



South African Human Rights Commission

TENDER NUMBER	SAHRC/HO/RFQ01/2024
DESCRIPTION	To invite potential and qualified service providers to submit proposals for Health and Wellness services for SAHRC with terms of reference for a period of 3 years
TENDER BRIEFING	DATE: 26 August 2024 TIME: 10H00 (GMT +2) ADDRESS: South African Human Rights Commission, Supply Chain Management Sentinel House, Sunny Side Office Park, 32 Princess of Wales Terrace, Parktown Enquiries can be made in writing as follows: Administration/ Supply Chain Management: Kganki Kekana tenders@sahrc.org.za Technical: Thembisile Mahlangu tmahlangu@sahrc.org.za
CLOSING DATE	DATE: 02 Sept 2024 TIME: 11H00 (GMT +2) ADDRESS: South African Human Rights Commission Supply Chain Management Sentinel House, Sunny Side Office Park 32 Princess of Wales Terrace, Parktown Johannesburg

1. BACKGROUND

The South African Human Rights Commission (SAHRC) is a Constitutional body established in terms of the Constitution of South Africa, 1996 as well as the South African Human Rights Commission Act, 40 of 2014. The SAHRC is under the strategic leadership of Commissioners. The administration of SAHRC is overseen by a Chief Executive Officer (CEO).

SAHRC has presence in all nine Provinces within the Republic of South Africa Eastern cape, Free State, Gauteng, KwaZulu Natal, Limpopo, Mpumalanga, Northwest, Northern Cape and Western Cape with a total number of +- 200 employees across all Provinces, who will benefit from wellness programme services.

2. OBJECTIVE

The purpose of this Terms of Reference (TOR's) is to invite potential qualified service providers to submit proposals for the provision of employee health and wellness programme to the SAHRC.

The primary goal of the EWP is to inform and skill employees to take ownership of their wellbeing and to provide them with the necessary support and interventions to make informed decisions regarding their work and personal lives as a remedial or problem focused and implies reactive/crisis interventions designed to assist employees in the identification and resolution of personal problems which include, but are not limited to; marital, family, emotional, legal, financial, substance abuse, illness or other personal problems that adversely impact upon their health as well as their productivity.

3. SCOPE OF SERVICE

Reference of Service Components	Service Description
Services 1: Counselling Service	
Toll-free telephone supportive counselling:	• Professional Support Line Service (24/7/365) for employees and immediate family members and a dedicated SMS help- line for "Please call me messages" for off-site employees that do not have access to a landline The service shall be available in 11 official languages.

Personal Face-to-Face Counselling and 3 hours dedicated to Counselling on a monthly basis Model Of 6-8 counselling Sessions per Employee per issue Annually with additional two sessions at the	• 6-8 Personal Counselling (Face-to-Face) - sessions per person per year (per condition/incident) close to employee/family member residence or place of work. • Support and counselling/rehabilitation for victims and perpetrators. Support and counselling for victims of unfair discrimination, disabilities, homophobic, xenophobic and tribalism etc. • Bereavement Counselling
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discretion of the service provider. Face-to-Face Counselling for employees and family members	
Critical Incidence Services (Trauma debriefing)	A critical incident service: offering prompt and professional trauma debriefing and counselling services to employees exposed to incidents of trauma and provide necessary support when the need arise.
Electronic on-line advisory services	Access to comprehensive online wellness programme. The programme includes an integrated suite of email and web-based health management applications including interactive disease management tools; a selection of health and wellness information; a medical encyclopedia; quizzes and calculators; as well as personalized information on a range of employee well-being related topics such as stress management, substantiate abuse and trauma management. Printable resources to be made available.
Service 2: Life Management Services	

