



higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

REQUEST FOR QUOTATION

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SUITABLE CONSULTANCY SERVICES TO PROVIDE FINANCIAL MANAGEMENT AND SUPPLY CHAIN MANAGEMENT SERVICES FOR HUMAN RESOURCE DEVELOPMENT COUNCIL OF SOUTH AFRICA SECRETARIAT FOR A PERIOD OF TEN (10) MONTHS.

RFQ NUMBER: RFQ005/2025

Date Issued: 10 April 2025

Closing date and time: 22 April 2025 @ 11h00

Bid Validity Period: 90 days

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REQUEST FOR QUOTATION

Terms of Reference for the appointment of a suitable Consultancy Services to provide financial management and supply chain management services for Human Resource Development Council of South Africa Secretariat for a period of Ten (10) Months

The Human Resource Development Council (HRDC) is requesting potential fund managers to submit proposals for a Quotation to provide financial management and supply chain management services for HRDC of South Africa Secretariat for a period of Ten Months

PART A – INFORMATION ON THE QUOTATION

1. BACKGROUND

The **HRDC** is a multi-stakeholder advisory body that was established by Cabinet in 2010. It is managed by the Ministry of Higher Education and Training with the following mandate:

- 1.1 Advising government on the need for and implementation of human resource development policies and strategies;
- 1.2 To identify blockages, provide solutions to unlock them and monitor implementation thereof;
- 1.3 Develop and monitor the implementation of the “HRD Strategy towards 2030” and its priorities;
- 1.4 Coordinate the efforts of government departments and social partners in the implementation of the strategy; and
- 1.5 Evaluate the impact of the strategy against agreed indicators.

2. PURPOSE OF THE QUOTATION

The purpose of the Quotation is to request potential fund managers to submit proposals for a Quotation to provide financial management and supply chain management services for HRDC secretariat for a period of ten (10) Months.

3. SCOPE AND DEFINITION OF WORK

- 3.1 The appointed Consultancy Services will manage the services of a credible fund management agency and to assist the National Skills Fund (NSF) to manage projects and operational aspects of the HRDC. The NSF provide funds and support to the HRDC Secretariat. The scope of the work of the appointed agency will:
- 3.1.1 Manage the annual allocation of the NSF that supports HRDC activities; such as travel arrangements, internal projects, procurement and financial management.
- 3.1.2 Work with the secretariat and NSF, to manage and contract third party organizations/ service providers who will be undertaking the work of HRDC. The following are the sub-structures of HRDC:
- Council,
 - EXCO,
 - Champions,
 - Standing Committees, and
 - Secretariat.
- 3.1.3 Manage the appointments of consultants/researchers to work with special projects, Standing Committees.
- 3.1.4 The appointed service provider will report to the Head of Secretariat through the Director: HRDC.
- 3.1.5 The appointed service provider is expected to have their own working premises. The HRDC Secretariat is located in Pretoria CBD and will not be liable for any travel cost, travel and subsistence expenses incurred by the fund manager.

4. DELIVERABLES

- 4.1 The appointed service provider will be required to:
- 4.1.1 Open a dedicated account for projects.
- 4.1.2 Submit monthly financial reports on the 4th of the new month.
- 4.1.3 Submit quarterly progress reports on the 4th of the first month of the new quarter.
- 4.2 At the end of the project, audited financial reports in relation to the account must be submitted by no later than 60 days.
- 4.3 Provide quarterly reports for the meetings (face to face meetings/written reports).
- 4.4 Manage the supply chain management process of the Secretariat for procurement for the HRDC Secretariat Programmes; Programme:

Administration, Coordination and Communication, Programme: Policy, Research, Information Systems and Special Projects, and Programme: Planning, Monitoring, Evaluation and Reporting.

5. APPROPRIATE EXPERIENCE

- 5.1 Demonstrated proven previous public service experience of managing and distributing funds on behalf of the entities including systems for contracting and managing third party agencies (Provide contactable references).
- 5.2 Proven public service experience of the company, knowledge in managing and coordinating the Supply Chain Management.
- 5.3 Proven public service experience and knowledge in appointment of consultants/researchers.

6. DURATION OF THE CONTRACT

- 6.1 The successful consultancy will be appointed to render the requisite service portfolio for a period of 10 Months .
- 6.2 Work will commence upon issuing of purchase order and signing the SBD 7.2 contract form.

PART B – LEGISLATIVE FRAMEWORK

1. TAX LEGISLATION

- 1.1 Bidders must be vigilant of compliance measures and requirements when submitting a proposal to the Department and remain compliant in terms of all applicable tax legislation for the entire contract period, including but not limited to the application parameters of the Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991).
- 1.2 It is a pre-condition of this bid document that the tax affairs of the successful bidder will be in order, or that satisfactory arrangements have been made with the South African Revenue Service (SARS) in meeting the bidder's pending tax obligations.
- 1.3 The relevant tax compliance status requirements are also applicable to any foreign bidders / individuals who wish to participate during the bidding process.
- 1.4 It is a requirement that bidders when submitting a bid, provide written confirmation that SARS may on an ongoing basis and for the duration of the tenure of the contract,

disclose the bidder's tax compliance status. By the very act of submitting a bid, such a confirmation therefore is also deemed to have been granted by the potential bidder.

- 1.5 Bidders must be registered on the National Treasury Central Supplier Database (CSD) prior to the submission of bidding documentation and National Treasury will accordingly verify the bidder's tax compliance status through screening of the requisite information provided on the Central Supplier Database.
- 1.6 Where consortia / joint ventures and/or sub-contractors are involved in the bidding process, each party must be registered individually on the Central Supplier Database and their tax compliance status will accordingly be verified by National Treasury through the Central Supplier Database.

2. PROCUREMENT LEGISLATION

- 2.1 The Department utilises a detailed evaluation methodology premised on Treasury Regulation 16A3 promulgated phased under Section 76 of the *Public Finance Management Act, 1999 (Act, No. 1 of 1999)*, the *Preferential Procurement Policy Framework Act 2000 (Act, No.5 of 2000)*; the *Preferential Procurement Regulations, 2017* and the *Broad-Based Black Economic Empowerment Act, 2003 (Act, No. 53 of 2003)*.

3. TECHNICAL LEGISLATION AND/OR STANDARDS

- 3.1 Bidder(s) should at all times be cognisant of the relevant legislation and/or standards specifically applicable to the service portfolio to be rendered in terms of this Quotation.

