

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE COMMUNITY SCHEMES OMBUD SERVICE					
BID NUMBER:	RFQ019-2023	CLOSING DATE: 6 JUNE 2023		CLOSING TIME:	16:00 PM
DESCRIPTION	THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING FOR MANAGERS ON HOW TO INITIATE AND CHAIR DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)				
BID RESPONSE DOCUMENTS MAY BE SENT TO THE EMAIL ADDRESS BELOW:					
quotations@csos.org.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Jabulile Sithole		CONTACT PERSON	Rapula Tisane	
TELEPHONE NUMBER	(010) 593 0533/066 302 5937		TELEPHONE NUMBER	(010) 593 0533/ 083 603 3218	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	Jabulile.Sithole@csos.org.za		E-MAIL ADDRESS	Rapula.Tisane@csos.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] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?					<input type="checkbox"/>

YES ☐ 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 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:

**APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING FOR MANAGERS ON HOW TO
INITIATE AND CHAIR DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)**



REQUEST FOR QUOTATIONS (RFQ)

**APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING FOR MANAGERS ON
HOW TO INITIATE AND CHAIR DISCIPLINARY HEARINGS TO THE COMMUNITY
SCHEMES OMBUD SERVICE**

MAY 2023

1. TERMS AND CONDITIONS

This Request for Quotation (RFQ) has been compiled by the CSOS and is made available to Bidders subject to the following terms and conditions, which Bidders are deemed to acknowledge and accept:

- 1.1. A Bid submitted in response to this RFP will constitute a binding offer which will remain binding and irrevocable for a period of ninety (90) days from the date of submission to the CSOS.
- 1.2. Unless or until a binding contract is concluded between the CSOS and the successful Bidder, the offer constituted by the Bid will be deemed not to have been accepted and no agreement will be deemed to be reached with any Bidder.
- 1.3. The CSOS reserves the right to amend, modify, withdraw, or terminate this RFP or any of the requirements set out herein at any time (and from time to time), without prior notice and without liability to compensate or reimburse any Bidder or person.
- 1.4. Should this RFP be amended, the CSOS undertakes to publicize or send each Bidder in writing the amended RFP. No oral amendments by the Bidder or the CSOS shall be considered.
- 1.5. It is compulsory for a Bidder submitting a bid to be registered on the National Treasury's Central Supplier Database ("the CSD") and ensure that it remains registered for the duration of the services and/or contract, if successful.
- 1.6. The Bidder needs to ensure that it is tax compliant at the time of submitting its Bid and remains tax compliant for the duration of the contract and/or services, if successful, and undertakes to provide supporting documentation issued by the South African Revenue Services ("SARS") confirming it is tax compliant upon request by the CSOS.

APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING FOR MANAGERS ON HOW TO INITIATE AND CHAIR DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)

- 1.7. The CSOS reserves the right to conduct site inspections or call for supporting documentation in order to confirm any information provided by a Bidder in its response to this Bid.
- 1.8. This RFP is not intended to form the basis of a decision to enter into any transaction with the CSOS and does not constitute an offer or recommendation to enter into such transaction, or an intention to enter into any legal relationship with any person.
- 1.9. Neither the CSOS or any of its respective directors, officers, employees, agents, representatives, or advisors will assume any responsibility for any costs or expenses incurred by any party in or associated with preparing or submitting a Bid in response to this RFP.
- 1.10. No entity may be involved, whether directly or indirectly, in more than one Bid in response to this RFP. Failure to comply with this requirement may, within the sole discretion of the CSOS, result in disqualification of the relevant entity.
- 1.11. Any material changes in the control and/or composition of any Bidder or any core member of a Bidder after submission of a Bid, shall be brought to the attention of the CSOS Supply Chain Management (“SCM”) Section in writing. The CSOS shall be the sole arbiter as to what constitutes a material change in the control and/or composition of any Bidder and may in its sole discretion disqualify the Bidder from any further participation in the bid process.
- 1.12. Any requirement set out in this RFP which stipulates the form and/or content of any aspect of a Bid, is stipulated for the sole benefit of the CSOS, and unless the contrary is expressed, may be waived by the CSOS in its sole discretion at any stage in the bid process.
- 1.13. The CSOS and its advisors shall rely on a Bid as being accurate and complete in relation to the information and proposals provided therein by the Bidders.

APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING FOR MANAGERS ON HOW TO INITIATE AND CHAIR DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)

- 1.14. All Bids submitted to CSOS shall become the property of the CSOS and will not be returned to the Bidders. The CSOS will make all reasonable efforts to maintain information contained in proposals in confidence.
- 1.15. A Bid submitted by the Bidder shall be considered irregular if it shows any omissions or irregularities of any kind. However, the CSOS reserves the right to waive any irregularities and to make an award in the best interest of the organization.
- 1.16. The CSOS reserves the right to accept or reject in part or whole any Bid submitted, and to waive any technicalities if this is in the best interest of the organization.
- 1.17. The CSOS reserves the right to require a Bidder to provide a formal presentation of its RFP at a date and time to be determined by the CSOS. The CSOS shall provide adequate instructions and clarification regarding the purpose and scope of the presentation. All expenses shall be borne by the Bidder.
- 1.18. In this RFP, the words “service provider”, “supplier” will be used interchangeably to refer to the Bidder.
- 1.19. All costs associated with the preparation and submission of the Bid remain the responsibility of the Bidder. The costs shall not be chargeable to the CSOS by the successful or unsuccessful Bidder.
- 1.20. All Bids must be formulated and submitted in accordance with the requirements of this RFP.
- 1.21. Bids received after the closing date and time as specified in this RFP shall be rejected.

CONFIDENTIALITY AND INTELLECTUAL PROPERTY

- 1.22. All the produced documents are the property of CSOS.

**APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING FOR MANAGERS ON HOW TO
INITIATE AND CHAIR DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)**

- 1.23. The CSOS is not obliged to appoint a bidder with the lowest price if based on its sole discretion and assessment, the said bidder does not exhibit or demonstrate adequate capacity or full comprehension of the scope of work to be undertaken. In this regard, CSOS may appoint the second-ranked bidder provided that the reasons for such deviation are properly justified.

APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING FOR MANAGERS ON HOW TO INITIATE AND CHAIR DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)

INTRODUCTION

- 1.24. The Community Schemes Ombud Service (CSOS) is established in terms of the Community Scheme Ombud Service Act, 2011 [Act 9 of 2011) to regulate the conduct of parties within community schemes and to ensure their good governance. CSOS reports to the Minister of Human Settlement and is accountable to Parliament.
- 1.25. In order for CSOS to deliver on its mandate, key amongst other priorities of the organization is:
- 1.25.1. To regulate all community schemes in South Africa and part of our regulatory function entails the provision of dispute resolution services.
 - 1.25.2. To promote good governance of community schemes by developing and implementing appropriate guidelines to enhance stability and harmonious relations amongst the parties.
 - 1.25.3. To roll out massive educational campaigns to educate and train stakeholders within community schemes and the public at large.
 - 1.25.4. To enhance community schemes tenure as alternative tenure option.
 - 1.25.5. To develop and implement appropriate organisational systems, controls, and measures to enhance financial, economic, and organisational efficiency.
 - 1.25.6. The Community Schemes Ombud Service (CSOS) is an organisation with 251 approved positions on the organogram with a current staff complement of 196 employees as at the 15th of May 2023. It has three regional offices, Gauteng, Western Cape, and Kwa-Zulu Natal, with possible satellite office in Port Elizabeth and in Bloemfontein. The service provider should have a national footprint.

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2. SCOPE OF WORK

- 2.1 The bidder to facilitate two day workshop to CSOS line managers.
- 2.2 The bidder to provide training material for this workshop.
- 2.3 The training course must be conducted in a participative way, using simulations, role-plays case studies, videos, workbook activities and plenary discussions.
- 2.4 The workshop must be conducted at a venue organized by the CSOS.
- 2.5 The training must cater for at least 34 participants.
- 2.6 The bidder to take roll call at the beginning of each session in order to check participant's attendance.
- 2.7 The bidder to provide stationery to participants such as paper and pens.
- 2.8 The bidder to e furnish participants with a certificate of completion at the end of the training workshop

3. COURSE CONTENT

- 3.1 Fundamental premises that should apply to all disciplinary action include but not limited to:
 - Typical causes of disciplinary problems in a workplace.
 - The classification of transgressions relating to unacceptable conduct
 - Resignation to Avoid Dismissal (RTAD)
 - Initiating a disciplinary hearing, collecting evidence, preparing witnesses
 - Opening statements, closing arguments, presenting the evidence, cross-examining witnesses and redirecting
 - The impermissible splitting of charges, and independence of transgressions
 - Procedural and substantive fairness
 - The rules of evidence applicable to disciplinary hearings in the workplace
 - The admissibility of evidence, allegations, evidence and facts
 - Real evidence, admissions and confessions
 - Deciding the merits of the case on balance of probabilities
- 3.2 Managing Discipline Training / Initiating Disciplinary Hearings Training should be designed to achieve the following outcomes :
 - Ensure that Managers & Supervisors are competent to instill a culture of discipline within their teams.
 - Ensure that Managers & Supervisors are competent to issue counselling's and written warnings.

