

<b>RFQ NUMBER</b>	<b>RFQ/MICT/02/2026</b>
<b>RFQ DESCRIPTION</b>	<b>APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF MONTH-TO-MONTH INTERIM CLOUD HOSTING SERVICES FOR A PERIOD NOT EXCEEDING SIX (6) MONTHS</b>
<b>RFQ ISSUE DATE</b>	<b>21 April 2026</b>
<b>BRIEFING SESSION</b>	<b>N/A</b>
<b>CLOSING DATE &amp; TIME</b>	<b>28 April 2026 @ 11:00 AM South African Time, RFQ submitted after the stipulated closing date and time will not be considered.</b>
<b>LOCATION FOR SUBMISSIONS</b>	<a href="mailto:rfqs@mict.org.za">rfqs@mict.org.za</a>
<b>NO: OF DOCUMENTS</b>	<b>1 SOFT COPY</b>

For queries, please contact [rfqs@mict.org.za](mailto:rfqs@mict.org.za) before the closing date of this RFQ.

The MICT SETA requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above.

**Late and incomplete submissions will invalidate the quote submitted.**

SUPPLIER NAME: \_\_\_\_\_

NATIONAL TREASURY (CSD) SUPPLIER NUMBER: \_\_\_\_\_

POSTAL ADDRESS: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_

E MAIL ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

CELL NO: \_\_\_\_\_

SIGNATURE OF BIDDER: \_\_\_\_\_

**SUPPLIER REGISTRATION ON CSD**

Prospective suppliers must register on the National Treasury Central Supplier database in terms of National Treasury circular no 4A of 2016/17. The bidder shall register prior submitting a proposal/bid.

## MICT SETA: CHECKLIST INFORMATION

### RETURNABLE DOCUMENTS CHECKLIST

**Request For Quotation invitation document must be completed, signed and submitted as a whole** by the authorised Company representative. All forms must be properly completed, list below serve as a checklist of your RFQ submission.

**(Tick in the relevant block below)**

DESCRIPTION	YES	NO
<b>CSD</b> Central Supplier Database (CSD) Registration Report		
Pricing Schedule		
Valid Tax Clearance Certificate(s) and/or proof of application endorsed by <b>SARS</b> and/or <b>SARS-issued</b> verification pin		
<b>SBD 4 – Bidder's Disclosure</b>		
<b>SBD 6.1 - Preferential Procurement Claim Form</b>		
Certified Copy of director(s) ID(s) not older than six (06) months		
CIPC Document		
Shareholding Certificate		
<b>Bidder's eligibility: Form A</b>		

**Note: This RFQ must be completed by the authorised company representative**

**1. QUOTATION CONDITIONS**

NOTE: Quotation for the supply of goods or services described in this document are invited in accordance with the provision of Government Procurement: General Conditions of Contract available for download from <http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/>

- a. **MICT SETA** does not bind itself to accept the lowest or any RFQ, nor shall it be responsible for or pay any expenses or losses which may be incurred by the bidder in the preparation and delivery of the RFQ.
- b. No RFQ shall be deemed to have been accepted unless and until a formal contract/letter of intent is prepared and executed.

**1.1 MICT SETA reserves the right to:**

- a. Not evaluate and award RFQ that do not comply strictly with the requirements of this RFQ.
- b. Make a selection solely on the information received in the RFQs and Enter into negotiations with any one or more of the preferred bidder(s) based on the criteria specified in the evaluation of this RFQ.
- c. Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders, and no change in the content of the RFQ shall be sought, offered, or permitted.
- d. Award a contract to one or more bidder(s).
- e. Withdraw the RFQ at any stage
- f. Accept a separate RFQ or any RFQ in part or full at its own discretion.
- g. Cancel this RFQ or any part thereof at any stage as prescribed in the PPPFA regulation.
- h. Select the bidder(s) for further negotiations based on the greatest benefit to MICT SETA and not necessarily on the basis of the lowest costs

**2. COST OF BIDDING**

The bidder shall bear all costs and expenses associated with the preparation and submission of its RFQ or RFQ, and the MICT SETA shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection processes.

