



NATIONAL LOTTERIES COMMISSION

REQUEST FOR PRICE AND PROPOSALS FOR THE APPOINTMENT OF SERVICE PROVIDERS TO DESIGN AND DELIVER SKILLS PROGRAMME FOR NLC BENEFICIARIES IN MPUMALANGA PROVINCE.

BID PROCESS	BID REQUIREMENTS
Bid Number	RFP 2022-014
Bid Advertisement Date	01 June 2022
Closing Date and Time	10 June 2022 at 11:00 (South African Standard Time)
Tender Validity Period	90 Days
Site Inspection	N/A
Tenders are to be delivered to the following address on the stipulated closing date and time:	The original bid document must be submitted via USB 25 Rood Street, Sonheuwel Dorp, Nelspruit <u>OR</u> 333 Grosvenor Street, Block D Hatfield Gardens, Hatfield

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1. INTRODUCTION

The National Lotteries Commission (The Commission) is a public entity established by Lotteries Act No. 57 of 1997, as amended to regulate the South African lotteries industry. The functions of the Commission can be divided into two categories, namely “regulation of National Lottery and other Lotteries” and “administration of the National Lottery Distribution Trust Fund (NLDTF)”.

The Distributing Agencies (DA's) who are appointed by the Minister of Trade & Industry are responsible for the adjudication of the funding applications as per the Lotteries Act and applicable Regulations.

2. BACKGROUND

In line with its mandate which includes provision of education and awareness, the Board of the NLC approved a Capacity Building Framework and Implementation Plan. Capacity Building programme entails a structured accredited training programme whereby relevant SAQA Unit Standards are aligned to design a suitable skills programme aimed at funded beneficiaries to equip them with financial, project management, reporting and sustainability skills and knowledge to be able to implement and sustain their projects successfully. Participants of the programme are identified by the NLC based on an internal capacity assessment. Target participants include senior non-finance managers, directors, and finance staff of small to medium-sized non-governmental organizations (NGOs).

In line with the requirements of the Public Finance Management Act (PFMA) No. 1 of 1999, as amended and Treasury Regulations, the NLC invites suitably qualified and experienced service providers to submit proposals to design and deliver a skills programme for NLC Beneficiaries.

3. PURPOSE OF THE TERMS OF REFERENCE

The purpose of the terms of reference (TOR) is to appoint qualified and experienced service providers to design and deliver a skills programme for NLC Beneficiaries for a period of eight (8) months in Mpumalanga province.

4. OBJECTIVES

The objectives of the TOR are as follows:

- To design¹ and develop a structured and accredited financial, reporting and project management programme for NPOs.
- To implement and deliver the Structured Capacity Building (SCB) programme to selected NLC Beneficiaries in the abovementioned province
- To provide on-site mentoring (site visits) to ensure transfer of skills as part of the portfolio building process; and
- To issue accredited certificates and upload learners with relevant SETA.
- To organise and coordinate a Handover Ceremony for awarding **Framed Certificates of Competency** and Statements of Results to competent participants

5. SCOPE OF WORK AND DELIVERABLES

5.1. The scope of work entails the following duties:

No	Phase	Description
One	Needs assessment	Assess the selected participants financial literacy (i.e., existing knowledge and expertise with financial management) as well as existing financial systems / policies of their respective organisation(s) to design appropriate programme materials at the relevant level (NQF Level 4 or 5)
Two	Skills programme	Design and deliver a five-day accredited training programme (facilitation) based on the outcomes of Phase One; conduct a formative and summative assessment of the participants based on a Portfolio of Evidence. Award a certificate of attendance to qualifying participants on last day of training phase.
Three	On-Site Mentoring	Provide post-training support to participants in the organisational setting (site visits) to assist with application of skills and knowledge gained during summative assessment, including organisational system and policy

¹ Existing training courses will be considered provided they are appropriately designed and structured; or can be adapted to meet the NLC's requirements

		development.
Four	Evaluation	Conduct an evaluation of the process based on participant feedback that can be used to modify / inform future iterations of the Programme and for the Final Report.

