



Province of the  
**EASTERN CAPE**  
HUMAN SETTLEMENTS

**Strategy and Systems: GITCM**

Steve Tshwete House • 31-33 Phillip Frame Road • Waverly Park • Chiselhurst • East London • Eastern Cape • RSA  
Office No: 043 711 9822 • Fax No: • Email: [neliswaG@ecdhs.gov.za](mailto:neliswaG@ecdhs.gov.za)

## **TERMS OF REFERENCE**

**SCMU11-23/24-030: APPOINTMENT OF SERVICE PROVIDER FOR PHASE 1 OF THE IMPLEMENTATION OF RECORDS MANAGEMENT CLEANUP PROJECT FOR THE DEPARTMENT OF HUMAN SETTLEMENTS HEAD OFFICE AND REGIONAL OFFICES**

### **COMPILED FOR:**

Eastern Cape Department of  
Human Settlements  
Steve Tshwete House  
31-33 Phillip Frame Road,  
Waverly Park, Chiselhurst  
East London

### **COMPILED BY:**

GICTM  
Eastern Cape Department of  
Human Settlements  
31-33 Phillip Frame Road  
East London

**SEPTEMBER 2023**



**TRANSFORMING  
COMMUNITIES TOGETHER**



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## LIST OF ACRONYMS

GICTM	- Government Information Communication Technology
NMM	- Nelson Mandela Metro
PAIA	- Protection of Personal Information Act
POPIA	- Promotion of Access to Information Act
B-BBEE	- Broad-Based Black Economic Empowerment



## **1. INTRODUCTION**

The Department has a records management process in place which is comprised of identifying records, classifying records, and sorting of records, as well as coordinating internal and external access. The process also incorporates policies and practices on how to create and approve records, as well as the enforcement of those policies and practices. The department does have a records management policy that is incorporated in the GICTM consolidated policies as well as the departmental File plan that specifies the retention period for each document identified for archiving or disposal.

Since its inception, the department has predominantly relied on manual systems for capturing processing and storing information and departmental records. This has posed several challenges which were highlighted in an audit.

The Department of Human Settlements seeks services of a suitably qualified and experienced service provider that will undertake the implementation of records cleanup across the department. The implementation of this project and further avoid storing unnecessary documents, to follow a consistent method for naming files and folders, to have a storage of related documents together, to separate ongoing work from completed work, to avoid overfilling folders, Organize documents by date and file referencing, making digital copies of paper documents and enabling archiving and disposal of records.

## **2. SCOPE OF WORKS**

The specifications and provisions included in this Invitation to tender shall, along with the successful Service Provider's response, constitute the full and complete contract for the goods and services specified herein and in the proposal.

In awarding this bid, the Department expects to service Records Management for a period of Thirty- Six (36) months that will be divided into two (2) phases, and at minimum achieve the following objectives for the First phase and Second Phase.



First Phase will include the following objectives:

1. Review of the Departmental File Plan
2. Verification, Sorting and Labelling of Departmental records in storage boxes
3. Disposal of Records
4. Collecting and transporting of records earmarked and approved for Disposal to a disposal site

The below table depicts number of boxes identified for Sorting, verification, labelling and disposal.

*Table 1: Region Analysis table*

REGION	NUMBER OF BOXES STORED	Rate
1. Amathole	40	East London
2. Buffalo City Metro	60	East London
3. Head Office	600	East London
4. OR Tambo	80	Mthatha
5. Alfred Nzo	70	Kokstad
6. Joe Gqabi	50	Aliwal North
7. Chris Hani	60	Queenstown
8. NMM & Sara Baartman	400	Port Elizabeth

This first phase will be for the Head office (East London), Amathole, Buffalo City Metro, NMM & Sarah Baartman, OR Tambo, Alfred Nzo, and Chris Hani regional office.

## **5. SPECIFICATION**

The specifications and provisions included in this Terms of Reference document shall, along with the successful Service Provider's response, constitute the full and complete contract for the goods and services specified herein and in the proposal. The rating of this project will be in accordance with the size of the box, as the box size is specified below.



