

REQUEST FOR QUOTATION

Supplier Name:

GOODS

X

SERVICE

Request For Quotation Number:	iLABS/RFQ 2022/23:131
Date Issued:	24 August 2022
Description:	Appointment of a panel of Service Provider for the Supply and Delivery of Fresh Milk and Yoghurts as and when needed for a period of thirty-Six (36) months to iThemba LABS, Old Faure Road, Faure.
Closing Date:	08 September 2022
Closing Time:	11:00 am
Delivery Address:	iThemba LABS, ATT: SCM Department, Old Faure Road, Faure, 7131
Submit RFQ To:	scm2@tlabs.ac.za (Quotes / proposals must be sent via email only)
Date Goods or Service Required:	From Oct 2022 (as and when required)
For More Information (Technical):	Ms. Elizma Van Zyl Email: e.vanzyl@ilabs.nrf.ac.za Tel: 021 843 1289
For More Information (Supply Chain Management):	Khanyisa Maqwara Email scm2@tlabs.ac.za Tel: 021 843 1379

THE FOLLOWING CONDITIONS WILL APPLY:

- **Where quotations / proposals are R 30 000.00 or more, preferential Procurement System Applicable: 80/20**
- Price(s) quoted must be valid for at **least sixty (60) days from date of your offer.**
- Price(s) quoted must be firm and must be inclusive of VAT.
- A firm delivery period must be indicated.
- **Submit your B - BBEE Certificate as accredited with SANAS or Sworn affidavit if you are claiming for Equity/ B - BBEE points, failing which, the B - BEEE claimed will be forfeited or zero points will be allocated.**
- Provide CSD Summary Report (www.csd.gov.za)
- The attached forms to be completed by the Bidder (where applicable):
 - SBD 4 – Declaration of Interest with Government
 - SBD 6.1 – Preference Points Claim (South African Companies Only)
 - SBD 6.2 – Declaration Certificate for Local Production and Content for Designated Sectors (where applicable).
- This request for formal quotation is subject to the Preferential Procurement Policy Framework Act and The Preferential Procurement Regulations, 2017, The General Conditions of Contract (GCC and, if applicable, any other special Conditions of Contract.

REGISTRATION ON THE CENTRAL SUPPLIER DATABASE (CSD):

The bidder must be on the National Treasury's Central Supplier Database in order to do business with the NRF and for the NRF to award a bid and sign the subsequent contract. Registration on the CSD (www.csd.gov.za) is compulsory and bids from unregistered bidders are not considered.

National Treasury Contact Details: +27 (0) 12 406 9222 or email csd.support@treasury.gov.za

SCHEDULE 1 - SPECIFICATION

Introduction to the NRF

The National Research Foundation ("NRF") is a juristic person established in terms of the National Research Foundation Act, Act 23 of 1998, and a Schedule 3A Public Entity in terms of the Public Finance Management Act. The NRF is the government's national agency responsible for promoting and supporting research and human capital development through funding researchers, provision of the National Research Platforms, and science outreach platforms/programs to the broader community. The NRF provides these services in all fields of science and technology, including natural science, engineering, social science, and humanities.

The NRF is a schedule 3A entity under the PFMA (Act 29 of 1999), which is required to plan and report on its activities and organizational performance, and which is to be audited by the AGSA on an annual basis. As part of the AGSA audit requirements, the NRF has to collect / document and store details, data and/or information of all persons and activities that form part of its performance record as proof thereof. In terms of this requirement, all persons making use of NRF facilities, platforms, equipment, tools etc., for research and related purposes are required to provide their personal details/data/information as per the template below or other similarly appropriate format. By completing your information in the template/register/record below and appending your signature thereto, you confirm your consent, in line with the Protection of Personal Information Act 4 of 2013, whereby the NRF and any of its business units may process (collect, receive, record, organize, collate, share, store, update, modify, retrieve, alter, consult, use, disseminate, distribute, merge, link, erase or destroy) the personal information you provide within and amongst its business units/functions for the purpose of fulfilling its statutory mandate, public accountability and other regulatory/legal requirements.

Introduction to the Business Unit responsible for this RFQ

iThemba LABS (Laboratory for Accelerator-Based Sciences) is a multi-disciplinary research laboratory based at two sites in the Western Cape and Gauteng respectively, these provide facilities for:

- Basic and applied nuclear physics research using particle beams
- Research Radiation Biophysics
- The supply of accelerator-produced radioactive isotopes for nuclear medicine and research

Evaluation Process

- Evaluation of proposals:

All proposals will be evaluated by Supply Chain Management for administrative compliance, functionality, price and B-BBEE. Based on the results of the evaluation process and upon successful negotiations, iThemba LABS will approve the awarding of the contract to successful bidder.