**FORM A: BIDDER'S ELIGIBILITY FORM**

**Name of Bidder:**

**RFQ Number:**

We, the undersigned, offer to provide the required services in accordance with the above Request for quotation and hereby declare that our firm, persons, or its directors, including any JV/Consortium /Association members or subcontractors or suppliers for any part of the contract:

- a) is not under procurement prohibition by National Treasury, *from doing business with the public sector,*"
- b) have not declared bankruptcy, are not involved in bankruptcy or engaged in corrupt / fraudulent practices, and there is no judgment or pending legal action against them that could impair their operations in the foreseeable future;
- c) undertake not to engage in prescribed practices, including but not limited to corruption, fraud, coercion, collusion, obstruction, or any other unethical practice, with the MICT SETA or any other party, and to conduct business in a manner that averts any financial, operational, reputational or other undue risk to the MICT SETA.
- d) *We declare that all the information and statements made in this Proposal are true and we accept that any misinterpretation or misrepresentation contained in this RFQ submission may lead to elimination of our RFQ submission.*

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**REQUIREMENT DESCRIPTION: APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF MONTH ON MONTH INTERIM CLOUD HOSTING SERVICES FOR A PERIOD NOT EXCEEDING SIX (6) MONTHS**

**1. INTRODUCTION**

The Media, Information and Communication Technologies Sector Education and Training Authority ("MICT SETA") has been mandated to drive and implement the Shared Services Concept within the Post-School Education and Training (PSET) system under the auspices of the Department of Higher Education and Training (DHET).

The Shared Services initiative is intended to improve operational efficiency, enhance collaboration between entities under DHET, reduce duplication, and optimise the utilisation of public resources through the implementation of shared digital platforms and services.

As part of this initiative, the MICT SETA is responsible for leading the development and implementation of a shared / integrated systems that will be adopted and utilised by multiple entities to manage learner information, skills development programmes, training providers, assessments, and reporting.

To support the rollout of these systems and enable pilot onboarding of selected entities, there is a requirement for interim cloud hosting services on a month-to-month basis for a period not exceeding six months.

The interim hosting arrangement will ensure continuity of system availability, enable pilot-scale onboarding of participating entities, and support system testing, integration, and operational readiness prior to the transition to the permanent hosting environment.

Furthermore, MICT SETA has embarked on a digital transformation journey and as such, one of the key initiatives is to host its workloads in a Private Cloud. This initiative will assist MICT SETA to transform their business and provide a competitive advantage by enabling MICT SETA to innovate more freely, with increased agility and at scale.

**2. BACKGROUND**

The MICT SETA is responsible for facilitating skills development within the media, information, and communication technologies sector in South Africa and plays a key role in supporting national skills development priorities.

As part of efforts to modernise SETA operations and improve the management of learner information across the skills development ecosystem, a shared Integrated Learner Management System (ILMS) has been developed to provide a unified platform for entities within the PSET to manage:

- Learner registrations
- Training programme administration
- Training provider management
- Assessments and certifications
- Monitoring and reporting on skills development programmes

The ILMS is intended to be adopted by multiple entities under the Shared Services framework. Prior to full-scale rollout, a pilot-scale has been implemented involving a limited number of entities that will be onboarded onto the platform.

To support this pilot phase, the ILMS must be hosted in a secure, scalable, and reliable cloud environment that will allow:

- System configuration and optimisation
- Onboarding of pilot SETAs
- Performance testing and monitoring
- User acceptance testing
- Operational readiness activities

### **3. PURPOSE**

The purpose of this Terms of Reference is to appoint a qualified service provider to provide interim cloud hosting services for MICT SETA technology systems on a month-to-month for a period not exceeding six (6) months from activation of services.

The interim hosting services must ensure that the hosted systems are securely hosted, accessible to authorised users, and capable of supporting the pilot onboarding of other systems.

### **4. OBJECTIVES**

The following are the specific objectives:

- a) Develop a comprehensive Regulatory Compliance Monitoring Framework for the MICT SETA.
- b) Develop the Regulatory Compliance Policy.
- c) Establish an appropriate Compliance Implementation Structure, including roles, responsibilities, processes, reporting lines, and supporting tools/templates.
- d) Provide practical guidance, training, and change support during implementation.

