

BID ADVERTISEMENT												
Bid description	THE FINANCIAL INTELLIGENCE CENTRE REQUEST PROPOSALS FROM SERVICE PROVIDERS TO PROVIDE VMWARE LICENSE MANAGEMENT TO THE FINANCIAL INTELLIGENCE CENTRE FOR A PERIOD OF THIRTY-SIX (36) MONTHS											
Bid reference number	FIC/RFB/VMWARE LICENSE MANAGEMENT/04/2024/25											
Name of institution	Financial Intelligence Centre											
Place where goods or services are required	Financial Intelligence Centre											
Closing date and time	Date	1	3	0	9	2	0	2	4	Time	11h00	
Contact details	Postal address			Private Bag X 177 Centurion 0046								
	Physical address			Byls Bridge Office Park 13 Candela Street Highveld Ext 73 Centurion								
	Tel			012 641 6052								
	email			Pelisa.Landule@fic.gov.za								
	Contact person			Pelisa Landule								
Where bids can be collected	Bid Documents and further information please email: Tenders@fic.gov.za Pelisa.Landule@fic.gov.za											
Where bids must be delivered	The Financial Intelligence Centre, Byls Bridge Office Park, 13 Candela Street, Highveld Ext 73 Centurion. The bid/tender box is accessible from 08H00-17H00 until the closing date and time. Please quote reference no. FIC/RFB/VMWARE LICENSE MANAGEMENT/04/2024/25 Correspondence without a reference number will not be attended to. Late, faxed or e-mailed submissions will NOT be accepted.											
Category (<i>refer to annexure A</i>)	COMPUTER SOFTWARE											
Sector	Public Sector											

Region	Gauteng	
Compulsory briefing session/site visit	Date	N/A
	Time	N/A
	Venue	N/A

ANNEXURE A: COMMODITY CATEGORIES

- ACCOMMODATION, Leasing of
- AUDIO VISUAL EQUIPMENT
- BUILDING MATERIAL
- CHEMICALS: Agricultural/Forestry/Laboratory/ Water Care
- CLOTHING/TEXTILES
- COMPUTER EQUIPMENT
- **COMPUTER SOFTWARE**
- ELECTRICAL EQUIPMENT
- ELECTRONIC EQUIPMENT
- FURNITURE
- GENERAL
- MEDICAL
- OFFICE EQUIPMENT: Labour-saving devices
- PERISHABLE PROVISIONS
- STATIONERY/PRINTING
- STEEL
- TIMBER
- VEHICLE (all types)
- WORKSHOP EQUIPMENT

SERVICES

- BUILDING
- CIVIL
- ELECTRICAL
- FUNCTIONAL (including cleaning/security services)
- GENERAL
- MAINTENANCE (Electrical, mechanical equipment and plumbing)
- MECHANICAL
- PROFESSIONAL
- REPAIR AND MAINTENANCE OF VEHICLES
- TRANSPORT
- OTHER

BID DOCUMENT

BID NUMBER:	FIC/RFB/VMWARE LICENSE MANAGEMENT/04/2024/25
ISSUE DATE:	23 AUGUST 2024
CLOSING DATE FOR THE BID:	13 SEPTEMBER 2024
CLOSING TIME FOR THE BID:	11:00
DESCRIPTION FOR THE BID:	THE FINANCIAL INTELLIGENCE CENTRE REQUEST PROPOSALS FROM SERVICE PROVIDERS TO PROVIDE VMWARE LICENSE MANAGEMENT TO THE FINANCIAL INTELLIGENCE CENTRE FOR A PERIOD OF THIRTY-SIX (36) MONTHS
SUBMITTING BIDS:	One (1) original and an electronic copy (preferably on memory stick) of the bid proposal must be handed in / delivered to: TENDER BOX FINANCIAL INTELLIGENCE CENTRE BYLSBRIDGE OFFICE PARK CNR JEAN AVENUE & OLIEVENHOUTBOSCH 13 CANDELA STREET, HIGHVELD EXT 73 HIGHVELD, CENTURION Bidders are required to request an ACCESS PIN CODE from Pelisa.Landule@fic.gov.za and present their identity documents and/or valid driver's license at the main gate in order to gain entry within the FIC offices.

CSD NUMBER

.....