- Preference points system:

The 80/20 preference point system will be used where 80 points will be dedicated to price and 20 points to B-BBEE status. If all bids received are more than R 1 000 000.00, the proposal will be cancelled and re-issued.

Supplier Response

Name of Supplier:	
Address of Supplier:	
Contact Person:	
Contact Tel:	
Email Address:	
CSD Supplier Number:	MAAA.....
Lead Time for delivery	
Currency:	ZAR
Payment terms:	30 days from the date of receiving invoice

RETURNABLE DOCUMENTS

Bidders not submitting mandatory returnable administrative and evaluation documents will not be considered for price and preference evaluation and will be disqualified automatically.

<u>Administrative Compliance Returnable Documents</u> (M – Mandatory); (O – Optional)	Submitted	
Procurement Invitation (SBD 1), signed and completed.	M	<input type="checkbox"/> Yes <input type="checkbox"/> No
Bidders disclosure (SBD 4), signed and completed.	M	<input type="checkbox"/> Yes <input type="checkbox"/> No
Preference Points Claimed (SBD 6.1), signed and completed with BBBEE certificate or sworn affidavit (applicable for local bidders).	O	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proof of Registration with Central Supplier Database (CSD)(www.csd.gov.za): Only CSD registered suppliers may submit offers for this bid. Provide a CSD Summary Report.	M	<input type="checkbox"/> Yes <input type="checkbox"/> No
Valid B – BBEE Certificate as accredited with SANAS if you are claiming for Equity/ B – BBEE points, failing which, the B – BEEE claimed will be forfeited or zero points will be allocated.	O	<input type="checkbox"/> Yes <input type="checkbox"/> No
Proof of address (e.g. Utility Bill): To demonstrate that the bidder's satellite office is based within 60km of iThemba LABS Cape Town.	M	<input type="checkbox"/> Yes <input type="checkbox"/> No
<u>Evaluation Returnable Documents</u> (M – Mandatory); (O – Optional)	Submitted	
Pricing schedule (May be supplemented with a separate product and pricelist)	M	<input type="checkbox"/> Yes <input type="checkbox"/> No
Provide a copy of the Certificate of Acceptability of Food Premise (R638, 2018) OF THE MILK PRODUCER.	M	<input type="checkbox"/> Yes <input type="checkbox"/> No
Written declaration by bidder regarding which company will be making deliveries to iThemba LABS. If not by the bidder, a declaration by the third party that deliveries will be made on behalf of the bidder, must be provided.	M	<input type="checkbox"/> Yes <input type="checkbox"/> No
Provide a copy of the Certificate of Acceptability of Food Premise (R638, 2018) for the VEHICLE that will be allocated for deliveries, IF NOT THE SAME COMPANY as the milk producer.	M	<input type="checkbox"/> Yes <input type="checkbox"/> No

SPECIFICATIONS:

1. Intent

The intent of this RFQ is to outline the scope of work and specifications for the Supply and Delivery of Fresh Milk and Yoghurts as and when needed for a Period of Thirty-six (36) Months to iThemba LABS, Old Faure Road, Faure.

2. Compliance with National Legislation and Standards

- 2.1 The successful bidder must, in performance of work under this contract, fully comply with all applicable legislation (Acts and their regulations) and South African National Standards (SANS). These include, but are not limited to:
- 2.1.1 **Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972):** To control sale, manufacture and importation of foodstuffs, cosmetics and disinfectants and to provide for incidental matters.
 - 2.1.2 **Government Notice No. R638 of 22 June 2018:** Regulation Governing General Hygiene Requirements for Food Premises and the Transport of food.
 - 2.1.3 No person must handle food or permit food to be handled on food premises in respect of which a **valid certificate of acceptability** has not been issued or is not in force (**Regulation R638 of 22 June 2018**) by the local authority.
 - 2.1.4 **Government Notice R260 of 15 March 2015:** Regulations Relating to The Classification, Packing and Marking of Dairy Products and Imitation Dairy Products Intended for Sale in The Republic of South Africa
 - 2.1.5 **Government Notice R1555 of 1997:** Regulations Relating to Milk and Dairy Products and Amendment R759 of 2004 and Amendment R127 of 2014
 - 2.1.6 **Government Notice R1256 of 1986:** Regulations relating to Milking Sheds and the Transport of Milk
 - 2.1.7 **Agricultural Product Standards Act, 1990 (Act No. 119 of 1990):** To provide for the control over the sale and export of certain agricultural products, control over the sale of certain imported agricultural products, control over related products and for matters connected with.
 - 2.1.8 **Marketing of Agricultural Products Act, 1996 (Act No 47 of 1996)**
 - 2.1.9 **The South African Food Labelling Regulations** (Government Notice R146 of 1 March 2010)
 - 2.1.10 **SANS 10049:2018 (SABS049):** Food safety management – Requirements for prerequisite programmes (PRPs).
- 2.1. Legislation put in place by the Directorate of Food control within the National Department of Health can be accessed at: <http://www.doh.gov.za/department/foodcontrol/legis.html>
- 2.2. Legislation regarding agricultural products as governed by the Department of Agriculture can be accessed at: www.daff.gov.za
- 2.3. South African National Standards can be ordered from: <https://www.sabs.co.za>

