



social development

Department:
Social Development
REPUBLIC OF SOUTH AFRICA

Private Bag X901, Pretoria, 0001

Enquiries: Z Mantantana, Email: ZolisaM@dsd.gov.za

Sir/Madam

ESTABLISHMENT OF A PANEL OF AGENCIES (MEDIA PRODUCTION AND MARKETING SERVICES)

1. Tender No: **SD03/2023**
2. Closing Date: 30 June 2023 at 11:00
3. Compulsory Briefing session date: 20 June 2023 @11:00
4. Validity of the bid is 120 days from the closing date
5. The following documents form part of this invitation for a proposal:
 - SBD1: Invitation to bid
 - SBD3.3: Pricing Schedule
 - SBD4: Declaration of Interest
 - SBD6.1: Preference points Claim Form
6. **All the documents accompanying this invitation must please be completed in detail, where applicable and returned with your Bid.**
7. Please make sure that your bid reaches this office before the closing time and date
8. When submitting your bid, the following information must appear on the sealed envelope:
 - i. Name and address of the Bidder
 - ii. Bid number
 - iii. Closing Date
9. This envelope can be placed in the Bid box in the foyer at HSRC Building, 134 Pretorius Street, Pretoria

Kind regards

DIRECTOR: SUPPLY CHAIN MANAGEMENT

DATE: 06/06/2023



TERMS OF REFERENCE

ESTABLISHMENT OF A PANEL OF AGENCIES (MEDIA PRODUCTION AND MARKETING SERVICES)

BID NO: SD 03/2023

1. Background

- 1.1 The National Department of Social Development is responsible for the co-ordination of the sector campaigns assisting national government and provincial departments with planning, implementation and management of communication activities including media buying, production and marketing services.

2. Purpose

- 2.1 The National Department of Social Development seeks to have a panel of industry registered agencies to provide marketing, media production and media buying services for the department. The agencies will be required to provide the following media production, marketing services and media buying:
- creative writing and concept generation
 - digital online creative services
 - social media campaign management and implementation
 - graphic design
 - multi — media production (including TV and radio, photography, websites and Over the Top Platform)
 - promotions, activations, and events management
 - public relations and reputation management
 - exhibitions
 - promotional material and branding

3. Special requirements

- 3.1 Bidders are required to submit two copies of a detailed credentials presentation outlining their experience, methodology, services they render, past clients and resources (offices, staff, awards and recognition) that they have.
- 3.2 In addition, Bidders must submit four case studies of successful campaigns they have implemented including at least five samples of different products produced for the campaign (e.g: TV advert, radio advert, outdoor advert, print advert, online treatment, exhibition, activation, event management including RSVP solutions, décor, and the production of branding
- 3.3 **NB: Bidders who do not submit a credentials presentation and samples of their work as per 3.1 and 3.2 will not be considered for evaluation.**
- 3.4 Appointed agencies will be required to enter into a Service Level Agreement with the Department of Social Development for a period of three years..

3.5 Bidders will be required to conduct skills transfer training with the DSD on selected campaigns.

3.6 Bidders must submit an original valid tax clearance certificate/ tax pin

4. Panel membership

4.1 One or more of the marketing services indicated under paragraph 2 must be the core business function of the bidding agency. If the full marketing services are currently not being supplied by the agency, the agency must provide detailed information of how other services outside their core business function will be provided in order to meet the requirements of the Department.

4.2 Bidding agencies must be financially secure and have sufficient resources to fund the production cost of large-scale campaigns as payment will be affected within 30 days of the service being rendered. Shortlisted bidders may be required to prove financial security.

5. Bidding procedures

5.1 Prospective bidders are required to attend a compulsory briefing session to be held at the premises of the Department at 134 Pretorius Street on the **20 June 2023 at 11:00. Service providers who did not attend the briefing session will be disqualified.**

5.2 The closing date for bid submissions is **(30 June 2023 at 11:00)** and all agencies who are interested in this opportunity must submit their proposals no later than this date and time.

5.3 Bidders must deposit their bid proposal in the 'Tender Box' at the Department of Social Development reception

5.4 134 HSRC Building Pretorius, Department of Social Development

5.5 Bidders must demonstrate that the services that are being bidden for are part of their core business.

5.6 The submission must contain a case study with at least three samples of previous work done. The previous work done by the bidding must be saved onto a memory stick and be submitted with the bid proposal. Agencies that do not submit samples of previous work of will be disqualified.

5.7 Bid documents and memory stick must be placed in a secured envelope. The bid number and the name of the bidding agency should

5.8 be written on the front of the envelope. The envelope is to be deposited in the tender box at the reception of the Department of Social Development.

5.9 The closing date for bid submissions is **30 June 2023 at 11:00** and all agencies who are interested in this opportunity must submit their proposals no later than this date and time.

Bidders must deposit their bid proposal in the 'Tender Box*' at the Department of Social Development, at the following address

**134 Pretorius Street
HSRC Building
PRETORIA, CBD**

5.10 Bidders must demonstrate that the services that are being bidden for are part of their core business.

5.11 The submission must contain a case study with at least three samples of previous work done. The previous work done by the bidding must be saved onto a compact

disc and be submitted with the bid proposal. Agencies that do not submit samples of previous work of will be disqualified.