Table 2: Project Description table for First Phase

ITEM	QUANTITY	DESCRIPTION	ACTIVITIES
Review of Departmental File Plan and File system	1	Review of departmental File Plan and File system to include the data Classification, retention periods and Protection of Personal Information Act (POPIA) compliance.	<p>Review the current Departmental File Plan in accordance with the new retention periods of the Directorates that we have.</p> <p>Develop classification in line with the departmental programme and ensure alignment and compliance with the PAIA and POPIA.</p> <p>Submit the departmental File Plan for approval by the Provincial Archives (Department of Sports Arts &amp; Culture)</p> <p>Submit the approved departmental File Plan to the Department of Human Settlements.</p>
Verification, sorting, labeling and of departmental records.	1360	<p>The service provider will be responsible for verification, sorting and labelling of records across the department. See the above table for number of boxes per site. Each box size is: Length: 435 Width: 340 Height: 250.</p> <p>The outcomes of the verification, sorting process will determine the number of records to be archived and disposed in accordance with the use of the departmental file plan. The list of records to be archived and disposed will be determined by the verification process.</p>	<p>Verify the document against the approved classification of each directorate and the retention periods of the records.</p> <p>Sort all records in accordance with the classification and ensure that its only authentic records that are going to be included in the disposal or archiving application letter.</p> <p>Label all copies of records and copies of non-records for disposal and archiving process.</p> <p>Submission of a detailed verification report that details a list of the records to be archived and the records to be disposed to the Department of Human Settlements.</p>



ITEM	QUANTITY	DESCRIPTION	ACTIVITIES
Disposal of records	Unknown	<p>The list of records to be disposed of will have to be approved by the Department of Sports, Arts and Culture (Provincial Archives.) before the disposal takes effect.</p> <p>-Destruction of records from Department of Provincial Archives and from the service provider.</p> <p>-Disposal report from the service provider should be submitted to the department.</p> <p>A disposal certificate will be retained by the Department of Human Settlements.</p>	Service Provider to submit a list of records earmarked for disposal to the department. These records will vary depending on how many records were generated during the verification process.
Transportation of records earmarked for disposal	1	Once the process of verification is complete and the disposal certificate is received by the department from both the Service Provider and the Department of Provincial Archives, the records shall be transferred to a disposal site by a service provider.	Service provider to produce a list of transported records. (records inventory).

The number of records to be archived is unknown and will depend on the results of the verification process, sorting and labelling process.



### 3.1 KEY COMPETENCIES OF THE BIDDER(S)

- 3.1.1 Ability to provide products compatible with Departmental specifications
- 3.1.2 Ability to deliver online storage precisely as per end-user specification
- 3.1.3 Ability to provide handholding
- 3.1.4 Ability to effectively provide warranty and
- 3.1.5 Ability to deliver quality and reliable online storage

## 6. FINANCIAL PROPOSAL

Table 3: Financial Proposal (Head Office)

<b>NB: THE RATING FOR THE PROJECT IS TO BE CHARGED PER BOX DONE</b>					
<b>1. HEAD OFFICE (EAST LONDON)</b>					
<b>No</b>	<b>ITEM</b>	<b>UNIT</b>	<b>QTY</b>	<b>RATE /UNIT</b>	<b>AMOUNT</b>
1.1	Review of Departmental File Plan	1	1		
1.2	Verification, sorting and labelling of departmental records.	1	600		
1.3	Disposal of records		60%		
1.4	Transportation of records earmarked for disposal	1	1		
<b>SUB TOTAL</b>				<b>R</b>	<b>R</b>
<b>TOTAL = SUM OF SUB TOTALS</b>				<b>R</b>	<b>R</b>
<b>TOTAL = SUM OF SUB TOTALS (carried to FINAL SUMMARY AND FORM OF OFFER)</b>				<b>R</b>	



Table 4 : Financial Proposal (Nelson Mandela & Sarah Baartman)

<b>NB: THE RATING FOR THE PROJECT IS TO BE CHARGED PER BOX DONE</b>					
<b>2. NELSON MANDELA METRO &amp; SARAH BAARTMAN</b>					
<b>No</b>	<b>ITEM</b>	<b>UNIT</b>	<b>QTY</b>	<b>RATE /UNIT</b>	<b>AMOUNT</b>
2.1	Verification, sorting and labelling of departmental records.	1	400		
2.2	Disposal of records		60%		
2.3	Transportation of records earmarked for disposal	1	1		
<b>SUB TOTAL</b>				<b>R</b>	<b>R</b>
<b>TOTAL = SUM OF SUB TOTALS</b>				<b>R</b>	<b>R</b>
<b>TOTAL = SUM OF SUB TOTALS (carried to FINAL SUMMARY AND FORM OF OFFER)</b>				<b>R</b>	