5.2. Implementation will be in the following provinces:

- Mpumalanga province

5.3. Proposed implementation plan and method

- Appointed service provider to reserve and provide a sufficient and professional conference venue whereby Covid 19 stringent and safety hygiene protocols will be observed.
- Conference venue must be booked for Five (5) days for training in the form of classroom setting, with breakfast and lunch included for participants.
- The number of participants for the programme is **30 individuals**. 15 organisations will avail two (2) members each for participation per province.
- Conference venue selected must adhere to social distancing, health and safety protocols, frequently sanitized, disinfection of surfaces, and other safety measures.
- Live facilitation for a duration of five days (5).
- Mentoring sessions to take place in the form of site visits to each beneficiary location

The NLC will perform an inspection of the conference venue before approval according to the events checklist to ensure safety and professionalism.

5.4 The formative training component of the programme should be no more than five (5) days in duration and should include the following modules:

- Introduction to NPO finance (including relevant legislation governing same).
- Financial planning and budgeting including cash flow management.
- Tracking and reporting expenditure and cash flow.
- Basic financial record keeping.
- Introduction to VAT,
- How to read and interpret Financial Reports and Statements.
- Procurement, grant and contract management.
- Risk management; and

- Introduction to PFMA.
- Project management
- Record keeping
- Fundraising and resource mobilization
- Train the trainer

5.5. Outcomes:

- By the end of the programme, participants should achieve the following outcomes:
- Demonstrate understanding of the NPO financial environment.
- Build activity-based project budgets, cash flow forecasts and funding grids for programme planning and implementation.
- Prepare project accounts and simple financial reports.
- Analyze financial reports to inform and support programme management decisions.
- Review grant and other contracts to ensure systems comply with funder rules.
- Ensure the procurement processes followed is as outline in the PFMA.
- Identify risks, strengths and weaknesses in their financial systems; and
- Interpret accounting officers' notes and the audit report.
- Ability to transfer skills to newly registered NPO/NGO's
- Ability to raise funds and apply sustainability initiatives

5.6. All practices and standards should consider Generally Accepted Accounting Principles (GAAP), International Financial Reporting Standards (IFRS); the Independent Code of Governance for Non-Profits in South Africa, and the relevant prescripts of the PFMA

5. DELIVERABLES

- Conduct a pre-assessment to determine the suitable literacy level of participants before commencement of the programme (list of attendees will be provided).
- Design a suitable accredited programme and/or align the Level 4 or 5 programme based on the pre-assessment outcomes and SAQA Unit Standards.
- Develop and provide learning materials and delivery format (notes, lectures and exercises)
- (NLC LOGO to attach on the manuals with guidelines will be provided).
- Provide qualified facilitators / mentors knowledgeable in the local language to present

the programme (NLC Provincial Office will also be there for support).

- Assess the participants, moderate the results (Communication).
- Issue **certificates of attendance** to participants on the last day of training (day 5)
- **Provide on-site mentoring; and train the trainer skills**
- Site visit to attendee's organization; and least three site visits to attendees will be required.
- Upload the learners with affiliated SETA body and issue **Framed Certificates of Competency** as per Statement of results issued by relevant SETA. (Update NLC on SETA's correspondence)
- Evaluation of the programme with recommendations by providing report with surveys and/or questionnaires undertaken.
- **Organize and coordinate a Handover Ceremony** for awarding Framed Certificates of Competency and Statements of Results to competent participants

6. REPORTING REQUIREMENTS

- The appointed service provider shall report to the Stakeholder Management, Marketing and Communications Department.
- The Project Manager and the appointed service provider will arrange regular (minimum monthly) progress meetings with a detailed report at the end of all the training sessions, mentoring sessions and a final closeout report.
- Reporting will be in three (3) phases, Training Report, Mentoring Report and Close out Report. All 3 written reports must be submitted with POE such as attendance registers, pictures, updated Learner database and learner evaluations forms.
- SCB Training session report to include supporting evidence such as attendance registers, videos and pictures of each session including the awarding of the certificates of attendance.
- SCB Mentoring session report to include a video and photos of at least five onsite visits, attendance registers and learner database.
- SCB Final closeout report to include Statements of Results, Competency Certificates (Framed) and programme evaluation.

