the following basis:

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

Where,

- $P_s$  = Points scored for comparative price of the Bid under consideration
- $P_t$  = Comparative price of the Bid under consideration
- $P_{\min}$  = Comparative price of lowest qualified Bid

A tenderer may not be awarded points for B-BBEE status level of contributor if the tender documents indicate that the tenderer intends subcontracting more than 25% of the value of the contract to any other person not qualifying for at least the points that the tenderer qualifies for, unless the intended subcontractor is an EME that has the capability to execute the subcontract.

## **11. MISA'S RIGHTS**

- 11.1 MISA reserves the right to cancel this bid in whole or in part, at its sole discretion, at any time before the Agreement is fully executed.
- 11.2 This Bid does not commit MISA to award an Agreement, to pay any costs incurred by bidders in the preparation of their proposals submitted in response to this Bid, or to procure or contract for services.
- 11.3 MISA reserves the right to conduct vetting and verify the validity of all certificates submitted by bidders.
- 11.4. MISA will reject any proposal as non-responsive that does not provide evidence of the specified mandatory requirements. MISA may or may not request additional information and clarification during the evaluation process from any or all bidders regarding their proposals

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- 11.5 MISA reserves the right to request the company's latest audited financial statement to ascertain financial stability of the bidder prior to the award of the bid.

## **12. REPORTING**

- 12.1. The appointed bidder will report to the appointed Project Manager of MISA. The detailed reporting requirements will be provided to the successful bidder during the contract negotiation and project inception.
- 12.2. The bidder must submit a written report to the MISA Project Manager on specific problems, recommendations, improvement methods, work programmes, personnel turnover, tenants' complaints, remedial actions taken and all other matter relating to provision of security services.

## **13. PAYMENTS**

- 13.1. MISA does not pay any amount in advance. Only original signed invoices must be submitted for payments. The bidder will be paid within **30** days after receipt of valid invoice, when the services have been fully rendered to the satisfaction of MISA, and this done by means of electronic transfer directly into the bidder's bank account.

## **14. BRIEFING SESSION (NON-COMPULSORY)**

- 14.1. Bidders are invited to attend a non-compulsory briefing session that will be held online. Briefing session link shall be made available on the Briefing session date and time. The online briefing session will be held on the **12 December 2022 @10H00**

## **15. SUBMISSION OF PROPOSALS**

- 15.1. The Tender Documents will be made available on [www.misa.gov.za](http://www.misa.gov.za) and will be uploaded on the e-Tender Portal. The Tender Documents are not for sale and will also not be emailed to bidders. The Tender Documents must also include a soft copy ( Memory Stick - all in PDF Format) of the proposal, and to reach MISA offices before **11:00 on the 20 January 2023** and must be enclosed in a sealed envelope clearly inscribed on the outside:

**BID REFERENCE NUMBER: MISA/HR/EHWM/012/2022/23**

**CLOSING DATE AND TIME: the 20 January 2023**

- 15.2. Tender documents are to be submitted to MISA Reception and deposited in the tender box at MISA Offices, Letaba House, 1303 Heuwel Road, Riverside Office Park, Centurion, 0046.
- 15.3. No late submissions will be considered under any circumstances.

## **16. PERIOD FOR ACCEPTANCE OF PROPOSALS**

- 16.1. To allow for adequate evaluation, MISA requires a response to this bid to be valid and irrevocable for 90 days after closing date and time.

## **17. COMMUNICATION WITH MISA OFFICIALS**

- 17.1. Bidders and their representatives may not communicate with MISA officials except in writing. Bidders and their representatives must communicate in the manner set forth in this Bid. There shall be no communication with MISA officials except as may be reasonably necessary to carry out the procedures specified in this Bid. Nothing herein prohibits bidders and their representatives from making oral statements or presentations in public to one or more MISA officials during a public meeting.

