



# The Market Theatre Foundation

## Request for Quotation:

Appointment of a service  
provider to render  
facilitation services -  
Strategic Workshop to MTF  
RFQ 24/2024-2025

**Closing Date:** 04 MAY 2024

**Closing Time:** 12:00

**Tender Price:** N/A

**Tender must be delivered in Tender box situated at or emailed to:**

138 Lillian Ngoyi Street, Newtown

[vickeyp@markettheatre.co.za](mailto:vickeyp@markettheatre.co.za)



# 1 General Information

## 1.1 Purpose of this document

The Market Theatre Foundation wishes to appoint a suitably qualified service provider to facilitate a strategic workshop with its Council and Management.

## 1.2 The Market Theatre Foundation

The Market Theatre Foundation operates as a Cultural Institution for performance art and photography and includes the Market Theatre, Market Laboratory, the Market Photo Workshop and the Windybrow Arts Centre.

The MTF's core business is producing a variety of theatre works that reflect and represent the issues that affect the people of South Africa. The Market Theatre Foundation produces an estimated 20-25 productions annually which create employment for +/-250 artists per annum. Over the years the Market Theatre has provided work for +/-8,750 theatre practitioners – playwrights, directors, actors, set/costume/lighting and sound designers and engineers as well as stage managers and crews. In line with the MTF's mission and vision 85% of these artists are from the historically disadvantaged communities.

In 2021/2022 the Market Theatre produced 18 shows and had an audience attendance of an estimated 18 889. This excludes the daily foot traffic and visitors that frequent the Market Theatre precinct and the Market Square Building.

The Market Lab is a multi-award-winning arts incubator, with a reputation for facilitating the development of exceptional young theatre-makers, facilitators, actors, writers and directors, and for creating innovative and relevant new plays. Our students have the opportunity to work and learn with some of the country's most iconic theatre practitioners, while creating a diverse range of work both individually and within an ensemble. With multiple local, African and global partners, the Lab strives to create enriching experiences that contribute to the personal and artistic growth of each person who participates in our programmes. Alumni have gone on to excel on stage and screen, or chosen to apply their skills in several other industries, including publishing, radio, event management and marketing. Many are playing leadership roles in arts institutions and other contexts, and remain committed to working in the communities that nurtured their growth as young artists.

The Market Photo Workshop is a school of photography, project space and galleries. The Market Photo Workshop runs a variety of photography courses and programmes for youth from communities in the margins, to equip them to pursue careers in photography, visual arts and media.

The Market Photo Workshop also runs Public Programmes: a series of interventions involving and directed at professional photographers, visual artists, educators, students and the broader public. Public Programmes all seek to inform the trends, practices, methods and contemporary ways of working and thinking in South African photography practice through exposure to a broad understanding of visual culture.

The Photo Workshop Gallery and Gallery 1989 are galleries that produce regular exhibitions and publications.



The Windybrow Arts Centre is the fourth division of the Market Theatre Foundation, framing itself as a space for thought leadership, literacy and Pan African expression. The Windybrow Arts Centre, as a Pan African centre of the arts, occupies a Heritage house in Hillbrow built by a mining engineer, Theodore Reneurt, during the height of the Johannesburg gold rush over a century ago. Embedded in the heart of Pan Africanism in Johannesburg, Hillbrow is an internal port for numerous migrants from the continent, creating an opportunity to tap into the cultural wealth contained in the avenues of the inner city. Together with the community of Hillbrow the WAC intends to create lasting programmes that reflect the heritage of the area and, through art, encourage opportunities that empower the youth with knowledge systems that will expand their horizons and expand their vision.

The Heritage House at the Windybrow Arts Centre in Doornfontein has been revived. The restored 121-year old building is the home to new and exciting programmes in the Hillbrow and inner-city neighbourhoods working with residents and communities around a range of art-based and participatory engagement projects.