### **5. SCOPE OF WORK**

The appointed service provider will be required to provide the following services:

#### **5.1 Cloud Infrastructure Hosting**

The service provider must provide a secure and scalable cloud hosting environment that supports the operational requirements of the scoped technology systems. This includes:

- Provisioning of virtual servers and computing resources
- Provisioning of secure storage infrastructure
- Provisioning of database hosting services
- Provisioning of network connectivity
- Provisioning of virtualisation and load balancing services where required
- Provisioning of backup and disaster recovery capabilities

#### **5.2 System Deployment and Configuration Support**

The service provider must support the deployment of the systems within the hosting environment, including:

- Configuration of server environments
- Deployment of application components
- Configuration of databases
- Configuration of network access and security settings
- Support for integration with other systems where required

#### **5.3 Security and Compliance**

The hosting environment must meet enterprise-level security requirements and include:

- Firewall protection
- Intrusion detection and prevention capabilities
- Secure access controls
- Data encryption in transit and at rest
- Secure identity and authentication mechanisms
- Compliance with relevant South African data protection legislation including POPIA

#### **5.4 Performance and Availability**

The hosting environment must ensure:

- High system availability
- Adequate computing capacity to support multiple solutions and users (internal and external)
- Scalability to accommodate increased usage during the pilot phase
- Monitoring system performance and resource utilisation
- The minimum system availability must be 99.5% uptime.

#### **5.5 Monitoring and Support**

The service provider must provide:

- 24/7 infrastructure monitoring
- Incident management and escalation procedures

- Technical support for infrastructure-related issues
- Performance monitoring dashboards
- Proactive alerts for system issues

### 5.6 Backup and Disaster Recovery

The hosting environment must include:

- Automated daily backups
- Secure storage of backup data
- Disaster recovery capabilities
- Ability to restore services within agreed recovery time objectives

### 5.7 Reporting

The service provider must provide monthly reports that include:

- Infrastructure utilisation
- System availability and uptime
- Security incidents
- Performance metrics
- Support incidents and resolutions

### 5.8 Public IP addresses

Provide and manage public IP addresses for all public facing systems.

### 5.9 Required Hosting Infrastructure

Managed Physical Host Server Number	System	Hosting location	vCPU	HDD	RAM	Internal / External facing
1	ERP – Sage 300 People	3rd party	8	1.5 Tb	64 Gb	Internal
	ERP – Evolution Sage X3					
	Microsoft O365 A5	MS Office.com	4	500 Gb	12 Gb	Internal
2	Website and Digital Career Portal & Career Hub	Azure	16	500 Gb	32 Gb	External
	Intranet	Offsite	16	500 Gb	32 Gb	Internal and external
	Online Recruitment	Offsite	16	500 Gb	32 Gb	Internal and external
	TVET & SETA times website	Azure	16	500 Gb	32 Gb	Internal and External
3	Integrated Learner Management System (ILMS), E-Learning.	Azure	64	2,5 Tb	128 Gb	Internal and external
4	ILMS for Shared Services	Offsite	64	2,5 Tb	128 Gb	Internal and external

### 5.10 Managed Dedicated Servers & Resources Required

The below are the minimum technical specifications for each physical server:

Number of managed dedicated servers	CPU Cores	HDD	RAM	Services
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5	2.10GHz (16 cores & 32 threads)	2.5 TB	128 GB	<ul style="list-style-type: none"> <li>• Server intelligence</li> <li>• RAID configured</li> <li>• High Availability and hot swap Virtualization</li> <li>• 1 Gbit/s network</li> <li>• cPanel &amp; WHM</li> <li>• cPGuard</li> <li>• LiteSpeed Unlimited</li> <li>• Number of Public IPs</li> <li>• AlmaLinux 9 OS</li> <li>• Windows Server Standard License</li> <li>• Windows Server Datacentre License</li> <li>• Managed cPanel</li> <li>• MS SQL Web</li> <li>• MS SQL Standard</li> <li>• Remote desktop License</li> <li>• Hosted facility must enable the creation and management of Sub-domains</li> </ul>
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## 6. DELIVERABLES

The appointed service provider will be required to deliver the following:

- Provisioned cloud hosting infrastructure
- Configured hosting environment for the systems
- Secure access for authorised users (internal and external)
- Backup and disaster recovery configuration
- System monitoring and alerting setup
- Monthly operational and performance reports
- Technical support services
- 50 Public IP Addresses

## 7. CONTRACT DURATION

The contract will be on a month-to-month basis for a period not exceeding six (6) months. MICT SETA reserves the right to terminate the interim hosting arrangement upon successful migration to a new hosting environment on a long-term basis.