DOCUMENTS IN THIS BID DOCUMENT PACK

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PART A: SBD 1 INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FINANCIAL INTELLIGENCE CENTRE					
BID NUMBER:	FIC/RFB/VMWARE LICENSE MANAGEMENT/04/2024/25		CLOSING DATE:	13 SEPTEMBER 2024	CLOSING TIME: 11:00
DESCRIPTION	THE FINANCIAL INTELLIGENCE CENTRE REQUEST PROPOSALS FROM SERVICE PROVIDERS TO PROVIDE VMWARE LICENSE MANAGEMENT TO THE FINANCIAL INTELLIGENCE CENTRE FOR A PERIOD OF THIRTY-SIX (36) MONTHS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT					
RECEPTION, FINANCIAL INTELLIGENCE CENTRE					
BYLS BRIDGE OFFICE PARK, CNR JEAN AVENUE & OLIEVENHOUTBOSCH (13 CANDELA STREET, HIGHVELD EXT 73 CENTURION)					
HIGHVELD EXT 73					
CENTURION					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Pelisa Landule		CONTACT PERSON	Pelisa Landule	
TELEPHONE NUMBER	012 641 6052		TELEPHONE NUMBER	012 641 6052	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	Pelisa.Landule@fic.gov.za		E-MAIL ADDRESS	Tenders@fic.gov.za	
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					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		CENTRAL SUPPLIER DATABASE No:	MAAA	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	TICK APPLICABLE BOX] ☐ Yes ☐ No		
[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 THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			☐ YES ☐ NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			☐ YES ☐ NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			☐ YES ☐ NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			☐ YES ☐ NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			☐ YES ☐ NO		
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

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 IN THE MANNER PRESCRIBED IN THE BID DOCUMENT. 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT. 1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD 7).
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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS. 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA. 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID. 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER. 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED. 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE:

PART C: SPECIAL CONDITIONS OF CONTRACT

In this document words in the singular also mean in the plural and vice versa and words in the masculine also mean in the feminine and neuter.

The General Conditions of Contract (GCC) will form part of this BID documents and may not be amended.

Special Conditions of Contract (SCC) relevant to this BID, compiled separately for this BID (if applicable) will supplement the General Conditions of Contract. Whenever there is a conflict, the provisions in the SCC shall prevail.

Copies of the GCC are available from the website

<https://www.treasury.gov.za/divisions/ocpo/sc/generalconditions/general%20conditions%20of%20contract.pdf>

SPECIAL CONDITIONS THAT THE BIDDER NEEDS TO TAKE NOTE OF:

1 FRAUD AND CORRUPTION

- 1.1 All service providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

2 NEGOTIATION

- 2.1 The Financial Intelligence Centre has the right to enter into negotiation with a prospective contractor regarding any terms and conditions, including price(s), of a proposed contract.
- 2.2 The Financial Intelligence Centre shall not be obliged to accept the lowest of any bid, offer or proposal in part or in whole.
- 2.3 All respondents will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible person of both parties. The designated responsible person of the Financial Intelligence Centre is the Supply Chain Manager or his/her written authorised delegate.

3 REASONS FOR REJECTION

- 3.1 The Financial Intelligence Centre shall reject a proposal for the award of a contract if the recommended bidder/tenderer has committed a proven corrupt or fraudulent act in competing for the particular contract.
- 3.2 The Financial Intelligence Centre may disregard the BID of any bidder/tenderer if that bidder/tenderer, or any of its directors:
 - 3.2.1 Have abused the SCM system of the Financial Intelligence Centre.
 - 3.2.2 Have committed proven fraud or any other improper conduct in relation to such a contract.
 - 3.2.3 Have failed to perform on any previous contract and the proof exists.
- 3.3 Such actions shall be communicated to the National Treasury.

4 PAYMENTS

- 4.1 The Financial Intelligence Centre (FIC) will pay the service provider the Fee as set out in the final contract. No additional amounts will be payable by the FIC to the Contractor.
- 4.2 The Contractor shall from time to time during the currency of the contract invoice The Financial Intelligence Centre for the services rendered. No payment will be made to the contractor unless an invoice complying with section 20 of the VAT Act No 89 of 1991 has been submitted to the FIC.
- 4.3 Payment shall be made into the bidder/tenderer's bank account normally 30 days after receipt of an acceptable, valid invoice. (Banking details must be submitted as soon as this BID is awarded).
- 4.4 The service provider shall be responsible for accounting to the appropriate authorities for its Income Tax, VAT or other amounts of money required to be paid in terms of applicable law.

5 PRESENTATION / DEMONSTRATION

- 5.1 The FIC reserves the right to request site visit/presentations/demonstrations from the short-listed bidder/tenderers if needed.