## 2. Overview of required services

With the current Council's term having been extended by a year to facilitate for the conclusion of the amalgamation process; the workshop's purpose is to:

1. Revisit the MTF's Strategic Plan (2020 – 2025), its planned primary performance targets and impact statement
2. Objectively examine and assess achieved performance towards points envisaged in 1 above
3. Review Council's performance in terms of their fiduciary, general and specific duties

The proposed role the facilitator could play includes:

1. After reviewing the MTF Council's mandate from Department of Sport, Arts & Culture as well as planned outputs as outlined in the SPP and APPS:
  - a. Facilitate discussions with the aim of evaluating what has been achieved and still outstanding during the 2020 – 2025 MTSF period
  - b. In preparation for the amalgamation, facilitate discussions around MTF-specific strategic suggestions Council would like to make to DSAC project managers for consideration
  - c. Develop questionnaires that will be used for review and/or discussion. These could be self- or group-assessment based
  - d. Facilitate discussions on the way forward for any matters identified as outstanding or needing resolution before the new national entity is legislated and the Market Theatre is amalgamated thereinto
2. Make sure consensus is reached before ending the session on matters requiring decision
3. Presentation of the report to the Council
4. Provide practical and well thought through recommendations to guide the next Council emanating from the findings of this evaluation



## **Annexures**

- A : SBD 4 - Declaration of Interest
- B : SBD 6.1 Preference points claim form to the Preferential Procurement Regulations 2022
- C : CSD Registration Vendor Number

## **Compulsory returnable documents**

1. Proof of CSD registration stating a compliant tax status as per the closing date:  
**If tax is non-compliant MTF will give the bidder 7 working days to rectify their tax upon award.**
2. Fully Completed SBD forms (SBD 4, 6.1)
3. Certified copy of BBBEE Certification or Sworn Affidavit of (EME or QSE)

**If any of the above documents are not submitted your bid will be disqualified and will not proceed for further evaluation.**

## **3. Period**

The services will be provided for on a once off service.

## **4. Pricing**

Service Providers must provide a detailed breakdown of the costs and fees. The proposal must be firm and valid for a period of 30 days. The total cost must reflect VAT inclusive amount.

Prices charged by the supplier for services performed under the contract shall not vary from the prices quoted by the supplier in the RFQ document.

All assumptions made in preparing the proposal, including all cost factors must be detailed.

Prices quoted must be valid for at least 30 days from the closing date of the RFQ.

It is a condition of this bid that all prices quoted by the Bidder are in Rand with no additional liability exchange rate between the Rand and any foreign currencies flowing to the MTF.

The payment policy of MTF is 30 days from the date of receipt of invoice.



The Contract Sum shall NOT be subject to any price adjustment by any increase or decrease in the cost of labour from the date of submission of the bid to the completion of the contract. The Bidder must make allowance in rates or elsewhere in the tender for any escalation in costs which may incur.

Any proposal that does not include the information required in this paragraph will be disqualified.

## **5. Service Level Agreement**

The successful Service Provider will sign a Service Level Agreement (SLA) that details the terms of the contract including, the scope of work to be delivered, pricing, timeframes and other relevant contractual obligations of both parties.

No variation in or modification of the terms of the contract shall be made except by written amendment signed by the parties concerned.

## **6. Selection and Evaluation Criteria**

The MTF needs to be satisfied, in all respects, that the Service Provider selected has the necessary resources, skills, knowledge and experience for this project, and that all submissions are regarded in a fair manner in terms of the evaluation criteria.

Knowledge of government regulations is an advantage. The bidder should have the necessary expertise, capacity and previous experience in transportation services.

The tender will be evaluated on the basis of 80/20 split; with 80 points being allocated for price and 20 points for BBEE requirements. This is reflected in the table below.

### **Price and BEE Status**

The procedure for the evaluation of responsive tenders is Method 2 (Price and Preferences) having completed a technical evaluation.