- 5.12 Bid documents and memory stick must be placed in a secured envelope. The bid number and the name of the bidding agency should be written on the front of the envelope. The envelope is to be deposited in the tender box at the reception of the Department of Social Development.
- 5.13 Two separate envelopes must be submitted, One envelope with the technical proposal and the other with the price.

6. Duration of the panel

- 6.1 The panel of agencies will be reconstituted for a period of 36 months.

7. Intellectual Property rights

- 7.1 All products print or electronic and the content thereof, commissioned by the DSD and produced by the agencies shall be deemed to be the intellectual property of the DSD
- 7.2 All products and the content thereof shall remain the property of the DSD regardless of whether the agency responsible for the creation of such content is no longer on the panel of agencies. Creators of the content (photographs, articles, video, graphic designs and radio programmes) may not use the content for their portfolios without authorization from DSD.
- 7.3 The DSD will consult with the agency should they wish to use materials produced for longer periods than agreed or for purposes other than the purpose they were originally intended for. All design concepts, artwork and photographs, text and scripts used in the development of such products will be the property of the DSD.

8. Skills transfer

- 8.1 The DSD will deploy some of its staff to work with appointed agencies on specific projects so that the it can acquire greater experience and skills in areas identified as rare skills.

9. Bid evaluation process

- 9.1 DSD has set minimum standards that a bidder needs to meet in order to be evaluated and selected as a successful bidder. The minimum standards consist of the following:

Table 1: Documents that must be submitted for pre-qualification

Tax pin Tax Clearance Certificate	YES	Bidders must submit a tax pin as issued by the South African Revenue Services.
Standard bid documents SBD 1, 3.3 and 4	YES	Complete and sign the attached SBD forms

9.2 Technical Evaluation Criteria

Only Bidders that have met the Pre-Qualification Criteria above will be evaluated in for functionality. Functionality will be evaluated as follows:

ASPECT	COMMENT	SCORE	SCALING
Credentials & Relevant Experience	The bidder must demonstrate experience in the provision of one or more of the digital media services listed in 2.1	30 points (10)	0 work =0 points 1-5 work done = 5 points 6-10 work done = 8 points 11-20 work done= 10 points
	The bidder must provide contactable references of digital media work done in the last five years.	(20)	0 ref letter =0 points 1-3 ref letter = 5 points 4-6 work done = 10 points 7-9 work done= 15 points 7-9 work done= 15 points 10 and above = 20 points
Strategic Approach & Methodology	Describe the processes and methodology that the agency uses to develop and implement marketing strategies for campaigns, and the range of services	30 points	No project plan = 0 points General project plan developed = 5 Project plan developed shows understanding of the DSD needs = 10 Project plan developed shows understanding of SDS needs and communications environment within which the DSD operates = 15

Terms of Reference (TOR)

	offered to clients. The project plan must demonstrate how the agency evaluates the effectiveness of its work for clients i.e. post campaign analysis and reporting emphasizing measurable results.		Project plan developed shows understanding of SDS needs and communications environment and provide a provide a demonstration on effectiveness of its work = 20 Project plan developed shows understanding of SDS needs and communications environment and provide a provide a demonstration on effectiveness of its work and provides a detailed post campaign analysis and reporting on measurable results = 30
Template/format of the digital media monthly report which shall include analysis and recommendations		20 points	No template= 0 points Template/ format of the digital media monthly report include some analysis and recommendations= 5 Template/ format of the digital media monthly report include detailed analysis and recommendations= 10 Template/ format of the digital media monthly report include detailed analysis and recommendations on print, broadcast, social media etc.= 15 Template/ format of the digital media monthly report include detailed analysis and recommendations on print, broadcast, social media. The template include weekly and daily reports, keywords to monitor , automated statistics etc.= 20

Terms of Reference (TOR)

Resources and project Execution	Bidders must provide resources that will be deployed to the DSD, including the number, position, qualifications and functions to be performed by each team member. The bidder must provide CVs of the project team Manager and the list of his/her qualifications	20 points (10) (10)	No project team= 0 points Project team with minimum required experience and qualifications= 5 Project team with extensive experience and relevant formal qualifications = 10 No Qualifications= 0 points National Diploma= 5 points Bachelor's Degree or above = 10 points
		100	

Bidders that achieve **70 points** or more on functionality will proceed to the next evaluation phase. Bidders that achieve less than 70 points will not be evaluated further.

