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 Commission (NLC)
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NATIONAL LOTTERIES COMMISSION
APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE SECURITY SERVICES FOR THE
NATIONAL LOTTERIES COMMISSION EASTERN CAPE OFFICE FOR A PERIOD OF
TWELVE (12) MONTHS

BID PROCESS	BID REQUIREMENTS
Tender number	RFP/2022-077
Bid Advertisement Date	16 November 2022
Closing date and time	28 November 2022 <i>(South African Standard Time)</i>
Tender validity period	150 business working days <i>from the closing date</i>
Compulsory Briefing meeting	No compulsory briefing session
Site Inspection	Site inspection to be conducted to qualified bidders
Tenders are to be delivered to the following address on the stipulated closing date and time:	The bid document must be submitted via memory stick and handed in / delivered to: Eastern Cape Provincial Office The Senior Manager: Supply Chain & Facilities, National Lotteries Commission Eastern Cape Office, 7 Rochester Street Vincent East London 5200

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APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE SECURITY SERVICES FOR THE NATIONAL LOTTERIES COMMISSION EASTERN CAPE OFFICE FOR A PERIOD OF TWELVE (12) MONTHS

SECTION 1: BACKGROUND, OVERVIEW AND RFP SCOPE OF REQUIREMENTS

1. INTRODUCTION

The National Lotteries Commission (The Commission) is a public entity established in terms of Lotteries Act No. 57 of 1997, as amended to regulate the South African lotteries industry. The functions of the Commission can be divided into two categories, namely “regulation of National Lottery and other Lotteries” and “administration of the National Lottery Distribution Trust Fund (NLDTF)”.

The Distributing Agencies (DA's) who are appointed by the Minister of Trade & Industry are responsible for the adjudication of the funding applications as per the Lotteries Act and applicable Regulations.

2. BACKGROUND

In terms of the South African constitution and the Occupational Health and Safety Act, Act 85 of 1993, The National Lotteries Commission is required to ensure that there's a healthy and safe working places environment for its employees.

Chapter eight (8) of the Minimum Information Security Standards (MISS), 1996, requires of the National Lotteries Commission as a public entity to implement measures to control the physical access to the NLC premises.

In line with the requirements of the Public Finance Management Act (PFMA) No. 1 of 1999, as amended and Treasury Regulations, the NLC invites suitably qualified and experienced service providers to provide security services for the NLC Eastern Cape Office.

3. PURPOSE OF THE TERMS OF REFERENCE

The purpose of the terms of reference (TOR) is to appoint a suitably qualified and experienced service providers to provide physical security services for the NLC Eastern Cape Office for a period of twelve (12) months.

4. OBJECTIVES

The primary objective of this TOR is to appoint a service provider to provide twenty-four (24) hour security services to the NLC Eastern Cape Office.

5. SCOPE OF REQUIREMENTS

5.1 The scope of work entails the following duties:

- Enforcement of Section two (2) of the Control of Access to Public Premises and Vehicles Act, 1985 (Act 53 of 1985);
- Responsible for access control, guarding of premises, patrolling of premises;
- Recording and monitoring of all COVID 19 related activities;
- Escorting of VIPs and visitors i.e. bidders etc;
- Protection of personnel, property, visitors, personal belongings, NLC assets and NLC staff's personal belongings;
- Protection of visitors and their personal belongings;
- Execute any other security functions;
- To record details of all individuals entering and exiting NLC premises and further record all incidents in an occurrence register and report such incidents to the Facilities; and
- Enforce NLC security policy, systems and procedures.

5.2 Security measures to conform with the provisions of MISS for Access Control regarding manning the physical systems as follows:

- The furnishing of identification; the declarations concerning hazardous objects,

- contents of any suitcase, briefcase, handbag, bag, etc.; electronic examination; and
- The handing over of any object for examination or custody that may be required as a prerequisite for effective access control.

5.3 Security Services Requirements

5.3.1 Day Shift: Weekdays, Weekend and Public Holidays

	Description	Quantity
1.	Grade C Unarmed Security Officer	1
2.	Grade C Unarmed Security Officer – CCTV System operator	1

5.3.2 Night Shift: Weekdays, Weekend/ and Public Holidays

	Location	Quantity
1.	Grade C Unarmed Security Officer	1
2.	Grade B Unarmed Security Officer / CCTV System Operator	1

5.3.3 Equipment and security essentials required:

Bidders are required to comply with local content for designated sectors per shift as follows:

	Security tools	Quantity	Minimum threshold for local content
1.	Handheld metal detectors	2	N/A
2.	Batons	2	N/A
3.	Handcuffs	2	N/A

4.	Portable two-way radios	2	60%
5.	Battery operated/rechargeable torches	2	30%
6.	Patrol System (Inclusive of Active Patrol, Communication and Panic Devices linked to Control Room)	1	N/A
7.	Clothing and Shoes - Security Uniform (formal shirt and pants; tie and/or blazer; appropriate shoes)	4	100%

5.3.4 Uniform

- Security officers must always be clad in their corporate uniform i.e. formal shirt and pants; tie and/or blazer; appropriate shoes; and
- Coveralls/jumpsuits and/or combat clothing will not be accepted.