The Preference Point System assigns a score to each tenderer based on the tender price and on the tenderer's B-BBEE status. These scores are combined to determine an overall score for the tender. The tender with the highest score will be considered for acceptance.



The Preference Point System will be applied as follows:

For tenders under a Rand value of R 50 000 000.00

- 80 points are assigned to price and functionality
- Up to 20 points are assigned to B-BBEE Goal status

For tenders above R 50 000 000.00

- 90 points are assigned to price and functionality
- Up to 10 points are assigned to B-BBEE Goal status

Points scored will be rounded off to the nearest 2 decimal places.

### **FORMULA FOR SCORING TENDER PRICE**

The following formula will be used to calculate the points for price:

$$P_s = X \left[ 1 - \frac{(P_t - P_{\min})}{P_{\min}} \right]$$

Where

$P_s$  = Points scored for comparative price of tender under consideration

$P_t$  = Comparative price of tender under consideration

$P_{\min}$  = Comparative price of lowest acceptable tender

$X$  = Points assigned to price

### **POINTS AWARDED FOR B-BBEE STATUS LEVEL (10 points)**

The points allocated to a tenderer will be in accordance with the **Preferential Procurement Regulations, 2022** published in Government Gazette No. 47452 dated 4 November 2012.



The following table is applicable.

	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 (80/10 system) (To be completed by the tenderer)
1.	100% Black owned or	6	
	51-99% Black owned	4	
2.	100% Black women owned or	6	
	51% to 99% Black women owned	4	
3.	5% Youth Ownership	2	
4.	2% Owned by persons with disabilities	1	
5.	Exempt Micro Enterprise ( EME) or	5	
	Qualifying Small Enterprise ( QSE)	3	

Notes:

1. "B-BBEE status level of contributor" means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act (Act No.53 of 2003).
  2. Tenderers must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating. Certificates issued by either verification agencies accredited by the South African Accreditation System (SANAS).
1. Bidders with annual total revenue of R5 million or less qualify as Exempted and must submit a certificate; issued by a registered auditor, accounting officer or an accredited verification agency.



2. The submission of such certificates must comply with the requirements of instructions and guidelines issued by the National Treasury and be in accordance with notices published by the Department of Trade and Industry in the Government Gazette.
3. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
4. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate tender.

A person will not be awarded points for B-BBEE status level if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a tenderer qualifies for.

5. A person awarded a contract will not be permitted to sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned.

### **TOTAL PREFERENCE POINTS**

The total preference points for a tender are calculated with the formula

**PP = P<sub>s</sub> + P<sub>bee</sub>** where

**PP** is the total number of preference points scored by the tenderer

**P<sub>s</sub>** is the points scored for the comparative price of the tenderer, and

**P<sub>bee</sub>** is the number of points awarded to the tenderer based on his certified B-BBEE status level



<b>Price</b>	80 / 90
<b>BBBEE</b>	20 / 10
<b>Total points</b>	<b>100</b>
<b>Functionality</b>	<b>100</b>

## 6. Functionality returnable documents

Companies will be measured on the following criteria below on functionality.

<b>Description</b>	<b>Weighting</b>
1. Location of the main operating office. <ul style="list-style-type: none"> <li>• Within City of Johannesburg</li> <li>• Outside City of Johannesburg (With in Gauteng)</li> <li>• Outside Gauteng</li> </ul>	10
Company profile outlining the company years' experience facilitating strategic workshops. <ul style="list-style-type: none"> <li>• 10 Years or more – 30</li> <li>• 8 to 9 Years – 25</li> <li>• 6 to 7 Years – 20</li> <li>• 4 to 5 Years – 10</li> <li>• 2 to 3 Years – 5</li> <li>• Below 2 years - 0</li> </ul>	30
2. CV's and Certified ID Copies of main facilitator with qualifications and experience; <ul style="list-style-type: none"> <li>• 10 Years or more – 30</li> </ul>	30