PART C – THE BIDDING PROCESS

1. TIMELINE OF THE BID PROCESS

- 1.1 The **validity period** and possible withdrawal of offers, subsequent to the closing date and time of this RFQ is **90 days**. The relevant project time-frames in terms of this bid are indicated as follows:

Activity	Due Date
Advertisement of the bid via the Department e-Tender portal / Department's website / e-Tender Bulletin.	10 April 2025
Enquiries related to RFQ005/2025	16 April 2025 @ 16H00
Bid Closing date	22 April 2025
Bid Closing Time	11H00

- 1.2 All dates and times in this bid are determined in accordance with South African standard time.
- 1.3 Any time or date reflected in this bid is subject to change at the Department's discretion. The determination of a time or date in this bid does not presuppose an obligation on the part of the Department in taking action, or creating by any manner rights in terms of which bidders may demand that specific action(s) be undertaken on the date(s) accordingly reflected in this bid. The bidder therefore accepts that, in the event of the Department extending the deadline for bid submissions (the closing date) based on and influenced by whichever circumstance, the conditions and requirements attached to this bid remain unaltered and apply equally with regard to the revised deadline.

2. CONTACT AND COMMUNICATION

- 2.1 A nominee on behalf of the bidder may make enquiries in writing, up and until **16 April 2025**, to the Directorate: Supply Chain Management, via email at Quotation@dhet.gov.za. The delegated office of the Department is entitled to communicate with Bidders whenever further clarity is sought regarding information provided on the Request for Quotations (RFQ).
- 2.2 Any communication by Bidders addressed to or with an official or person acting in an advisory capacity on behalf of the Department, in so far as it has relevance to bid proposal, during the period commencing from the bid closing date and that of awarding of the Quotation is strongly discouraged.
- 2.3 All communication between Bidders and the Department must be provided in writing.
- 2.4 While due care has been taken regarding the finalisation of this bid, the Department duly makes no representations or provides any warranty that the contents thereof, or any part of the information accordingly communicated or provided to Bidders during the bidding process is accurate, current and/or complete. The Department and its employees/advisors therefore will not be liable in relation to any information communicated and proves to be inaccurate, outdated and/or incomplete.
- 2.5 In the event of bidders reasonably believing there to be substantive discrepancy, ambiguity, error or inconsistency contained in this bid or any part of other information provided by the Department (excluding any minor clerical matters), bidders must promptly bring such a discrepancy, ambiguity, error or inconsistency, in writing, to the attention of the Department before the closing date with the aim of affording the Department an opportunity to consider the issue(s) and where required, take the requisite corrective action.

- 2.6 All bidders (including any other relevant persons) obtaining or receiving the bid and/or any other information in relation to the bid or the Quotation process are obliged to keep the entire contents of the bid and all related information confidential and may not disclose or use the information in any other manner than for the express purpose of developing a proposal in response to this bid.
- 2.7 Any actual discrepancy, ambiguity, error or inconsistency in relation to the bid or part of any other information provided by the Department will, where possible, be corrected and the revised documentation be published.

3. LATE BIDS

- 3.1 Bids received at the address indicated in the bid documents after the specified closing date and time, will not be accepted for consideration and where practical, will be returned unopened to the bidder(s).

4. COUNTER CONDITIONS

- 4.1 Bidders are advised that subsequent **amendments to any of the Bid Conditions, the proposals of any counter conditions by bidders or qualifications made in respect of the Bid Conditions shall result in the immediate disqualification of such bids.** Bidders should therefore adapt their standard conditions in line with those that are issued by the Department.

5. FRONTING

- 5.1 The Department supports the spirit of broad - based black economic empowerment and recognises that true empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and garnering opportunities in an honest, fair, equitable, transparent and legally compliant manner. Against this background the Department strongly condemns any form of fronting.
- 5.2 The Department, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations in determining the accuracy of the representations made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be determined during such an enquiry/investigation, the onus rests on the bidder/contractor to prove that the allegation of fronting does in fact not exist. Failure to do so within a period of 14 days and determined from the date of notification may invalidate the bid/contract and also result in the restriction of the Bidder/contractor

to conduct business with the public sector for a subsequent period of up to ten years and in addition to any other actions the Department may have at its disposal and accordingly wish to institute against such bidders/contractors.

6. SUPPLIER DUE DILIGENCE

6.1 The Department reserves the right to conduct rolling out due diligence on suppliers prior to final awarding of the contract, or on an occasional basis during the implementation of the mandated contract period. These actions may also include site visits and requests for the provision of additional information.

7. MANDATORY BID DOCUMENTS

7.1 The Department has set minimum standards that bidders need to meet as a precursor to evaluation and selection as the successful.

7.2 The minimum standards consist of the following criteria:

Pre-qualification Criteria (Phase 0)	Technical Evaluation Criteria (Phase 1)	Price and B-BBEE Evaluation (Phase 2)
Bidders must submit all documents as outlined in table 1 below. Only bidders that comply with ALL these criteria will proceed to Phase 1.	Bidders are required to achieve a minimum of 80 points out of 100 points to proceed to Phase 2 (Price and Specific Goals considerations).	Bidders will be evaluated out of 100 points and Phase 2 will only apply to bidders who have met and/or exceeded the threshold of 80 points .

7.3 Phase 0: Pre-Qualification Criteria:

7.3.1 Without any limitation in respect of the Department’s other critical requirements relevant to this Bid, prospective bidders must submit all the required documents listed in **the table** below.

7.3.2 Supply Chain Management will conduct pre-compliance administration check in terms of submission of all required standard bidding documents , Tax compliance and registration on Central Supplier Database (CSD).

Table 1: Documents to be submitted for pre-qualification:

Document that must be submitted for bidder, [each legal persona of consortium/JV] and each subcontractor	YES/N O	Non-submission of completed and signed documents may result in disqualification
Popi Act Form		Complete and sign the attached <i>pro-forma</i> document

Document that must be submitted for bidder, [each legal persona of consortium/JV] and each subcontractor	YES/N O	Non-submission of completed and signed documents may result in disqualification
Tax Compliance Status Confirmation		<ul style="list-style-type: none"> i. Written confirmation that SARS may on an ongoing basis during the period of the contract disclose the bidders tax compliance status. ii. Proof of Registration on the Central Supplier Database iii. Vendor number iv. In the event where the bidder submits a hard copy of the Tax Clearance Certificate, the CSD verification outcome will take precedence.
Declaration of Interest – SBD 4;		Complete and sign the attached <i>pro-forma</i> documents.
Pricing Schedule – SBD 3.1		Complete and sign the attached <i>pro-forma</i> documents
General Conditions form – SBD 6.1		Complete and sign the attached <i>pro-forma</i> documents
Preference Points claim form (Black , Women, Youth & People with disabilities) SBD 6.3		Complete and sign the attached <i>pro-forma</i> document
Preference Points Claim Form (Promotion of Small Businesses - <i>SMME</i>) SBD 6.4		Complete and sign the attached <i>pro-forma</i> document
Registration on the Central Supplier Database (CSD Report)		<ul style="list-style-type: none"> i. The bidder must be registered as a service provider on the Central Supplier Database (CSD). If not registered proceed with completing the company registration prior to submission of the proposal. Visit https://secure.csd.gov.za/ to obtain a vendor number. ii. Submit proof of registration.
Pricing Schedule (Bidder only)		Submit full details of the pricing proposal in a separate envelope

7.3.3 Each document must be completed and signed by the duly authorised representative on behalf of the prospective bidding company.