7. DURATION OF THE PROJECT

The expected duration of the project is Eight (8) months after the signing of the service level agreement (SLA) - starting July 2022 to February 2023.

SECTION 2: NOTICE TO BIDDERS

1. Terms and conditions of the bid

- 1.1 This document may contain confidential information that is the property of the NLC.
- 1.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFP without prior written permission from the NLC.
- 1.3 All copyright and intellectual property herein vests with the NLC.
- 1.4 Late and incomplete submissions will not be accepted.
- 1.5 No services must be rendered, or goods delivered before an official NLC Purchase Order form has been received.
- 1.6 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.
- 1.7 Suppliers must provide their CSD registration number (and attach a CSD Summary report) and ensure that their tax matters are compliant.
- 1.8 All questions regarding this bid must be forwarded to maureen@nlcsa.org.za, no later than within five days of the RFP closing date.
- 1.9 Any supplier who has reasons to believe that the bid specification is based on a specific brand must inform the NLC via the email addressed in 1.8.

2. General rules and instructions

- 2.1 News and press releases
 - 2.1.1 Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, the NLC.
- 2.2 Precedence of documents
 - 2.2.1 This RFP consists of several sections. Where there is a contradiction in terms between the clauses, phrases, words, stipulations, or terms and herein referred to generally as stipulations in this RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this bid shall take precedence.
 - 2.2.2 Where this RFP is silent on any matter, the relevant stipulations addressing such matter, and which appearing in the PPPFA shall take precedence. Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that the NLC may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by the NLC.
 - 2.2.3 It is acknowledged that all stipulations in the PPPFA are not equally applicable to all matters addressed in this bid. It, however, remains the exclusive domain and election of the NLC as to which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of the NLC in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the Bidder(s). The Bidder(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

- 2.3 Preferential procurement reform
- 2.4 The NLC supports B-BBEE as an essential ingredient of its business. In accordance with government policy, the NLC insists that the private sector demonstrates its commitment and track record to B-BBEE in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices (SMME Development) etc.
- 2.5 The Industrial Participation policy, which was endorsed by Cabinet on 30 April 1997, is applicable to contracts that have an imported content. The NIP is obligatory and therefore must be complied with. Bidders are required to sign and submit the Standard Bidding Document (SBD).
- 2.6 Language
 - 2.6.1 Bids shall be submitted in English.
- 2.7 Gender
 - 2.7.1 Any word implying any gender shall be interpreted to imply all other genders.
- 2.8 Headings
 - 2.8.1 Headings are incorporated into this bid document and submitted in response thereto, for ease of reference only and shall not form part thereof for any purpose of interpretation or for any other purpose.
- 2.9 Occupational Injuries and Diseases Act 13 of 1993
 - 2.9.1 The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFP and/ or subsequent agreement. the NLC reserves the right to request the Bidder to submit documentary proof of the Bidder's registration and "good standing" with the Compensation Fund, or similar proof acceptable to the NLC.
- 2.10 Processing of the Bidder's Personal Information
 - 2.10.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFP is collected and processed for the purpose of assessing the content of its tender proposal and awarding the bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation including the PPPFA read with the Preferential Procurement Regulations, 2017. The Bidder is advised that Bidder Personal Information may be passed on to third-parties to whom the NLC is compelled by law to provide such information. For example, where appropriate, the NLC is compelled to submit information to National Treasury's Database of Restricted Suppliers.
 - 2.10.2 All Personal Information collected will be processed in accordance with POPIA and with the NLC Data Privacy Policy.
 - 2.10.3 The following persons will have access to the Personal Information collected:
 - 2.10.3.1 The NLC personnel participating in procurement/award procedures; and
 - 2.10.3.2 Members of the public: within seven working days from the time the bid is awarded, the following information will have to be made available on National Treasury's e-Tender portal:
 - 2.10.3.2.1 Contract description and bid number;
 - 2.10.3.2.2 Names of the successful bidder(s) and preference points claimed;
 - 2.10.3.2.3 Contract price(s) (if possible);
 - 2.10.3.2.4 Contract period;

- 2.10.3.2.5 Names of directors; and
- 2.10.3.2.6 Date of completion/award.