<ul style="list-style-type: none"> <li>• 8 to 9 Years – 20</li> <li>• 6 to 7 Years – 15</li> <li>• 4 to 5 Years – 10</li> <li>• 2 to 3 Years – 5</li> <li>• Below 2 years – 0</li> </ul>	
<p>3. Reference letters in similar work done (Minimum of three letters of be attached).</p> <ul style="list-style-type: none"> <li>• 3 or more reference letters – 30</li> <li>• 2 reference letters – 20</li> <li>• 1 reference letter – 10</li> </ul>	30

A minimum of 70 Points has to be scored to advance to the next stage of evaluation. Any proposal / Bid that does not score 70 will be disqualified and not proceed to the next stage of evaluation

The next stage of evaluation will be evaluated as per the PPPFA 80/20 evaluation criteria ( Please see attached the SBD 6.1 Preference points claim form to the Preferential Procurement Regulations 2022).

## 7. Disclaimer

Neither the MTF nor any of its consultants accepts any responsibility to any Bidder or other third parties under the law of contract, tort or otherwise, for any loss or damage which may arise from this RFP, any matter deemed to form part of this RFP, the supporting information or documents referred to in this RFP or any information supplied by, or on behalf of, the MTF.

No unsuccessful Bidder will be entitled to any redress against the MTF in the event that the MTF enters into any agreement in relation to the RFP with any other Bidder.

No warranty or representation is made about the accuracy or completeness of the information contained in this RFP.

Any costs incurred by the Bidders during the development of the Bidder response will be at the Bidder's expense and will not be covered by the MTF.

In respect of this RFP and in addition to other contractual conditions and principles contained herein:

- MTF may elect not to proceed with awarding the bid;



- Bidders will be liable for payment of their own legal costs, whether or not a contract is entered into; and
- No claims for compensation will lie against the MTF if, following the evaluation of responses, the MTF elects not to conclude a contract with any Bidder.

## 8. Taxes and duties

No contract shall be concluded with any bidder whose tax matters are not in order. Prior to the award of a bid the Department must be in possession of a valid tax clearance pin certificate, submitted by the bidder. The Bidder must also be tax compliant on the Treasury Central Supplier Database on the award of the tender.

## 9. Proposal Requirements

### 9.1 Compliance with conditions

Bidders are required to comply with all terms and conditions set out in this RFQ.

### 9.2 Lodgement process

Responses to this RFQ must be made in printed form. Responses must be delivered in a sealed envelope accompanied by a covering letter on the letterhead of the Bidder's organisation, duly signed by an authorised representative of the Bidder's organisation.

### 9.6 Confidentiality of responses and security of intellectual property

Responses shall be received and held in confidence. Security procedures apply for all materials received in response to this RFQ.

### 9.7 RFP submission

The following information is pertinent to the RFP Submission

<b>Closing Date</b>	4 March 2024
<b>Closing Time</b>	12:00

RFP submissions are to be labelled as follows:



<b>Bid Number</b>	MTF RFQ 24/2023-2024
<b>Description</b>	Appointment of a service provider to render facilitation services -Strategic Workshop to MTF

Responses must be received at the following addresses.

<b>Physical Address</b>	The Market Theatre Foundation 138 Lillian Ngoyi Street NEWTOWN  Place bid documents in the tender box by the Security at reception between 8:00 and 16:00 on weekdays
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#### **Compulsory Briefing Session**

<b>Physical Address</b>	The Market Theatre Foundation 138 Lillian Ngoyi Street NEWTOWN
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- No responses will be accepted after the closing date and time.
- Responses may be delivered by facsimile or email.
- Only 1 Copy of the proposal is required.

#### **9.8 Ownership of documents**

All documents forming the response to this RFQ shall become the property of the MTF. Intellectual property contained in the response shall remain vested with the Bidder.

#### **9.9 Discrepancies**

Bidders are advised that should a discrepancy exist between information contained in this RFQ and any subsequent contract documents then the contract documents will prevail.