7.3.4 During this phase bid responses will be evaluated with emphasis placed on documentary compliance with the listed administrative and mandatory bid requirements.

7.3.5 Bidders' proposal may be disqualified as a result of non-submission and non-completion of the above mentioned documents.

7.3.6 Joint Ventures, Consortiums and Trusts:

7.3.6.1 A trust, consortium or joint venture, will qualify for points on evaluation of their Specific goals status level **as a legal entity, provided that the entity submits the requisite B-BBEE status level certificate.**

7.3.6.2 A trust, consortium or joint venture **will qualify for points** on evaluation of their B-BBEE status level **as an unincorporated entity, provided that the entity submits their requisite, consolidated B-BBEE scorecard as if they were a group structure and on condition that such a consolidated B-BBEE scorecard is prepared for every separate bid application.**

7.3.6.3 Bidders must submit substantive proof of the existence of joint ventures and/or consortium arrangements. The Department will accept valid signed agreements as proof for the existence of a joint venture and/or consortia arrangement.

7.3.6.4 Joint venture and/or consortia agreements must clearly set out the roles and responsibilities of the lead partner, alongside the joint venture and/or consortium. The agreement must also clearly identify the lead partner that is accordingly provided with a power of attorney to bind the other co-parties in all matters pertaining to the joint venture and/or consortia arrangement.

7.4 Specific Goals (20 Points):

7.4.1 A maximum of 20 points may be allocated to a bidder for specific goals specified in the tender.

7.4.2 The points scored for specific goals must be added to the points scored for price and the total must be rounded off to the nearest two decimal places.

7.4.3 The table below provides the specific goals, its criteria of measurement and the proof to be offered by tenderer for a tenderer to qualify for 20 points:

APPLICATION OF SPECIFIC GOALS IN THE WHITE PAPER ON RDP; & THE CODE OF GOOD PRACTICE IN B-BBEE: DHET PREFERENTIAL PROCUREMENT												
NO	SPECIFIC GOAL	REFERENCE	CRITERIA	80/20		CLAIM	90/10		CLAIM	EVIDENCE	Indicate if evidence is provided, & specify	
				Specific Goal Contribution	Points Claimed	Bidder must tick (x) next to points claimed	Specific Goal Contribution	Points Claimed	Bidder must tick (x) next to points claimed			PROOF/ EVIDENCE
1	Person historically disadvantaged on the basis of race	RDP 1.4.4; 3.1.4	100% black owned	60,00	7,84		60,00	3,92		Copy of CIPC (Companies and Intellectual Property Commission) registration, copies of ID's as well as CSD (Central Supplier Database)	Y	N
			75%-99% black owned	50,00	6,54		50,00	3,27			specify	
			60%-74% black owned	40,00	5,23		40,00	2,61				
			51%-59% black owned	30,00	3,92		30,00	1,96				
			0-50% black owned	10,00	1,31		10,00	0,65				
			None	0,00	0,00		0,00	0,00				
2	Persons historically disadvantaged on the basis of gender	RDP 1.4.4; 3.1.4; 3.2.7; 7.7	100% women owned	40,00	5,23		40,00	2,61		Copy of CIPC (Companies and Intellectual Property Commission) registration, copies of ID's as well as CSD (Central Supplier Database).	Y	N
			75%-99% women owned	30,00	3,92		30,00	1,96			specify	
			60%-74% women owned	20,00	2,61		20,00	1,31				
			51%-59% women owned	10,00	1,31		10,00	0,65				
			0-50% women owned	5,00	0,65		5,00	0,33				
			None	0,00	0,00		0,00	0,00				
3	Persons historically disadvantaged on the basis of disability	RDP 7.7	100% owned by persons with disabilities	3,00	0,39		3,00	0,20		Certified medical certificate or substantive proof.	Y	N
			75%-99% owned by persons with disabilities	2,00	0,26		2,00	0,13			specify	
			60%-74% owned by persons with disabilities	1,00	0,13		1,00	0,07				
			0-59% owned by persons with disabilities	0,50	0,07		0,50	0,03				
			None	0,00	0,00		0,00	0,00				
4	Development of Youth	RDP 1.4.6; 7.7	100% youth owned	20,00	2,61		20,00	1,31		Copy of CIPC (Companies and Intellectual Property Commission) registration, copies of ID's as well as CSD (Central Supplier Database) to be 35 years	Y	N
			75%-99% youth owned	15,00	1,96		15,00	0,98			specify	
			60%-74% youth owned	10,00	1,31		10,00	0,65				
			51%-59% youth owned	5,00	0,65		5,00	0,33				
			0-50% youth owned	2,50	0,33		2,50	0,16				
			None	0,00	0,00		0,00	0,00				
5	Development of SMMEs	RDP 3.10; 3.1.4	Micro 0 - 10 employees; turn-over per sector	30,00	3,92		30,00	1,96		BBBEE certificate or sworn affidavit for EME or QSE; Copy of CIPC (Companies and Intellectual Property Commission) registration; SARS Return indicating turnover or audited financial statement.	Y	N
			Small 11- 50 employees; turn-over per sector	15,00	1,96		15,00	0,98			specify	
			Medium 51 - 250 employees; turn-over per sector	10,00	1,31		10,00	0,65				
			None	0,00	0,00		0,00	0,00				
TOTAL				153,00	20		153,00	10				

- 7.4.4 A tenderer must submit proof or evidence for claiming points for specific goals as indicated above. A bidder must also complete a preference form (SBD 6.1) in detail to claim points for specific goals.
- 7.4.5 A tenderer failing to submit proof or evidence may not be disqualified but:
- 7.4.5.1 May only score points out of 80 for price; and
- 7.4.5.2 Scores 0 points out of 20 for specific goals.
- 7.4.6 The points scored by a tenderer for specific goals must be added to the points scored for price for total points.
- 7.4.7 The points scored must be rounded off to the nearest TWO decimal place.