2.10.4 The NLC will ensure that the rights of the Bidder and of its employees and representatives (i.e., the right of access and the right to rectify) are effectively guaranteed in accordance with the procedures as specified in the NLC PAIA manual.

3. Site Inspection

Site inspection may be conducted only to qualified bidders after technical evaluation process.

4. Validity Period

- 4.1 The bid documents submitted will be held and considered valid for a period of 90 days after the closing date.
- 4.2 Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions, if the internal evaluation process are not finalized within the validity period.

5. National Treasury's Central Supplier Database

- 5.1 Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.
- 5.2 The NLC may not award business to a bidder who has failed to register on the CSD.
- 5.3 Only foreign suppliers with no local registered entity need not register on the CSD.
- 5.4 The CSD can be accessed at <https://secure.csd.gov.za/>

6. Confidentiality

- 6.1 Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding;
- 6.2 The NLC reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.
- 6.3 The Bidder acknowledges that it will obtain and have access to personal information of The NLC and agrees that it shall only process the information disclosed by the NLC in terms of this bid award and only for the purposes as detailed in this bid and in accordance with any applicable law.
- 6.4 The Bidder shall notify the NLC in writing of any unauthorized access to personal information and the information of a third party, through cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such

7. Prices

- 7.1 All services' pricing should be inclusive of all taxes etc. and payment shall be made in South African Rand.
- 7.2 Bidders are required to use the pricing schedule available as "*Annexure 1*" for the prices.

8. Communication

- 8.1 Specific queries relating to this bid should be submitted at maureen@nlcsa.org.za, before the closing date.
- 8.2 In the interest of fairness and transparency the NLC's response to such a query may be made available to other bidders.
- 8.3 It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the NLC in respect of this bid between the closing date and the date of the award of the business.
- 8.4 Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

SECTION 3: EVALUATION CRITERIA

The NLC will evaluate all proposals in terms of the Preferential Procurement Regulation of 2017 and Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). The six (6) phase evaluation criteria will be considered in evaluating the proposals, being



Stage 1: Tender Closing and Opening

1.1 Bid closing details

The deadline for Tender submission is **10 June 2022** at 11:00 Standard South African Time. Any late tenders will not be accepted.

USB marked clearly with RFP number and Bidders Details (Company Name, Email Address and Contact Number) should be submitted at the below addresses:

25 Rood Street, Sonheuwel Dorp, Nelspruit

OR

333 Grosvenor Street, Block D Hatfield Gardens, Hatfield

1.2 Bid Formats

Bid submissions must be submitted in a PDF format that is protected from any modifications, deletions, or additions.

Financial/pricing information must be presented in a separate attachment from the Technical/Functional Response information. The onus is on the Bidder to ensure that all mandatory and required documents are included in the electronic submission.

Submissions must be prominently marked with the full details of the tender namely Bidder's Name, Tender No and Tender Title.

Bidders are advised to email electronic submissions at least thirty minutes before the bid closing time to cater for any possible delay in transmission or receipt of the bid. The onus is on bidder to ensure that the bid is submitted on time via email

Tender submission emails received after submission date and time will be declared late bid submissions and will not be accepted for consideration by the NLC.

The NLC will not be responsible for any failure or delay in the email transmission or receipt of the email including but not limited to:

- ☐ Receipt of incomplete bid
- ☐ File size (must not exceed 30mb)
- ☐ Delay in transmission or receipt of the bid
- ☐ Failure of the Bidder to properly identify the bid
- ☐ Illegibility of the bid; or
- ☐ Security of the bid data.

Stage 2: Administrative and Mandatory Compliance

1. Administrative Compliance

Bidders are required to submit the required documents for administrative compliance.