5.3.5 Essential security requirements

In addition to other requirements in this document, the following will also be required:

- Security officers should demonstrate good proficiency in English.
- Security officers must practice professionalism when on duty at the NLC and adhere to the NLC Security Policy, Systems and Procedures.
- The bidder and security officers must always respect the Rules, Laws, Regulations and Constitution of South Africa.
- Security officers to work with the CCTV system must have the relevant skills, knowledge and expertise to monitor and analyze the CCTV Surveillance System. Proof of training will be requested.
- All Grade C security officers must be capable to operate and analyze X-RAY scanner machines. Proof of training will be requested.
- Bidder to render services at NLC must provide a health and safety plan and bidder code of conduct and ensure adherence by all security officers.
- Bidder to render services at NLC must provide a backup communication system

to be used during emergency for direct contact with the base station (in the form of cell phones, radios etc.).

- Criminal records checks and security screening will be done on both the Bidder Director(s) and security officers deployed at the NLC at least twice in a year. If found to be involved in criminal activities, such directors/officers will not be allowed to work at the NLC.

6. DELIVERABLES

Deliverable for this service is to provide a twenty-four (24) hour, seven days a week, incident reporting, four (4) security guards at NLC Eastern Cape Office.

7. REPORTING REQUIREMENTS

The service provider will report to the Provincial Manager: Eastern Cape Provincial Office.

8. DURATION OF THE PROJECT

The expected duration of the contract is Twelve (12) months after the signing of the service level agreement (SLA).

RFP FOR KIMBERLEY (NC) OFFICE SECURITY SERVICES

REQUEST FOR PRICE PROPOSALS FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE SECURITY SERVICES FOR THE NATIONAL LOTTERIES COMMISSION EASTERN CAPE OFFICE FOR A PERIOD OF TWELVE (12) MONTHS

SECTION 2: NOTICE TO BIDDERS

1. Terms and conditions of Request for Proposals (RFP)

- 1.1 This document may contain confidential information that is the property of the NLC.
- 1.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFP without prior written permission from the NLC.
- 1.3 All copyright and intellectual property herein vests with the NLC.
- 1.4 Late and incomplete submissions will not be accepted.
- 1.5 No services must be rendered, or goods delivered before an official NLC Purchase Order form has been received.
- 1.6 This RFP will be evaluated in terms of the 80/20 preference point system prescribed by the Preferential Procurement Regulations, 2017.
- 1.7 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.
- 1.8 Suppliers must provide their CSD registration number (and attach a CSD Summary report) and ensure that their tax matters are compliant.
- 1.9 All questions regarding this RFP must be forwarded to Mildred.Nkadameng@nlcsa.org.za no later than within three days of the RFP closing date.
- 1.10 All bidders must declare local content.
- 1.11 Any supplier who has reasons to believe that the RFP specification is based on a specific brand must inform the NLC via the email addressed in 1.9.

2. General rules and instructions

2.1 News and press releases.

- 2.1.1 Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, the NLC.

2.2 Precedence of documents

- 2.2.1 This RFP consists of a number of sections. Where there is a contradiction in terms between the clauses, phrases, words, stipulations or terms and herein referred to generally as stipulations in this RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this RFP shall take precedence.
- 2.2.2 Where this RFP is silent on any matter, the relevant stipulations addressing such matter, and which appear in the PPPFA shall take precedence. Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that the NLC may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by the NLC.
- 2.2.3 It is acknowledged that all stipulations in the PPPFA are not equally applicable to all matters addressed in this RFP. It, however, remains the exclusive domain and election of the NLC as to which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of the NLC in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the Bidder(s). The Bidder(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

2.3 Preferential procurement reform.

- 2.4 The NLC supports B-BBEE as an essential ingredient of its business. In accordance with government policy, the NLC insists that the private sector demonstrates its commitment and track record to B-BBEE in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices (SMME Development) etc.

- 2.5 The shall apply the principles of the Preferential Procurement Policy Framework Act, (Act

No. 5 of 2000) to this proposal read together with the Preferential No. 5 of 2000) to this proposal read together with the Preferential Procurement Regulations published in Government Notice No.32 in Government Gazette No. 40553 dated 20 January 2017("the Preferential Procurement Regulations, 2017").