PART D: TERMS OF REFERENCE/ MINIMUM SPECIFICATION FOR THE WORK

1 BACKGROUND TO THE FIC

- 1.1. The Financial Intelligence Centre (FIC) is South Africa's national centre for the receipt of financial data, analysis and dissemination of financial intelligence to the competent authorities.
- 1.2. The FIC was established by the Financial Intelligence Centre Act, 2001 (Act 38 of 2001) and has the mandate to identify the proceeds of crime, combat money laundering and terror financing. It does this by seeking to:
 - Supervise and enforce compliance with the FIC Act
 - Facilitate effective supervision and enforcement by supervisory bodies
 - Receive financial data from accountable and reporting institutions
 - Share information with law enforcement authorities, intelligence services, the South African Revenue Service, international counterparts and supervisory bodies
 - Formulate policy regarding money laundering and the financing of terrorism
 - Provide policy advice to the Minister of Finance, and
 - Uphold the international obligations and commitments required by the country in respect of anti-money laundering and combating financing of terrorism (AML/CFT)
- 1.3. The FIC Act introduces a regulatory framework of measures requiring certain categories of business to take steps regarding client identification, record-keeping, reporting of information and internal compliance structures. The Act obliges all businesses to report to the FIC various suspicious and certain other transactions. The FIC uses this financial data and available data to develop financial intelligence, which it is able to make available to the competent authorities and supervisory bodies for follow-up investigations or administrative action.

- 1.4. All accountable and reporting institutions are required to register with the FIC. The FIC and supervisory bodies have the authority to inspect and impose administrative penalties on non-compliant businesses. The Act also introduced an appeal process and an appeal board.
- 1.5. South Africa is a member of the Financial Action Task Force, the international body which sets standards and policy on anti-money laundering and for combating the financing of terrorism (AML/CFT). In addition, it is also a member of the Eastern and Southern Africa Anti-Money Laundering Group, a regional body of the FATF which aims to support countries in the region to implement the global AML/CFT standards.
- 1.6. The FIC is a member of the Egmont Group, which is made up of financial intelligence units from more than 160 countries. The primary aim of the organisation is to facilitate co-operation and sharing of financial intelligence information among its members.

2 BACKGROUND AND OBJECTIVES TO THE REQUIREMENT

- 2.1 The FIC standardised on using virtualisation technologies for the hosting of services due to the beneficial nature of the technology. VMWare and its related solutions form the core of the virtualisation stack at the FIC to support these requirements.
- 2.2 FIC has a requirement to appoint a service provider to provide License renewal services for the VMWare products that it owns. The purpose of this terms of reference is to specify the licenses that needs to be renewed for the next thirty-six (36) months.
- 2.3 Therefore, the FIC invites interested parties that meet the requirements listed in this document to submit proposals to address this requirement. All information **MUST** be submitted in the format stipulated in this Terms of Reference (TOR).

3 SPECIFICATIONS/ SCOPE OF WORK

3.1 The FIC owns the following VMWARE licences that needs to be renewed:

Product	Current Qty	Unit of Measure	Contract Number	Support Level	New Qty and License Coverage End Date
vSphere 6 Enterprise Plus	6	CPU(s)	VO-41564541-R:25OCT23	Basic Support	Do not renew. These licenses will not be used going forward
vCenter Server 6 Standard	1	INSTANCE(s)	VO-41564541-R:25OCT23	Basic Support	07/11/2025 And 07/11/2026 And 07/11/2027
vSphere 6 Enterprise Plus	32	CPU(s)	VO-41564541-R:25OCT23	Basic Support	Renew only 24 CPU's until 07/11/2025 And 07/11/2026 And 07/11/2027 The other 8 CPU's will not be used going forward

FIC reserves the right to award this bid as a whole or in part without furnishing reasons to bidders.

4 DURATION OF THE CONTRACT

4.1 A twelve (12)-month service level agreement (SLA) to provide the required renewal services will be signed with the awarded bidder. The contract is annually renewable for year two (2) and year three (3) based on budget availability and performance of the awarded bidder.

5 TECHNICAL QUESTIONS

5.1 Any technical questions regarding the above requirement can be forwarded to Pelisa.Landule@fic.gov.za or Tenders@fic.gov.za.

6 VALIDITY PERIOD

- 6.1 Validity period from date of closure is 90 days.
- 6.2 Bidders must hold their tenders valid for acceptance by the FIC at any time within the requested validity period after the closing date of the tender.
- 6.3 Bidders may be requested to extend their validity period for a specified additional period. In such instances, tenderers will not be allowed to change any aspect of their tender, unless they are able to demonstrate that the proposed change(s) is as a direct and unavoidable consequence of FIC's extension of the validity period.

