



## SOUTH AFRICAN TOURISM

### PART C: TENDER EVALUATION PROCESS - (SAT TENDER 272/24) PANEL OF RECRUITMENT SERVICE PROVIDERS

Summary of the Evaluation Phases (table below):

**Table 1: Evaluation Summary**

Phase 1 Administrative and Mandatory bid requirements	Phase 2 Functional Technical Evaluation	Phase 3 Price and Specific Goals
Bidders' responses will be evaluated based on Table 2 below.	<p>Bidder(s) are required to achieve a minimum threshold of 70 points (Phase 2) to proceed to Phase 3.</p> <p>The Tender/Evaluation Matrix Cross Reference: Service providers should reference the criteria to the portfolio of evidence in the bid proposal. – It is of vital importance that systematic scoring can be carried out.</p> <ul style="list-style-type: none"> <li>• Phase 2: Desktop technical, functional evaluation= 100 points:</li> <li>• A bidder must meet a minimum threshold of 70 points of desktop technical and functional evaluation, maximum of 10 highest scorers will be part of the Panel and will only be considered for Phase 3 during the contract period.</li> <li>• Failure to meet the minimum point threshold will result in disqualification in this phase.</li> </ul> <p><b>South African Tourism will appoint a maximum of ten service providers who are the highest scorer in Phase 2</b></p>	<p>The tender will be evaluated on the 80/20 preference points system. Preference points system (specific goals) based on the tender below R50 million.</p> <p>The highest-scoring bidder(s) will be appointed on price and preference points (specific goals).</p> <p><b>South African Tourism will appoint a maximum of ten service providers who are the highest scorer in Phase 2 to be part of the panel of recruitment agencies.</b></p>

#### Phase 1: Administrative and mandatory bid requirements

Without limiting the generality of South African Tourism's other critical requirements for this Bid, the bidder(s) must submit all the documents required.

All documents must be completed and signed by the duly authorised representative of the prospective bidder(s). During this phase, bidders' responses will be evaluated based on compliance with the listed administrative and mandatory bid requirements.

**Table 2: Phase 1 Evaluation**

Document that must be submitted	YES/NO	Non-submission may result in disqualification
Confirmation of valid Tax Status		Written confirmation that SARS may, on an ongoing basis during the tenure of the contract, disclose the bidder's tax compliance status. SARS Tax Compliance System Pin
Annexure A-Invitation (SBD 1)		Complete and sign the supplied pro forma document
Annexure B-Registration on Central Supplier Database (CSD)		All agencies, including proposed partner/subcontractor agencies must be registered as service provider on the National Treasury's Central Supplier Database (CSD). If you are not registered, proceed to complete the registration of your company prior to submitting your proposal. Visit <a href="https://secure.csd.gov.za/">https://secure.csd.gov.za/</a> to obtain your vendor number. Submit proof of registration.
Annexure E-Declaration of Interest - SBD 4)		Complete and sign the supplied pro forma document
Annexure D-Preferential Procurement SBD 6.1		Complete and sign the supplied pro forma document

**Phase 2: Desktop Functional Technical Evaluation = Weighting out of 100 basis points**

All bidders are required to respond to the technical evaluation criteria scorecard and provide information/portfolio of evidence that they unconditionally hold the available capacity, ability, experience, and qualified staff to provide the requisite business requirements to South African Tourism under this tender.

Bidders will need to achieve a minimum threshold of 70 points, and the maximum of 10 highest scorers will be part of the Panel. South African Tourism will use Phase 3 as the method of evaluation when the contract is in motion.