2.6 National Industrial Participation Programme

2.7 The Industrial Participation policy, which was endorsed by Cabinet on 30 April 1997, is applicable to contracts that have an imported content. The NIP is obligatory and therefore must be complied with. Bidders are required to sign and submit the Standard Bidding Document (SBD).

2.8 Language

2.8.1 Bids shall be submitted in English.

2.9 Gender

2.9.1 Any word implying any gender shall be interpreted to imply all other genders.

2.10 Headings

2.10.1 Headings are incorporated into this RFP document and submitted in response thereto, for ease of reference only and shall not form part thereof for any purpose of interpretation or for any other purpose.

2.11 Occupational Injuries and Diseases Act 13 of 1993

2.11.1 The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFP and/ or subsequent agreement. the NLC reserves the right to request the Bidder to submit documentary proof of the Bidder's registration and "good standing" with the Compensation Fund, or similar proof acceptable to the NLC.

2.12 Processing of the Bidder's Personal Information

- 2.12.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFP is collected and processed for the purpose of assessing the content of its tender proposal and awarding the bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation including the PPPFA read with the Preferential Procurement Regulations, 2017. The Bidder is advised that Bidder Personal Information may be passed on to third-parties to whom the NLC is compelled by law to provide such information. For example, where appropriate, the NLC is compelled to submit information to National Treasury's Database of Restricted Suppliers.
- 2.12.2 All Personal Information collected will be processed in accordance with POPIA and with the NLC Data Privacy Policy.
- 2.12.3 The following persons will have access to the Personal Information collected:
- 2.12.3.1 The NLC personnel participating in procurement/award procedures; and
- 2.12.3.2 . Members of the public: within seven working days from the time the bid is awarded, the following information will have to be made available on National Treasury's e-Tender portal:
- 2.12.3.2.1 contract description and bid number.
 - 2.12.3.2.2 names of the successful bidder(s) and preference points claimed.
 - 2.12.3.2.3 the contract price(s) (if possible);
 - 2.12.3.2.4 contract period.
 - 2.12.3.2.5 names of directors; and
 - 2.12.3.2.6 date of completion/award.
- 2.12.4 The NLC will ensure that the rights of the Bidder and of its employees and representatives (i.e. the right of access and the right to rectify) are effectively guaranteed in accordance with the procedures as specified in the NLC PAIA manual.
- 2.12.5 In signing this document, the Bidder consents to the use of its Personal Information for the purposes as specified in section 2.9.1 above.

3. Formal Briefing Session

There will be no compulsory briefing session.

4. Site Inspection

Site inspection to be conducted only to qualified bidders after technical evaluation process.

5. **Validity Period**

- 5.1 The NLC requires a validity period of 150 [one hundred and fifty] Business Days [from closing date] against this RFP. [28 November 2022]
- 5.2 Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions, if the internal evaluation process are not finalized within the validity period.

6. **National Treasury's Central Supplier Database**

- 6.1 Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.
- 6.2 The NLC may not award business to a bidder who has failed to register on the CSD.
- 6.3 Only foreign suppliers with no local registered entity need not register on the CSD.
- 6.4 The CSD can be accessed at <https://secure.csd.gov.za/>

7. **Confidentiality**

- 7.1 Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding.
- 7.2 The NLC reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.
- 7.3 The Bidder acknowledges that it will obtain and have access to personal information of The NLC and agrees that it shall only process the information disclosed by the NLC in terms of this bid award and only for the purposes as detailed in this RFP and in accordance with any applicable law.
- 7.4 The Bidder shall notify the NLC in writing of any unauthorized access to personal information and the information of a third party, through cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such

8. **Prices**

- 8.1 All services' pricing should be inclusive of all taxes etc. and payment shall be made in South African Rand.
- 8.2 Bidders are required to use the pricing schedule available as "*Annexure 1*" for the prices in line with PSIRA rates.

9. Communication

- 9.1 Specific queries relating to this RFP should be submitted Mildred.Nkadameng@nlcsa.org.za, (**no submission on this email**) before the closing date.
- 9.2 In the interest of fairness and transparency the NLC's response to such a query may be made available to other bidders.
- 9.3 It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the NLC in respect of this RFP between the closing date and the date of the award of the business.
- 9.4 Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

Section 3: EVALUATION CRITERIA

The NLC will evaluate all proposals in terms of the Preferential Procurement Regulation of 2017 and Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). The six (6) phase evaluation criteria will be considered in evaluating the proposals, being

Stage 1: Tender Closing and Opening

1.1 Tender closing details

The deadline for Tender submission is 28 November 2022 at 11:00 Standard South African Time. Any late tenders will not be accepted. Tenders are to be submitted to the NLC Tender Box at the following physical address:

National Lotteries Commission
7 Rochester Street
Vincent
East London
5200

1.2 Bid Formats

Bid submissions must be submitted in a PDF format that is protected from any modifications, deletions, or additions.

