



sport, arts & culture

Department:  
Sport, Arts and Culture  
REPUBLIC OF SOUTH AFRICA

Private Bag X897 | VWL Building | 202 Madiba Street | Pretoria, 0001 |  
Email: info@dsac.gov.za | Tel: 012 441 3000 | Fax: 012 441 3699

Private Bag X9015 | Room 1621 | 120 Plein Street | Cape Town, 8000 |  
Email: info@dsac.gov.za | Tel: (021) 465 5620 | Fax: (021) 465 5624



SCM Enquiries : Ms M.E Thobakgale

Tel : 012 441 3417

Reference : MTRFQ 5

**SUBJECT: THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT THE PERSONNEL SUITABILITY CHECKS.**

**REQUIRED BY: DEPARTMENT OF SPORT, ARTS & CULTURE**

1. Kindly furnish the Department with quotation for the above mentioned subject.
2. SBD 4, SBD 6.1, as well as forms are attached for completion.
3. Bidders are requested to submit quotation, attached SBD's together with proof of B-BBEE status level of contributor, shareholder certificate and certified copy of ID.
4. The quotations will be evaluated on 80/20 preference point system. Failure to submit Valid BBEE Certificate, ID copy and shareholder certificates will result in zero points being awarded for B-BBEE and specific goals.
5. These forms must be returned with your quotation to the following e-mail address: MokgadiT@dsac.gov.za
6. The closing is **08 June 2023 at 11:00am.**

Signature: MokgadiT

Date: 02 June 2023



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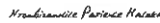


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## OFFICIAL SPECIFICATION FORM

Specification for:	<b>Appointment of Service Provider to conduct the Personnel Suitability Checks</b>			
Directorate:	Human Resource Management			
Unit:	Human Resource Management			
Was this service previously requested in this current financial year? If yes, please provide reasons why is requested again on your memo to procure.	Yes		No	X
Departmental Assets	Yes		No	X
Item Description:	Quantity			
<ul style="list-style-type: none"> <li>To conduct the Personnel Suitability Checks See attached, details terms of reference</li> </ul>				
Requestor: Name (in print)	Signature			Date
Ms. Zandile Maloka	Signed by: Ntombizandile Patience Malok Signed at: 2023-05-29 13:18:55 +02:00 Reason: I approve this document  			29/05/23
Director/ Delegate: Name (in print)	Signature			Date
Mr. Daniel Mabulane	Signed by: Daniel Mahlodi Mabulane Signed at: 2023-05-29 16:08:27 +02:00 Reason: I approve this document 			29/05/23
Technical Enquiries: Name (in print)	Telephone Number	E-mail address		
Ms NP Maloka	0663017031	<a href="mailto:zandilem@dsac.gov.za">zandilem@dsac.gov.za</a>		

Note: Department doesn't provide tools of trade to the service providers



@SportArtsCultur



@SportArtsCultureRSA



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## **INTERNAL MEMO**

### **TERMS OF REFERENCE:**

#### **REQUEST TO APPOINT A SERVICE PROVIDER TO CONDUCT PERSONNEL SUITABILITY CHECKS IN THE DEPARTMENT**

##### **1. INTRODUCTION**

The Department of Sport, Arts and Culture (DSAC) is seeking the appointment of a Service Provider to conduct part of the Personnel Suitability Checks (citizenship, criminal checks, financial standing, and verification of qualifications, employment reference checks and social media conduct)

##### **2. BACKGROUND**

Cabinet approved the National Vetting Strategy in the Public Service in December 2006 and the provision of the Public Service Regulation as amended. The purpose of the strategy is to enhance Government's Vetting capacity on National, Provincial and Local Government level.

Public Service employees continue to be at risk of being targeted for acts of espionage, sabotage, subversion, corruption and a range of other criminal and unconstitutional activities. It is consequently imperative that adequate processes concerning the screening and security vetting of candidates and employees be put in place.



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### 3. PURPOSE FOR REQUESTING THE SERVICES OF A SERVICE PROVIDER TO CONDUCT PSC

To comply with the Regulation 57 (1) (c) of the Public Service Regulation, 2016 and the relevant directives, it is necessary for the Department to appoint a service provider to conduct the Personnel Suitability Checks for all appointments in the Department.

### 4. TASK DIRECTIVES

The Department requires the services of a duly experienced company to assist with conducting personality suitability checks for all prospective/ existing employees. This will involve citizenship, criminal checks, financial standing, and verification of qualifications, employment reference checks and social media conduct)

#### TASK DESCRIPTION

	TASKS	NOTED
4.1	<b>CONDUCTING PSC</b> Obtaining information on prospective/ existing employees from various sources/ institutions such as: -Department of Home Affairs -Credit Bureaus -South African Police Service -Social Media -Educational institutions - Individuals as indicated in the CV. <b>The Service Provider will be expected to capture the information as provided in the CV in their own system and provide feedback to the Department. (The Department will only access the service provider's system to get the reports)</b>	
4.2	<b>FREQUENCY OF SERVICES</b> The services will be required on an ongoing basis and when the need arises. Turnaround time on the submitted request must be 3 days	
4.3	<b>SELECTION</b>	



	<ul style="list-style-type: none"> <li>A final selection of the Service Provider will be done by the Department of Sport, Arts and Culture (SCM).</li> </ul>	
4.4	<b>COMMUNICATION</b> <ul style="list-style-type: none"> <li>The contact person details are as follows; Ms Zandile Maloka, email: <a href="mailto:zandilem@dsac.gov.za">zandilem@dsac.gov.za</a>, Tel: 012 4413730, Cell: 066 301 7031.</li> </ul>	
4.5	<b>FINANCIAL ARRANGEMENTS</b> <ul style="list-style-type: none"> <li>The Service Provider will submit their invoices / receipts to the Supply Chain Management Unit for payment.</li> <li>VAT should be included in the final amount.</li> <li>The Service Provider is not allowed to claim 50% upfront payment for services not rendered. As is the policy of government under PFMA, makes provision that no advance payments to any service provider is allowed, i.e. payment will be made after the service has been rendered.</li> </ul>	
4.6	<b>INFORMATION TO BE SUBMITTED</b> The Service Provider is required to submit the following: <ul style="list-style-type: none"> <li>An indication of previous experience;</li> <li>Contact names of previous clients;</li> <li>A detailed budget as indicated in paragraph 4; and</li> <li>An Original Copy of the Company Tax Clearance Certificate.</li> </ul>	
4.7	<b>ENQUIRIES</b> All enquiries should be forwarded to <b>Ms NP Maloka</b> , <a href="mailto:zandilem@dsac.gov.za">zandilem@dsac.gov.za</a> , 066 301 7031	

**MR DM MABULANE**

**DIRECTOR: HUMAN RESOURCE PLANNING AND ADMINISTRATION**

**DATE:**



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## 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

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

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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.

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

2.2.1 If so, furnish particulars:

.....  
 .....

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

2.3.1 If so, furnish particulars:

.....  
 .....

### **3 DECLARATION**

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

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

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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.

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**

*(delete whichever is not applicable for this tender).*

- 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	80
Specific goals	20
<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:

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

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

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

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

***Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)***

The specific goals claim points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
B-BBEE Status level of Contributor		10		

1		10		
2		9		
3		8		
4		5		
5		4		
6		3		
7		2		
8		1		
Non-compliant contributor		0		
<b>Specific goals</b>		<b>10</b>		
Women		4		
Youth		4		
People living with Disabilities		2		

#### DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in

addition to any other remedy it may have –

- (a) disqualify the person from the tendering process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

.....	
<b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....
	.....