**Table 3: Phase 2 Evaluation**

FUNCTIONAL EVALUATION CRITERIA: (Point to be allocated as per the functional evaluation matrix below) Please refer to the detailed evaluation pointers under the scope of work shared above.	Value allocated	Reference page in submission
<b>Criteria 1: Company Experience</b> A company profile must be submitted, stipulating the number of years the company has been rendering permanent/temporary staffing services. The company must have been in existence for at least 5 years, rendering similar services 0 = Less than three reference letters and 5 years of experience 1 = Attach three reference letters and a minimum of 5 years' experience 2 = Attach four reference letters and a minimum of 5 years' experience 3 = Attach five reference letters and a minimum of 5 years' experience	35	

<p><b>Criteria 2: Agency Resources</b></p> <p>The service provider must provide the team structure and include three profiles/CVs, qualification of key personnel, and their experience in rendering permanent/temporary staffing services the key personnel must have a minimum of 5 years experience in permanent/temporary staffing.</p> <p>0 = Failure to submit Profile/CV of key personnel and less than five years of experience and irrelevant qualification</p> <p>1 = Five to Six years of experience and relevant qualification</p> <p>2 = Seven to Eight years of experience and relevant qualification</p> <p>3 = More than eight years of experience and relevant qualification</p>	15	
<p><b>Criteria 3: Methodology and Approach</b></p> <p>The service provider must demonstrate their understanding of the key requirements and expectations of South African Tourism as outlined in this document. This service provider must provide in detail the proposed approach, methodology, and tools (reference to recruitment systems / search engines etc) and how they will assist South African Tourism in achieving the objectives of this request. The service provider must provide an outline of the project deliverables, indicating key milestones and turnaround times.</p>	40	
<p><b>Criteria 4: Registered with the Association of Personnel Services Organization (APSO), South African Board of People Practice (SABPP), or similar recognized and relevant organization/institution and provide the certificate as proof. (Valid registrations only).</b></p>	10	
<b>TOTAL OF PHASE 2 A</b>	<b>100</b>	

- Bid proposals will be evaluated strictly according to the bid evaluation criteria stipulated in this section.
- Bidders must submit supportive documentation for all functional requirements as part of their bid documents as indicated in the Terms of Reference.
- The panel responsible for scoring the respective bids will evaluate and score all bids based on information presented in the proposals in line with the RFP.
- The score for functionality will be calculated in terms of the table below, where each Bid Evaluation Committee (BEC) member will rate each criterion on the bid evaluation score sheet using the below Table 4 of the value scale/matrix:

**Table 4: Functional Evaluation Matrix**

Rating	Definition	Score
Excellent	Exceeds the requirement. Exceptional demonstration by the supplier of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods /	3

	services. Response identifies factors that will offer potential value, with supporting evidence.	
<b>Good</b>	<b>Satisfies</b> the requirement with <b>minor additional benefits</b> . Above average demonstration by the supplier of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services. Response identifies factors that will offer potential required services, with supporting evidence.	<b>2</b>
<b>Average</b>	Submission meets the minimum requirement with major reservations. Considerable reservations of the supplier's relevant ability, understanding, experience, skills, resources, and quality measures required to provide the goods/services, with little or no supporting evidence	<b>1</b>
<b>Unacceptable</b>	<b>Does not meet the requirement</b> . Does not comply and/or insufficient information provided to demonstrate that the supplier has the ability, understanding, experience, skills, resources & quality measures required to provide the goods/services, with little or no supporting evidence.	<b>0</b>

**Phase 3: Price and Preference (specific goals) Evaluation (80/20) = 100 points**

- Bidders will need to achieve a minimum threshold of 70 points, and the maximum of 10 highest scorers will be part of the Panel.
- South African Tourism will use Phase 3 as the evaluation method for suppliers within the panel.
- 