PART D – SUBMISSIONS

1. SUBMISSION OF PROPOSAL

- 1.1 Bid documents must be placed in the Department's Quotation box situated in 117/123 Francis Baard Street, Pretoria, 0001 (Opposite Pretoria Magistrate Court) on or before the closing date and time.
- Closing Date: 22 April 2025**
- Closing Time: 11:00**
- 1.2 Bid documents will only be considered if received by the Department before or on the closing date and time, regardless of the method used to send or deliver such documents to the Department.
- 1.3 The two envelope procedures must be followed for Quotation submissions.
- 1.4 The first envelope must clearly state **TECHNICAL SUBMISSION**, wherein the bidder should address all aspects of the required scope of services.
- 1.5 The second envelope must clearly state **FINANCIAL SUBMISSION**, wherein the bidder should include the proposed fee for the project.
- 1.6 Bidder(s) are required to submit 2 copies of each file, (one (1) original and (1) copy). Each file must be marked correctly and sealed separately for ease of reference during the evaluation process.
- 1.7 Bidders are requested to initial the bottom right-hand corner of each page of the Quotation document. On pages where bidders are required to provide full signatures, initialling at the bottom of these pages is not required.

2. CONTENT OF THE TECHNICAL SUBMISSION

The technical submission should include the following:

- 2.1 Cover Page
- 2.2 Mandatory documents
- 2.3 Introduction and Executive Summary
- 2.4 Company and contact information of the bidder, including all parties/team members to the consortium where applicable

2.5 Exhibit 1:

You are required to demonstrate APPROPRIATE COMPANY EXPERIENCE, SKILLS AND KNOWLEDGE.

The proposal must include all the following:

- A table listing clients where similar projects were performed especially related to public sector fund management involving project management, financial management and supply chain management.

2.6 Exhibit 2:

Appropriate qualifications, experience, skills and knowledge in Project Management Supply Chain Management and Financial Management relevant to the project requirements. The proposal must include all the following documents:

- A short profile of the service provider, as well as the team.
- A table containing the names of all team members, their envisaged roles and responsibilities and the time they will work on the project.
- A full CV of the Team Leader clearly indicating relevant experience and expertise in working in the public sector.
- A full CV of the person/s that will do the work, clearly indicating relevant expertise and experience (see *APPROPRIATE SKILLS AND KNOWLEDGE* above).
- Certified copies of the highest education qualification/s of each team member, as certified by a commissioner of oath.

2.7 Exhibit 3:

The proposal must outline a detailed approach and methodology that will be applied in managing the intended fund. This includes, but is not limited to governance, administration, financial management (including financial reporting to the Department) and project management aspects of the project (including monitoring and reporting).

In specific this part must include:

- A description of the envisaged methodology, processes and procedures that the service provider will deploy to ensure that EACH deliverable is achieved at the required level of quality; and
- A typical process flow cycle diagram from the point of receipt of funds, managing the funds, procuring of goods/services, project management and reporting.

2.8 Exhibit 4:

Demonstrate reporting methods and standards that will be applied to ensure feedback and update of progress during project implementation.

Indicate systems that will be applied to ensure seamless integration of functions between financial, supply chain and project management.

3. FINANCIAL SUBMISSION

- 3.1 The financial submission should include the proposed fee for the project over 10 Months period. The proposed fee must be based upon a percentage of the annual funds utilised by HRDC. The NSF allocates approximately R10 million for Ten (10) months towards HRDC.
- 3.2 The proposed fee should include any costs that will be incurred by the bidder, including travel and subsistence expenses. The total price or amount provided will be regarded as the cost of the project, including VAT and applicable taxes.

PART E – CONDITIONS

1. GENERAL CONDITIONS OF CONTRACT

- 1.1 Any subsequent award/concession made to a prospective bidder in terms of this TOR is conditional on, (among others):
 - 1.1.1 The bidding party accepting the terms and conditions as contained in the General Conditions of Contract as the minimum terms and conditions on which the Department is prepared to enter into a contract with the successful Bidder.
 - 1.1.2 The bidder submitting the General Conditions of Contract to the Department together with its bid, has ensured that the document has duly been signed by an authorised representative on its behalf.
 - 1.1.3 **The Bidders Proposals will be assessed by the relevant DHET officials assigned for that function in terms of verification of compliance , relevance and correctness of the proposals submitted.**

2. SPECIAL CONDITIONS OF CONTRACT

The Department reserves the right to:

- 2.1 Award this Quotation to any bidder that did not score the highest (cumulative total) number of points and only in accordance with section 2(1)(f) of the **PPPFA** (Act 5 of 2000);
- 2.2 Negotiate with one or more preferred bidders identified in the evaluation process, regarding any terms and conditions, including pricing without offering the same opportunity to any other bidder(s) who had not been awarded the status of a preferred bidder;
- 2.3 Accept any part of a Quotation in lieu of the whole Quotation;
- 2.4 Carry out at its discretion, site inspections, product evaluations or facilitate explanatory meetings in order to verify the nature and quality of the services offered by the potential bidders, either before, during or subsequent to adjudication of the Bid;
- 2.5 Correct mistakes during any stage of the Quotation evaluation process which may already have been apparent in the bid documents or subsequently occurred during any stage of the Quotation evaluation process;
- 2.6 At any stage during the evaluation of bids, cancel and/or terminate the Quotation process, even subsequent to the Quotation closing date and/or after presentations by selected bidders have been made, and/or after Quotations have been evaluated and/or after the preferred bidders have as such been notified of their status; and
- 2.7 Award the Quotation to multiple bidders based either on organisational capacity, specialisation and size, as well as geographic considerations.
- 2.8 Request that all information (scan reports, databases) are retained for the duration of the contract and that it must be handed to the Department after the contract has ended.

- 2.9 An SLA needs to be signed between the appointed service provider and HRDC Secretariat within 30 days after signing the contract.
- 2.10 Should the service provider fail to perform according to the Service Level Agreement, their contract will be terminated after following all required normal processes.

3. GOVERNING LAW

- 3.1 South African law will in its full extent govern the Application parameters of this bid and the bid response process.
- 3.2 The bidder agrees to submit to the exclusive jurisdiction of the South African court system in any dispute of any kind that may arise out of- or in connection with the subject matter of this bid, the bid itself and all processes associated with the bid.

4. DECLARATION

Bidders as part of their respective technical responses, are required to declare the following and confirm that they will:

- 4.1 At all times for the duration of the Quotation, act honestly, fairly and with due skill, care and diligence in the best interest of the Department;
- 4.2 Manage, effectively utilise and apply the resources, procedures and appropriate technological systems to ensure the proper performance of the services for the duration of the Quotation;
- 4.3 Act with circumspection and treat the Department fairly in all situations where conflicting interests may become apparent;
- 4.4 Comply with all applicable statutory or common law requirements related to the conduct of its business;
- 4.5 Make adequate disclosures regarding relevant and material information, including the disclosure of actual or potential interests the company may acquire, in relation to its dealings with the Department;
- 4.6 Avoid any form or instance of fraudulent and misleading advertising, canvassing and marketing for the duration of the Quotation;
- 4.7 Conduct business activities transparently and consistently uphold the interests and needs of the Department as a client, before any other consideration; and
- 4.8 Ensure that for the duration of the Quotation no information acquired from the Department will be utilised and/or disclosed to any third party/ies unless written consent from the Department has been obtained to do so.