### **9.10 Collusive practices**

Except to form a consortium to respond to this RFP, a Bidder shall not enter into any agreement with any other Bidder or industry association concerning the preparation of a response to this RFP. In particular, but without limiting the foregoing, a Bidder shall agree not to pay any amount to any unsuccessful Bidder.

Evidence of collusion may lead to the rejection of all offers pursuant to this RFP and Bidders involved in such practices may be barred from tendering for further contracts with MTF. In addition, Bidders found guilty of collusive practices will be reported to the National Treasury and maybe listed on the Database of Restricted Suppliers.

Bidders may be required to provide a declaration confirming that they have not engaged in collusive practices in relation to this RFP.

This declaration can be found in Appendix C. The Bidder is required to complete the appendix and include it with the Bid that is submitted to MTF.

MTF reserves the right to revise any aspect of these timeframes at any stage, and to amend the process at any stage.

### **9.11 Contacts for further information**

Bidders wishing to clarify items within this RFQ should contact the MTF representative mentioned below either by email. Where the information is not of a confidential nature, MTF reserves the right to distribute copies of all communications to all recipients of the RFQ. Queries should be directed to MTF's SCM indicated below:

Mr. Vickey Pienaar +27 11 832 1641 ext 208 <a href="mailto:vickeyp@markettheatre.co.za">vickeyp@markettheatre.co.za</a>
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### **9.12 Addenda to response**

Information not specifically required for the RFP but deemed by the Bidder to be of value to the evaluation shall be included as an addendum to the Response. Addenda should not include advertising brochures or similar material.

Where there is reference to published manuals, the relevant extracts from the manuals and those alone, shall be placed in the addenda.

### **9.13 Lingua franca**

All information supplied in the Bid Response and all communication in this regard shall be in English.



#### **9.14 Discounts**

The Bidder shall set out any discounts and allowances where appropriate, including discounts for prompt payment.

#### **9.15 Disclosure of information**

No Bidder shall furnish information, make any statement or issue any document or other written or printed material concerning the acceptance of the response to this RFQ for publication in any form of media without prior written approval of the MTF.

#### **9.16 Rights reserved**

At its own discretion, the MTF reserves the right:

- to extend the time for lodgement of responses;
- to accept a response in part or in total;
- not to accept any Bid resulting from responses to this RFQ, in part or in total;
- to, at its own discretion, vary any of the requirements of the services to be delivered during the course of negotiations with the preferred Bidder;
- terminate the evaluation of responses;
- to invite new responses;
- to determine whether or not a response will be considered in the event of a material change in a Bidder;
- to negotiate with the closest conforming Bidder in the event that no one Response satisfies all critical requirements.

#### **9.17 Inquiries to be prior to closing date**

No inquiries, whether in writing or otherwise, shall be made by Bidders following the closing date for responses to the RFQ. Breach of this condition may prejudice consideration of the Bidder's response.

A Bidder shall not solicit support from, or in any form canvass any:

- employee or agent of the MTF;
- committee of the MTF;
- any consultant or contractor currently engaged by the MTF, with respect to any matter pertaining to this RFQ (unless specifically authorised by the MTF to do so). Breach of this condition may prejudice consideration of the Bidder's Response.

## **10. Format of the Bid Response**

Bidders must provide a complete and detailed response to each of the issues raised in this RFQ document, and these must be submitted in the prescribed format.

Bidders must submit a signed response in the under-mentioned format.



For ease of evaluation, Bidders are required to present their Bid documentation under the following headings:

## Required Forms

### Compulsory Returnable Documentation

1. Fully Completed and signed SBD4, SBD6.1 forms – see attached.
2. Certified copy of BBBEE certificate or Affidavit
3. Proof of the company registered on CSD (Central Supplier Database)
4. Attendance of the compulsory briefing session dated (**A attendance register will be circulated at the briefing session**)
5. Note for joint ventures
  - The items above are to be addressed and completed by **EACH** member of the joint venture.
  - An agreement between all parties of the joint venture is to accompany the Bid submission.
  - BEE status is to be based on a profit-sharing ratio and is to be verified by independent auditors if the tender is successful. This will be for the Bidders cost.