**Table 5: Price and Preference (specific goals)**

<b>1. LIST OF RETURNABLES</b>			
<b>BIDDERS SHOULD PLEASE ADHERE TO THE FOLLOWING INSTRUCTIONS</b>			
a) TICK APPLICABLE BOX			
b) ENSURE THAT THE FOLLOWING DOCUMENTS ARE COMPLETED, SUBMITTED AND SIGNED WHERE APPLICABLE			
<b>ANNEXURES</b>	<b>DOCUMENT DESCRIPTION</b>	<b>YES</b>	<b>NO</b>
<b>PART A &amp; B</b>	IS BID INVITATION FORM , TERMS, AND CONDITIONS FOR BIDDING COMPLETED, SIGNED, AND SUBMITTED?		
<b>SUPPLIER IS REQUIRED TO USE THE PRESCRIBED SEQUENCE IN ATTACHING THE ANNEXURES THAT COMPLETE THE BID OR RFQ DOCUMENT</b>			
<b>ANNEXURE A</b>	IS THE STANDARD BID DOCUMENT (SBD4) FORM BIDDER'S DISCLOSURE COMPLETED, SIGNED AND SUBMITTED?		
<b>ANNEXURE B</b>	IS BIDDER'S SWORN AFFIDAVIT – <b>EXEMPTED MICRO ENTERPRISE (EME)</b> – OR <b>QUALIFYING SMALL ENTERPRISE (QSE)</b> – STILL VALID (FOR A <i>PERIOD OF 12 MONTHS</i> ) FROM THE DATE SIGNED BY COMMISSIONER SUBMITTED TO CLAIM POINTS FOR SMME'S?		
<b>ANNEXURE C</b>	IS THE BIDDER'S QUOTED PRICE OR FINANCIAL OFFER SUBMITTED AND ALIGNED WITH THE SCOPE OF WORK? OR STATED IN THE BELOW TABLE OF DESCRIPTION OF SERVICE/GOODS?		
<b>ANNEXURE D</b>	IS PROOF OF OWNERSHIP BY BLACK WOMAN ATTACHED IN THE FORM OF <b>(A)</b> COPY OF THE FOUNDING DOCUMENTATION OF THE COMPANY WITH WHICH THE OWNERSHIP IS LISTED, <b>(B)</b> COPY OF THE ID-DOCUMENT(S) OF THE BLACK WOMAN(E)		
<b>ANNEXURE E</b>	IS PROOF OF OWNERSHIP BY BLACK PERSON (S) IN THE FORM OF, <b>(A)</b> COPY OF THE FOUNDING DOCUMENTATION OF THE COMPANY WITH WHICH THE BLACK OWNERSHIP IS LISTED, AND <b>(B)</b> COPY OF IDENTITY DOCUMENTS.		

<b>ANNEXURE F</b>	IS PROOF OF OWNERSHIP BY BLACK YOUTH ATTACHED IN THE FORM OF (A) ) COPY OF THE FOUNDING DOCUMENTATION OF THE COMPANY WITH WHICH THE OWNERSHIP IS LISTED, (B) COPY OF THE ID-DOCUMENT(S) OF THE BLACK YOUTH.		
<b>ANNEXURE G</b>	IS THE LATEST REPORT FROM CENTRAL SUPPLIER DATABASE (CSD) SUBMITTED? THE REPORT WILL BE USED AMONGST OTHERS TO VERIFY TAX COMPLIANT AND BANKING DETAILS. TO FURTHER CONFIRM IF THE SHAREHOLDERS/DIRECTORS OF THE COMPANY ARE BLACK WOMEN, BLACK YOUTH OR BLACK-OWNED. INFORMATION AND DETAILS ON BLACK WOMEN, BLACK YOUTH AND BLACK OWNERSHIP SHOULD BE SIMILAR TO THE INFORMATION SUBMITTED ON ANNEXURES C, D,E AND F ABOVE.		

## 2. APPLICATION OF PREFERENCE POINT SYSTEM

### 4.1 DEFINITIONS

HISTORICALLY DISADVANTAGED INDIVIDUALS (HDI) IS DEFINED AS A SOUTH AFRICAN CITIZEN –

- a) WHO, DUE TO THE APARTHEID POLICY THAT WAS IN PLACE, HAD NO VOTING RIGHTS IN THE NATIONAL ELECTIONS PRIOR TO THE INTRODUCTION OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1983 (ACT NO. 100 OF 1983) OR THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1993 (ACT NO. 200 OF 1993) (“*THE INTERIM CONSTITUTION*”) AND OR
- b) WHO IS A WOMAN AND/OR
- c) YOUTH

4.2 WITH THE UNDERSTANDING THAT ANY PERSON WHO RECEIVED SOUTH AFRICAN CITIZENSHIP ON OR BEFORE THE INTRODUCTION OF THE INTERIM CONSTITUTION, WILL NOT BE DEEMED TO BE HDI.