5. CONFLICT OF INTEREST, CORRUPTION AND FRAUD

- 5.1 The Department reserves the right to disqualify any potential bidder who either itself, or through any of its members (save for such members who hold a minority interest in the bidder through shares listed on any recognised stock exchange), indirect members (being any person or entity who indirectly holds at least a 15% interest in the bidder other than in the context of shares listed on a recognised stock exchange), directors or members of senior management, whether in respect of the Department or any other Department organ or entity and whether from the Republic of South Africa or otherwise ("Department "):
- 5.1.1 Engages in any collusive Quotationing, anti-competitive conduct, or any other similar conduct, including but not limited to any collusion with any other bidder in respect of the subject matter of this bid;
 - 5.1.2 Seeks any assistance, other than assistance officially provided by a Department, from any employee, advisor or other representative of a Department in order to obtain any unlawful advantage in relation to the procurement or services provided or to be provided to the Department;
 - 5.1.3 Makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of the Department's officers, directors, employees, advisors or other representatives in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Department;
 - 5.1.4 Accepts anything of value or an inducement that would or may provide financial gain, advantage or benefit in relation to procurement or services provided or to be provided to a Department;
 - 5.1.5 Pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift or any other consideration, that is contingent upon or results from, the awarding of any Quotation, contract, right or entitlement which is in any way related to procurement or the rendering of any services to the Department;
 - 5.1.6 Has in the past engaged in any matter referred to above; or
 - 5.1.7 Has been found guilty in a court of law on charges of fraud and/or forgery, regardless of whether or not a prison term was imposed and despite such a bidder, member or director's name(s) not specifically appearing on the List of Quotation Defaulters kept at National Treasury.

6. MISREPRESENTATION DURING THE LIFECYCLE OF THE CONTRACT

- 6.1 The bidder should note that the terms of its Quotation will be incorporated in the proposed contract by reference and that the Department relies upon the bidder's

Quotation as a material representation in making an award to a successful bidder and in concluding an agreement with said bidder.

- 6.2 It follows therefore that misrepresentations in a Quotation may give rise to service termination and a claim by the Department against the bidder notwithstanding the conclusion of the Service Level Agreement between the Department and the bidder for the provision of the service(s) in question. In the event of a conflict between the bidder's proposal and the Service Level Agreement concluded between the parties, the contents of the Service Level Agreement will prevail.

7. PREPARATION COSTS

- 7.1 The Bidder will bear all its costs in preparing, submitting and presenting any response or Quotation to this bid and all other costs incurred by it throughout the bidding process.
- 7.2 Furthermore, no statement in this bid will be construed as placing the Department, its employees or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the bidder(s) in the preparation of their responses to this bid.

8. INDEMNITY

- 8.1 If a bidder breaches the conditions of this bid and as a result of that breach, the Department incurs costs or damages (including, without limitation, the cost(s) of any investigations, procedural impairment, repetition of all- or any part of the bid process and/or enforcement of intellectual property rights or confidentiality obligations), the bidder then indemnifies and holds the Department harmless from any and all such costs which the Department may incur and for any damages or losses the Department may suffer.

9. PRECEDENCE

- 9.1 This document will prevail over any information provided during any stage whether oral, electronically or written, unless such written information provided, expressly amends this document by reference.

10. LIMITATION OF LIABILITY

- 10.1 A bidder participates in this bid process entirely at its own risk and cost. The Department shall not be liable to compensate a bidder on any grounds whatsoever, for any costs incurred or any damages suffered as a result of the Bidder's participation in this bidding process.

11. TAX COMPLIANCE

- 11.1 The Department reserves the right not to award a bidder who is Non-Tax compliant ,If the recommended bidder's Tax status is non-compliant by the time of recommendation , the bidder will be notified as such and be given reasonable time in terms of the National Treasury Regulations to fix their Tax Status , failure to comply with will lead to disqualification of the bidder.Tax status will also be verified against the Central Supplier Database (CSD) .
- 11.2 The Department further reserves the right to cancel a contract with a successful bidder in the event that such a bidder does not remain tax compliant for the full term of the contract.

12. QUOTATION DEFAULTERS AND RESTRICTED SUPPLIERS

- 12.1 No Quotation shall be awarded to a bidder whose name (or any of its members, directors, partners or trustees) appears on the Register of Quotation Defaulters maintained by National Treasury, or who have been placed on National Treasury's List of Restricted Suppliers.
- 12.2 The Department reserves the right to withdraw an award, or cancel a contract concluded with a Bidder should it be established, at any time, that a bidder has been blacklisted with National Treasury by another organ of state.

13. CONFIDENTIALITY

- 13.1 Except as may be required by the operation of law, by a court or by any regulatory authority having appropriate jurisdiction, no information contained in- or relating to this bid or a bidder's Quotation(s) will be disclosed by any bidder or other person not officially involved with the Department's examination and evaluation of a Quotation.
- 13.2 No part of the bid may be distributed, reproduced, stored or transmitted, in any form or by any means, electronically, or by way of photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a Quotation. This bid and any other documents supplied by the Department remain proprietary to the Department and must be promptly returned to the Department upon request, together with all copies,

electronic versions, excerpts or summaries thereof or work as a consequence derived there from.

- 13.3 Throughout this bid process and thereafter, bidders must secure the Department's written approval prior to the release of any information that pertains to (i) the potential work or activities to which this bid relates; or (ii) the process which follows this bid. Failure to adhere to this requirement may result in disqualification from the bid process and civil action.

14. PROPRIETARY INFORMATION OF THE DEPARTMENT

- 14.1 Bidders will declare in their respective bid cover letters that they did not have access to any departmental proprietary information, or any other matter that may have unfairly placed that bidder in a preferential position in relation to any of the other bidder(s).

15. COPYRIGHT AND ALL OTHER INTELLECTUAL PROPERTY RIGHTS

- 15.1 **All copyright and all other intellectual property rights in respect of any documents and materials (works) developed by the service provider during this project, shall vest in the HRDC Secretariat.**
- 15.2 The HRDC Secretariat will have the right to release the works under an appropriate copyright license, including an open license that will allow any individual, official, company, agency or organisation to use or modify the works for any purpose as stated in the open licence.
- 15.3 All background intellectual property forming an inseparable part of the foreground intellectual property developed during this project should also vest with HRDC Secretariat.