**Failure to comply with the requirements above will result in Bidders been negatively scored for responsiveness**

## 11. Glossary

The following definitions are used within this *RFP*:

- '**Bid**' means a formal submission by a Bidder in response to the RFP document
- '**Bidder/s**' means an entity or entities submitting a Bid as above in response to the RFP and include a Bidder Consortium.
- '**MTF**' means The Market Theatre Foundation;
- '**Photo Workshop**' means the Market Photo Workshop;
- '**LAB**' means the Market Laboratory;
- '**Preferred Bidder**' means the Bidder selected by the Evaluation Panel to enter into negotiations with MTF for the provisions of services;
- '**Service Level Agreement**' means the agreement entered into between MTF and the Preferred Bidder setting out the terms and conditions for the services to be provided by the Preferred Bidder;
- '**CSD**' means Central Supplier Database, a supplier database that is being utilized by all public sector entities.
- Words importing the singular include the plural and vice versa and words importing one gender shall include all other genders. Headings are for ease of reference only and shall not affect the interpretation of this agreement.



- Once a Bidder has been selected using the MTF's defined selection criteria they will be required to enter into a formal contract with MTF. The details of this contract will be finalised once the Bidder has been selected and all service negotiations are complete.



ANNEXURE A - Declaration of Interest



SBD 4

**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  
 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:

2.1 I have read and I understand the contents of this disclosure;

2.2 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

<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



## ANNEXURE B

SBD 6.1: Preference points claim form to the Preferential Procurement Regulations 2022



## SBD 6.1

### 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**

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#### 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 **90/10** preference point system.
  - b) The applicable preference point system for this tender is the **80/20** preference point system.
  - c) Either the **90/10 or 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:

	<b>POINTS</b>
<b>PRICE</b>	
<b>SPECIFIC GOALS</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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{P_s = 90 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)} \end{array}$$

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{min}$  = 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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)} \end{array}$$

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 (80/10 system) (To be completed by the tenderer)
1.	100% Black owned or	6	
	51-99% Black owned	4	
2.	100% Black women owned or	6	
	51% to 99% Black women owned	4	
3.	5% Youth Ownership	2	
4.	2% Owned by persons with disabilities	1	