Financial/pricing information must be presented in a separate attachment from the Technical/Functional Response information. The onus is on the Bidder to ensure that all mandatory and required documents are included in the electronic submission.

Submissions must be prominently marked with the full details of the tender namely Bidder's Name, Tender No and Tender Title.

Stage 2: Administrative and Mandatory Compliance

1. Administrative Compliance

Bidders are required to submit the required documents for administrative compliance.

The Administrative Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Document
1. Returnable documents (standard bidding documents) and/or schedules were completed, duly signed by the authorized person. Bid must be neatly packed and indexed.	Bid Proposal; Standard Bidding Document (SBD 1, 3.1, & 6.1) Forms & Pricing Schedule
2. Signed consent form in terms of the Protection of Personal Information Act 4 of 2013 (POPIA) (Consent Forms Attached to the Bid as part of the SBDs).	Signed POPIA Consent Form
3. Submission of electronic bid document in a form of universal serial bus (USB) will be accepted. Due to COVID 19, no hand delivery of physical documents will be accepted. Only electronic bid document submitted on/or before the closing date and time will be submitted	USB only (in an envelope clearly marked with contact details and company name)
4. Full central Supplier Database (CSD) report with a compliant status	Valid CSD report
5. Company registration certificate	Certified CK certificate
6. List of company directors with ID numbers	Annexure
7. Whether the Bid proposal was submitted on time	Tender Submission Register

2. Mandatory Compliance

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation

Evaluation Criteria	Supporting Document
1. Proof of full and valid accreditation with the Private Security Industry Regulator Authority (PSIRA) for the Firm and Director	Valid Certified PSIRA Accreditation Certificate for the firm and the director.
2. A valid letter of PSIRA good standing	Valid Certified PSIRA Letter of Good Standing
3. Bidder must be an EME or QSE in terms of the BBBEE Code of Good Conduct which is 51% black owned	Valid BEE Certificate/Sworn Affidavit
4. A valid letter of good standing from the Compensation Commissioner (COIDA)	Valid Certified COIDA Registration Certificate
5. A valid public liability insurance cover of a minimum of R 2 million rand.	Valid Copy of the public liability insurance cover
6. Fully completed local content declaration	SBD 6.2
7. Fully completed bidders disclosure	SBD 4

Stage 3: Technical evaluation

The evaluation for the Technical and Functional threshold will include the following:

Category & Criteria Description	Weightings (%)	Scoring Matrix (0 to 5)
1. Company Experience and expertise	25%	
1.1 Witten reference letters Provide written reference letters for the security services previously performed from contactable existing / recent clients (public / private sector) within the past 5 years. References should be presented in a form of a written letter on an official letterhead from clients where similar services (security services) have been provided, the date on the letters must not be older than five (5) years and must be signed. Letters must include the company name, contact name, address, phone number, duration of contract, value of the contract, a brief description of the services that you provided. Multiple reference letters from the same organization will be regarded as one.	15%	- No reference letters = 0 - 1 reference letter for security services = 1 - 2 reference letters for security services = 2 - 3 reference letters for security services = 3 - 4 reference letters for security services = 4 - 5 reference letters and above for security services = 5
1.2 Company experience: company profile The bidder must provide details of work of a similar nature (security services) undertaken by the bidder within the previous years, and bidder must have a minimum is three (3) of experience. Specific details must be given to indicate the extent to which these previous experiences relate to the work described in the TOR. Bidders are required to submit their company profile that contains the entity's organizational structure, its size, staff complement, infrastructure, location, experience and achievements.	10%	- No information provided = 0 Point. - Company profile with relevant company experience in security services for 1 – 3 years = 2 - Company profile with relevant company experience in security

The bidder must demonstrate that they have the capacity to render the required service by submitting a company profile detailing core staff, their experience in security services and achievements that were successfully completed within the past years, relevant to the project.		services for 3 – 5 years = 3 - Company profile with relevant company experience security services for 5 – 7 years = 4 - Company profile with relevant experience in security services for 7 years and above = 5
2. Capacity and ability to deliver the security services	40%	
Considers the technical and professional skills of the project team. Abridged Curriculum Vitae (CV) of personnel involved with the implementation of the project, not longer than one page each, shall be included in an Appendix. Bidder must have a minimum is three (3) of experience. 2.1 Core team Abridged CV (1 Page) of the proposed team of security officers must be submitted together with the bid.	10%	- No Experience = 0 - 1 - 2 years of combined experience in security services = 1 - 2 – 3 years of combined experience in security services = 2 - 3 – 4 years of combined experience in security services = 3 - 4 - 5 years of experience in security services = 4 - More than 5 years' experience in security services = 5