Table 5: Financial Proposal (Amathole & Buffalo City Metro)

<b>NB: THE RATING FOR THE PROJECT IS TO BE CHARGED PER BOX DONE</b>					
<b>3. AMATHOLE &amp; BUFFALO CITY METRO</b>					
<b>No</b>	<b>ITEM</b>	<b>UNIT</b>	<b>QTY</b>	<b>RATE /UNIT</b>	<b>AMOUNT</b>
3.1	Verification, sorting and labelling of departmental records.	1	100		
3.2	Disposal of records		60%		
3.3	Transportation of records earmarked for disposal	1	1		
<b>SUB TOTAL</b>				<b>R</b>	<b>R</b>
<b>TOTAL = SUM OF SUB TOTALS</b>				<b>R</b>	<b>R</b>
<b>TOTAL = SUM OF SUB TOTALS (carried to FINAL SUMMARY AND FORM OF OFFER)</b>				<b>R</b>	



Table 6 : Financial Proposal (OR Tambo & Alfred Nzo)

<b>NB: THE RATING FOR THE PROJECT IS TO BE CHARGED PER BOX DONE</b>					
<b>4. OR TAMBO &amp; ALFRED NZO</b>					
<b>No</b>	<b>ITEM</b>	<b>UNIT</b>	<b>QTY</b>	<b>RATE /UNIT</b>	<b>AMOUNT</b>
<b>4.1</b>	<b>Verification, sorting and labelling of departmental records.</b>	<b>1</b>	<b>150</b>		
<b>4.2</b>	<b>Disposal of records</b>		<b>60%</b>		
<b>4.3</b>	<b>Transportation of records earmarked for disposal</b>	<b>1</b>	<b>1</b>		
<b>SUB TOTAL</b>				<b>R</b>	<b>R</b>
<b>SUB TOTAL (Carried forward to final summary)</b>				<b>R</b>	<b>R</b>
<b>TOTAL = SUM OF SUB TOTALS</b>				<b>R</b>	<b>R</b>
<b>TOTAL = SUM OF SUB TOTALS (carried to FINAL SUMMARY AND FORM OF OFFER)</b>				<b>R</b>	

Table 7 : Financial Proposal (Chris Hani & Joe Gqabi)

<b>NB: THE RATING FOR THE PROJECT IS TO BE CHARGED PER BOX DONE</b>					
<b>5. CHRIS HANI &amp; JOE GQABI</b>					
<b>No</b>	<b>ITEM</b>	<b>UNIT</b>	<b>QTY</b>	<b>RATE /UNIT</b>	<b>AMOUNT</b>
<b>5.1</b>	<b>Verification, sorting and labelling of departmental records.</b>	<b>1</b>	<b>110</b>		
<b>5.2</b>	<b>Disposal of records</b>		<b>60%</b>		
<b>5.3</b>	<b>Transportation of records earmarked for disposal</b>	<b>1</b>	<b>1</b>		
<b>SUB TOTAL</b>				<b>R</b>	<b>R</b>
<b>SUB TOTAL (Carried forward to final summary)</b>				<b>R</b>	<b>R</b>



<b>TOTAL = SUM OF SUB TOTALS</b>	<b>R</b>	<b>R</b>
<b>TOTAL = SUM OF SUB TOTALS (carried to FINAL SUMMARY AND FORM OF OFFER)</b>	<b>R</b>	

## 7. EVALUATION CRITERIA

ECDHS has set minimum standards (Stages) that a bidder needs to meet in order to be evaluated and selected as a successful bidder. The minimum standards consist of the following:

*Table 8: Evaluation stages*

<b>(STAGE 0): Administrative compliance</b>	<b>(STAGE 1): Functionality evaluation</b>	<b>(STAGE 2): Price and Specific goals Evaluation</b>
Bidders must submit all documents as outlined in Table 8	Bidders should obtain at least sixty (60) points out of the seventy (70) points on functionality evaluation	Bidders will be evaluated in terms of section 5 of the PPPFA 2000, Preferential Procurement Regulations, 2022.