5.	Exempt Micro Enterprise ( EME) or	5	
	Qualifying Small Enterprise ( QSE)	3	

**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;

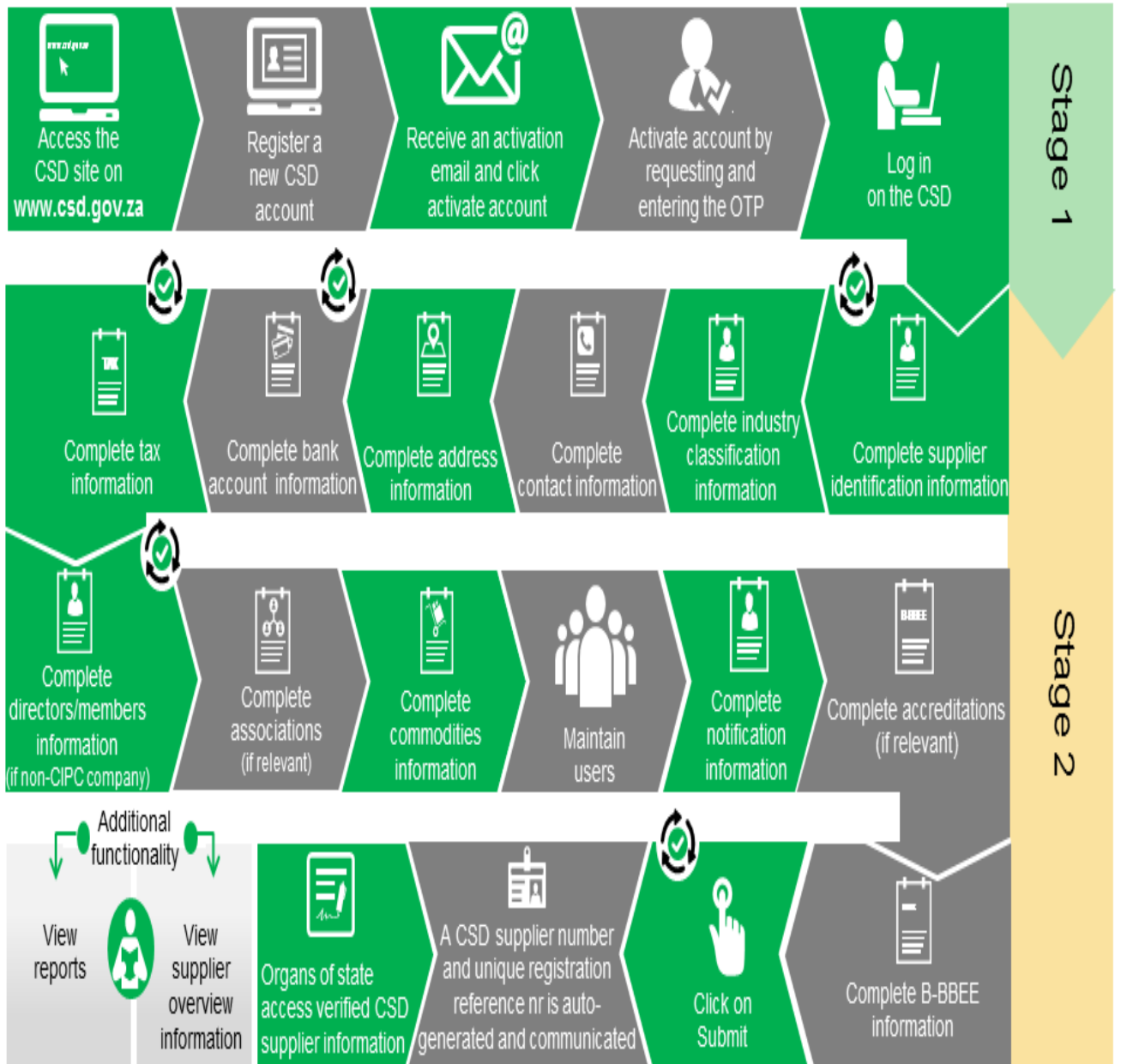
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) 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>	..... ..... .....



ANNEXURE C - CSD Registration - Procedure on registration onto the central supplier database

# Supplier Self-Registration Process



 Auto verification of supplier information with SARS, CIPC etc.



ANNEXURE D – PRICING SCHEDULE



### Pricing Schedule

The MTF has developed the following pricing schedule as a baseline to assist in the evaluation of bids. Each bidder is required to complete and submit the Pricing Table. Additional price components not included in the Pricing Table should be clearly itemized below.

#### 1. Pricing Schedule

	<b>Aircon units: Market Square, Market Theatre Complex AND MTF Lab and MPW</b>	<b>Total price</b>
<b>1</b>	Facilitator	<b>R</b>
<b>2.</b>	Traveling	<b>R</b>
<b>3.</b>	Other (Specify here: _____ )	<b>R</b>
<b>4.</b>	Other (Specify here: _____ )	<b>R</b>
<b>5.</b>	Other (Specify here: _____ )	<b>R</b>
<b>6.</b>	Other (Specify here: _____ )	<b>R</b>
	<b>Sub Total</b>	<b>R</b>
	<b>VAT @ 15%</b>	<b>R</b>
	<b>Total</b>	<b>R</b>