4.3 ANY REFERENCE TO WORDS “**BID**” OR “**BIDDER**” HEREIN AND/OR IN ANY OTHER DOCUMENTATION SHALL BE CONSTRUED TO HAVE THE SAME MEANING AS THE WORDS “**TENDER**” OR “**TENDERER**”.

4.4 “**A WOMAN**” REFERS TO A FEMALE PERSON WHO IS A SOUTH AFRICAN CITIZEN

4.5 “**HDI EQUITY OWNERSHIP**” REFERS TO THE PERCENTAGE OF A PARTNERSHIP OR BUSINESS THAT IS OWNED BY INDIVIDUALS, OR IN THE CASE OF A COMPANY, THE PERCENTAGE OF SHARES WHICH IS OWNED BY INDIVIDUALS WHO ARE ACTIVELY INVOLVED IN THE MANAGEMENT DECISIONS AND DAY TO DAY OPERATIONAL ACTIVITIES OF THE COMPANY OR BUSINESS AND WHO EXERCISES CONTROL IN THE BUSINESS IN RELATION TO THEIR OWNERSHIP AT THE CLOSE OF TENDER. WHERE INDIVIDUALS ARE NOT ACTIVELY INVOLVED IN THE MANAGEMENT AND DAY TO DAY OPERATIONAL ACTIVITIES OF THE BUSINESS AND WHO DOES NOT EXERCISE CONTROL IN RELATION TO THE PERCENTAGE OF THEIR OWNERSHIP, EQUITY OWNERSHIP POINTS CANNOT BE AWARDED.

4.6 “**BLACK PEOPLE**” IS A GENERIC TERM WHICH MEANS AFRICANS, COLOUREDS AND INDIANS WHO ARE CITIZENS OF THE RSA BY BIRTH OR DESCENT OR BY NATURALISATION BEFORE 27 APRIL 1994 OR AFTER.

4.7 “**SMALL ENTERPRISE**” MEANS A SEPARATE AND DISTINCT BUSINESS ENTITY, TOGETHER WITH ITS BRANCHES OR SUBSIDIARIES, IF ANY, INCLUDING COOPERATIVE ENTERPRISES, MANAGED BY ONE OWNER OR MORE PREDOMINANTLY CARRIED ON IN ANY SECTOR OR SUBSECTOR OF THE ECONOMY.

4.8 “**YOUTH**” IS A GENERIC TERM WHICH MEANS PERSONS BETWEEN 14 TO 35 YEARS OF AGE. (THE MAXIMUM AGE OF PERSON/DIRECTOR/SHAREHOLDER ETC MUST BE BELOW OR 35 YEARS ON OR BEFORE THE CLOSING DATE AND TIME OF THE RFQ)

4.9 “**EXEMPTED MICRO ENTERPRISE (EME)**” IN TERMS OF THE GENERIC CODES OF GOOD PRACTICE, IT REFERS TO AN ENTERPRISE WITH AN ANNUAL TOTAL REVENUE OF R 10 MILLION OR LESS.

4.10 “**QUALIFYING SMALL ENTERPRISE (QSE)**” IN TERMS OF THE GENERIC CODES OF GOOD PRACTICE, IT REFERS TO AN ENTERPRISE WITH AN ANNUAL TOTAL REVENUE OF BETWEEN R 10 MILLION AND R 50 MILLION

4.11 “**SPECIFIC GOALS**” REFERS TO CONTRACTING WITH PERSONS, OR CATEGORIES OF PERSONS, HISTORICALLY DISADVANTAGED BY UNFAIR DISCRIMINATION ON THE BASIS OF RACE, GENDER OR DISABILITY AND IMPLEMENTING PROGRAMME AS PUBLISHED IN THE GOVERNMENT GAZETTE NO. 16085 DATED 23 NOVEMBER 1994.