## 8. COSTING MODEL

The pricing model must be based on monthly hosting costs and must clearly indicate:

- Once-off Costs
- Environment setup
- System deployment assistance

### Monthly Costs

- Cloud infrastructure hosting
- Storage costs
- Backup services
- Security services
- Monitoring services
- Technical support
- Public IP addresses

All costs must be clearly itemised and quoted in South African Rand (ZAR).

## 9. PRICING SCHEDULE

Name of bidder: \_\_\_\_\_

RFQ number: \_\_\_\_\_

Closing date: \_\_\_\_\_

RFQ shall remain valid for acceptance for a period of **90 days** counted from the closing date.

**Bidders to provide further cost breakdown where necessary under each line item, and sub-total and the overall RFQ price (Total) should be included. The below table is for illustration only:**

Item	Requirement Description	Quantity (Months)	Unit Price	Total Cost (Excl. VAT)
	APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF MONTH OT MONTH INTERIM CLOUD HOSTING SERVICES FOR A PERIOD NOT EXCEEDING SIX (6) MONTHS			
1.	Cloud Hosting Services	6	R	R
2.	Other related Costs	1	R	R
<b>Sub-Total</b>			R	
<b>VAT@15%</b>			R	
<b>TOTAL PRICE (INCLUDING VAT)</b>			R	

Complete below:

1. Delivery Address: **MICT SETA Head office**  
**Level 3 West wing, Gallagher House**  
**19 Richards Drive, Halfway House**  
**Midrand**
2. Indicate Delivery period after order receipt.....
3. Is delivery period fixed? **Yes/No**
4. Is the price(s) fixed? **Yes/No**
5. Is the quote strictly to specification? **Yes/No**

I/We, the undersigned, agree that this bidding price shall remain binding on me/us and open for acceptance for the period stipulated above.

Authorised Company Representative: \_\_\_\_\_

Capacity under which this quote is signed: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## 10. EVALUATION CRITERIA

MICT SETA complies with the provisions of the Public Finance Management Act, Act No. 1 of 1999 as amended; Treasury Regulations of 2005; the Preferential Procurement Policy Framework Act, Act No. 5 of 2000; Preferential Procurement Regulations of 2022; and the MICT SETA Supply Chain Management (SCM) Policy.

RFQs received will be evaluated on mandatory criteria, functional evaluation criteria, and price and specific goals comparison.

### 10.1. STAGE 1: MANDATORY EVALUATION CRITERIA

#### 10.1.1. Data Centre

The bidder must have access to/own or operate a tier 3 or above data centre(s) that will be used for cloud hosting. If the bidder does not own the data centre, then they must submit a signed conformation from the data centre owner of the agreement that the bidder may use the data centre to host its clients' business applications or infrastructure.

#### Proof of Evidence to 10.1.1:

Bidders must submit a valid data centre certification or letter issued by the data centre operator or owner confirming that the facility is Tier 3 or higher, issued by a recognised certification body or authority.

**N.B: Only bidders who meet the set mandatory criteria requirements will be evaluated further on functionality. Bidders who do not meet the set mandatory criteria will be declared unresponsive.**

### 10.2. STAGE 2: FUNCTIONAL EVALUATION CRITERIA

RFQ proposals submitted will be evaluated on technical/ functionality out of a maximum of **100 points**. A threshold of **70 points** out of **100 points** has been set.

Only bidders who meet or exceed the qualification threshold on technical/ functionality evaluation of **70 points** will be evaluated further on price and specific goals.

**Note:** All bidders achieving less than the set threshold of **70 points** will not move to the next stage of evaluations.