### 5.1 STAGE 0 – ADMINISTRATIVE COMPLIANCE

Without limiting the generality of ECDHS's other critical requirements for this Bid, bidders must submit the documents listed in Table 9 below. All documents must be completed and signed by the duly authorised representative of the prospective bidder. During this phase, bidders' response will be evaluated based on compliance with the listed administration and mandatory bid requirements. In case of a Joint Venture/Consortium all parties are expected to submit individual documentation:

*Table 9: Administrative compliance*

<b>No</b>	<b>Document that must be submitted</b>	<b>Explanatory Information</b>
1	SBD1: Invitation to tender	Complete and sign the supplied proforma document
2	SBD2: Tax clearance certificate	Submit proof of TAX compliance with SARS



3	SBD4: Declaration of interest	Complete and sign the supplied proforma document
4	SBD6.1: Preference points claim form;	Complete and sign the supplied proforma document
5	Bill of quantities and summary & form of offer	Submit full details of the pricing proposal as per Bill of quantities. Blank spaces will be regarded as incomplete. Should the bidder not charge for the service, the bidder must indicate that with a zero (0). Bidders must complete the entire Pricing Schedule
6	Central supplier Database (CSD) registration	Service Providers must be registered as a service provider on the Central Supplier Database (CSD). If you are not registered, 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 CSD printout as proof of registration.
7	Joint venture consortium agreement (where applicable)	The joint venture and/or consortium agreements must clearly set out the shareholding and roles and responsibilities of the Lead Partner and the joint venture and/or consortium party. The agreement must also clearly identify the Lead Partner, who shall be given the power of attorney to bind the other party/parties in respect of matters pertaining to the joint venture and/or consortium arrangement. A signed agreement will be expected to be submitted prior award of contract.



## 5.2 STAGE 1: FUNCTIONALITY EVALUATION

5.2.1 Bidders should obtain at least sixty (60) points out of the seventy (70) points on functionality evaluation to qualify for the Price and specific goals evaluation

5.2.2 Only bids which have achieved the required minimum points for functionality will proceed to Stage 3 of evaluation. NB: Points scored in Stage 2 will not be taken into consideration for the evaluation in Stage 3.

5.2.3 Bidders must achieve a minimum score of 60/70 to proceed to stage 2 evaluation.

5.2.4 In order for a tender to be considered at this stage, the tender must be able to demonstrate the capabilities in the industry and will be scored according to the following criteria.

No	Evaluation Criteria	Maximum Points
<b>1</b>	<b>ACCREDITATION</b>	<b>40</b>
1.1.	Respondents must be accredited on Information or Records or Document Management or Archivist Certificate (Archive/ Transfers, Destruction/ Disposal), in line with relevant ISO or NANS standard and accredited to dispose records / destroy records.	40
1.2.	A company has a records Manager that possesses an Archivist or Information or Records or Document Management Certificate. An International Organization for Standardization (ISO) relevant to Records Management and approved company for disposals.	30
1.3.	Proven knowledge of Information or Records or Document Management.	10
1.4.	No knowledge of Information or Records or Document Management an No certificate to dispose.	0
1.5.	Non-Partner	0
<b>2.</b>	<b>PREVIOUS EXPERIENCE IN SIMILAR PROJECTS</b>	<b>30</b>



2.1.	5-10 years Proven track record with references in the successful implementation of similar projects including supply, install and configuration of online storage of records management.	30
2.2	3-4 years Proven track record with references in the successful implementation of similar projects including supply, install and configuration of online storage of records.	15
2.3	Below 3 years Proven track record with references in the successful implementation of similar projects without supply, install and configuration of online storage of records.	5
2.4	No experience	0
<b>Total Points</b>		<b>70</b>

### 5.3 DESCRIPTION OF CRITERIA

5.3.1 **ACCREDITATION:** This shall be a proof in a form of valid certificate that outlines the level of accreditation of a service provider.

5.3.2 **PREVIOUS EXPERIENCE IN SIMILAR PROJECTS:** This shall be previously completed projects of similar works either in number or value. A certified copy of a completion certificate or a testimonial from the client must be attached.