### 4.12 80 / 20 PREFERENCE POINT SYSTEM

TENDERERS WILL BE AWARDED POINTS AS FOLLOWS:

**The points must be allocated and awarded as follows:**

i.	Total Tendered Price	:	80 points	} <b>Specific Goals (Maximum points)</b>
ii.	Black Women Ownership	:	04 points	
iii.	Black Ownership	:	10 points	
iv.	Black Youth	:	02 points	
v.	Small, Medium and Micro Enterprises (SMME's)	:	04 points	
<b>Total</b>		:	<b>100 points</b>	

4.13 THE POINTS SCORED FOR SPECIFIC GOALS WILL BE ADDED TO THE POINTS SCORED FOR PRICE AND THE TOTAL MUST BE ROUNDED OFF TO THE NEAREST 2 DECIMAL PLACES

**4.14 TENDER PRICE**

THE FOLLOWING FORMULA WILL BE USED TO CALCULATE THE POINTS OUT OF 80 FOR PRICE IN RESPECT OF TENDER WITH A RAND VALUE NOT EXCEEDING R 50 MILLION (INCLUSIVE OF ALL APPLICABLE TAXES). THE LOWEST ACCEPTABLE TENDER MUST SCORE 80 POINTS FOR PRICE, AND OTHER TENDERS WHICH ARE HIGH IN PRICE MUST SCORE FEWER POINTS , ON PRO RATA BASIS.

$$Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

WHERE -

PS = POINTS SCORED (AWARDED) FOR PRICE OF TENDER UNDER CONSIDERATION

PT = PRICE OF TENDER UNDER CONSIDERATION; AND

PMIN = PRICE OF THE LOWEST ACCEPTABLE TENDER

**4.15 SPECIFIC GOALS**

**4.15.1 % OWNED BY PEOPLE WHO ARE BLACK WOMEN (WO)**

A MAXIMUM OF FOUR (04) POINTS WILL BE AWARDED TO A TENDERER WHO IS A BLACK WOMAN. EQUITY OWNERSHIP FOR BLACK WOMEN WILL BE DETERMINED BY THE % OF THE ENTERPRISE OWNED BY SUCH A PERSON OR BY THE % OF SHARES OWNED BY MEMBER/S WHO ARE ACTIVELY INVOLVED IN THE DAY TO DAY MANAGEMENT OF THE COMPANY OR ENTERPRISE.

% OF ENTERPRISE OWNED BY BLACK WOMEN -----%

THUS, POINTS AWARDED:  $4 \times \frac{\% WO}{100} =$

PROOF OF OWNERSHIP MUST BE ATTACHED IN THE FORM OF:

- a) COPY OF THE FOUNDING DOCUMENTATION OF THE COMPANY WITH WHICH THE OWNERSHIP IS LISTED I.E. CIPC ETC;
- b) COPY OF THE ID-DOCUMENT (S) OF THE BLACK WOMAN(E)
- c) LATEST CENTRAL SUPPLIER DATABASE (CSD) REPORT OF WHICH OWNERSHIP OF THE BLACK WOMAN IS LISTED

**4.15.2 % OWNED BY BLACK PEOPLE (BO)**

A MAXIMUM OF TEN (10) POINTS WILL BE AWARDED TO A TENDERER WHO IS A BLACK AND DID NOT HAVE VOTING RIGHTS ACCORDING TO THE DEFINITION OF AN HDI. EQUITY OWNERSHIP FOR BLACKS WILL BE DETERMINED BY THE % OF THE ENTERPRISE OWNED BY SUCH A PERSON OR BY THE % OF SHARES OWNED BY MEMBERS WHO ARE ACTIVELY INVOLVED IN THE DAY TO DAY ACTIVITIES OF THE COMPANY OR ENTERPRISE.

% OF ENTERPRISE OWNED BY BLACK PERSON(S) WHO DID NOT HAVE VOTING RIGHTS.....%

THUS, POINTS AWARDED:  $10 \times \frac{\% BO}{100} =$

**PROOF OF OWNERSHIP MUST BE ATTACHED IN THE FORM OF:**

- a) COPY OF ID DOCUMENT.
- b) COPY OF THE FOUNDING DOCUMENTATION ON THE COMPANY WITH WHICH THE OWNERSHIP IS LISTED I.E. CIPC ETC;
- c) LATEST CSD REPORT WITH BLACKS AS SHAREHOLDERS/DIRECTORS OF THE COMPANY

**4.15.3 SMALL, MEDIUM AND MICRO ENTERPRISES (SMME'S)**

A MAXIMUM OF FOUR (4) POINTS WILL BE AWARDED TO A TENDERER WHO IS CLASSIFIED AS SMME

IS THE COMPANY CLASSIFIED AS EME OR QSE?