3. Specifications:

- 3.1. The dairy products must meet the following physical requirements as stipulated in table 1.1.
- 3.2. Bidders to state their conformance to specifications in table 1.1. by indicating yes/no - **“this is compulsory”**.
- 3.3. Bidders who do not comply will be non-complaint and may be disqualified from this evaluation process.
- 3.4. Estimated annual quantities of specified products are indicated in Pricing Schedule.

Table 1.1: Specifications and Mandatory Physical Requirements

MANDATORY PHYSICAL REQUIREMENTS		Tick appropriate box	
A	Physical Specifications for Milk and Yoghurt		
1	Specifications for composition, fortification, labelling and quality are the same as per current legislation and South African National Standards (Acts, regulations and its amendments). Provide proof of capability to conform with this requirement such as a copy of the Certificate of Acceptability of Food Premise (R638, 2018) OF THE MILK PRODUCER	YES	NO
2	Specification or equivalent. Equivalents must be as close as possible to description and specification. Deviation of unit size and pack size will be acceptable.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
B	Product Specifications		
1	All products must be local as far as practicably possible.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
3	The Best Before dates of fresh milk must be at least 5 days after the date of delivery to iThemba LABS and yoghurt at least 14 days after the date of delivery to iThemba LABS.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
1	<ul style="list-style-type: none"> Buttermilk or Cultured milk (bottle or carton, 250ml, 500 ml or equivalent) Full Cream Milk (1 lit sachet, plastic jug or carton, 2 lit plastic jug or carton or equivalent) Low Fat Milk (1 lit sachet, plastic jug or carton, 2 lit plastic jug or carton, or equivalent) Fat Free Milk (1 lit sachet, plastic jug or carton, 2 lit plastic jug or carton or equivalent) Yoghurt: All fat contents as specified by current legislation may be required. Yoghurt: Plain, smooth in assorted flavours and fruited in assorted flavours may be required. Yoghurt: 175 gr, 1 lit, 5lit or equivalent may be required Drinking yoghurt in assorted flavours in bottles/cartons/sachets of ≤ 500 ml or equivalent may be required. 	YES	NO
C	Packaging Specifications		
1	The product should be packed into suitable containers as specified by relevant legislation and should be free from any leakage.	YES	NO
2	Secondary packaging (such as crates) should be clean and must protect the content.	YES	NO
3	The producer name, product name and production date, as well as a best before date should be visible on the packaging for storage and rotation purposes as per relevant legislation.	YES	NO
D	Transport and Delivery Specifications		
1	Goods must be delivered as per the agreed delivery schedule between iThemba LABS and the successful bidder	YES	NO
2	Delivery is required two (2) to three (3) times weekly before 8:00 am or as mutually agreed upon between successful bidder and iThemba LABS.	YES	NO
3	Milk and yoghurt is to be delivered securely crated, boxed, wrapped or bagged and hauled in a closed refrigerated truck (or equivalent), with a temperature between 1 and 5 degrees Celsius (1-5 °C). Provide proof of capability to conform with this requirement such as a copy of the Certificate of Acceptability of Food Premise (R638, 2018) for the	YES	NO

	VEHICLE that will be allocated for deliveries –IF NOT THE SAME AS THE MILK PRODUCER.		
4	No other items will be transported in the same vehicle which might in any way contaminate or damage the produce.	YES	NO
5	If deliveries are made in crates, boxes, containers or bags, these must be clean and proper sanitation of these items remain the responsibility of the successful bidder. Such containers used for delivery should be unpacked at point of delivery and iThemba LABS should not be invoiced or levied for such crates/ containers.	YES	NO
6	The product should be delivered at temperatures not exceeding 7 °C.	YES	NO
7	Drivers and delivery assistants must be properly attired with clean PPE and follow Covid-19 safety protocols.	YES	NO