Legal Advice and Guidance	A legal well-being service provider will provide SAHRC employees with detailed practical information, education, counselling, resources and referrals on a broad range of legal matters, consumer affairs a The purpose of this Terms of Reference (TOR's) is to invite potential qualified service providers to submit proposals for the provision of employee health and wellness programme to the SAHRC. The primary goal of the EWP is to inform and skill employees to take ownership of their wellbeing and to provide them with the necessary support and interventions to make informed decisions regarding their work and personal lives as a remedial or problem focused and implies reactive/crisis interventions designed to assist employees in the identification and resolution of personal problems which include, but are not limited to; marital, family, emotional, legal, financial, substance abuse, illness or other personal problems that adversely impact upon their health as well as their productivity. And social benefits. Assistance on labour law matters is excluded from the service
Financial and Debt Management and advocacy and Money management (Budgeting	Financial wellbeing: This component of the service will assist employees who have queries relating to finances and debt management

▪ Family Care ▪ Alcohol, Drugs and Gambling Management ▪ Incapacity Solutions (hourly rate)	Family Care Support: It will focus on the provision of information and guidance on a broad range immediate of family related issues such as parental guidance, disability benefits, educational and community resources, special needs placement, dependent care, child support, immigration, expatriate adjustment, alternative work arrangements, residential facilities, vocational guidance, community resources, pre- school programmes and care-giving guidance, information and advice on alcohol management. Information and advice on alcohol, drugs and gambling management. Representation on incapacity issues for advice and support
Service 3: Unfair Discrimination and Sexual Harassment Support Programme(4 session per year)	
Sexual Harassment Unfair Discrimination (Gender,Race, Disability etc.)	• Provide trauma Counselling and victim empowerment. • Mandatory Counselling for perpetrators.
Service 4: Annual Employee Health Screening	
Wellness Screening	The services to be rendered will include but not limited to the following: • Weight • Height • Body Mass Index • Blood Pressure & pulse readings • Full lipid screening • Glucose levels • Provide appropriate health action recommendation based upon the results of each employee's screening results The service provider will be responsible to manage the following: • Employee registration • Data capturing of each employee's results directly after their assessment • Wellness assessment

	activities
	Lung function screening Eye testing Ear, nose and throat
Service 5: Awareness Education & Training (12 sessions per annum)	
Awareness sessions entail the following: Employee Awareness Sessions. Managerial Awareness Sessions Wellness Interventions with a specific focus on: -Social-psycho specialists (As and when required even on a group level and On-site, Counselling monthly per site	The services to be rendered will include but not limited to the following: Awareness presentations for managers, supervisors and employees and others who may need to be involved such as Human Capital, SHE personnel and Wellness Committee members as follows: Socio-Psychologists - o Incapacity Training - o Diversity Training
Service 6: Referral and Support Services	
Referral and support services	•Referral Services to appropriate resources outside the Employee Wellness Programme. The service provider must have access to an extensive database of approved private and public resources with which employees will be referred if the nature of their requirements falls outside the scope of the EWP. These must be facilitated by a team of suitable qualified professionals including social workers, psychologists, medical, financial and legal practitioners.
Service 7: Conflict Management Intervention	

Conflict Management: To be done by Industrial Psychologie	Respond to the adverse conflict risks within the organization prior to them impacting negatively on productivity and service excellence. Build capacity for managers to use the service and to identify distressed employees and refer them to appropriate resources. One-on-one and group support interventions Referral (Employee-to-employee and Employer-to-Manager)
Service 8: Programme Management	
Complaints Management	The service provider will address all EWP related as per SLA complaints received from the SAHRC.

4. DELIVERABLES

40.1. Provisioning and provide Employee Health and Wellness service to all SAHRC sites.

5. PRICING

A detailed price breakdown outlined on table 2 below must be completed and a service provider must include other items, if required.

Refer to Annexure A for Pricing Structure

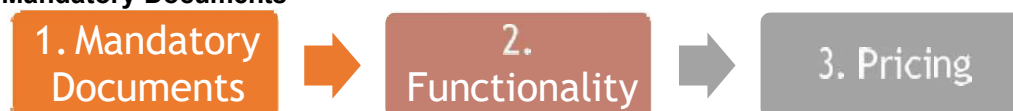
5. PROJECT TIMELINES

Contracting Period for the will be for a period of thirty-six (36) months.