YES = 4 POINTS   
 NO = 0 POINT

**PROOF OF DOCUMENTATION MUST BE ATTACHED IN THE FORM OF:**

- a) SWORN AFFIDAVID THAT IS VALID FOR A PERIOD OF 12 MONTHS FROM THE DATE SIGNED BY THE COMMISSIONER.

**4.15.4 % OWNED BY BLACK YOUTH**

A MAXIMUM OF TWO (2) POINTS WILL BE AWARDED TO A TENDERER WHO IS DISABLED. EQUITY OWNERSHIP FOR BLACK YOUTH WILL BE DETERMINED BY THE % OF THE ENTERPRISE OWNED BY SUCH A PERSON OR BY THE % OF SHARES OWNED BY MEMBERS WHO ARE ACTIVELY INVOLVED IN THE DAY TO DAY ACTIVITIES OF THE COMPANY OR ENTERPRISE.

% OF ENTERPRISE OWNED BY BLACK YOUTH.....%

THUS, POINTS AWARDED :  $2 \times \frac{\% DO}{100} =$

**PROOF OF OWNERSHIP MUST BE ATTACHED IN THE FORM OF:**

- a) A COPY OF THE FOUNDING DOCUMENTATION OF THE COMPANY WITH WHICH THE OWNERSHIP IS LISTED I.E. CIPC ETC;
- b) A COPY OF ID DOCUMENT;
- c) LATEST CENTRAL SUPPLIER DATABASE (CSD) REPORT OF WHICH OWNERSHIP OF THE BLACK YOUTH IS LISTED.

**TABLE B: OWNERSHIP**

NAME AND SURNAME /ENTITY NAME	GENDER (MALE OR FEMALE)	AGE i.e., 32	CITIZENSHIP (RSA, OR SPECIFY OTHER)	ETHNIC GROUP (BLACK, WHITE, ETC.)	NUMBER OF SHARES PER SHAREHOLDER	PERCENTAGE OF OWNERSHIP (%) PER SHAREHOLDER

<b>Total</b>						

(To be completed by bidder)

**TABLE- C: SPECIFIC GOALS**

OWNERSHIP	TOTAL PERCENTAGE OF OWNERSHIP	SPECIFIC GOALS POINTS CLAIMED
<b>Black Woman ownership</b>		
<b>Black Ownership</b>		
<b>Black Youth Ownership</b>		
<b>Total</b>		

4.16 THE SAT CAN ONLY AWARD POINTS PROVIDED SUFFICIENT INFORMATION AND REQUIRED DOCUMENTS ARE CORRECTLY COMPLETED AND RETURNED WITH THE PROPOSALS IN LINE WITH LIST OF RETURNABLE DOCUMENTS ON PARAGRAPH THREE (3) ABOVE. POINTS OBTAINED FOR PRICE SHOULD BE ADDED TO POINTS OBTAINED FOR SPECIFIC GOALS.

4.17 TENDER MUST BE AWARDED TO THE TENDERER SCORING THE HIGHEST POINTS. HOWEVER, A CONTRACT MAY BE AWARDED TO A TENDERER THAT DID NOT SCORE THE HIGHEST POINTS ONLY IN ACCORDANCE WITH SECTION 2 (1)(F) OF THE PPPFA 05 OF 2000.

**3. CRITERIA FOR BREAKING DEADLOCK IN SCORING**

- a) IF TWO OR MORE OF THE TENDERERS HAVE SCORED EQUAL TOTAL NUMBER OF POINTS, THE CONTRACT WILL BE AWARDED TO THE TENDERER THAT SCORED THE HIGHEST POINTS FOR SPECIFIC GOALS;
- b) IF TWO OR MORE TENDERES SCORE EQUAL TOTAL NUMBER OF POINTS IN ALL RESPECTS, THE AWARD WILL BE DECIDED BY THE DRAWING OF LOTS