The Administrative Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Document
1. Returnable documents (standard bidding documents) and/or schedules were completed, duly signed by the authorized person	Bid Proposal, Standard Bidding Document (SBD) Forms & Pricing Schedule
2. Signed consent form in terms of the Protection of Personal Information Act 4 of 2013 (POPIA) (Consent Forms Attached to the Bid as part of the SBDs).	Signed POPIA Consent Form

2. Mandatory Compliance

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation.

Pre-Qualification Criteria (Mandatory Requirements)

The following mandatory requirements must be met to qualify for this bid:

- ✚ Proof of valid full accreditation (current accreditation) with Skills Education & Training Authority (SETA) Level 4 or 5;
- ✚ Bidders must be Level 1 in terms of the B-BBEE Codes of Good Practice;
- ✚ Bidders must be an Exempted Micro Enterprise (EME) or Qualifying Small Enterprise (QSE) in terms of the B-BBEE Act 53 of 2003;
- ✚ Fully completed Standard Bidding Documents (SBDs); and

Stage 3: Technical evaluation

The evaluation for the Technical and Functional threshold will include the following:

CRITERIA	SUB-WEIGHT	WEIGHT
1. Company Experience and Capacity		35
1.1 Company Experience: Maximum of 20 Points		
The service provider should: ✚ Demonstrate their experience and knowledge in all the various aspects of skills design, development and mentoring of beneficiaries/NPO. ✚ Demonstrate that similar training (skills design, development and mentoring) was rendered within the past five (5) years. ✚ Demonstrate their expertise in training, mentorship and coaching programme. • 5 years and above relevant experience in skills design, development and mentoring, and demonstrated knowledge of training within financial, project management and sustainability initiatives area = 5 • 3 – 4 years' experience in skills design, development and mentoring, and demonstrated knowledge of training within financial, project management and sustainability initiatives area = 3 • 1 – 2 years' experience in skills design, development and mentoring, and demonstrated knowledge of training within financial, project management and sustainability initiatives area = 1 • 0 year = 0 Point		
1.2 Written Reference Letters (Maximum of 15 Points)		
Provide three (3) written reference letters from contactable existing/ recent clients (public / private sector) within the past 3 years of similar services (skills design, development and mentoring focusing on financial, project management and sustainability initiatives) successfully completed. Letters must include the company name, contact name, address, phone number, duration of contract, value of the contract, a brief description of the services that you provided, and the reference letter should not be older than two (2) years. The reference letters must be on the client's letterhead and must be dated and signed. <i>No appointment letters from clients will be accepted as reference letters.</i> Maximum of 15 points will be awarded as follows: • No references = 0 points • One (1) relevant reference =1 • Two (2) relevant reference letters =3 • Three (3) relevant reference letters = 5		

2. Team Members Experience	25
Considers the technical and professional skills of the project team. Abbreviated Curriculum Vitae (CV's) of personnel involved on the implementation of the project or related project, not longer than one page each, shall be included in an Appendix. Kindly provide CVs of a maximum of three (3) team members containing of a Team Leader, Facilitator & Project Administrator. Brief capability statements must be given for each designated team member, emphasizing recent experience relevant to the task envisaged. 2.1 Team experience (Maximum of 5 Points) • Combined team experience of more than 5 years' experience in skills design, development and mentoring = 5 points • Combined team experience of 3 - 4 years' experience in skills design, development and mentoring = 3 points • Combined team experience of 1 - 2 years' experience in skills design, development and mentoring = 2 points • No information available = 0 point 2.2 Facilitator Experience (Maximum of 10 Points) • 4- 5 years' experience in facilitating relevant skills programmes =5 • 2 - 3 years of experience in facilitating relevant skills programmes = 3 points • 1 - years of experience in facilitating relevant skills programmes = 1 points • No experience in facilitating relevant skills programmes = 0 point 2.3 Facilitator Qualifications for Project (Maximum of 10 Points) • Postgraduate / Honours and above relevant field = 5 • Bachelor's Degree relevant field = 4 Points • National Diploma in relevant field = 3 Points • No proof of qualification or qualification is lower than the National Diploma or irrelevant qualification provided = 0 Point	
3. Project Plan / Methodology	30
The bidder must provide a project implementation plan which details how the service will be carried out. The project plan must have deliverables and time frames. 3.1 Project Plan (Maximum of 10 Points) The project plan must address the following: - Statement of the work - Resource list - Define deliverables - Work breakdown structure; and - Project schedule. Project implementation plan (project execution) ▪ Excellent project implementation plan proposed = 5 ▪ Good project implementation plan proposed = 3	