4. Delivery Schedule and Conditions:

- 4.1. Supplier will be notified of official purchase order for delivery via email two (2) working days prior to delivery time of 08:00am.
- 4.2. Site location for delivery: NRF|iThemba LABS
Attention: Kitchen Stores/ Main Stores
Old Faure Road
Faure, 7131
Western Cape, South Africa
- 4.3. Delivery must be made on the agreed schedule mutually agreed between iThemba LABS and the successful bidder daily by 08:00 am.
- 4.4. Suppliers must adhere to delivery schedule and iThemba LABS conditions.
- 4.5. The successful bidder will be issued with a Purchase Contract (SBD7.1) from iThemba LABS as confirmation of the award. An official purchase order will only be issued as their notice to proceed with supply and delivery as and when needed.
- 4.6. Ongoing official orders will be raised on an “as and when required basis” via email two (2) working days prior to the required delivery date by the kitchen/housekeeping supervisor or a supply chain official for the duration of the agreement.
- 4.7. The quantities listed herein are estimates only and are not intended to commit iThemba LABS to purchase any specific quantity. In the event that iThemba LABS’s requirements do not result in the request for the full amount described herein, such occurrences shall not constitute the basis for fee adjustments under this contract.
- 4.8. If the successful contractor is unable to supply the product required on the PO, he/she shall recommend an acceptable replacement product to the kitchen/housekeeping supervisor for approval.
- 4.9. If the supplier requires a minimum order quantity, it must be stated on their proposal.
- 4.10. Supplier must confirm receipt of an official order and confirm the delivery date and time with the kitchen/housekeeping supervisor. The kitchen/housekeeping supervisor must be informed of any changes in the agreed delivery times before-hand.
- 4.11. The products must be transported under hygienically acceptable conditions i.e. securely crated, boxed, or bagged and hauled in closed refrigerated trucks as previously specified. No other items will be transported in the same vehicle which might in any way contaminate or damage the dairy products.

5. Documentation Requirements and Certification of Quantity and Quality:

- 5.1. All products delivered will be inspected at the time of delivery.
- 5.2. The kitchen/housekeeping supervisor or designee will check items delivered against the official purchase order and invoice at the time of delivery with both the supervisor and the driver signing the appropriate documentation for shortages and errors, and/or obviously damaged / non-compliant goods.
- 5.3. The contractor will be responsible for dairy products rejected at the point of delivery and products found to be deformed or defective within the use by date for the product as previously specified. Damaged or inferior products for which the supplier is responsible will be replaced at no additional cost to iThemba LABS or a credit note will be issued for goods returned for credit.
- 5.4. iThemba LABS reserves the right to reject any product that does not conform to the specifications and quantity of invoiced product when received. Rejected items to be removed immediately and credit memo issued.
- 5.5. Original tax invoices indicating PO, description of dairy products supplied, units of measure, quantity supplied, price per unit and total cost inclusive of vat must be supplied per purchase order for each delivery.
- 5.6. The successful bidder shall bear the full burden of ownership until the goods is accepted at the final destination. Any shortages, damages, losses or otherwise undelivered goods shall remain the successful bidder's responsibility.
- 5.7. If deliveries are made in crates, boxes, containers or bags, these items remain the property and responsibility of the service provider. Such containers used for delivery should be unpacked at point of delivery and iThemba LABS should not be invoiced or levied for such crates/ containers.
- 5.8. Payment terms are strictly 30 days from the date of invoice.
- 5.9. iThemba LABS reserves the right to conduct inspections of the production process, the product and the premises of the supplier, by appointment, during the contract period or prior to entering into a contract.

PRICING SCHEDULE

The estimated annual amount# (per unit of measure) are for illustrative evaluation purposes only.

NB: Please note pricing presented in the **pricing schedule will be used for comparative analysis and estimation of contract value**. Periodic escalation of prices will be evaluated and considered in accordance with the percent changes of the food and non-alcoholic beverages indicators of the Consumer Price Index (CPI) and of the food products, beverages and tobacco products indicators of the Producer Price Index (PPI) as published by <http://www.statssa.gov.za/> These costs will be mutually agreed upon annually or periodically as needed to ensure that pricing remains market related for the duration of the contract.