9.3 Presentation

- 9.4 Agencies which have achieved a minimum score of 70 points in the functionality will be invited to make a presentation of their bid to the evaluation panel which will be followed by a question and answer session. Bidding companies need to involve members of the envisaged project team in this presentation. The presentation will count for 20 points. Bidders must achieve a minimum threshold of 60% out of the 20 points (presentation) to be considered further. Bidders that do not achieve at least 60% from the evaluation will not be considered further.
- 9.5 Only the qualifying bids will be evaluated in terms of the 80/20 preference points system as contemplated in the Preferential Procurement Regulations 2022, issued in terms of the Preferential Procurement Policy Framework Act (Act 5 of 2000).
- 9.6 80 points will be used to calculate price only and the 20 points will be awarded to a service provider for specific goals of the Department per SBD 6.1. Included in this tender. Bidders are required to submit certified copies of proof for the preference points claimed for specific goals

Terms of Reference (TOR)

- 9.7 The evaluation panel reserves the right to visit the premises of short-listed bidders to inspect facilities and to interview staff members who will be dealing with the DSD. Such visits will be scheduled per prior arrangement with the agency.

10. Operational procedures

- 10.1 Once agencies have been appointed the following procedures will apply:

10.1.1 The panel will consist of agencies appointed to provide marketing and media buying services for DSD. When services are required, the DSD will brief one or all agencies from the panel to submit proposals for the work. All proposals must consist of a detailed quotation and treatment. The DSD will decide on the best proposal received for each campaign based on the overall concept and financial implications.

10.1.2 Appointed agencies will be responsible for ensuring that they have obtained all the necessary intellectual property rights for any material used in the creative that has been sourced from a third party.

CONTACT DETAILS FOR ENQUIRIES

Mr. Zolisa Mantantana (SCM related Enquiries)
Director: SCM
Tel No: 012 312 7463
E-mail: ZolisaM@dsd.gov.za

Ms. Lumka Oliphant (Technical Enquiries)
Chief Director: Communications
Tel No: 012 312 7654
E-mail: LumkaO@dsd.gov.za

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NATIONAL DEPARTMENT OF SOCIAL DEVELOPMENT)

BID NUMBER:	SD03/2023	CLOSING DATE:	30 JUNE 2023	CLOSING TIME:	11:00
DESCRIPTION					

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX

SITUATED AT HSRC Building, 134 Pretorius Street, Pretoria

ESTABLISHMENT OF A PANEL OF AGENCIES (MEDIA PRODUCTION AND MARKETING SERVICES)

SUPPLIER INFORMATION

NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE	NUMBER	
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE	NUMBER	
E-MAIL ADDRESS			
VAT REGISTRATION NUMBER			
		TCS PIN:	OR CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		☐ Yes	B-BBEE STATUS LEVEL SWORN AFFIDAVIT
		☐ No	☐ Yes ☐ No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?			
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX		☐ AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)	
		☐ A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)	
		☐ A REGISTERED AUDITOR	
		NAME:	

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ANSWER PART B:3 BELOW]
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SIGNATURE OF BIDDER	DATE
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CAPACITY UNDER WHICH THIS BID IS
SIGNED (Attach proof of authority to sign
this bid; e.g. resolution of directors, etc.)

TOTAL NUMBER OF ITEMS OFFERED

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:

DEPARTMENT/ PUBLIC ENTITY

CONTACT PERSON

TELEPHONE NUMBER

FACSIMILE NUMBER

E-MAIL ADDRESS

TECHNICAL INFORMATION MAY BE DIRECTED TO:

CONTACT PERSON

TELEPHONE NUMBER

FACSIMILE NUMBER

E-MAIL ADDRESS

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
1.3.	BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.4.	WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.5.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
2.6	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1.	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
3.2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
3.3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
3.4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.	

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

PRICING SCHEDULE
(Professional Services)

BID NO: SD03/2023	CLOSING TIME 11:00 ON 30 June 2023
NAME OF SERVICE PROVIDER:	

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY INCLUSIVE OF VAVULE ADDED TAX
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ESTABLISHMENT OF A PANEL OF AGENCIES (MEDIA PRODUCTIONAND MARKETING SERVICES)

1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

R.....
3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION	HOURLY RATE	DAILY RATE
-----	R-----	-----
-----	R-----	-----
-----	R-----	-----
-----	R-----	-----
-----	R-----	-----

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT
- R-----

----- days
- R-----

----- days
- R-----

----- days
- R-----

----- days

- 5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
-----			R.....
-----			R.....
-----			R.....
-----			R.....
TOTAL: R.....			

Name of Bidder:

- 5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....			R.....
.....			R.....
.....			R.....
.....			R.....

TOTAL: R.....

6. Period required for commencement with project after acceptance of bid
 7. Estimated man-days for completion of project
 8. Are the rates quoted firm for the full period of contract? *YES/NO
 9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.

Any enquiries regarding bidding procedures may be directed to the –

Ms. Z Mantantana
 Email: ZolisaM@dsd.gov.za

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of institution	State

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

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.

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

2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

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

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

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

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

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

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

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

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

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

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

1. GENERAL CONDITIONS

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

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

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

80/20	or	90/10
$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$	or	$Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$

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:

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

Where

P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

Note to tenderers: The tenderer must indicate how they claim points for each

preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Organisations which are 51% owned black people who are women	5	
Organisations which are 51% owned black people which are youth	5	
Organisations which are 51% owned by black people living in rural or underdeveloped areas or townships	5	
Organisations which are owned by People with disabilities	5	

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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