Assessment of evaluation of the functional/ technical criteria will be based on the table below:

FUNCTIONAL CRITERIA		
Category	Description	Maximum Points
<b>Solution Proposal</b>	<p>The Bidder's proposal must meet or exceed the following minimum requirements below:</p> <ul style="list-style-type: none"> <li>• 5 x Physical Host Servers as per the technical specifications above</li> <li>• Each Physical Host Server has 128 Gb RAM, 2,5 Tb HDD, and 2.10GHz (16 cores 32 threads)</li> <li>• Each Physical Host Server has hot swap enabled on both the hardware and software levels.</li> </ul> <p><b>Bidders must submit OEM data sheets of the servers proposed to indicate adherence to the above-mentioned specifications.</b></p> <p><b>Points on submission of the solution proposal for all minimum requirements to substantiate functionality of the servers will be allocated as follows:</b></p> <ul style="list-style-type: none"> <li>• Bidder submitted a proposal that meets or exceeds all components of the minimum requirements of the bid = <b>50 points</b></li> <li>• Bidder submitted a proposal that does not meet all the minimum requirements of the bid = <b>0 points</b></li> <li>• Bidder did not submit a proposal for the bid = <b>0 points</b></li> </ul> <p><b>Non-compliance with the minimum requirements will be declared non-responsive.</b></p>	<b>50</b>

<b>Reference &amp; Experience</b>	<p><b>Contactable References:</b> Bidders must submit reference letters which indicate that they have provided Cloud Hosting Services in the past and they must include the number years the services have been provided to determine the experience. The reference letters must be from the bidder's clients within RSA on the provision of Cloud Hosting services. Reference must be on company letterhead signed by a senior official of the bidder's client, i.e. CEO, CFO, CIO, IT Manager, or SCM Manager. <b>The reference letters must include name of company, contact person, position, contact number, e-mail address, project description, and dates, i.e. start and end date of the project.</b></p> <p><b>Bidders need to provide evidence that they have provided Cloud Hosting services in the past. This experience will be obtained from the reference letter; hence it is important that the reference letter contains the start and end dates of the projects [15].</b></p> <p><b>Points on submission of reference letters, with experience in Cloud Hosting services will be allocated as follows</b></p> <ul style="list-style-type: none"> <li>• Five (05) or more signed reference letters from different clients, with five (05) years' experience or more = <b>15 points</b></li> <li>• Four (04) signed reference letters from different clients, with five (05) years' experience or more = <b>12 points</b></li> <li>• Three (03) e signed reference letters from different clients, with five (05) years' experience or more = <b>09 points</b></li> <li>• Two (02) signed reference letters from different clients, with five (05) years' experience or more = <b>06 points</b></li> <li>• One (01) signed reference letters from different clients, with five (05) years' experience or more = <b>03 points</b></li> </ul> <p><b>Non-compliance with the minimum requirements will be declared non-responsive.</b></p> <p><b>NB: The MICT SETA may conduct reference checks.</b></p>	<b>15</b>
<b>Implementation Plan</b>	<p>Bidders are required to submit a detailed project implementation plan that will stipulate the activities that will be carried out to provide Cloud Hosting Services as per the bid requirements, section 5 of the document, Scope of work. <b>The plan must include the following:</b></p> <ol style="list-style-type: none"> <li>1. Cloud Infrastructure Hosting</li> <li>2. System Deployment and Configuration Support</li> <li>3. Security and Compliance</li> <li>4. Performance and Availability</li> <li>5. Monitoring and Support</li> <li>6. Backup and Disaster Recovery</li> <li>7. Reporting</li> <li>8. Public IP addresses</li> </ol> <p><b>Points on submission of a detailed implementation plan will be allocated as follows:</b></p> <ul style="list-style-type: none"> <li>• Submission of a detailed project implementation plan that include all eight (08) elements = <b>15 points</b></li> </ul> <p>Submission of a project implementation plan that does not include all eight (08) elements = <b>0 points</b></p>	<b>15</b>
<b>Project Team</b>	<p>The Bidder must submit profiles / CVs of key project team members specifically the project manager and project technical lead.</p> <p><b>Experience of the project manager (10 Points)</b></p> <p>The bidder must have experience in managing Cloud Hosting projects and familiar with industry best practices required to deliver on the bid. Profile or CV should clearly indicate the projects and names of clients.</p> <p><b>Points on submission of the CV or profile of the project manager will be allocated as follows:</b></p> <ul style="list-style-type: none"> <li>• Bidder submitted CV or profile with above five (05) years of experience in managing Cloud Hosting = <b>10 points</b></li> </ul>	<b>20</b>