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- Ensure that indiscipline and poor performance are dealt with progressively, fairly and consistently.

3.3 Demonstrate main causes of indiscipline and poor performance – how to correct them:

- Poor communication
- Unclear procedures, standards and rules
- Middle Managers styles of leadership and control

3.4 Understanding the disciplinary code, and the procedures for performance and disciplinary meetings: counselling's, verbal warnings, written warnings, final written warnings.

3.5 The Service Provider will amongst others do the following, include but not limited to:

- How to carry out disciplinary and poor performance meetings, and issue the appropriate corrective processes and / or disciplinary warnings
- Role-play exercise on issuing a disciplinary warning for time-keeping
- Role-play exercise on issuing a counselling for poor performance
- Role-play exercise on issuing a written warning for poor performance
- Drafting a Performance Improvement Plan
- Setting up a date and time for review and follow up
- Initiating and leading evidence in disciplinary hearings

• Supply Chain Management Compliance requirements

- Bidders to attach the following SCM compliance requirements documents.

Documents required	Comply	Not Comply
Valid B-BBEE certificate issued by an accredited SANAS verification agency/Sworn Affidavit signed by the EME/QSE representative and attested by a Commissioner of Oath/B-BBEE certificate issued by the Companies and Intellectual Property Commission (CIPC).		
Proof of registration on the National Treasury Central Supplier Database (provide a full CSD report)		
Valid SARS tax pin/Tax compliance letter		

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Standard Bidding Document (SBD 1,3.3,4, &&6.1)		
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• Mandatory Requirement

- Bidders must comply with the following requirements in order to evaluated further on pricing and specific goals . Failure to comply with ALL the below requirements will result in your bid being disqualified.

Requirements	Comply	Not Comply
CV of the facilitator at least five (5) or more experience in the provision of Employee Relations.		
The service Provider must be accredited with any of the SETA's		
Provide at least three (3) contactable reference letter/s not older than three (3) to five (5) years on company letter head of similar work done		
The facilitator must have Labour Law or Human Capital degree qualification or similar qualification and a Masters degree will be an advantage		

3. REPORTING OBLIGATIONS

- 4.1 The appointed service provider will report to CSOS Project Manager, Mr. Rapula Tisane (Senior Specialist Employee Relations) as the designated CSOS representative.

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4. EXPERTISE REQUIRED

5.1 The successful service provider will be required to demonstrate skills, expertise and experience in the following areas:

- Experience in conducting Chairing and Initiating of a Disciplinary Hearings training.
- Over ten years' experience in Employee Relations, Human Resources and Organisational strategies.
- Excellent understanding of the public service environment.
- Excellent report writing and facilitation skills.

5.2 PROJECT MANAGER'S RESPONSIBILITIES

- The CSOS Project Manager's responsibilities will include:
- Providing the service provider with all appropriate documentation, advice and information pertinent to the success of this project.
- The CSOS has the right to terminate or suspend this appointment and shall notify the service provider in writing of any intention to do so and the reasons for termination.

SERVICE PROVIDER'S RESPONSIBILITIES

5.3.1 The service provider will, after signing an agreement/contract, conduct the full scope of work for the CSOS.

5.3.2 The bidders must undertake to abide by the CSOS' relevant policies, HR procedures and Code of Conduct whilst conducting the work on behalf of the CSOS.

5. Pricing Instruction

5.1. In order to facilitate a transparent selection process that allows equal opportunity to all bidders, CSOS has a Supply Chain Management policy that will be adhered to. Proposals will be evaluated in terms of the prevailing Supply Chain Management policy applicable to CSOS and it should be noted that proposals will be assessed using the 80/20 formula (preference points system) for Price and Specific goals as per the PPPFA 2022 Regulations and CSOS Preferential Procurement Policy.

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Criteria	Sub Criteria	SUBSTANTIATION	Weighting/Points
Price	Detailed budget breakdown	Attach quotation on the company letterhead as per pricing schedule	80
Specific Goals	<p>CSD report reflecting that company is at least 51% or more owned by black people for the below designated groups:</p> <ul style="list-style-type: none"> • Women and/or • Youth and/or • People living with disability and/or • Black people who are military veterans. 	Detailed (Full Registration) CSD Report	20
Total Points for Price Specific Goals			100

5.2. Pricing Schedule

#	Description	Qty	Rate per employee	Price
1.	Facilitation Fee	34	R	R
2.	Training Manual Fee	34	R	R
	Other (Bidder to specify)			
	Subtotal			
	VAT @15% (if applicable)			R
	Total inclusive of Vat			R

DISBURSEMENTS

The bidders are expected to assume the costs for their own travel and accommodation.