16. RESPONSIBILITY FOR SUB-CONTRACTORS AND BIDDER'S PERSONNEL

- 16.1 A bidder is responsible for ensuring that its personnel (including agents, officers, directors, employees, advisors and other representatives), its sub-contractors (if any) and personnel of its sub-contractors comply with all terms and conditions of this bid.
- 16.2 In the event that the Department allows a bidder to make use of sub-contractors, the actions and activities of such sub-contractors will at all times remain the responsibility

of the bidder and the Department will not under any circumstances, be liable for any losses or damages incurred by or caused by such sub-contractors.

17. SERVICE LEVEL AGREEMENT

- 17.1 Subsequent to the Department's decision on awarding the Quotation the successful consultancy **may be required to sign a Service Level Agreement** aimed at regulating the specific terms and conditions applicable to the services required by the Department and as far as possible.
- 17.2 The Department reserves the right to revise and amend any part of the proposed Service Level Indicators during the course of contract with a bidder.
- 17.3 The Department reserves the right to accept or reject additional service proposals, proposed by a successful bidder.

18. PRICING

- 18.1 The price quoted must be a fixed percentage for the duration of the contract and must include all related costs (travel, accommodation, equipment and data communication).
- 18.2 **Price must be VAT inclusive and quoted in South African Rand.**
- 18.3 Costing should be aligned with project activities / project phases.
- 18.4 Details of the **cost/fee breakdown for all the services to be rendered** must be submitted in a sealed envelope with the rest of the documentation.

19. OTHER IMPORTANT MATTERS TO NOTE

- 19.1 The Department reserves the right to conduct background/probity check on key management of the bidder.
- 19.2 The Department reserves the right to conduct due diligence exercises as part of evaluating the implementing capacity of the bidder.
- 19.3 The shortlisted bidders may be called to present to the evaluation committee before a final selection is made.
- 19.4 The Department will not be liable to reimburse any costs incurred by the bidder during this Quotation process.
- 19.5 Bidders must identify and disclose any conflict or perceived conflict of interest caused by current assignments, relationships or other dealings, and indicate how such conflicts would be addressed.
- 19.6 Only one proposal per bidder can be submitted and must indicate a (period) implementation.

PART F – MONITORING AND REPORTING

20. MONITORING

- 20.1 All monitoring of the project will be conducted by the HRDC Secretariat.
- 20.2 The office of the Director: HRDC Secretariat will outline the monitoring support to the fund Manager, that will be established to facilitate the smooth implementation of the project and to ensure that the objectives of the project are met.

21. REPORTING

- 21.1 The service provider will report to the Director: HRDC Secretariat and Chief Director: HRDC Secretariat and submit work-in progress reports by email to the Office of the Director: HRDC Secretariat on a monthly basis.
- 21.2 For each deliverable, as identified in Part A – Information on the Quotation, paragraph 4, the service provider will submit a progress reports to the HRDC Secretariat in line with approved timeframes in the project plan. The reports should be in MS Word and submitted electronically to the Director: HRDC Secretariat and Chief Director HRDC Secretariat.
- 21.3 In addition to the above in conjunction with deliverables submitted, the service provider must avail themselves for a quarterly progress meeting with the HRDC Secretariat.

22. LANGUAGE

- 22.1 All correspondence with the HRDC Secretariat including reports must be written in English.

23. SUBMISSIONS/COMMENTS TIMING

- 23.1 The submission of the project implementation plan, and project charter shall be submitted to the Director and Chief Director: HRDC Secretariat within 10 days after the commencement of the project for approval by the Department.
- 23.2 Other reports shall be submitted as per the agreed project implementation plan.

**COMPULSORY DOCUMENT (COMPLETED AND SIGNED)
TO BE SUBMITTED WITH DHET RFQ**

PERMISSION BY BIDDER:

On behalf of Company/Close Corporation/Trust/Joint Venture (JV)/
Consortium/Juristic Person/Partnership

I, Prof/Dr/Mr/Ms _____ (duly authorised),
hereby grant permission, in terms of the Protection of Personal
Information Act, 2013 (Act 4 of 2013), (POPI Act), to the Department of
Higher Education and Training, to utilise all information contained in the
Bid documents and Quotation submitted to the Department of Higher
Education and Training, for purposes of procurement.

Capacity: _____

Signed: _____

Date: _____

NB: Bidder may be disqualified if completed form is not submitted with Bid documents

**PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....	Bid number.....
Closing Time	Closing date.....

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

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
-	Required by:	.....
-	At:	..... .....
-	Brand and model	.....
-	Country of origin	.....
-	Does the offer comply with the specification(s)?		*YES/NO
-	If not to specification, indicate deviation(s)	.....
-	Period required for delivery	.....	*Delivery: Firm/not firm
-	Delivery basis	.....

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

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

*Delete if not applicable



higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

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	Select (x) the correct box
<input type="checkbox"/>	<input type="checkbox"/>	

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

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the Department of Higher Education & Training?

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>

Select (x) the correct box

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 related² enterprise whether or not they are bidding for this contract?

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>

Select (x) the correct box

Information not stated but found on CSD, CIPC or any other system may lead to disqualification of a bid.

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 consortium³ will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in

the drafting of the specifications or terms of reference for this bid.

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

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

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

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

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 "related" as referred to in the Companies Act 2008, Act No 71 of 2008, section 2(1)(a)-(c). The Department reserves the right to access the Central Supplier Database (CSD), Companies Intellectual Property Commission (CIPC) or any other system to verify information

³ 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.



higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

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 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 The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is

adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

POINTS AWARDED FOR PRICE

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

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

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: The table below provides the specific goals, its criteria of measurement for a tenderer to qualify for a maximum of 20 points (80/20) based on the proof submitted. Please complete the table below:

*80/20 PREFERENTIAL PROCUREMENT POINTS						
(a)	(b)	(c)	(d)	(e)	(f)	
The specific goals allocated points in terms of this tender	Criteria	Specific Goal Contribution	Maximum Points allocated	Bidder must tick (x) relevant points claimed	Indicate if evidence is provided (Y/N). Please refer to LEGEND for requirement	
Person historically disadvantaged on the basis of race	100% black owned	60.00	7.19		Yes	No
	75%-99% black owned	50.00	5.99		Specify	
	60%-74% black owned	40.00	4.79			
	51%-59% black owned	30.00	3.59			
	01-50% black owned	10.00	1.20			
	None	0.00	0.00			
Persons historically disadvantaged on the basis of gender	100% women owned	40.00	4.79		Yes	No
	75%-99% women owned	30.00	3.59		Specify	
	60%-74% women owned	20.00	2.40			
	51%-59% women owned	10.00	1.20			
	01-50% women owned	5.00	0.60			
	None	0.00	0.00			
Persons historically disadvantaged on the basis of disability	100% owned by persons with disabilities	7.00	0.84		Yes	No
	75%-99% owned by persons with disabilities	5.00	0.60		Specify	
	60%-74% owned by persons with disabilities	3.00	0.36			
	01-59% owned by persons with disabilities	1.00	0.12			
	None	0.00	0.00			
Development of Youth	100% youth owned	30.00	3.59		Yes	No
	75%-99% youth owned	20.00	2.40		Specify	
	60%-74% youth owned	15.00	1.80			
	51%-59% youth owned	10.00	1.20			
	01-50% youth owned	5.00	0.60			
	None	0.00	0.00			
Development of SMMEs	Micro 1 - 10 employees; turn-over per sector	30.00	3.59		Yes	No
	Small 11- 50 employees; turn-over per sector	15.00	1.80		Specify	
	Medium 51 - 250 employees; turn-over per sector	10.00	1.20			
	None	0.00	0.00			
POINTS		167	20			

***LEGEND FOR CLAIMING POINT IN TABLE 1**

- *Tenderer may claim points in respect of the five (5) specific goals in the table;*
- *Tenderer must select the relevant and appropriate qualifying points in column (d) next to the point indicated in column (c);*
- *The evidence provided will be verified by the Department, who reserves the right to amend or ignore points claimed if incorrect or no/irrelevant evidence provided;*
- *Points claimed- must be valid at the time of closing date of tender (excluding tax information that must be valid at the date of award);*
- *A tenderer that fails to claim points for specific goals as per Table 1 will not be disqualified but will not qualify points for specific goals;*
- *The following as a minimum requirement of valid evidence is to be submitted:*

Person historically disadvantaged on the basis of race	<ul style="list-style-type: none"> • Copy of CIPC (Companies and Intellectual Property Commission) registration, copies of ID's as well as CSD (Central Supplier Database)
Person historically disadvantaged on the basis of gender	<ul style="list-style-type: none"> • Copy of CIPC (Companies and Intellectual Property Commission) registration, copies of ID's as well as CSD (Central Supplier Database)
Persons historically disadvantaged on the basis of disability	<ul style="list-style-type: none"> • Certified medical certificate or substantive proof
Development of Youth	<ul style="list-style-type: none"> • Copy of CIPC (Companies and Intellectual Property Commission) registration, copies of ID's as well as CSD (Central Supplier Database)
Development of SMMEs	<ul style="list-style-type: none"> • BBBEE certificate indicating- percentage level of contribution for SMMEs, or • CIPC, SARS certificate, audited financial statement, or sworn affidavit for EME or QSE • Sworn affidavit + confirmation of turnover by a financial professional for qualifying EMEs with annual revenue less than R10 m; and QSE with an annual revenue between R10m & R50m QSEs

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. Provide the percentage of management for each firm below:

4.6.1.%

4.6.2.%

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

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

.....	
SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:	.....
DATE:	.....
ADDRESS:	.....



higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT (ACT 5 OF 2000) AND SUBSEQUENT PREFERENTIAL PROCUREMENT REGULATIONS OF 2022: PROMOTION OF SMALL BUSINESSES (SMME)

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES SPECIFIED IN CLAIM FORM SBD 6.1 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, BASED ON THE PPPFA (Act 5 of 2000)

1. Section 2 (1) (d) (ii) of the Preferential Procurement Policy Framework Act (Act 5 of 2000) makes provision for the promotion of small businesses within the preference point systems.

80/20 PREFERENTIAL PROCUREMENT POINTS	
SPECIFIC GOAL	*MAXIMUM POINTS ALLOCATED
Development of SMMEs	3.59

2. DECLARATION WITH REGARD TO SMMEs

Bidders who wish to claim points in respect of this goal must complete paragraph 4 below.

3. POINTS CLAIMED

Indicate whether the points allocated for this goal is claimed.

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

4. INFORMATION FURNISHED WITH REGARD TO THE PROMOTION OF SMALL BUSINESSES

Indicate whether the company is a small, medium or micro enterprise as defined by the National Small Business Act, 1996 (Act 102 of 1996 and the Amendment Act, Act 29 of 2004).

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>

- 4.1. If the response to paragraph 4 is yes, the following must be completed:

4.1.1 Sector or sub-sector in accordance with the Standard Industrial Classification

4.1.2 Size or class

4.1.3 Total full-time equivalent of paid employees

4.1.4 Total annual turnover

4.1.5 Total gross asset value (fixed property excluded)

- 4.1.6 The bidder is compelled to indicate for which category he/she is bidding, and the relevant preference points claimed.

The information supplied above must be substantiated by documentary proof that must be submitted with the bid. **Failure to submit proof shall invalidate the points claimed. In order to substantiate revenue for complying as an SMME, a SARS return indicating turnover / B-BBEE certificate/ Audited Financial Statement/ CIPC certificate/Sworn Affidavit for EMEs & QSEs must be submitted as proof.**

4.2 Total points claimed will not exceed the **maximum of 3.59 points allocated for this specific goal** - refer to SBD 6.1 Table 1.

5. BID DECLARATION

I/we, the undersigned, who warrants that he/she is duly authorised to do so on behalf of the firm declare that points claimed, based on promotion of small, medium or micro enterprises, qualifies the firm for the point(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct.
- (ii) In the event of a contract being awarded as a result of points claimed, the contractor may be required to furnish additional documentary proof to the satisfaction of the purchaser that the claims are correct.
- (iii) If the claims are found to be incorrect, the purchaser may, in addition to any other remedy it may have -
 - (a) recover all costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (b) 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.
 - (c) impose a financial penalty more severe than the theoretical financial preference associated with the claim which was made in the bid; or
 - (d) the purchaser may decide to impose a restriction penalty on the supplier by prohibiting such supplier from doing business with the public sector for a period not exceeding 10 years.

WITNESSES:

1.

.....
SIGNATURE(S) OF BIDDER(S)
.....

2.

DATE:



higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT (ACT 5 OF 2000) AND SUBSEQUENT PREFERENTIAL PROCUREMENT REGULATIONS OF 2022: BLACK PEOPLE, WOMEN, YOUTH, PEOPLE WITH DISABILITIES

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES SPECIFIED IN CLAIM FORM SBD 6.1 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, BASED ON THE PPPFA (Act 5 of 2000).