▪ Fair project implementation plan proposed = 1 ▪ Poor project implementation plan proposed = 0 3.2 Methodology (Maximum of 20 Points) Bidders are required to submit a proposal of no longer than 10 pages (Minimum of 7 pages & Maximum of 10 pages) setting out a recommended approach in skills design, development and mentoring. The approach should include the approach in terms of the deliverables as per the TOR, remedial action for struggling learners and innovation and creativity. • A comprehensive methodology describing all the activities in logical sequence with clear time frames = 5 • A detailed methodology describing some of the activities in logical sequence with clear time frames = 3 • A generic methodology provided = 1 • No information provided = 0 point	
4. Company Training Resources	10
4.1 Financial Resources The service provider is required to provide one (1) year audited/ signed-off financial statements for the latest financial year from the closing date of this bid. Maximum of 5 Points • Sound financial position for the full implementation of the project = 5 Points • Fair and reasonable financial position for the full implementation of the project = 3 Points • Poor financial position for the full implementation of the project / No information provided = 0 Point 4.2 Training resources (Maximum of 5 Points) Bidders are required to demonstrate their capability and training resources / tools of trade for the successful implementation of the skills training. • Good / Excellent training resources for the full implementation of the project = 5 Points • Fair training resources for the full implementation of the project = 3 Points • Poor resources for the full implementation of the project / No information provided = 0 Point	
TOTAL:	100%

Stage 4: Pricing and B-BBEE comparatives

The evaluation for Pricing and B-BBEE will include the following

Evaluation Criteria		Final Weighted Scores
Price The following formula will be used to calculate the points out of 80 for price in respect of a tender with a Rand value equal to or above R30 000 and up to a Rand value of R50 million, inclusive of all applicable taxes: $P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$ Where: P_s = Score for the Bid under consideration P_t = Price of Bid under consideration P_{min} = Price of lowest acceptable Bid		80
B-BBEE - Scorecard The following table will be used to calculate the score out of 20 for B-BBEE level status as evidenced by the certificate or sworn affidavit		20
B-BBEE Status Level of Contributor		Number of Points (80/20 system)
1		20
2		18
3		14
4		12
5		8
6		6
7		4
8		2
Non-Compliant Contributor		0
TOTAL SCORE:		100

Stage 5: Contract and Award

The stage is for negotiation after receipt of formal tenders and before the conclusion of contracts with suppliers/contractors submitting the lowest acceptable tender with a view to obtaining an improvement in price, delivery or content, in circumstances which do not put other tenderers at a disadvantage or affect adversely their confidence or trust in the competitive system. Bidders may be requested to provide their best and final offers based on contract negotiations.

SECTION 4: INVITATION TO BID (SBD 1)

PART A

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS							
BID NUMBER:	RFP 2022-014	ISSUE DATE:	01 JUNE 2022	CLOSING DATE:	10 JUNE 2022	CLOSING TIME:	11:00
DESCRIPTION	APPOINTMENT OF SERVICE PROVIDERS TO DESIGN AND DELIVER SKILLS PROGRAMME FOR NLC BENEFICIARIES IN MPUMALANGA PROVINCE						
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)							
25 Rood Street, Sonheuwel Dorp, Nelspruit							
OR							
333 Grosvenor Street, Block D Hatfield Gardens, Hatfield							
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACT PERSON	Maureen Senyatsi			CONTACT PERSON			
TELEPHONE NUMBER	012 432 1470			TELEPHONE NUMBER			
FACSIMILE NUMBER				FACSIMILE NUMBER			
E-MAIL ADDRESS	maureen@nlcsa.org.za			E-MAIL ADDRESS			
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:		O R	CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA		
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] Yes ☐ No ☐			B-BBEE STATUS LEVELSWORN 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]**

1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?