Delivery costs must be included in product costs. If a minimum order amount is required, it must be specified:

Minimum order value required for free delivery:	R
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No.	Supplier Specifications	#Estimated Average Quantity	Price Per Unit (Incl. VAT)	Total (Incl. VAT)
1	2 lit Full Cream Milk Jug or equivalent	5 760	R	R
2	2 lit Low Fat Milk Jug or equivalent	1 440	R	R
3	1 lit Full Cream Milk Sachet or equivalent	1530	R	R
4	1 lit Low-Fat milk Sachet or equivalent	204	R	R
5	Yoghurt smooth or with fruits assorted 175gr or equivalent	1224	R	R
6	Yoghurt smooth or with fruits assorted 1lit or equivalent	102	R	R
6	Yoghurt smooth or with fruits assorted 5lit or equivalent	10	R	R
7	Drinking yoghurt assorted 250 ml or equivalent	612	R	R
TOTAL (VAT INCLUSIVE) YEAR ONE				R
*TOTAL (VAT INCLUSIVE) YEAR TWO				R
*TOTAL (VAT INCLUSIVE) YEAR THREE				R
*TOTAL (VAT INCLUSIVE) FOR THREE (3) YEAR CONTRACT				R

#Estimated Average: The amounts estimated here are estimated totals for a 12-month period.

*Food products, beverages and tobacco products increased by 5,7% year-on-year, and contributed 2,1 % percentage points to the total PPI annual rate of 10,8 % in Dec 2021. Food and non-alcoholic beverages increased by 5,5% year-on-year, and contributed 1,0 percentage points to the total CPI annual rate of 5,9% in Dec 2021. (Ref: <http://www.statssa.gov.za/publications/P01421/P01421December2021.pdf>) It is recommended that contract pricing for year 2 should therefore be estimated at year 1 pricing plus 5.7%, and year 3 at year 2 pricing plus 5.7% approximately.

STANDARD BIDDING DOCUMENT (SBD) 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

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

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

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

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.

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 CLAIMED (SBD 6.1)

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS, AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1. The following preference point systems are applicable to all bids:

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

1.1.2. the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2.

1.2.1. The value of this bid is estimated not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable

1.2.2. the 80/20 preference point system will be applicable to this tender

1.3. Points for this bid shall be awarded for:

1.3.1. Price; and

1.3.2. B-BBEE Status Level of Contributor.

1.4. The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTION	20

- 1.5. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- 2.1. **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.2. **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.3. **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- 2.4. **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.5. **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- 2.6. **"functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- 2.7. **"prices"** includes all applicable taxes less all unconditional discounts;
- 2.8. **"proof of B-BBEE status level of contributor"** means:
- 2.8.1. B-BBEE Status level certificate issued by an authorized body or person;
- 2.8.2. A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
- 2.8.3. Any other requirement prescribed in terms of the B-BBEE Act;
- 2.9. **"QSE"** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- 2.10. **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

- 3.1. **THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS**
A maximum of 80 or 90 points is allocated for price on the following basis:
- | | | |
|-------|----|-------|
| 80/20 | or | 90/10 |
|-------|----|-------|

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

Where

P_s = Points scored for price of bid under consideration
 P_t = Price of bid under consideration
 P_{\min} = Price of lowest acceptable bid

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

- 4.1. In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

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

5. BID DECLARATION

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

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

- 6.1. B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(Tick applicable box)

YES		NO	
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- 7.1.1. If yes, indicate:

7.1.1.1. What percentage of the contract will be subcontracted.....%

7.1.1.2. The name of the sub-contractor.....

7.1.1.3. The B-BBEE status level of the sub-contractor.....

7.1.1.4. Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
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7.1.1.5. Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1. Name of company/firm:

8.2. VAT registration number:

8.3. Company registration number :.....

8.4. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6. COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

8.8. I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBEE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

8.8.1. The information furnished is true and correct;

8.8.2. The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

8.8.3. In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

- | | |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <p>8.8.4. If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –</p> <ul style="list-style-type: none">8.8.4.1. disqualify the person from the bidding process;8.8.4.2. recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;8.8.4.3. 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;8.8.4.4. recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and8.8.4.5. forward the matter for criminal prosecution. |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

By signing this request for order form the supplier offers to supply the goods or service in respect of **RFQ and Description** of goods or services

_____, as described in this document.

Signature

Date

Print name: _____

On Behalf of the Supplier (duly authorized)



COMPANY STAMP

Note: It is advised that documents be returned in PDF