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National Lotteries Commission (NLC)
P.O Box 1556
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NATIONAL LOTTERIES COMMISSION

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AND MANAGE THE WHISTLEBLOWING HOTLINE FOR A PERIOD OF FIVE YEARS

BID PROCESS	BID REQUIREMENTS
RFQ Number	**RFQ2026-009-022**
RFQ Description	**TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE AND MANAGE THE WHISTLEBLOWING HOTLINE FOR A PERIOD OF FIVE YEARS**
Submissions	All submissions Must be addressed to Supply Chain Management, NLC Submission of proposals through (*online submission on e-tender*) Enquiries ONLY can be emailed to: penelope@nlcsa.org.za
RFQ Issue Date	**16 September 2026**
Closing date and time	**25 September 2026@11**
Place where bid is advertised	E-tender ONLY
Tender Validity Period	The validity period of the Proposals requested must be 150 days from the closing date.

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SECTION 1: BACKGROUND, OVERVIEW AND RFP SCOPE OF REQUIREMENTS

1. INTRODUCTION

The National Lotteries Commission (NLC / the Commission) is established in terms of the Lotteries Act No. 57 of 1997, as amended (Lotteries Act) to regulate the National Lottery as well as other lotteries and societies. The NLC aims to ensure that funds raised through the National Lottery are distributed equitably and expeditiously across South Africa to advance social upliftment of communities in need with the aim of addressing poverty and reducing inequalities in line with the National Development Plan. The Commission is required to apply principles of openness and transparency in the exercise of its functions assigned to it in terms of the Lotteries Act No 57 of 1997, as amended.

Section 51(1)(a)(i) of the Public Finance Management Act, 1999 (PFMA), as amended, requires an "*An accounting authority for a public entity must ensure that public entity has and maintains effective, efficient and transparent systems of financial and risk management and internal control*". In line with the requirements of the PFMA and Treasury Regulations, the NLC seeks to request a proposal from suitably qualified service provider to provide and manage the whistleblowing hotline for a period of 5 (FIVE) years.

The service provider will provide and manage, 24 hours per day, 7 days a week and 365 days a year (24/7/365), a whistleblowing hotline for the NLC which will protect the interests of the Commission.

2. THE OBJECTIVE OF THIS PROJECT

The primary objectives of the service required are as follows:

2.1. The primary objective of the terms of reference (TOR) is to appoint a suitably qualified and experienced service provider to provide and manage, 24 hours per day, 7 days a week and 365 days a year (24/7/365), a whistleblowing hotline for the NLC.

2.2. The whistleblowing hotline will provide staff, beneficiaries, and other stakeholders with an alternative reporting mechanism for allegations of fraud and corruption. The data received from the hotline will assist the NLC in combating all anti-bribery and fraud-related incidents relating to the national lottery, other lotteries, and sports pools.

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3. PURPOSE

3.1. The purpose of this Request for Proposals (RFP) is to outline the NLC's requirements and criteria for the appointment of a suitably experienced service provider to manage the hotline for a period of 5 years.

4. METHODOLOGY

4.1. The Service Provider must clearly outline and explain the methodology that will be used to conduct forensic investigations at the NLC (no textbook explanation), stipulate the approach, and provide a step-by-step explanation of the proposed process.

5. SCOPE OF WORK

The scope of work entails the following:

(a) Providing the technological infrastructure for the operation of the whistleblowing hotline.

(b) Take over the current whistleblowing hotline telephone number, short message service (SMS) number, and facsimile number (switching and related costs to be borne by the service provider).

(c) Ability to operate the call center 24/7/365;

(d) Have multilingual capabilities, preferably in all eleven (11) official languages;

(e) Ensure protection and confidentiality of information and the whistleblowers;

(f) Provide the NLC with the use of a FreeCall number for its stakeholders in South Africa;

(g) Retain / Secure the existing NLC Fraud Hotline number 0800 21 21 29 (for consistency);

(h) Provide a unique email address;

(i) Make generic Free Post and Free Fax facilities available to the NLC

(j) Provide the NLC with access to a Case Management Application, to enable the NLC to receive its tip-off cases.

(k) Provide reports, which are electronically uploaded onto the Case Management Application, within 24 (Twenty-four) hours of receipt during weekdays, or within 36 (thirty-six) hours following a weekend or South African public holiday or distributed to the NLC via e-mail within the same timeframes.

(l) Translate calls, made in any South African official language, into English

(m) Upload electronically via the Case Management Application and/or send via e-mail to the NLC in accordance with the reporting structure protocols maintained by the service provider, as advised by the NLC.

(n) Make available a Call Summary Report to the NLC on the Case Management Application, summarising its tip-offs received by the service provider during the period in question

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6. DELIVERABLES

6.1. The service provider should provide whistleblowing hotline technological infrastructure and reports on allegations of fraud and corruption at a frequency determined by the NLC.

7. REPORTING REQUIREMENTS

The service provider will report to the Office of the Chief Audit Executive.

8. DURATION OF THE PROJECT

The project must be completed within Five (5) years and may be effective on the date of appointment, the date of signing of a service level agreement (SLA), or as directed and at the discretion of the NLC." The successful bidder will be expected to commence work from the date of appointment until the last item has been delivered, as per the delivery dates to be communicated with the appointed bidder/s on an as and when required basis.

9. VALIDITY PERIOD

9.1. The NLC requires a validity period of 120 days from the closing date of this RFQ.

9.2. Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions. A written letter will be sent to every responsive bidder to the bid. In terms of procedural fairness, the bidders will be given an opportunity to respond, in writing, to the terms and conditions of the bid and the bid price. Such acceptance of the terms and conditions of bid and bid price becomes legally binding in the procurement process. Any bidder, that did not respond to the extension of the bid validity period, in writing, WILL NOT be considered further for the bid upon expiry of the initial validity period.

SECTION 2: NOTICE TO BIDDERS

9. TERMS AND CONDITIONS OF REQUEST FOR QUOTATION

9.1 This document may contain confidential information that is the property of the NLC.

9.2 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 RFQ without prior written permission from the NLC.

9.3 All copyright and intellectual property herein vests with the NLC.

9.4 Late and incomplete submissions will not be accepted.

9.5 No services must be rendered, or goods delivered before an official Commission Purchase Order form has been received.

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9.6 This RFQ will be evaluated in terms of the 80/20 preference point system prescribed by the Preferential Procurement Policy Framework Act No. 5 of 2000 and Preferential Procurement Regulations (PPR) of 2022.

9.7 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.

9.8 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za, suppliers must provide their CSD registration number (and attach CSD Registration report) and ensure that the tax matters are compliant.

9.9 All questions regarding this RFQ must be forwarded to quotation@nlcsa.org.za and penelope@nlcsa.org.za

10. GENERAL TERMS AND CONDITIONS

10.1 A bid submitted in response to this RFQ will constitute a binding offer which will remain binding and irrevocable for a period of 60 days from the closing date of this RFQ.

10.2 Unless or until a binding contract is concluded between the NLC and the successful Bidder, the offer constituted by the Bid will be deemed not to have been accepted and no agreement will be deemed to be reached with any Bidder. No services must be rendered, or goods delivered before an official NLC Purchase Order form has been issued.

10.3 The NLC reserves the right to amend, modify, withdraw or terminate this RFQ or any of the requirements set out herein at any time (and from time to time), without prior notice and without liability to compensate or reimburse any Bidder or person.

10.4 Should this RFQ be amended, the NLC undertakes to publicize or send each Bidder in writing the amended RFQ. No oral amendments by the Bidder or the NLC shall be considered.

10.5 Any attempt to alter the terms and conditions or the scope of work may result in the bid being considered nonresponsive.

10.5 Precedence of documents

10.5.1 This RFQ consists of several sections (see list). Where there is a contradiction in terms between the clauses, phrases, words, stipulations, or terms and herein referred to generally as stipulations in this RFQ and the stipulations in any other document attached hereto, or the RFQ submitted hereto, the relevant stipulations in this RFQ shall take precedence.

10.5.2 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 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 NLC.

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10.5.3 It, however, remains the exclusive domain and election of NLC as to which of these stipulations are applicable and to what extent. Bidders hereby acknowledge that the decision of 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.

10.6 News and press releases

10.6.1 Bidders or their agents shall not make any news releases concerning this RFQ or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, NLC.

10.7 Preferential procurement reform

10.7.1. NLC shall apply the principles of the PPPFA to this proposal read together with the PPR.

10.8 National Industrial Participation Program

10.8.1 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").

10.9 It is compulsory for a Bidder submitting a bid to be registered on the National Treasury's Central Supplier Database ("CSD") and ensure that it remains registered for the duration of the services and/or contract, if successful. The Bidder must provide their CSD registration number and attach their CSD Summary report.

10.10 The Bidder needs to ensure that it is tax compliant at the time of submitting its Bid and remains tax compliant for the duration of the contract and/or services, if successful, and undertakes to provide supporting documentation issued by the South African Revenue Services ("SARS") confirming it is tax compliant upon request by the NLC.

10.11 The NLC reserves the right to conduct site inspections or call for supporting documentation in order to confirm any information provided by a Bidder in its response to this Bid.

10.12 This RFQ is not intended to form the basis of a decision to enter into any transaction with the NLC and does not constitute an offer or recommendation to enter into such transaction, or an intention to enter into any legal relationship with any person.

10.13 Neither the NLC or any of its respective directors, officers, employees, agents, representatives or advisors will assume any responsibility for any costs or expenses incurred by any party in or associated with preparing or submitting a Bid in response to this RFQ.

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10.14 No entity may be involved, whether directly or indirectly, in more than one Bid in response to this RFQ. Failure to comply with this requirement may, within the sole discretion of the NLC, result in disqualification of the relevant entity.

10.15 Any material change in the control and/or composition of any Bidder or any core member of a Bidder after submission of a Bid, shall be brought to the attention of the NLC Supply Chain Management ("SCM") section in writing. The NLC shall be the sole arbiter as to what constitutes a material change in the control and/or composition of any Bidder and may in its sole discretion disqualify the Bidder from any further participation in the bid process.

10.16 Any requirement set out in this RFQ which stipulates the form and/or content of any aspect of a Bid, is stipulated for the sole benefit of the NLC, and unless the contrary is expressed, may be waived by the NLC in its sole discretion at any stage in the bid process.

10.17 The NLC and its advisors shall rely on a bid as being accurate and complete in relation to the information and proposals provided therein by the bidders.

10.18 All Bids submitted to NLC shall become the property of the NLC and will not be returned to the Bidders. The NLC will make all reasonable efforts to maintain information contained in proposals in confidence.

10.19 A Bid submitted by the Bidder shall be considered irregular if it shows any omissions, or irregularities of any kind. However, the NLC reserves the right to waive any irregularities and to make an award in the best interest of the organisation.

10.20 The NLC reserves the right to accept or reject in part or whole any Bid submitted and to waive any technicalities if this is in the best interest of the organization.

10.21 The NLC reserves the right to require a Bidder to provide a formal presentation of its RFQ at a date and time to be determined by the NLC. The NLC shall provide adequate instructions and clarification regarding the purpose and scope of the presentation. The Bidder shall bear all expenses.

10.22 All costs associated with the preparation and submission of the Bid remain the responsibility of the Bidder. The costs shall not be chargeable to the NLC by the successful or unsuccessful Bidder.

10.23 All Bids must be formulated and submitted in accordance with the requirements of this RFQ.

10.24 Bids received after the closing date and time as specified in this RFQ shall be rejected.

10.25 The NLC is not obliged to appoint a bidder with the lowest price, if, based on its sole discretion and assessment, the said bidder does not exhibit or demonstrate adequate capacity or full comprehension of the scope of work to be undertaken. In this regard, the NLC may appoint the lower-ranked bidder provided that the reasons for such deviation are properly justified and accurately recorded.

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10.26 A Bidder or any party acting on behalf of a Bidder shall not make any announcement or press releases concerning this RFQ or the awarding of any resulting agreement without the prior written consent of, and then only in co-ordination with, the NLC.

10.27 The assessment and award of the bid shall be conducted in accordance with applicable legislation.

10.28 Processing of Bidder's Personal Information

10.28.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFQ is collected and processed to assess the content of its tender proposal and award the bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation, the Preferential Procurement Regulations, 2022. The Bidder is advised that Bidder's Personal Information may be passed on to third parties to whom NLC is compelled by law to provide such information. For example, where appropriate, NLC is compelled to submit information to the National Treasury's Database of Restricted Suppliers.

10.28.2 All Personal Information collected will be processed in accordance with POPIA and with the NLC Data Privacy Policy.

10.28.3 The following persons will have access to the Personal Information collected:

10.28.3.1 NLC personnel participating in procurement/award procedures; and

10.28.3.2 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 the National Treasury's e-Tender portal.

10.29 All Personal Information of the Bidder, including its employees, representatives, associates, and sub-contractors required under this RFQ is collected and processed for the purpose of assessing the content of its bid proposal and awarding the bid. By submitting a bid, the Bidder consents to the use of its Personal Information as stipulated in this RFQ.

10.30 A Bidder's 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 the National Treasury's Database of Restricted Suppliers.

10.31 All Personal Information collected will be processed in accordance with the Protection of Personal Information Act, 2013 (POPIA) and with the NLC Data Privacy Policy.

10.32 It is prohibited for Bidders to attempt, either directly or indirectly, to canvass or engage in any manner with any officer or employee of the NLC in respect of this RFQ between the closing date and the date of award of this bid

10.33 Any word implying any gender shall be interpreted to imply all other genders.

10.34 Bids shall be submitted in English.

10.35 In this RFQ, the words “service provider” “supplier” will be used interchangeably to refer to the Bidder.

10.36 Rejection of all Bids/Quotations and Disclaimer

10.36.1 The NLC reserves the right to reject all bids when deemed necessary. This is justified when there is lack of effective competition, or bids/quotation are not substantially responsive.

11. CONFIDENTIALITY

11.1 Bids submitted for this Request for Quotations will not be revealed to any other bidders and will be treated as contractually binding.

11.2 The Commission reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in the proposal/ quotations.

11.3 The Bidder acknowledges that it will obtain and have access to personal information of The Commission and agrees that it shall only process the information disclosed by the Commission in terms of this bid award and only for the purposes as detailed in this RFQ and in accordance with any applicable law.

11.4 The Bidder shall notify the Commission in writing of any unauthorised 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.

12. COMMUNICATION

12.1 Specific queries relating to this RFQ should be submitted Kamogelo.motlhamme@nlcsa.org.za and penelope@nlcsa.org.za before the closing date.

12.2 In the interest of fairness and transparency the Commission’s response to such a query may be made available to other bidders.

12.3 It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the Commission in respect of this RFQ between the closing date and the date of the award of the business.

12.4 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.

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13. SUPPLIER PERFORMANCE

13.1 The NLC conducts regular performance reviews in accordance with the requirements for the classification of the contract and/or stakeholder by making use of supplier evaluation forms. The evaluation is conducted against the deliverables or scope of the contract with a minimum of an annual review done for contracts longer than a year and a review at completion of contract for those contracts less than a year.

13.2 Ad-hoc performance reviews shall be conducted where non-performance is identified outside the review period.

13.3 Non-performance will be addressed with at least a formal letter advising specific non-performing areas and stating remedial action/s required within specific time frames. Non-adherence to remedial actions shall lead to escalating performance management actions.

13.4 Any party to this agreement may request to participate in a joint performance review where appropriate and seek continuous improvement opportunities.

SECTION 3: EVALUATION CRITERIA

1. Bid Opening and Closing

1.1 The deadline for Bid submission is **25 September 2026@11:00** Standard South African Time. Bids will be submitted via the e-Tender portal. (no physical submissions will be accepted)

1.2 No late submissions will be accepted.

Stage 2: Administrative Compliance

2.1. All bid respondents must submit the relevant documents that comply with administrativecompliance, which will include the following:

Evaluation Criteria	Supporting Document/Content
SCM - SBD 1 - Invitation to Bid	Fully Completed Standard and duly signed
SCM - SBD 6.1 - Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022	Fully Completed Standard and duly signed
CSD Registration	Proof of CSD registration
Bidder's tax compliance confirmation	Valid SARS Tax Pin
Original Signed consent form in terms of the Protection of Personal Information Act No.4 2013 (POPIA)	POPIA Consent Form

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B-BBEE Certificate / Sworn Affidavit in terms of Codes of Good Practice-Valid	A valid BEE Certificate/Sworn Affidavit OR Consolidated BEE Certificates / Sworn Affidavit in the case of the JV.

Stage 2: Mandatory Compliance

2.3. 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. The mandatory compliance will include the following:

Evaluation Criteria	Supporting Document
1. In the event of the bidder being in a joint venture (JV), a signed JV agreement must be submitted (where applicable)	JV Agreement
2. Bidders must submit a fully completed declaration of interest form (failure to declare honestly will lead to the bidder being disqualified)	SBD 4
3. Price Proposal	Pricing Schedule

Failure to comply with the above mandatory requirements will render your submission non-responsive and unacceptable.

Stage 3: Technical Evaluation

Phase 2: Functional/technical Evaluation

Rating scale to be followed for evaluation process:

Table 1

Rating	Definition	Score
Excellent	Exceeds the requirement. Exceptional demonstration by the bidder of the relevant ability, understanding, experience, skills, resources, and quality measures required to provide the goods/services. Response identifies factors that will offer potential added value, with supporting evidence.	5
Good	Satisfies the requirement with minor additional benefits. Above average demonstration by the bidder of the relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods/services. Response identifies factors that will offer potential added value, with supporting evidence.	4
Acceptable	Satisfies the requirement. Demonstration by the bidder of the relevant ability, understanding, experience, skills, resources, and quality measures required to provide the goods/services, with supporting evidence.	3
Minor Reservations	Does not meet the requirement with minor reservations. Some minor reservations of the supplier's relevant ability, understanding, experience, skills, resources, and quality measures required to provide the goods/services, with little or no supporting evidence.	2
Serious Reservations	Does not meet the requirement with major reservations. Considerable reservations of the bidder's relevant ability, understanding, experience, skills, resources, and quality measures required to provide the goods/services, with little or no supporting evidence.	1
Unacceptable	Does not meet the requirement. Does not comply and/or insufficient information provided to demonstrate that the bidder has the ability, understanding, experience, skills, resources & quality measures required to provide the goods/services, with little or no supporting evidence.	0

3.1 Only bid proposals that meet mandatory requirements will be further evaluated on functionality criteria. The bidder must score a minimum of 75% during phase 3 (functionality/technical) of the evaluation.

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

Category & Criteria Description	Weightings(%)
1. Company Experience	**10%**
a) Bidders are required to submit their detailed company profile demonstrating that they have the capacity and experience to render the required service as per the area of expertise they selected. The profile must contain the entity's years of experience. b) Specific details must be given to indicate the extent to which each area of these previous experiences has been rendered, for how long, and the clients they were rendered to (the bidder must provide proof of experience provided) c) Bidders who do not demonstrate capacity to render the services will be scored zero even if they have listed the experience. **Ratings** • Company profile with no relevant company experience = **0 point.** • Company profile with relevant company experience of 3-year to 4 years = **1 points.** • Company profile with relevant company experience of more than 4 to 6 years = **2 points.** • Company profile with company experience of more than 6 to 8 years = **3 points**. • Company profile with company experience of more than 8 to 10 years = **4 points**. • Company profile with company experience of more than 10 = **5 points**.	
2. Written letters	**25%**
a) The bidder is required to provide three (3) contactable client references where its services can be verified. b) References should be presented in the form of a written letter on official letterhead from clients detailing how similar services have been provided and may not be longer than three (3) years. c) The reference letters must place special emphasis on the following key aspects: • Name of the Project. • Duration of the project. • Recommendation by the Referee. • All reference letters must be in the company letterhead, signed and dated. d) No appointment letters from clients will be accepted as reference letters. The company profile must also contain the entity's organizational structure, a staff organogram, as well as a profile of core staff, their experience and achievements. **Ratings** - 1 relevant reference letter **= 1**	

Category & Criteria Description	Weightings(%)
- 2 relevant reference letters **= 2** - 3 relevant reference letters **= 3** - 4 relevant reference letters **= 4** - 5 relevant reference letters **= 5**	
3. Capacity and ability to provide and manage whistleblowing hotline	**35%**
a) The bidder is required to demonstrate their company's suitability with respect to its capacity/ ability to execute and deliver on the project, based on the supplier's track record, of same/similar (previous) work having been undertaken within the scope and scale of this work. b) The Service Provider should: - Provide details on the electronic system that will be used to manage the whistleblowing line; - Demonstrate their experience/knowledge in managing a whistleblowing line; c) Attention should be given to the right skills, knowledge, and availability to deliver the whistleblowing hotline. **<u>Ratings</u>** - Electronic system available and less than 3 years' experience in Provision and Management of Whistle Blowing Hotline = **1** - Electronic whistleblowing platform and above 3 years' experience up to and inclusive of 5 years' experience - in Provision and Management of Whistle Blowing Hotline **= 2** - Electronic whistleblowing platform and above 5 up to and inclusive of 8 years' experience in Provision and Management of Whistle Blowing Hotline **= 3** - Electronic whistleblowing platform and above 8 – up to and inclusive of 10 years' experience in Provision and Management of Whistle Blowing Hotline **= 4** - Electronic whistleblowing platform and above 10 years' experience in Provision and Management of Whistle Blowing Hotline **= 5**	
4. Project Plan and Methodology	**30%**
a) The bidder is required to provide a detailed plan depicting how the services will be delivered to the NLC. Attention should be given to the following: • How the work will be managed; • Process and workflows within the firm; and	

Category & Criteria Description	Weightings(%)
• How the firm will deal with crisis management. **<u>Ratings</u>** - The bidding company provides one of the elements with **average** methodology/approach and implementation plan **= 2** - The bidding company provides two of the elements with **above average** methodology/approach and implementation plan **= 3** - The bidding company provides all elements with **good** methodology/approach and implementation plan **= 4** - The bidding company provides all elements with **excellent** methodology/approach and implementation plan **= 5**	
Total Weighting:	**100**
Minimum qualifying score required:	**75**

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Special goals

Pricing Schedule: Please refer to 'Annexure 1'.

The evaluation for Special goals 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 inrespect of a tender with a Rand value equal to or above R30 000 and up to aRand value of R50 million, inclusive of all applicable taxes: or 90 or rand value above R50 million inclusive of all applicable taxes $Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right)$ *Where:* *Ps = Score for the Bid under considerationPt = Price of Bid under consideration Pmin = Price of lowest acceptable Bid*	80
	80

Table 5.2

A maximum of 20 points to be awarded to a tenderer for the specific goal specified for the RFQ as follows: -

1. Procurement from entities who are Black Owned	Sub-points for specific goals	Maximum points forspecific goals	Relevant Evidence
Tenderer who have 100% black Ownership	6	6	CSD report /B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who have 51% to 99% black ownership	4		
Tenderer who have less than 51% black ownership	0		
2. Procurement from entities who are Black women Owned		4	CSD report /B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who have 100% women Ownership	4		
Tenderer who have 30% to 99% women ownership	2		
Tenderer who have less than 30% women ownership	0		
3. Black Youth Ownership		4	CSD report
Tenderer who have 100% black youth ownership	4		
Tenderer who have 30% to 99% black youth ownership	2		
Tenderer who have less than 30% black youth ownership	0		
4.Procurement from Disabilities		4	Letter from the Doctor confirming disability and CSDreport
Tenderer who have 20% or more owners with disability	4		
Tenderer who have less than 20% but more than 10% owners with disability	2		
Tenderer who have less than 10% owners with disability	0		

Stage 6: Due Diligence

NLC reserves the right to conduct supplier due diligence prior to final award or at anytime during the contract period. This may include site visits, review of court judgments/regulatory actions relating to passed supplier conduct and requests for additional information. The NLC reserves the right to conduct ongoing due diligence relating to the conduct and professional standing (admission and current Fidelity Fund certificate) of the supplier even after award.

Stage 7: 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 aview to obtaining an improvement in price, delivery or content, in circumstances whichdo 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 negotiation.

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INVITATION TO BID (SBD 1)

PART A

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS							
BID NUMBER:		**ISSUE DATE:**		**CLOSING DATE:**		**CLOSING TIME:**	
DESCRIPTION							

BID RESPONSE MUST BE SUBMITTED VIA THE BELOW EMAIL

BIDDING PROCEDURE ENQUIRIES MAY BEDIRECTED TO		**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**	
CONTACTPERSON	**Supply Chain Management**	CONTACT PERSON	**Penelope Soyingwa**
TELEPHONENUMBER	**012 432 1300**	TELEPHONE NUMBER	**012 432 1414**
FACSIMILENUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS	bids@nlcsa.org.za	E-MAIL ADDRESS	penelope@nlcsa.org.za

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE			NUMBER	
CELL PHONENUMBER					
FACSIMILENUMBER	CODE			NUMBER	
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		**OR**	CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA
B-BBEE STATUSLEVEL VERIFICATION CERTIFICATE	[TICK APPLICABLE BOX] YES ☐ NO ☐		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLEBOX] YES ☐ NO ☐

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[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 FORA TAX COMPLIANCE STATUS SYSTEM PINCODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 BELOW.		

PART B
TERMS AND CONDITIONS FOR BIDDING

TAX COMPLIANCE REQUIREMENTS

i. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

ii. 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.

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

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

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

vi. 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 RENDERTHE BID INVALID.

SIGNATURE OF BIDDER: ……………………………………………

CAPACITY UNDER WHICH THIS BID IS SIGNED: ……………………………………………

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

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SBD 4

1. PURPOSE OF THE FORM

1.1 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, 1996 (Constitution), and further expressed in the various applicable legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

1.2 If a person is 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. DECLARATION ON EMPLOYMENT BY ORGAN OF STATE

2.1 Is the bidder, or any of the directors / trustees / shareholders / members / partners of the bidder employed by an organ of state, as defined in section 239 of the Constitution? **YES/NO**

2.2 If YES, furnish particulars of the names, individual identity numbers, in the table below:

Full Name	Identity Number	Name of organ of state

2.3 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.3.1 If so, furnish particulars:

……
……

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2.4 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**

2.4.1 If so, indicate all companies registered in the CSD in the table below:

Supplier registration number (MAAA)	Status (active/inactive/deleted)

Failure to disclose all CSD-registered active companies linked to all Directors will lead to disqualification.

3 GENERAL DECLARATION

I, ………………………………………………................................., the undersigned, 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 to be false.

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor.

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.

3.5 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.

3.6 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.

3.7 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, 1998 (Act No. 89 of 1998) and or may be referred to law enforcement agencies for criminal investigation and or may be restricted from conducting business with the state for a period not exceeding 10 years in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) or any other applicable legislation.

I CERTIFY THAT THE ABOVE IS CORRECT.

I ACCEPT THAT THE PROCURING INSTITUTION MAY REJECT THE BID OR TAKE APPROPRIATE

ACTION AGAINST ME IF THIS DECLARATION IS FALSE.

……………………………… ………………………………………….
Signature Date

……………………………… ………………………………………...
Designation Name of bidder

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SBD 6.1

SECTION 6: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

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

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

1. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

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

a) The applicable preference point system for this tender is the 80/20 preference point system.

b) The 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:

	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 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 PREFERENCE POINT SYSTEMS

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

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where

Ps	=	Points scored for price of tender under consideration
Pt	=	Price of tender under consideration
Pmin	=	Price of lowest acceptable tender

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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 the 80/20 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 the 80/20 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 the 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.*****)**

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5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1. Name of company/firm……………………………………………………………

1. Procurement from entities who areBlack Owned	Sub - points for specific goals	Maximum points forspecific goals	Relevant Evidence
Tenderer who have 100% black Ownership	6	6	CSD report /B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who have 51% to 99% black ownership	4		
Tenderer who have less than 51% black ownership	0		
2. Procurement from entities who are Black women Owned		4	CSD report /B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who have 100% women Ownership	4		
Tenderer who have 30% to 99% women ownership	2		
Tenderer who have less than 30% women ownership	0		
3. Black Youth Ownership		4	CSD report
Tenderer who have 100% black youth ownership	4		
Tenderer who have 30% to 99% black youth ownership	2		
Tenderer who have less than 30% black youth ownership	0		
4.Procurement from Disabilities		4	Letter from the Doctor confirming disability and CSDreport
Tenderer who have 20% or more owners with disability	4		
Tenderer who have less than 20% but more than 10% owners with disability	2		
Tenderer who have less than 10% owners with disability	0		

Company registration number: …………………………………………………………..

5.3 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company

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- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

5.4 I, the undersigned, who is duly authorized 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;

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;

iv) 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 *audialteram partem* (hear the other side) rule

has been applied; and

(e) forward the matter for criminal prosecution, if deemed necessary.

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…………………………………………

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: …………………………………………………………

DATE: …………………………………………………

ADDRESS: …………………………………………………

…………………………………………………………

…………………………………………………………

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SCM:
CONSENT REQUEST FORM

REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR PROCESSING OF PERSONALINFORMATION 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: __________________________________

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).
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

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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 Designated Person