**NB:** *Bids/proposals that have not scored minimum specified points on Functionality will be disqualified at this stage and will not proceed to the evaluation on price and specific goals. Shortlisted bidders may be required to make presentation to the Department.*

### 5.4 STAGE 2: PRICE AND PRICE AND SPECIFIC GOALS EVALUATION

5.4.1 Regulation 3 of the Preferential Procurement Policy Framework Act 2000: Preferential Procurement Regulations 2022, (the Regulations) stipulates that an organ of state must, prior to making an invitation for tenders, determine and



stipulate the appropriate preference point system to be utilized in the evaluation and adjudication of tenders

5.4.2 Regulation 5 stipulates that the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included).

### 5.4.3 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

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

### 5.4.4 POINTS AWARDED FOR SPECIFIC GOALS

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 below as may be supported by proof/ documentation stated in the conditions of this tender:

Table 10: Specific goals allocated points

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Women owned Organizations	8	
Youth	4	
People with Disability	2	
Locality: Eastern Cape	5	



Military Veterans	1	
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#### **5.4.5 CLAIMING OF PREFERENCE POINTS**

- 5.4.5.1 Preference points allocated for women may be claimed if there is sufficient evidence that such woman has ownership of 51% or more of the enterprise shareholding. Bidders must submit proof in a form of valid Central Supplier Database (CSD) supplier profile that outlines the ownership of the organisation.
- 5.4.5.2 Preference points allocated for persons with disabilities may only be claimed if there is sufficient evidence that such person has ownership of 51% or more of the enterprise shareholding. Bidders must submit proof in form of a medical certificate / letter not older than 6 months from a registered medical practitioner (Practitioner number, contact details to be stated on correspondence) detailing the disability. The Medical certificate will only be used for evaluation purposes.
- 5.4.5.3 Preference points allocated for promotion of youth may only be claimed if there is sufficient evidence that such youth has ownership of 51% or more of the enterprise shareholding. Bidders must submit proof in a form of valid Central Supplier Database (CSD) supplier profile that outlines the ownership of the organisation.
- 5.4.5.4 Preference points for Locality may be allocated for promotion of enterprises located within the Eastern Cape Province may be claimed by submission of proof that the enterprise is located within the borders of Eastern Cape Province. This includes an enterprise whose head office may be situated in another province but has a fully-fledged branch within Eastern Cape Province. Enterprises located outside the borders of the Eastern Cape Province and who only appoints agents and or commission warehouses in this municipal area are expressly excluded from claiming points for this goal. Bidders must submit proof of the Company's Registered Offices. Proof of rate statement, lease agreement or confirmation of locality from local authority.



- 5.4.5.5 Preference points allocated for Military Veterans may only be claimed if there is sufficient evidence that such person has ownership of 51% or more of the enterprise shareholding. Bidders must submit proof in terms confirmation letters from the Department of Military Veterans.

## **6 LEGALITIES OF CONTRACT AND TENDER RULES**

- 6.1 The General Conditions of Contract shall apply.
- 6.2 Specific Conditions of the Contract
- 6.3 **Special Conditions that apply to this contract are as follows:**
- 6.3.1 The Service Provider will furnish the Department of Human Settlements with an invoice upon completion of the project. It is going to be a once off payment after completion.
  - 6.3.2 Ensure that the process is conducted in a transparent manner.
  - 6.3.3 The Department is not obliged to appoint the bidder with the highest points scored.
  - 6.3.4 Tax certificates must be furnished.

## **7 RETURNABLE SCHEDULES**

The service providers must ensure that the following documents are completed and returned with the bid proposal:

- 7.1 SBD 1: INVITATION TO TENDER;
- 7.2 SBD 2: TAX CLEARANCE CERTIFICATE;
- 7.3 SBD 4: DECLARATION OF INTEREST;
- 7.4 SBD 6.1: gsd PREFERENCE POINTS CLAIM FORM;
- 7.5 FINAL SUMMARY & FORM OF OFFER;
- 7.6 COMPANIES AND INTELLECTUAL PROPERTY COMMISSION (CIPC) CERTIFICATE