- Bidder submitted CV or profile with two (02) to four (04) years of experience in managing Cloud Hosting = **05 points**
- Bidder submitted CV or profile with two (02) to three (03) years of experience in managing Cloud Hosting = **05 points**
- Bidder submitted CV or profile with less than two (02) years of experience in managing Cloud Hosting = **00 points**

**Experience of the Project Lead (10 Points)**

The project technical lead must have experience in leading the implementation of Cloud Hosting solutions and familiar with industry best practices required to deliver on the bid. Profile or CV should clearly indicate the projects and names of clients

**Points on submission of the CV or profile of the project technical lead will be allocated as follows:**

- Bidder submitted CV or profile with five (05) years and above of experience in leading the implementation of Cloud Hosting solutions = **10 points**
- Bidder submitted CV or profile with two (02) to four (04) years of experience in leading the implementation of Cloud Hosting solutions = **05 points**
- Bidder submitted CV or profile with Less than two (02) years of experience in leading the implementation of Cloud Hosting solutions = **00 points**

<b>TOTAL</b>	<b>100</b>
<b>MINIMUM SCORE</b>	<b>70</b>

**N.B: Only bidders who meet the threshold of 70 points out of 100 points on functional criteria will be further evaluated for price & specific goals.**

**10.2. STAGE 2: PRICE AND SPECIFIC GOALS**

Only bidder/s or RFQ submissions that have met the requirements of evaluation criteria will qualify for further evaluation on Price and Specific Goals according to the 80/20 preference point system in terms of the Preferential Procurement Regulations 2022, where 80 points will be for Price and 20 points will be for Specific Goals. RFQ will be awarded to the bidder scoring the highest points.

Specific Goal to be evaluated out of **20 Points**:

<b>Specific Goal Criteria</b>	<b>Points allocation</b>
Enterprises which are at least 51% owned by historically disadvantaged persons.	10
Enterprises which are at least 51% owned by historically disadvantaged women.	05
Enterprises which are at least 51% owned by historically disadvantaged youth.	05
<b>Total</b>	<b>20</b>

**\*\* Enterprises that are not owned by historically disadvantaged persons will be allocated 0 points.**

**Bidder must submit the following documents:**

- CIPC Documents and a valid share certificate (Indicating % shareholding by each director)
- Certified ID Copies of the company's directors as per CIPC documents. **(certified copies must not be older than six (06) months)**

**Failure on the part of a service provider to submit proof or documentation required in terms of this RFQ/Tender (in cases where it a tender) to claim points for specific goals, will be interpreted to mean the preference points for specific goals are not claimed.**

**BIDDER'S DISCLOSURE**

**1. PURPOSE OF THE FORM**

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

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

**2. Bidder's declaration**

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

2.1.2. 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;

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

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

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

## PREFERENCE PROCUREMENT CLAIM FORM

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

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

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

#### 1 GENERAL CONDITIONS

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

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

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

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

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and  
(b) Specific Goals.

#### 1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
<b>PRICE</b>	<b>80</b>
<b>SPECIFIC GOALS</b>	<b>20</b>
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2 DEFINITIONS

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

## 3 FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

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

**Where:**

Ps = Points scored for price of tender under consideration  
Pt = Price of tender under consideration  
Pmin = Price of lowest acceptable tender

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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

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

**Where:**

Ps = Points scored for price of tender under consideration  
Pt = Price of tender under consideration  
Pmax = Price of highest acceptable tender

## 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below. Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)**

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Enterprise owned by historically disadvantaged persons.	10	
Enterprise owned by historically disadvantaged women.	05	
Enterprise owned by historically disadvantaged youth.	05	

**DECLARATION WITH REGARD TO COMPANY/FIRM**

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

4.4. Company registration number: .....

- 4.5. TYPE OF COMPANY/ FIRM
- Partnership/Joint Venture / Consortium
  - One-person business/sole propriety
  - Close corporation
  - Public Company
  - Personal Liability Company
  - (Pty) Limited
  - Non-Profit Company
  - State Owned Company
- [TICK APPLICABLE BOX]

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

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

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

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

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