PART E: EVALUATION PROCESS

7 COMPLIANCE WITH MINIMUM BID AND RESPONSE REQUIREMENTS

7.1 Evaluation of bids received will be based on compliance with pre-selection (mandatory) requirements, price, and specific goals (B-BBEE status level of verification).

7.2 Pre-selection

No	Item	Mandatory Requirement
1.	Central Supplier Database	Bidders must be registered on the Central Supplier Database (CSD) that can be accessed via National Treasury Website – www.csd.gov.za prior to submitting a bid
2.	Valid B-BBEE certificate/ sworn affidavit	Bidders must submit a B-BBEE Certificate issued by SANAS Accredited BEE Verification Agencies OR a sworn affidavit as prescribed by the B-BBEE codes of good practice.
3.	Standard Bidding Document (SBD) 1 and 4 forms – Invitation to Bid and Bidder's Disclosure	SBD 1 and 4 forms must be fully completed, signed and submitted with the bid.
4.	Standard Bidding Document - SBD 6.1 preference points claim form in terms of the Preferential Procurement Regulations 2022	SBD 6.1 form must be fully completed, signed, and submitted with the bid.
5.	Compliance to Specification requirements as per the Scope of Work, section three (3) page nine (9) of the Bid document	Bidders must meet all specification requirements.
6.	Valid VMWare Reseller accreditation	Attach valid proof of VMWare Reseller accreditation.

Note:

- a) A bidder who fails to comply with mandatory requirements No 1, 3, 5 and 6 will be disqualified from the evaluation process.
- b) A bidder who fails to comply with requirement No. 2 and 4 will forfeit preference points for B-BBEE.

8 PRICE AND B-BBEE STATUS LEVEL OF CONTRIBUTION (80/20 PREFERENCE POINTS SYSTEM)

- 8.1 Bids that comply with all mandatory requirements will be evaluated in terms of the 80/20 preference points system in accordance with the stipulations in the Preference Points Claim Form (SBD 6.1 Form) in terms of the Preferential Procurement Regulations, 2022.

PART F: PRICING SCHEDULE

9 FINANCIAL PROPOSAL/ PRICING SCHEDULE

9.1 Financial proposal/pricing schedule for VMWARE solution for a period of thirty-six (36) months annually renewable.

9.1.1 The bidder must provide a cost-effective price, which is inclusive of all costs inclusive of VAT as per the below table:

Product	Qty	Unit of Measure	Support Level	Year One (1) Including VAT	Year Two (2) Including VAT	Year Three (3) Including VAT
vCenter Server 6 Standard	1	INSTANCE(s)	Basic Support			
vSphere 6 Enterprise Plus	24	CPU(s)	Basic Support			
Other costs						
Total Including VAT Per Year						
Total Including VAT for Thirty-Six (36) Months						

9.1.2 Should a rate of exchange be used, bidders are required to convert the currency to Rands (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date, one week (7 calendar days) prior to the closing date of the bid.

PART G: STANDARD BIDDING DOCUMENTS (OVERLEAF)

1. Standard Bidding Document (SBD) 4 Form: Bidder's Disclosure
2. Standard Bidding Document (SBD) 6.1 Form: Preference Points Claim Form

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

- 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 system is applicable to invitations to this tender:
- the 80/20 system for requirements with a Rand value of up to 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 shall be awarded for:

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

- 1.4 The maximum points for this tender are allocated as follows:

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

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

- 1.6 The FIC requires of a tenderer to substantiate any claim in regards to preferences, by submitting their current/valid B-BBEE certificate or a sworn affidavit as prescribed by the B-BBEE codes of good practice.

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) “**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 PREFERENCE POINT SYSTEMS

A maximum of 80/20 points is allocated for price on the following basis:

80/20

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest 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 2022, 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 that shall be supported by proof / documentation as stated in the conditions of this tender:

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)
The B-BBEE Certificate is used as a measurement instrument for FIC's specific goals:	20 Maximum	
B-BBEE Status level of contributor: 1	20	
B-BBEE Status level of contributor: 2	18	
B-BBEE Status level of contributor: 3	14	
B-BBEE Status level of contributor: 4	7	
B-BBEE Status level of contributor: 5	4	
B-BBEE Status level of contributor: 6	2	
B-BBEE Status level 7 – 8 and non-compliant contributors	0	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.2. Name of company/firm.....

4.3. Company registration number:

4.4. 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]

4.5. 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:	
	
	
	