## **8 SUBMISSION OF BID PROPOSALS**



**8.1** Bid proposals must be submitted in two (2) separate envelopes clearly marked **as follows**:

**8.2 ENVELOPE 1 – TECHNICAL PROPOSAL: SCMU11-23/24-030:**  
APPOINTMENT OF A SERVICE PROVIDER FOR THE  
IMPLEMENTATION OF RECORDS MANAGEMENT CLEANUP PROJECT  
IN THE DEPARTMENT OF HUMAN SETTLEMENTS **ENVELOPE 2 –**  
**FINANCIAL PROPOSAL: SCMU11-23/24-030:** APPOINTMENT OF A  
SERVICE PROVIDER FOR THE IMPLEMENTATION OF RECORDS  
MANAGEMENT CLEANUP PROJECT IN THE DEPARTEMTN OF HUMAN  
SETTLEMENTS

**8.3** Bid proposals must be deposited in a Bid Box (that is accessible 24 hours) situated at the Ground Floor, Department of Human Settlements, Steve Tshwete Houses, 31–33 Phillip Frame Road, Waverley Park, Chiselhurst, East London.

**8.4** Faxed or emailed bid proposals will not be accepted. The Proposal envelope may be opened in public on the closing day.

## **9 BID VALIDITY**

This bid will be valid for one hundred and twenty days (120) days after the closing date.

## **10 CLOSING DATE**

All bid proposals in response to this bid should reach the Department not later than the **03 November 2023 11H00**. Bids received after 11H00 will not be accepted and considered.

## **11 CONTACT DETAILS ON TERMS OF REFERENCE**

All **technical enquiries** regarding this bid may be directed to:

Ms. N. Gwele : – Department of Human Settlements, **EAST LONDON**

Tel: 043 – 711 9822

Cell: 063 685 7661



Email: neliswaG@ecdhs.gov.za

All **Supply Chain Management** related enquiries regarding this bid may be directed to: Mr. Xolile Mpupa: Deputy Director – Demand Management; Department of Human Settlements, **EAST LONDON**

Cell: 074 142 4781

Tel: (043) 711 9643

E-mail: [XolileM@ecdhs.gov.za](mailto:XolileM@ecdhs.gov.za)

## 12 FINAL SUMMARY AND FORM OF OFFER

NO.	REGION	TOTAL
1	Head Office	
2	Nelson Mandela & Sarah Baartman	
3	Buffalo City Metro & Amathole regional office	
4	OR Tambo & Alfred Nzo	
5	Chris Hani & Joe Gqabi	
<b>TOTAL = CARRIED FROM FINANCIAL PROPOSAL</b>		

SIGNED BY/ON BEHALF OF THE BIDDER

NAME

SIGNATURE


DATE

COMPANY STAMP




**SCMU11-23/24-030: APPOINTMENT OF SERVICE PROVIDER TO PROCURE  
THE IMPLEMENTATION OF RECORDS MANAGEMENT CLEANUP PROJECT  
FOR THE DEPARTMENT OF HUMAN SETTLEMENTS**

**SUPPORT / ~~NOT~~ SUPPORT**

  
\_\_\_\_\_  
Mr. B. Skweyiya  
Director: GITCM

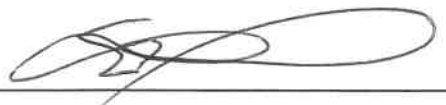
21/09/23  
DATE

**RECOMMENDED/NOT RECOMMENDED**

  
\_\_\_\_\_  
CHAIRPERSON  
BID SPECIFICATION COMMITTEE

\_\_\_\_\_  
DATE

**APPROVED/~~NOT~~ APPROVED**

  
\_\_\_\_\_  
MR E VENN  
ACTING HEAD OF DEPARTMENT

02/10/23  
DATE



## PART A INVITATION TO BID

### YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPARTMENT OF HUMAN SETTLEMENTS

BID NUMBER:	SCMU11-23/24-030:	CLOSING DATE:	03 NOVEMBER 2023	CLOSING TIME:	11H00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER FOR PHASE 1 OF THE IMPLEMENTATION OF RECORDS MANAGEMENT CLEAN UP PROJECT FOR THE DEPARTMENT OF HUMAN SETTLEMENTS HEAD OFFICE AND REGIONAL OFFICES				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN  
THE BID BOX SITUATED AT