☐ Yes

☐ No

[IF YES ENCLOSE PROOF]

2 ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?

☐ Yes ☐ No

[IF YES, ANSWER 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 1.3 BELOW.

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. TAX COMPLIANCE REQUIREMENTS

1.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

1.2 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.

1.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.

1.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

1.5 IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

1.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

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: _____

SECTION 5: PRICING SCHEDULE:

Name of bidder.....

Please provide prices (VAT Inclusive) for the appointment of accredited service provider to design and deliver skills programme for NLC beneficiaries in Mpumalanga:

TABLE 1: MPUMALANGA PROVINCE			
Description	Number of learners	Cost (VAT Inclusive) *Please provide	Total Cost (VAT Inclusive)
1. Pre – assessment	30		
2. Learning material	30		
3. Conference Facility for five (5) days	30		
4. Facilitation/Training	30		
5. Mentorship (Inclusive of three (3) site visits to attendees – please also include travel costs)	30		

6. Admin fee	30		
7. Assessment and moderation	30		
Total Cost (VAT Inclusive) for Mpumalanga Province			

Name of representative

Signature

Date

SECTION 6: BIDDER'S DISCLOSURE (SBD 4)

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

2.1.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

YES/NO

2.1.3 If so, furnish particulars:

.....

.....

2.2 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**

2.2.1 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 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.5 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

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.

SECTION 7: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017 (SBD 6.1)

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- 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

- a) The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

- Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmax = Price of highest acceptable bid

5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 5.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

6. BID DECLARATION

- 6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

7. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 7.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

8. SUB-CONTRACTING

- 8.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

- 8.1.1 If yes, indicate:

- What percentage of the contract will be subcontracted.....%
- The name of the sub-contractor.....
- The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
-----	--	----	--

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

9. DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm:.....

9.2 VAT registration number:.....

9.3 Company registration number:.....

9.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

9.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business:.....

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

WITNESSES

1.
2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....
.....

SECTION 8: SCM CONSENT REQUEST FORM

SCM:

CONSENT REQUEST FORM

REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF PROCUREMENT OF GOODS AND SERVICES APPLICATION, IN LINE WITH THE NLC's SUPPLY CHAIN MANAGEMENT POLICY, IN TERMS OF SECTION 11(1)(a) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.4 OF 2013) ("**POPIA**").

TO: _____

FROM: _____

ADDRESS: _____

Contact number: _____

Email address: _____

PART A

1. In terms of the PROTECTION OF PERSONAL INFORMATION ACT, consent for processing of personal information of a data subject (the person/entity to whom personal information relates) must be obtained for the purpose of processing of application for procurement of goods and services, in line with the NLC's supply chain management policy, and storage of your personal data by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMSs or e-mail, which is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by us (NLC). After you have indicated your wishes in Part B, you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.

-
2. "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—
- 2.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
- 2.2 dissemination by means of transmission, distribution or making available in any other form; or
- 2.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.
3. "Personal information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—
- 3.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
- 3.2 information relating to the education or the medical, financial, criminal or employment history of the person;
- 3.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- 3.4 the biometric information of the person;
- 3.5 the personal opinions, views or preferences of the person;
- 3.6 correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- 3.7 the views or opinions of another individual about the person; and
- 3.8 the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

Full names of the designated person on behalf of the Responsible Party

Signature of Designation person

PART B

I, _____ (full names), duly authorized, hereby: Consent to the processing of my/our personal information for the application of procurement of goods and services, in line with the NLC supply chain management policy, in terms of section 11(1)(a) of POPIA.

SPECIFY GOODS AND SERVICES (Edit/Click on services not required):

- ☐ Product Information
- ☐ Product Updates
- ☐ Industry Newsletters
- ☐ Price Changes

Method of Communication will be via: Email/Postal

- ☐ Give my consent.

By Ticking the next box, I am aware that I am Digitally Signing this Consent request Form:

☐

Full Name:

Date:

WITHDRAWAL OF CONSENT ONCE GIVEN

You may withdraw your consent at any time.

Write or email us at the address above, advising us of your consent withdrawal