**4. DELIVERIES**

- a. ALL DELIVERIES MAY BE ACCOMPANIED BY A DELIVERY NOTE OR AN INVOICE OF AN OFFICIAL PURCHASE ORDER NUMBER AGAINST WHICH THE DELIVERY HAS BEEN AFFECTED
- b. DELIVERIES NOT COMPLYING WITH THE PURCHASE ORDER FORM MAY BE RETURNED TO THE SUPPLIER(S) AT THE SUPPLIER'S EXPENSE.THE SATWILL NOT BE LIABLE FOR PAYMENT OF INCORRECTLY DELIVERED GOODS OR SERVICE
- c. BIDDERS SHOULD INDICATE THE PLANNED DELIVERY PERIOD (IN DAYS) FROM THE DATE AN ORDER IS ISSUED

**5. POPIA DISCLAIMER**

**7.1 COMPLIANCE WITH PERSONAL INFORMATION ACT, 4 OF 2013**

PERSONAL INFORMATION SHARED WITH THE SAT SHALL BE TREATED WITH CONFIDENTIALITY AND IN COMPLIANCE WITH THE PROTECTION OF PERSONAL INFORMATION ACT, 4 OF 2013 (POPIA) AND OTHER APPLICABLE LAWS. FOR PURPOSES OF THIS DISCLAIMER, "PERSONAL INFORMATION" SHALL BE DEFINED AS DETAILED IN THE PROMOTION OF ACCESS TO INFORMATION ACT, ACT 2 OF 2000 (PAIA) AND POPIA, AND "PROCESSING" AND "FURTHER PROCESSING" SHALL BE READ, INTERPRETED AND UNDERSTOOD AS DETAILED AND DEFINED IN POPIA.

**7.2 CONSENT TO PROCESSING AND FURTHER PROCESSING OF PERSONAL INFORMATION**

THE SATMAY PROCESS AND FURTHER PROCESS RECEIVED PERSONAL INFORMATION, INTERNALLY OR EXTERNALLY, IN THE EXECUTION OF ITS MANDATE AND/OR AS REQUIRED BY LAW. THE SATMAY SHARE PERSONAL INFORMATION WITH ITS SERVICE PROVIDERS, AGENTS, CONTRACTORS, LEGAL AND OTHER PROFESSIONAL ADVISORS AUTHORISED TO PROCESS THIS INFORMATION. THE SATMAY THUS PLACE RECEIVED PERSONAL INFORMATION IN THE PUBLIC DOMAIN DUE TO THE NATURE AND REQUIREMENTS OF ITS WORK.

**7.3 FURTHER PROCESSING OF PERSONAL INFORMATION**

YOU FURTHER GRANT THE SATEXPRESS AND/OR IMPLIED PERMISSION TO FURTHER PROCESS RECEIVED PERSONAL INFORMATION AND PLACE IT IN THE PUBLIC DOMAIN, IN THE EXECUTION OF ITS MANDATE AND STATUTORY OBLIGATIONS.

**7.4 DUTY OF CARE**

THE SAT VALUES YOUR PRIVACY AND SHALL TAKE ALL REASONABLE MEASURES TO PROTECT RECEIVED PERSONAL INFORMATION.

**7.5 EXEMPTION FROM LIABILITY**

THE SAT(INCLUDING ITS OFFICIALS AND/OR EMPLOYEES) ACCEPTS NO LIABILITY WHATSOEVER, FOR ANY LOSS, DAMAGE (WHETHER DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL), AND/OR EXPENSES OF ANY NATURE WHATSOEVER WHICH MAY ARISE AS A RESULT OF, OR WHICH MAY BE ATTRIBUTABLE DIRECTLY OR INDIRECTLY, FROM INFORMATION MADE AVAILABLE HEREIN, OR ACTIONS OR TRANSACTIONS RESULTING THEREFROM

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

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

## 2. DEFINITIONS

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

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

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

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:

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

Where

- Ps = Points scored for price of 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 (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)
Black Women Ownership	02	04		
Black Youth Ownership	02	02		
Black Ownership	04	10		
Small, Medium, and Micro Enterprises (SMMEs)	02	04		
<b>Total</b>	<b>10</b>	<b>20</b>		

**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.

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