1. **Section 217 (1)** of the Constitution of the Republic of South Africa, 1996, determine: "When an organ of state in the national, provincial or local sphere of government, or any other institution identified in national legislation, contracts for goods or services, it must do so in accordance with a system which is fair, equitable, transparent, competitive and cost-effective".
2. **Section 217 (2)** of the Constitution determine: "Subsection (1) does not prevent the organs of state or institutions referred to in that subsection from implementing a procurement policy providing for – (a) categories of preference in the allocation of contracts; and (b) the protection or advancement of persons, or categories of persons, disadvantaged by unfair discrimination."
3. **Section 1 (iv)** of the Preferential Procurement Policy Framework Act (Act 5 of 2000) determine: "preferential procurement policy" means a procurement policy contemplated in section 217 (2) of the Constitution".
4. **Section 2 (1) (d) (i) and (ii)** of the Preferential Procurement Policy Framework Act (Act 5 of 2000) determine that "the specific goals targeting preference, may include: (i) contracting with persons or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender or disability; (ii) implementing the programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994".
5. In line with the above **the DHET SCM Policy** make provision for the promotion of Black people, Youth (in line with RDP), Women and people with disabilities relating to HDI.

PREFERENTIAL PROCUREMENT POINTS		
SPECIFIC GOAL	*80/20 (maximum points)	*90/10 (maximum point)
Race	7.84	3.92
Women	5.23	2.61
People with Disabilities	0.39	0.20
Youth	2.61	1.31
SMMEs	3.92	1.96

**Points be recalculated if the number of specific goals are in-or decreased.*

6. GENERAL DEFINITIONS

- a) **"Acceptable tender"** means any tender which, in all respects, complies with the specifications and conditions of tender as set out in the tender document.
- b) **"Tender"** 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, works or services.
- c) **"Black People"** Is a generic term which means African, Coloureds and Indians
 - I. who are citizens of the Republic of South Africa by birth or decent; or
 - II. who became citizens of the Republic of South Africa by naturalisation –
 - III. before 27 April 1994;

- IV. on or after 27 April 1994 and who have been entitled to acquire citizenship by naturalisation prior to that date.
- d) **“Comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have been taken into consideration
- e) **“Contract”** means the agreement that results from the acceptance of a tender by an organ of state.
- f) **“Specific contract participation goals”** means the goals as stipulated in the Preferential Procurement Policy Framework Act (Act 5 of 2000) and further elaborated upon in the SCM Policy of **the dtic**.
- g) **“Control”** means the possession and exercise of legal authority and power to manage the assets, goodwill and daily operations of a business and the active and continuous exercise of appropriate managerial authority and power in determining the policies and directing the operations of the business.
- h) **“Disability”** means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being, or persons who have a long-term or recurring physical or mental impairment, which substantially limits their prospects of entry into, or advancement in employment.
- i) **“Equity Ownership”** means the percentage ownership and control, exercised by individuals within an enterprise.
- j) **“Historically Disadvantaged Individual (HDI)”** means 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 are women; and/or
 - c. who has a disability:
- k) **“Management”** means an activity inclusive of control and performed on a daily basis, by any person who is a principal executive officer of the company, by whatever name that person may be designated, and whether or not that person is a director.
- l) **“Owned”** means having all the customary elements of ownership, including the right of decision-making and sharing all the risks and profits commensurate with the degree of ownership interests as demonstrated by an examination of the substance, rather than the form of ownership arrangements.
- m) **“Person”** includes reference to a juristic person.
- n) **“Rand value”** means the total estimated value of a contract in Rand denomination that is calculated at the time of tender invitations and includes all applicable taxes and excise duties.
- o) **“Youth”** means persons between the ages of 14 and 35 (NO. 19 OF 1996: NATIONAL YOUTH COMMISSION ACT, 1996: Definitions 1 (vi).)

7. ESTABLISHMENT OF BLACK PEOPLE, YOUTH, WOMEN AND PEOPLE WITH A DISABILITY EQUITY OWNERSHIP IN AN ENTERPRISE

7.1 Equity ownership shall be equated to the percentage of an enterprise which is owned by individuals classified as Black people, Youth, Women and People with Disabilities or in the case of a company, the percentage shares that are owned by individuals classified as Black people, Youth Women and People with Disabilities who are actively involved in the management and daily business operations of the enterprise and exercise control over the enterprise, commensurate with their degree of ownership.

7.2 Where individuals are not actively involved in the management and daily business operations and do not exercise control over the enterprise commensurate with their degree of ownership, equity ownership may not be claimed.

8. BID DECLARATION

8.1 Tenderers who claim points in respect of equity ownership must complete the Bid Declaration at the end of this form.

8.2 POINTS TO BE CALCULATED FROM INFORMATION FURNISHED IN PARAGRAPH 8.

OWNERSHIP	PERCENTAGE OWNED	POINTS CLAIMED.
8.2.1. Equity ownership by people who are Black	%	
8.2.2. Equity ownership by persons who Qualify as Youth	%	
8.2.3. Equity ownership by women	%	
8.2.4. Equity ownership by disabled persons*	%	

#If points are claimed for disabled persons, indicate nature of impairment (see paragraph 6(h) above)

.....
Copy of CIPC (Companies and Intellectual Property Commission) registration, copies of ID's as well as CSD (Central Supplier Database) report must be submitted in order to substantiate information provided against 8.2.1; 8.2.2 and 8.2.3 above.

A medical certificate/ letter signed by a registered medical practitioner (HPCSA) confirming disability should be submitted to substantiate information provided against 8.2.4 above.

9. DECLARATION WITH REGARD TO EQUITY

9.1 List all Directors by Name, Position, Identity Number, Citizenship, Black, Youth or HDI status and ownership, as relevant. Information to be used to calculate the points claimed in paragraph 8.2.

Name	Date/Position occupied in Enterprise	ID Number	* Status				% of businesses / enterprise owned
			Black	Youth	Women	Disabled	

*Indicate YES or NO

10. I/we, the undersigned, who warrants that he/she is duly authorised to do so on behalf of the firm certify that points claimed, based on the equity ownership, indicated in paragraph 8 of the foregoing certificate, qualifies the firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct.
- (ii) The Equity ownership claimed is in accordance with the General Conditions as indicated in paragraph 1 of the SBD 6.1 form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in

paragraph 10, the contractor may be required to furnish additional documentary proof to the satisfaction of the purchaser that the claims are correct.

- (iv) If the claims are found to be incorrect, the purchaser may, in addition to any other remedy it may have -
 - (a) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (b) 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;
 - (a) impose a financial penalty more severe than the theoretical financial preference associated with the claim which was made in the tender; or
 - (b) the purchaser may decide to impose a restriction penalty on the supplier by prohibiting such supplier from doing business with the public sector for a period not exceeding 10 years.

WITNESSES:

1.

2.

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

DATE:.....

ADDRESS:.....

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