6. INSTRUCTIONS TO BIDDERS

6.1. TERMS AND CONDITIONS

6.1.1. CSOS reserves, under exceptional circumstances, the rights to extend the closing date. All proposals and all subsequent information received from bidders will not be returned.

6.1.2. The adjudication process does not represent a commitment on the part of the CSOS to proceed further with that proposal or of any other bidder.

6.2. CHANGES TO THIS RFQ DOCUMENT

6.2.1. CSOS reserves the right to make changes on this RFQ Document. All changes will be communicated to those entities that have responded to the RFQ. No reliance shall be placed on other information or comment from any other person.

6.3. CONFIDENTIALITY

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

6.4. OTHER MATTERS

6.4.1. CSOS reserves the right not to enter into any relationship and no correspondence pertaining to submissions will be entered into.

6.4.2. If CSOS does not accept any proposal, it will declare this RFQ call process closed and may then elect to:

6.4.2.1. Proceed on a completely different basis; and

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- 6.4.2.2. Not to appoint any respondent in the event it deems proposals not appropriate.
- 6.4.3. CSOS will not accept any responsibility for costs incurred by bidders in preparing and submitting proposals.
- 6.4.4. CSOS reserves the right to engage in processes to validate all claims made in the proposal.
- 6.5. PAYMENT STRUCTURE
 - 6.5.1. CSOS undertakes to pay in full within thirty (30) days, all valid claims for work done to its satisfaction upon presentation of a substantiated claim/invoice.
 - 6.5.2. Payments will only be made on the basis of the work completed (milestones/deliverables) as per the project implementation plan to be agreed at the inception of the project.
- 6.6. GENERAL
 - 6.6.1. It is important to note that the successful bidder will work under the supervision of a CSOS representative, abide by CSOS's Code of Conduct, and other organizational guidelines.

7. CONTACT DETAILS FOR INFORMATION

- 7.1. Further information regarding technical matters can be sent via email to Rapula Tisane: rapula.tisane@csos.org.za or Tel: 010 593 0533/ 083 603 3218
- 7.2. Further information regarding supply chain management matters can be send via email to Jabulile Sithole: Jabulile.Sithole@csos.org.za or at Tel: 010 593 0533/ 066 302 5937

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER:**BID**
NO: RFQ019-2023 THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING FOR MANAGERS ON HOW TO INITIATE AND CHAIR DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)

CLOSING TIME 6 JUNE 2023 at 16:00pm

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO TAX	DESCRIPTION	BID PRICE IN RSA CURRENCY INCLUSIVE OF <u>VALUE ADDED</u>
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DESCRIPTION: APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING FOR MANAGERS ON HOW TO INITIATE AND CHAIR DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)

- Services must be quoted in accordance with the attached terms of reference.

Total cost of the assignment (R inclusive VAT)

R.....

#	Description	Qty	Rate per employee	Price
1.	Facilitation Fee	34	R	R
2.	Training Manual Fee	34	R	R
	Other (Bidder to specify)			
	Subtotal			
	VAT @15% (if applicable)			R
	Total inclusive of Vat			R

Signature (Bidder)

Date

The financial proposal for this assignment should cover for all assignment activities as per terms of reference

2. Period required for commencement with project after acceptance of bid _____
- 3 Are the rates quoted firm for the full period? Yes/No
4. If not firm for the full period, provide details of the basis on which Adjustments will be applied for, for example consumer price index.

Technical enquiries regarding bidding procedures may be directed to:

Rapula Tisane

Tel: (010) 593 0533 / Cell : 083 603 3218

E-mail address: Rapula.Tisane@csos.org.za

Supply Chain queries may be directed to:

Jabulile Sithole

Cell: (010) 593 0533 /Cell: 066 302 5937

Email: jabulile.sithole@csos.org.za

PLEASE REFER TO THE ATTACHED TERMS OF REFERENCE FOR MORE INFORMATION.

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 State institution

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

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

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

2.2.1 If so, furnish particulars:

.....

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

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

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

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

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

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

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

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

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

.....
Signature	Date
.....
Position	Name of bidder

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

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

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

1. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the **80/20** preference point system.

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

		POINTS
PRICE		80
SPECIFIC GOALS	Detailed (Full Registration) CSD Report	20
Total points for Price and SPECIFIC GOALS		100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

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

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
EME OR QSE which is at least 51% black owned by: <ul style="list-style-type: none"> • Women and/or; • Youth and/or • People living with disabilities, and/or • Military veterans 	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

- (a) disqualify the person from the tendering process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

<p>.....</p> <p>SIGNATURE(S) OF TENDERER(S)</p>	
SURNAME AND NAME:
DATE:
ADDRESS:

