



in the footprints ...

NELSON MANDELA MUSEUM

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RFQ 42 of 2023:

REQUEST FOR QUOTATIONS FOR THE APPOINTMENT OF PROFESSIONAL SERVICE PROVIDER FOR THE DEVELOPMENT OF NELSON MANDELA MUSEUM HUMAN RESOURCES MANAGEMENT STRATEGY, THE REVIEW AND DEVELOPMENT OF HUMAN RESOURCE MANAGEMENT POLICIES, STANDARD OPERATING PROCEDURES (SOPs), INTEGRATED PERFORMANCE MANAGEMENT SYSTEM (INCLUDING PERFORMANCE CONTRACTS)

1. ASSIGNMENT OBJECTIVE

The objective of the assignment is to develop and review the existing Human Resources Management Policies and develop new and non-existing policies, procedures, integrated performance management systems, and strategies. These policies, procedures, and strategies will seek relevance and alignment with the continuously amended legislation and further assist Nelson Mandela Museum (NMM) in managing its human capital effectively.

2. BACKGROUND

The Nelson Mandela Museum is a not-for-profit institution established by the government of South Africa as an agency of the National Department of Sport, Arts and Culture (DSAC). It was established as part of a portfolio of legacy projects that seek to transform the heritage landscape from our apartheid past.

The mandate of the Nelson Mandela Museum (NMM) is to preserve and promote the legacy of Nelson Mandela, and one of its main strategic goals is to improve the museum's public profile and access. This mandate is executed through the museum's two main facilities, the Qunu Youth and Heritage Centre and the Bhunga Building in Mthatha CBD.

3. HUMAN RESOURCES MANAGEMENT BACKGROUND

NMM has 28 employees, which are all currently stationed at Bhunga Building, as the Qunu site is still under renovation. As an organization, the NMM needs to have HR Policies, Procedures and Strategies that will serve as a guide in the employment relationship. The Human Resource Unit, which is under the museum Corporate Services Department, is responsible for the recruitment and staff wellness of museum employees. The unit aims to retain staff through continuous training, develop the skills capacity of all staff and ensure that such trained staff is retained

by the museum. It also aims to harmonise relations between staff members and the management and ensures that a healthy working environment is created.

4. SCOPE OF WORK

The NMM Human Resource Management function has a directive to drive organisational effectiveness, alignment, culture change, team, and individual performance, staff engagement, and communication, as well as focussing on recruitment & selection initiatives, moving away from being an administrative and transactional function to a strategic business partner role.

The project scope entails the following:

- The project inception stage, which will include client briefing meetings, information collation to inform the document development stage and conclusion of a service level agreement. This stage will close in the development and submission of an inception report that details the professional service provider's (PSP's) understanding of the brief and a clear work plan to guide the project implementation;
- Once the inception report with the work plan has been approved by NMM, the project success plan (PSP) will commence with conducting analysis and assessment for the NMM.
- The information collected during the assessment will be analysed, compared against best practices. The reviewed and developed policies, procedures, plans and strategy should be in line with South African labours, legislation, and constitution.
- The service provider will be required to review the current policies and conduct workshops and/or training to present the identified gaps within the existing policies. Then after the review and development of new

- This will be closely followed by a project close-out in the form of a close-out report. The close-out report is meant to document the process followed in implementing the project as compared to the planned, the lessons learned, and recommendations for implementation and monitoring of the developed documents going forward.
- give employees/management awareness/advocacy.
- policies, procedures, plans, and strategy, a workshop and/or training to

4.1 Policies and Procedure

- Review all NMM Human Resources Policies and accompanying Standard Operating Procedures, including all HR-related documentation compared to best practices and labour legislation.
- Suggest and incorporate suitable revisions and inclusions in line with HR Strategy and ensure alignment with current trends or changes in legislation.
- Develop and benchmark policies against other national museums and institutions of the same nature

4.2 Human Resources Strategy

- Development of a sustainable, forward-looking strategy that is informed by the internal HR dynamics and NMM strategy, NMM policies & procedures, and relevant national strategies and legislation.
- Align HR strategy with prevailing South African Legislation and existing or desired internal policies.
- Develop a detailed monitoring and evaluation plan for the successful implementation of the HR strategy

4.3 Integrated Performance Management System

- Develop a performance management framework and process linking individual objectives to business unit objectives and NMM objectives, aligning with Remuneration Policy and Performance Management Policy.
- Assist in updating performance contracts of NMM employees.
- Provide training on the performance management framework and process, especially the setting of performance standards, performance contracting, giving and receiving feedback, and managing performance.

4.4 Following are the policies, procedures, and strategies that will need to be reviewed and developed;

NO.	POLICY NAME	Date Developed	LAST REVIEWED	FREQUENCY OF REVIEWAL
Current Human Resources Management Policies to be Reviewed				
1	Code of conduct and conflict resolution policy	2017/18	2019/20	3 years
2	Leave policy	2017/18	2020/21	3 years
3	Performance management policy	2017/18	2020/21	3 years
4	Recruitment and selection policy	2017/18	2019/20	3 years

NO.	POLICY NAME	Date Developed	LAST REVIEWED	OF REVIEWAL FREQUENCY
Current Human Resources Management Policies to be Reviewed				
5	Grievance policy and procedure	2020/21	2020/21	3 years
6	Conditions of Employment	2017/18	2019/20	3 years
7	Payroll Policy	2017/18	2019/20	3 years
8	Staff Retention Policy	2017/18	2019/20	3 years
9	Training & Professional Policy	2017/18	2019/20	3 years
10	Job Description policy	2022/23	2022/23	3 years
11	Remuneration policy	2022/23	2022/23	3 years
Human Resources Management Policies, Procedures and Strategy to be Developed				
12	Bursary and Study Aid policy	To be developed	n/a	n/a
13	Internship and Learnership policy	To be developed	n/a	n/a
14	Sexual Harassment policy	To be developed	n/a	n/a

NO.	POLICY NAME	Date Developed	LAST REVIEWED	FREQUENCY OF REVIEWAL
Current Human Resources Management Policies to be Reviewed				
15	Employee Wellness policy	To be developed	n/a	n/a
16	Induction policy and procedure	To be developed	n/a	n/a
17	HR Strategy	To be developed	n/a	n/a
18	HR Standard Operating Procedure	To be developed	n/a	n/a
19	Protection of Private Information (POPI) Policy	To be developed	n/a	n/a
20	Bereavement Policy & Procedure	To be developed	n/a	n/a

5. CONFIDENTIALITY OF DOCUMENTS

All produced documents, Reviewed HR Policies, Training Manuals and Standard Operating (SOPs), and any other documentation of the assignment must be completed and handed over to Nelson Mandela Museum-they remain property of NMM.

6. REQUIRED EXPERTISE, QUALIFICATIONS, AND EXPERIENCE

A service provider bidding for this assignment should demonstrate possession of the following required expertise, qualifications, and experience:

- Extensive experience in the development and implementation of HR Strategy, HR Operating Model, review and update of HR policies and sops.
- Resource with the requisite expertise to execute the scope of work and registration with any relevant HR Professional body and any relevant professional body;
- Extensive knowledge of South African labour legislations and prescripts and any other relevant prescripts.
- Extensive knowledge of the Protection of Personal Information Act.

Service providers must reflect the above in the form of a proposal to execute the assignment detailed in this TOR with a clear and eloquent approach and methodology.

7. TIMEFAMES

The appointed service provider will be expected to attend a detailed project briefing with the NMM soon after the appointment. Following the briefing, the service provider will be expected to produce a detailed work plan reflecting all the tasks necessary to complete the assignment and the corresponding timeframes. The assignment period of the envisaged service provider will be in line with the required period to complete the implementation of the project.

The performance of the appointed service will be reviewed monthly based on the approved work plan of the service provider. Should performance be below the required standard according to the work plan, the contract may be terminated through written notification. Adequate opportunities to improve performance will be provided to the service provider through written notices of poor performance.

The Service Provider is to submit a close-out report in the format provided by the NMM and all other developed documentation 20 working days before the last day of the assignment.

On appointment, the Service Provider is to liaise with the NMM to agree on the date for submission of the work plan.

8. ACCOUNTABILITY

The service provider will be accountable to and under the direction of the NMM: CEO in the performance of the assigned duties.

9. ASSIGNMENT COST

Payment for the assignment will be in progress based on the agreed stages of development and delivery of the entire project. The envisaged stages of the project are shown in the table below:

Stage	Description
1	Project Inception
2	Review of current and present gaps
3	Policies, plans, and strategy development
4	Presentation of Plans, Strategies, policies, and Procedures
5	Presentation of Performance Management system
6	Presentation and training on the developed documents and closeout

A detailed pricing schedule inclusive of professional fees, disbursements, and VAT must be provided by the service provider.

10. APPLICABLE PREFERENCE POINT ALLOCATION SYSTEM

Points for this shall be awarded for:

- (a) Price; and
- (b) Specific Goals.
- (c) Where 80 points will be allocated for price and 20 points allocated for specific goals

(1) The following specific goals are applicable to all procurements of a transaction value above R2 000 and up to R50 000 000

a. The NMM will utilize the following preference criteria ;

- i. Service providers within the OR Tambo region & Eastern Cape
- ii. Historically Disadvantaged Individuals (Women, Youth and People living with disabilities)
- iii. SMMEs

b.

Category	Sub-categories	Specific goals points	Verification documents
Local Supplier	OR Tambo	5	CIPC Registration Certificate (CK) or Proof of residence
	supplier		
	Eastern Cape	4	
	Supplier		
	Anywhere in South Africa	3	
	Non-South African	0	
	Black African	4	
	Women		
Women-owned	4		CIPC Registration

supplier		Non-Black African Women	2	Certificate (CK) and CSD Report
Youth Owned Supplier	4	Youth Owned (< 35-year-old persons)	4	CIPC Registration Certificate (CK) and CSD Report
		Non-Youth Ownership (> 35-year-old persons)	2	
People living with disabilities	3	People living with disabilities	3	CSD Report
Small Micro, Medium & Enterprises	4	SME – Owned by people with disability	4	CSD Report
		SME – Black owned	3	Sworn Affidavit (BBBEE Affidavit)
		SME – Other		

11. RETURABLE DOCUMENTS

Service providers are required to submit all the returnable documents together with their proposals. Failure to provide all the Compulsory Returnable Documents at the closing date and time of this RFP will result in a respondent's disqualification. Respondents are therefore urged to ensure that all these Documents are returned with their Proposals. Failure to submit the Supporting documents for functionality scoring will result in a scoring of zero.

Compulsory Returnable Documents

- Duly signed & completed SBD 1 Invitation to BID
- SBD 2 Tax Clearance Requirements
- Duly signed & completed SBD 3.3 Pricing Schedule
- Duly signed & completed SBD 4 Declaration of Interests form.
- Duly signed & completed SBD 6.1 Preference points claim form
- Duly signed & completed SBD 7.2 Contract Form (Rendering Services).
- General Conditions of Contract
- Duly signed & completed SBD 8 Declaration of Bidder's Past Supply Chain Management Practices.
- Duly signed & completed SBD 9 Certificate of Independent Bid Determination.
- Proof of CSD registration

Supporting Returnable Documents (for functionality scoring)

- Reference Letters
- Proof of qualifications
- Project plan & methodology

- Proof of registration with professional body

Essential Returnable Documents

Specific goals verification documents listed on the applicable preference point system below must be submitted to the NMM on or before the closing date and time ***(failure to submit on or before the closing date will result in an automatic score of zero for preference)***

12. EVALUATION CRITERIA

The bid will be evaluated and adjudicated using the 80/20 system (80 for functionality and 20 for Specific Goals). Functionality will be scored at a maximum of 100 points whereby the bidder must obtain a minimum of 70 points to qualify for the financial evaluation according to the following criteria:

Table 1 below shows the evaluation criteria to be used in evaluating the functionality of the bids.

Evaluation Criteria	Range	Score
1. Reference Letters	6 or more letters = 40 points	40
The service provider must have at least six (6) signed reference letters on the recommending company's letterhead (not older than 2 years). The recommendation MUST be in the development of HR Strategy, HR Operating Model, review and	5 letters= 25 points	
	4 letters= 20 points	
	3 letters=15 points	
	2 letters=10 points	

update of human resource (HR) policies, and Standard Operating Procedures (SOP's). Submission of purchase orders or appointment letters WILL NOT count. NB: Reference letters will ONLY be considered if the service provider rendered three (3) or more of the required services.	1 letter =5 points No letters submitted=0 points No reference letter(s) or irrelevant letters submitted = 0 points	
2. Expertise CV and Qualification(s): The team leader must be in possession of a Qualification in Human Resources Management or a relevant and CV with an experience in the development of HR Strategy, HR Operating Model, review and update of HR policies and Standard Operating Procedure. CV and Copy	Experience ▪ 3 or more years' experience = 10 points ▪ 2 years' experience = 5 points ▪ 1 years' experience = 3 points ▪ Less than 1 year to 0 experience =0 points	30

of Qualifications must be submitted. The service provider should make clear the relevant skills, experience, and capacity. The service provider must have adequate Experience and exposure.	Qualification ▪ NQF level 7 and above=10 points ▪ NQF level 6 = 5 points ▪ NQF level 5= 3 points ▪ NQF level 4= 2 points ▪ NQF level 3 and lower= 1 points ▪ No qualification = 0 points	
3. Project Plan and Methodology Project Plan and Methodology: Provide a project plan and methodology clearly articulating the stages of the required services and period of delivery with a project duration of two (2) months period. The service provider must explain the understanding of the objectives of this exercise, the approach, and the methodology for carrying out this exercise. The main activities of the exercise are the content and duration, phasing and interrelations, milestones, and delivery dates of the reports. The	▪ Excellent = 20 points ▪ Good = 15 points ▪ Poor = 10 points ▪ None= 0 points	20

proposed work plan should be consistent with the approach and methodology.	
4. Professional Registration Registration with Human Resources Professional body (e.g. South African Board of People Practices – SABPP)	■ Registered as Master HR Professional = 10 points ■ Registered as Chartered HR Professional = 8 points ■ Registered as HR Professional = 6 points ■ Registered as HR Associate = 4 points ■ Registered as HR Technician = 2 points ■ Registered as HR Candidate = 1 point ■ No Registration = 0 points
	10

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1. RFQ DOCUMENT SUBMISSION

- All quotations together with the compulsory and essential returnable documents must be forwarded to: supplychain@nelsonmandelamuseum.org.za
- Closing date for the submission of quotations is 13 September 2023 @ 12H00
- NO FAXED OR HAND DELIVERED QUOTATIONS SHALL BE ACCEPTED

2. DISCLAIMERS

The NMM is not committed to any course of action as a result of its issuance of this RFQ and/or its receipt of a Proposal in response to it. Please note that the NMM reserves the right to:

- modify the RFQ's service(s) and request Respondents to re-quote on any changes;
- reject any Quotation which does not conform to instructions and specifications which are detailed herein;
- disqualify Quotations submitted after the stated submission deadline;
- not necessarily accept the lowest priced bid;

3. ENQUIRIES

All communications and enquiries/requests for clarification relating to this RFQ should be directed to the contact person:



Vuyani Gweki Booi - CEO



NB: The NIM reserves the right to amend, modify or withdraw this RFQ at any time, without prior notice and without liability to compensate and/or reimburse any party.

HR Manager
Email: yoleka@nelsonmandelamuseum.org.za
Mrs Y Khumelwana
Supply Chain Specialist
Email: mihlali@nelsonmandelamuseum.org.za
Ms M Mputa



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SBD 1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE NELSON MANDELA MUSEUM

BID NUMBER:		CLOSING DATE:	
DESCRIPTION			

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

CORNER NELSON MANDELA DRIVE & OWEN STREET

MTHATHA

EASTERN CAPE

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

TCS PIN:

☐ Yes

☐ No

OR

CSD No:

B-BBEE STATUS
LEVEL SWORN
AFFIDAVIT

☐ Yes

☐ No

B-BBEE STATUS LEVEL VERIFICATION
CERTIFICATE
(TICK APPLICABLE BOX)

IF YES, WHO WAS THE CERTIFICATE
ISSUED BY?

AN ACCOUNTING OFFICER AS
CONTEMPLATED IN THE CLOSE
CORPORATION ACT (CCA) AND NAME
THE APPLICABLE IN THE TICK BOX

☐

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)

☐

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)

☐

A REGISTERED AUDITOR

NAME:

[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		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? ☐ Yes ☐ No		SIGNATURE OF BIDDER CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.) TOTAL NUMBER OF ITEMS OFFERED		BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO: TECHNICAL INFORMATION MAY BE DIRECTED TO:		DEPARTMENT/PUBLIC ENTITY CONTACT PERSON TELEPHONE NUMBER FACSIMILE NUMBER E-MAIL ADDRESS	
DATE		TOTAL BID PRICE (ALL INCLUSIVE)							

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 ONLINE
1.3.	BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.4.	WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.5.	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 LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA .
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / 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.
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1.	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES
	☐ NO
3.2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES
	☐ NO
3.3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES
	☐ NO
3.4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES
	☐ NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.	

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

1 In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.

2 SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.

3 The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.

4 In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.

5 Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.

6 Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.



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SBD 3.3

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER:

BID NO.:

CLOSING TIME 12:00

CLOSING DATE

OFFER TO BE VALID FORDAYS FROM THE CLOSING DATE OF BID.

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

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

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

4. PERSON AND POSITION HOURLY RATE DAILY RATE

R-----
R-----
R-----
R-----
R-----
R-----
R-----

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

days -----R-----
days -----R-----
days -----R-----
days -----R-----
days -----R-----
days -----R-----
days -----R-----

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

DESCRIPTION OF EXPENSE	RATE	AMOUNT

TOTAL: R.....

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

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

DESCRIPTION OF EXPENSE	RATE	AMOUNT

TOTAL: R.....

6. Period required for commencement with project after acceptance of bid

.....

7. Estimated man-days for completion of project

.....

8. Are the rates quoted firm for the full period of contract?
*YES/NO

9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.

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

[DELETE IF NOT APPLICABLE]

.....

51150451A3, 0113 50/SE145

1. PURPOSE OF THE FORM

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

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.

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.

Full Name	Identity Number	Name of Institution State

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, 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 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

.....
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.

Position

Name of bidder

SBD4



in the footsteps ...

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SBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

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

1.2 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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.

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = 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:

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

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{max} = 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

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

[illegible]

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/sale properly
Close corporation |

Partnership/Joint Venture / Consortium
One-person business/sole propriety
Close corporation

Public Company
Personal Liability Company
(Pty) Limited
Non-Profit Company
State Owned Company
[TICK APPLICABLE BOX]

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

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

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

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

- (i) Bidding documents, viz
- Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;

2. The following documents shall be deemed to form and be read and construed as part of this agreement:

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid .

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

CONTRACT FORM - RENDERING OF SERVICES

SBD 7.2

NELSON MANDELA MUSEUM
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in the footprints



- Declaration of bidder's past SCM practices;
- Certificate of Independent Bid Determination;
- Special Conditions of Contract;
- (ii) General Conditions of Contract; and
- (iii) Other (specify)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

SBD 7.2

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

as
accept your bid under reference number dated for the rendering of
services indicated hereunder and/or further specified in the annexure(s).

2. An official order indicating service delivery instructions is forthcoming.

3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)	B-BEE STATUS LEVEL OF CONTRIBUTION	COMPLETION DATE	PRICE (ALL APPLICABLE TAXES INCLUDED)	REMARKS OF SENDER

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT _____ ON _____

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

A large, empty rectangular box intended for an official stamp or seal.

WITNESSES

1

2

in the footprints

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DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	☐ Yes ☐ No	☐ Yes ☐ No

4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME).....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND
CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN
AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

Position

.....

Signature

.....

Name of Bidder

.....

Date

.....



in the footprints ...

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SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

- (a) has been requested to submit a bid in response to this bid invitation;
- (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

SBD 9

6. 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 consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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.

SBD 9

10. 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.

Signature	_____
Date	_____
Name of Bidder	_____

JS914w 2

SBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

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

1.2 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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	
SPECIFIC GOALS	
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:

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

80/20 or 90/10

Where

Ps = Points scored for price of tender under consideration

Price of tender under consideration = **Pt**

$$P_{min} = \text{Price of lowest acceptable tender}$$

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:

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

Where

- P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{max} = 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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)		

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One-person business/sole propriety

Close corporation

Public Company

Personal Liability Company

(Pty) Limited

Non-Profit Company

State Owned Company

[TICK APPLICABLE BOX]

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

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

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

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