## **18. CONFIDENTIALITY**

- 18.1 All responses to this Bid become property of MISA and submissions after closing of bid may be subject to public inspection and disclosure in accordance with the MISA SCM Policy and provisions of applicable legislation.

## **19. QUESTIONS AND REQUESTS FOR CLARIFICATIONS**

- 19.1 Bidders must carefully examine the bid documents and in the event of doubt of anything contained in the documents. All enquiries should be made at the briefing session and can also be made in writing five (5) working days before the closing date of the Bid. For queries, please contact the following person:

Ms. L. Tyikwe

E-mail: [lumka.tyikwe@misa.gov.za](mailto:lumka.tyikwe@misa.gov.za)

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### Pricing Schedule

Deliverables	Quantity	Rate Yr1	Rate Yr2	Rate Yr3	Total Price
7face-to-face/telephone with employee and/or immediate family members/ per employee	Rate per 1 hour session				
Referral for psychological assistance per incident/per employee	Referral fee/ per employee/ per assistance				
Legal and financial workshops	Rate per workshop per annum				
Catastrophic specialist counselling services (HIV/Dread Diseases, Substance abuse)	Rate 1 hour per session				
Pre-retirement planning session per employee	Rate per employee				
Career-related difficulties	Rate per employee				
Management skills training	Rate per workshop				
Battery tests conducted for SMS	Rate per test				
Retainer fee for services	Rate per employees/per month				
Reporting indicating employee usage of services	Rate per report (monthly reports)				
Total disbursements					
VAT					
<b>GRAND TOTAL</b>					

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**PRICING SCHEDULE**  
(Professional Services)

NAME OF BIDDER: ..... BID NO.: MISA/HR/EHWM/012/2022/23

CLOSING TIME 11:00

CLOSING DATE: .....

OFFER TO BE VALID FOR ..... DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
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1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

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3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION

HOURLY RATE

DAILY RATE

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5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

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R.....

..... days

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..... days

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED

RATE

QUANTITY

AMOUNT

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R.....

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R.....

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R.....

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R.....

TOTAL: R.....

\*\* "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance contributions and skills development levies.

Name of Bidder: .....

- 5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
TOTAL: R.....			

6. Period required for commencement with project after acceptance of bid  
.....
7. Estimated man-days for completion of project  
.....
8. Are the rates quoted firm for the full period of contract?  
\*YES/NO
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.  
.....  
.....  
.....

\*[DELETE IF NOT APPLICABLE]

Any enquiries regarding bidding procedures may be directed to the –

(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:

Or for technical information –

(INSERT NAME OF CONTACT PERSON)

Tel:

## 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 Institution	State

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

<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.



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

<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.

**SBD4**

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 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- 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

- a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the ..... preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

POINTS	
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

## 2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **"functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **"price"** includes all applicable taxes less all unconditional discounts;
- (h) **"proof of B-BBEE status level of contributor"** means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **"QSE"** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 4. POINTS AWARDED FOR PRICE

#### 4.1 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

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

Where

- $Ps$  = Points scored for price of bid under consideration
- $Pt$  = Price of bid under consideration
- $P_{min}$  = Price of lowest acceptable bid

### 4.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME-GENERATING PROCUREMENT

#### 4.3 POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:  
80/20 or 90/10

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

Where

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

## 5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 5.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	8	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

## 6. BID DECLARATION

- 6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

### 7. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 7.1 B-BBEE Status Level of Contributor: ..... (maximum of 10 or 20 points)  
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

## 8. SUB-CONTRACTING

- 8.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES ☐ NO ☐

- 8.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE  
(Tick applicable box).

YES	NO
-----	----

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME ✓	QSE ✓
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

## 9. DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm:.....

9.2 VAT registration number.....

9.3 Company registration number.....

## 9.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

## 9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

## 9.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business:.....

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- IV) If the B-BBE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

#### WITNESSES

1. ....

2. ....

SIGNATURE(S) OF BIDDER(S)

DATE:

ADDRESS