2.2 Office Location Bidders are required to provide with proof of office location. Proof should be in a form of municipal bill/lease agreement/ councilor's letter of residential confirmation/letter from the traditional headman/leader in case of rural residence.	10%	- More than 250 km or Outside Eastern Cape Province = 1 - 100 km – 250 km = 2 - 50 km – 100 km radius = 3 - Within 50 km radius from site = 5
2.3 Incident management Describe how emergencies/incidents, strikes, requests, changes and staff leave/absenteeism will be handled.	20%	- Poor incident / No information provided = 0 - Fair/average incident management proposed = 2 - Good incident management proposed = 3 - Excellent incident management proposed = 5
3. Project Plan	15%	-

Considers the responsiveness to the TOR, the level of detail in the proposal, attention to project management and innovative approaches and ideas. Respondent's responsiveness to and understanding of the assignment (methodology and proposed work plan). 3.1 Project Plan (service execution) The service provider is required to provide a detailed plan depicting how the services will be delivered to the NLC. The bidder must provide a detailed project plan that specifically addresses the following 5 factors: - Project schedule; - Risk assessment; - Process workflows; - Crisis management; - Reporting lines between bidder and NLC in terms of contractual obligations).	15%	- No plan provided = 0 - The bidder provides the project plan including 1 factor with poor project plan proposed = 1 - The bidder provides with the project plan including 2 – 3 factors with average project plan proposed = 2 - The bidder provides with the project plan including 3 factors with fair project plan proposed = 3 - The bidder provides with the project plan including 4 factors with good project plan proposed = 4 - The bidder provides with the project plan including 5 factors with excellent project plan = 5
4. Site Visit	20%	
Site inspection to be conducted to bidders that scored the total points of 50 or more on the above technical criteria1, 2 & 3. Bidders are required to demonstrate compliance during site inspection the fully functional office, fully equipped operational control room, lock away strong room for guns and ammunition, uniform and storeroom. Maximum of 20% points for demonstration during site inspection as follows: - Operational Security Control Room (5); - Operational and functional safety for		Assessment to be completed during site inspection to all qualified bidders that scored 50 % and above

equipment (5); - Uniform (5); and - Vehicles (5). Only bidders that scored the total of 50 points or more on technical criteria 1, 2, and 3 above will qualify for this phase (site inspection).		
Total Weighting:	100	
Minimum qualifying score required:	70	

Stage 4: Pricing and B-BBEE comparatives (SEPARATE USB)

The evaluation for Pricing and B-BBEE will include the following

Evaluation Criteria	Final Weighted Scores
Price The following formula will be used to calculate the points out of 80 for price in respect of a tender with a Rand value equal to or above R30 000 and up to a Rand value of R50 million, inclusive of all applicable taxes: $P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$ Where: P_s = Score for the Bid under consideration P_t = Price of Bid under consideration P_{min} = Price of lowest acceptable Bid	80

B-BBEE - Scorecard

The following table will be used to calculate the score out of 20 for BBEE level status as evidenced by the certificate or sworn affidavit

20

B-BBEE Status Level of Contributor	Number of Points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant Contributor	0

TOTAL SCORE: 100**Stage 5: Due Diligence**

The NLC reserves the right to undertake a due diligence exercise on the preferred bidder/s as part of a material risk evaluation aimed at determining to its satisfaction, the validity of the information provided by the Bidder. Such exercise shall be fully documented and may include, but need not be limited to, all or any combination of the following:

- a) Physical inspection of the Bidder's offices, branches or other places
- b) Verification of accuracy, correctness and authenticity of information provided
- c) Validation of extent of compliance to the RFP requirements and evaluation criteria based on what has so far been found by the evaluation team
- d) Inquiry and reference checking with National Treasury Restricted Suppliers
- e) Inquiry and reference checking with previous clients on the performance on on-going or contracts completed, including physical inspections of previous works, as necessary.
- f) Financial Stability Assessments

Stage 6: Contract and Award

The stage is for negotiation after receipt of formal tenders and before the conclusion of contracts with suppliers/contractors submitting the lowest acceptable tender with a view to obtaining an improvement in price, delivery or content, in circumstances which do not put other tenderers at a disadvantage or affect adversely their confidence or trust in the competitive system. Bidders may be requested to provide their best and final offers based on contract negotiations.

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	RFP/2022-077	CLOSING DATE:	28 NOVEMBER 2022	CLOSING TIME:	11H00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE SECURITY SERVICES FOR THE NATIONAL LOTTERIES COMMISSION EASTERN CAPE OFFICE FOR A PERIOD OF TWELVE (12) MONTHS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS):					
National Lotteries Commission					
7 Rochester Street					
Vincent					
EAST LONDON					
5200					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mildred Nkadameng		CONTACT PERSON	Khayaletu Ncwana	
TELEPHONE NUMBER	012 432 1320		TELEPHONE NUMBER	012 432 1494	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	Mildred.Nkadameng@nlcsa.org.za		E-MAIL ADDRESS	khaya@nlcsa.org.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				☐ YES ☐ NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				☐ YES ☐ NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				☐ YES ☐ NO	

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....



ANNEXURE 1

PRICING SCHEDULE: APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE SECURITY SERVICES FOR THE NATIONAL LOTTERIES COMMISSION EASTERN CAPE OFFICE.

RFP/2022 - 077

Name of bidder.....

Please provide prices (VAT Inclusive) for the appointment of a service provider for provision of security services for the National Lotteries Commission NC Office. For comparative purposes, bidders are requested to quote according to the table below:

Description		
	Monthly Security Fee (VAT Inclusive)	Annual Security Fee (VAT Inclusive)
1. Grade C Unarmed Security Officers x 1: Day Shift from Monday until Friday		

Pricing Schedule:



ANNEXURE 1

2. Grade C Unarmed Security Officer and CCTV System Operator x 1: Day Shift from Monday until Friday		
3. Grade C Unarmed Security Officers x 1: Night Shift from Monday - Friday and Day & Night Shifts during Public Holidays and Weekends.		
4. Grade C Unarmed Security Officer and CCTV System Operator x 1: Night Shift from Monday - Friday and Day & Night Shifts during Public Holidays and Weekends.		
4. Security Management Fee Bidders are required to include the company commission in dealing with the management of security services, administration, and provision for replacement (stand-by) of security officer/s during absenteeism during day and night shifts.		
Total Annual Security Fees (Vat Inclusive)	 (A)	



ANNEXURE 1

****NO HIDDEN COSTS WILL BE ACCEPTED**

.....

Name of representative

.....

Signature

.....

Date

Pricing Schedule:



BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise,
employed by the state? **YES/NO**

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of institution	State

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

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 consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

- 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.

.....

.....

Signature

Date

.....

.....

...

Position

Name of bidder

SBD 6.1

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 not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or

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:

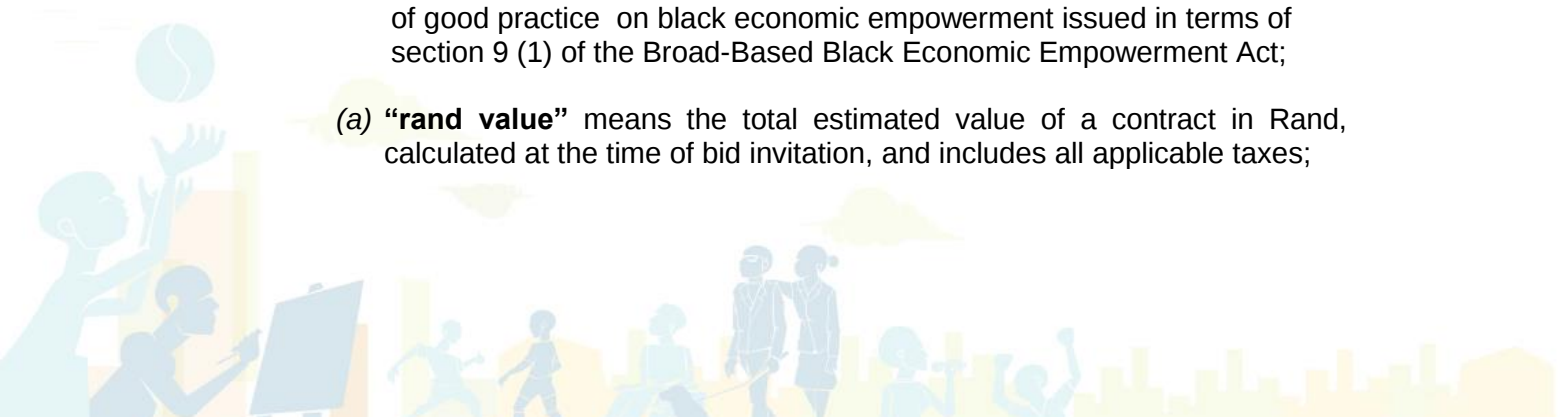
	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

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) **“prices”** 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;
- (a) **“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. POINTS AWARDED FOR PRICE

3.1 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

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

$P_{\min}$ = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 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:

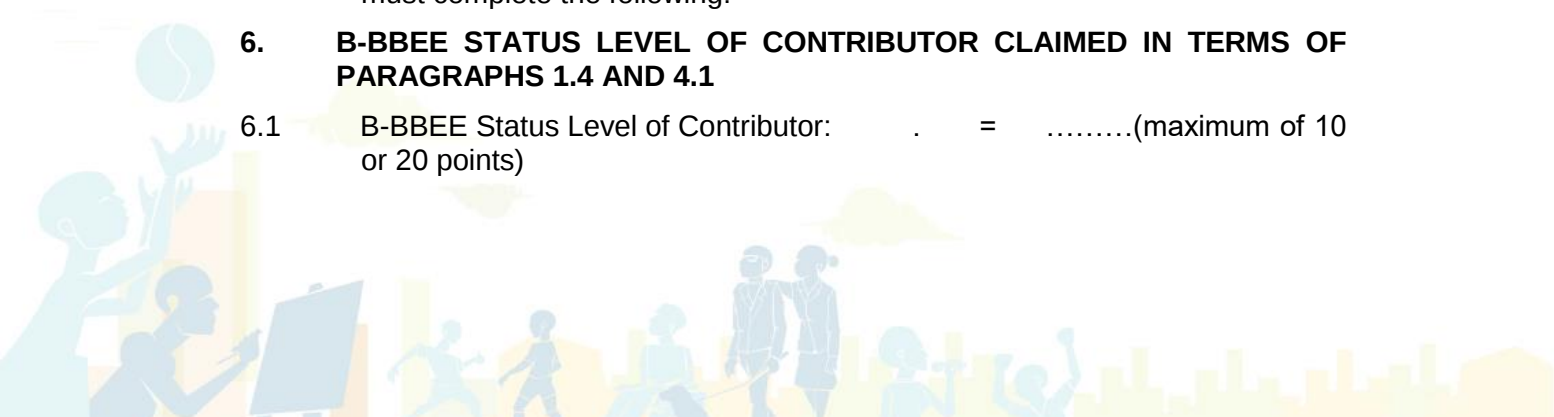
B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

6.1 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.

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 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		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....



8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
 - ☐ One person business/sole propriety
 - ☐ Close corporation
 - ☐ Company
 - ☐ (Pty) Limited
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

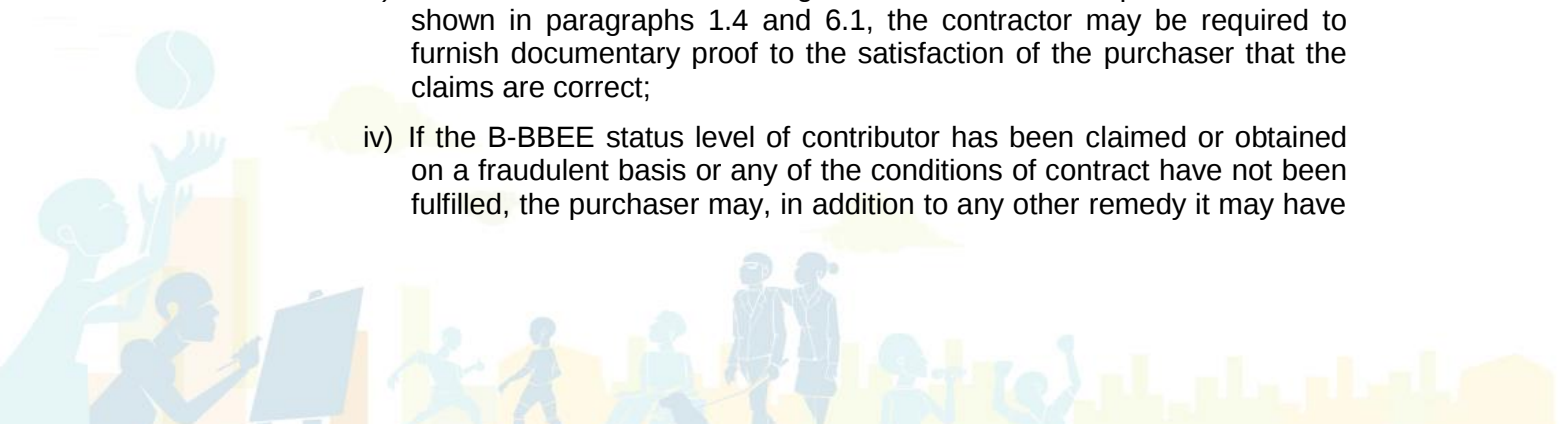
8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
 - ☐ Supplier
 - ☐ Professional service provider
 - ☐ Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

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

8.8 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-BBEE 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 BIDDERS(S)

DATE:

ADDRESS

.....
.....





DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011, the National Lotteries Commission (NLC) approved technical specification number **RFP/2022-077** (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two-stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such

a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.

- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the NLC approved technical specification number **RFP/2022-077** as follows:

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

Where

x is the imported content in Rand

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

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

The NLC approved technical specification number RFP/2022-077 is accessible on <http://www.nlcsa.org.za>. at no cost.

1.6 A bid may be disqualified if –

- (a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and
- (b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

2. Definitions

2.1. **“bid”** includes written price quotations, advertised competitive bids or proposals;

2.2. **“bid price”** price offered by the bidder, excluding value added tax (VAT);

2.3. **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;

2.4. **“designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;

2.5. **“duly sign”** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).

2.6. **“imported content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour or intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;

- 2.7. **“local content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.8. **“stipulated minimum threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.
3. **The stipulated minimum threshold(s) for local production and content (refer to Annex A of RFP/2022-077 for this bid is/are as follows:**

Description of services, works or goods

Stipulated minimum threshold

_____	_____ %
_____	_____ %
_____	_____ %

4. Does any portion of the services, works or goods offered have any imported content?

(Tick applicable box)

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

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

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

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of (RFP/2022-077):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

5. Were the Local Content Declaration Templates (Annex C, D and E) audited and certified

as correct?

(Tick applicable box)

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

5.1. If yes, provide the following particulars:

- (a) Full name of auditor:
- (b) Practice number:
- (c) Telephone and cell number:
- (d) Email address:

(Documentary proof regarding the declaration will, when required, be submitted to the satisfaction of the Accounting Officer / Accounting Authority)

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

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF NLC RFP/2022-077)

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

IN RESPECT OF BID NO.

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

.....

NB

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrial-development/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

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

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that:

(i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of **RFP/2022-077**; and

(ii) the declaration templates have been audited and certified to be correct.

(c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of **RFP/2022-077**, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)

R

Imported content (x), as calculated in terms of RFP/2022-077	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of RFP/2022-077	

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

The local content percentages for each product has been calculated using the formula given in clause 3 of RFP/2022-077, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of **RFP/2022-077**

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in **RFP/2022-077** may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1_

DATE: _____

WITNESS No. 2

DATE:



SCM: **CONSENT** **REQUEST FORM**

REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF PROCUREMENT OF GOODS AND SERVICES APPLICATION, IN LINE WITH THE NLC's SUPPLY CHAIN MANAGEMENT POLICY, IN TERMS OF SECTION 11(1)(a) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.4 OF 2013) ("**POPIA**").

TO: _____

FROM: _____

ADDRESS: _____

Contact number: _____

Email address: _____

PART A

1. In terms of the PROTECTION OF PERSONAL INFORMATION ACT, consent for processing of personal information of a data subject (the person/entity to whom personal information relates) must be obtained for the purpose of processing of application for procurement of goods and services, in line with the NLC's supply chain management policy, and storage of your personal data by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMSs or e-mail, which is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by us (NLC). After you have indicated your wishes in Part B,

you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.

2. "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—
 - 2.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 2.2 dissemination by means of transmission, distribution or making available in any other form; or
 - 2.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.
3. "Personal information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—
 - 3.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
 - 3.2 information relating to the education or the medical, financial, criminal or employment history of the person;
 - 3.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
 - 3.4 the biometric information of the person;
 - 3.5 the personal opinions, views or preferences of the person;
 - 3.6 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;
 - 3.7 the views or opinions of another individual about the person; and
 - 3.8 the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about

the person.

Full names of the designated person on behalf of the Responsible Party

Signature of Designation person

PART B

I, _____ (full names), duly authorized, hereby:
Consent to the processing of my/our personal information for the application of
procurement of goods and services, in line with the NLC supply chain management
policy, in terms of section 11(1)(a) of POPIA.

SPECIFY GOODS AND SERVICES (Edit/Click on services not required):

- ☐ Product Information
- ☐ Product Updates
- ☐ Industry Newsletters
- ☐ Price Changes

Method of Communication will be via: Email/Postal

- ☐ Give my consent.

By Ticking the next box, I am aware that I am Digitally Signing this Consent
request Form:

☐

Full Name:

Date:

WITHDRAWAL OF CONSENT ONCE GIVEN

You may withdraw your consent at any time.

Write or email us at the address above, advising us of your consent withdrawal