<b>DEPARTMENT OF HUMAN SETTLEMENTS</b>
<b>31-33 PHILLIP FRAME ROAD, STEVE TSHWETE BUILDING, GROUND FLOOR</b>
<b>WAVERLY PARK</b>
<b>EAST LONDON</b>
<b>SUPPLIER INFORMATION</b>

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:	
		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No
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	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)	
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)	
	<input type="checkbox"/>	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?	<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 BELOW ]
SIGNATURE OF BIDDER .....		DATE	
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		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT OF HUMAN		CONTACT PERSON Ms N Gwele	



SETTLEMENTS			
CONTACT PERSON	Mr. X Mpupa	TELEPHONE NUMBER	0636857661/0437119822
TELEPHONE NUMBER	0437 11 9641/074 142 4781	FACSIMILE NUMBER	N/A
FACSIMILE NUMBER	N/A	E-MAIL ADDRESS	NeliswaG@ecdhs.gov.za
E-MAIL ADDRESS	xolilem@ecdhs.gov.za		



## 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)? | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?                       | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?      | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?           | <input type="checkbox"/> YES <input type="checkbox"/> 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](http://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](http://www.sars.gov.za).





TAX CLEARANCE

TCC 001

**Application for a Tax Clearance Certificate****Purpose**Select the applicable option ..... Tenders ☐ Good standing ☐

If "Good standing", please state the purpose of this application

**Particulars of applicant**

Name/Legal name (Initials & Surname or registered name)		
Trading name (if applicable)		
ID/Passport no	Company/Close Corp. registered no	
Income Tax ref no	PAYE ref no	7
VAT registration no	SDL ref no	L
Customs code	UIF ref no	U
Telephone no	Fax no	
E-mail address		
Physical address		
Postal address		

**Particulars of representative (Public Officer/Trustee/Partner)**

Surname		
First names		
ID/Passport no	Income Tax ref no	
Telephone no	Fax no	
E-mail address		
Physical address		



Tender number

Estimated Tender amount R ,

Expected duration of the tender  year(s)

Particulars of the 3 largest contracts previously awarded

Date started	Date finalised	Principal	Contact person	Telephone number	Amount

Are you currently aware of any Audit investigation against you/the company?..... ☐ YES ☐ NO

If "YES" provide details

I the undersigned confirm that I require a Tax Clearance Certificate in respect of  Tenders or  Goodstanding.

I hereby authorise and instruct  to apply to and receive from SARS the applicable Tax Clearance Certificate on my/our behalf.

Signature of representative/agent

Date

Name of representative/ agent

I declare that the information furnished in this application as well as any supporting documents is true and correct in every respect.

Date

Name of applicant/  
Public Officer

1. It is a serious offence to make a false declaration.
2. Section 75 of the Income Tax Act, 1962, states: Any person who
  - (a) fails or neglects to furnish, file or submit any return or document as and when required by or under this Act; or
  - (b) without just cause shown by him, refuses or neglects to-
    - (i) furnish, produce or make available any information, documents or things;
    - (ii) reply to or answer truly and fully, any questions put to him ...As and when required in terms of this Act ... shall be guilty of an offence ...
3. **SARS will, under no circumstances, issue a Tax Clearance Certificate unless this form is completed in full.**
4. Your Tax Clearance Certificate will only be issued on presentation of your South African Identity Document or Passport (Foreigners only) as applicable.



## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

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

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

### 2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state?

**YES/NO**

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

Full Name	Identity Number	Name of Institution	State

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

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



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

2.2.1 If so, furnish particulars:

.....  
.....

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

2.3.1 If so, furnish particulars:

.....  
.....

### 3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

---

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



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

2.2.1 If so, furnish particulars:

.....  
 .....

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

2.3.1 If so, furnish particulars:

.....  
 .....

### 3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

---

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



**SBD4**

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

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

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder



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

### 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
<b>PRICE</b>	<b>80</b>
<b>SPECIFIC GOALS</b>	<b>20</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:

##### 80/20

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

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:



$$Ps = 80 \left( 1 + \frac{80/20}{P_{max}} \frac{Pt - P_{max}}{P_{max}} \right)$$

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 (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Women owned organizations	8	
Youth	4	
People with Disability	2	
Locality: Eastern Cape	5	
Military Veterans	1	
<b>TOTAL POINTS</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>	.....
	.....
	.....
	.....