6. EVALUATION CRITERIA

Bids will be evaluated on 80/20 point system as outlined in the PPR of 2022. The proposals will be evaluated in three phases:

Phase 1: Mandatory Documents



7.11 Bid proposal

7.12 Central Supplier Database Summary Report.

7.13 Service provider must provide supporting documents used to claim points under 4.2 of SBD 6.1 (*failure to submit will result in the service provider forfeiting points on the last*

stage of evaluation}

- 7.14 Valid Tax Clearance Certificate or Tax Compliance Status (with SARS PIN CODE).
- 7.15 A comprehensive company profile, with the following requirements: Management structure.
- 7.16 Service must provide supporting documents used to claim points under 4.2 of SBD 6.1

Note: Bidders who fail to comply with the mandatory requirements will be disqualified.

All compliant quotes received will be evaluated based on the following criteria: functionality criteria will be further evaluated on applicable values as outlined below:

0 = Unacceptable, 1 = Serious Reservations, 2 = Minor Reservations, 3 = Acceptable, 4 = Good, and 5 = excellent

Evaluation on functionality, as in Table 1 below:

- I. Bidders will be evaluated out of 100 points and are required to achieve minimum threshold of 70%
- II. The overall score must be equal or above 70% to proceed to for Price and BBBEE evaluations.
- III. Bidders who fail to meet the minimum threshold will be regarded as submitting a non-responsive bid and will not be considered for further evaluation on price and preference points. The minimum threshold for qualification by functionality is 70%, assessed as per criteria listed in Table 1 below:

Phase 2: Functionality evaluation

	Criteria	Percentage weighting
1.	Bidder must have at least 1 year experience of relevant service ○ 5 points = 1 year experience ○ 10 points = 2 years of experience ○ 20 points = 3 years of experience ○ 30 points = 4 years of experience ○ 40 points = 5 years or more of experience	40
2.	Bidder's proposed project methodology and plan outlining how SAHRCs requirements will be implemented. ○ No project plan= 0 points ○ Project plan with no milestones& timelines= 5 ○ Project plan with milestones= 10 points ○ Project plan with milestones& timelines= 20	30

- **Pt = Comparative price of bid or offer under consideration.**
- **P min = Comparative price of lowest acceptable bid or offer**
- **Points must be awarded to a bidder for attaining the BBBEE status level of contribution in accordance with the table below:**

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

9. CONFIDENTIALITY, INDEPENDENCE AND OBJECTIVITY

The service provider will hold all material and information exchanged in the course of the implementation of this project in the strictest confidence and will take all steps necessary to prevent dissemination of this information to any third party, without the prior written agreement of the SAHRC as the SAHRC asserts its moral authority and copyright over the report. The service provider must ensure that its staff maintains their objectives by remaining independent of the activities they execute.

9.1 THE TOTAL COST WILL BE USED TO CALCULATE POINTS FOR PRICE CLARIFICATION

- 9.1.1** The SAHRC may request clarity of further information regarding any aspect of the bid. The service provider should supply the requested information within forty-eight (48) hours after the request has been made.
- 9.1.2** The SAHRC reserves the right to conduct a security background check or screening of the service provider.
- 9.1.3** The SAHRC reserves the right to conduct mandatory site inspection to the offices of the service provider.

10. CONDITIONS OF TENDER

- 10.1 The SAHRC reserves the right not to award the tender.
- 10.2 Any conditions imposed by the service provider that is restrictive or contrary to any part of these Terms of Reference will automatically disqualify the service provider.
- 10.3 The service provider will be held liable for any damage or loss suffered by the entity, because of the provider's own or his/her employees' negligence or intent, which originated at the site.
The service provider will have to pay damages or replace any stolen item damaged or stolen due to the negligence or intent of the service provider's employees.
- 10.4 The service provider must, at his/her own expenses, take out sufficient insurance against any claims, cost, loss and/or damage ensuing from his/her obligations and shall ensure that such insurance remains operative for the duration of this agreement.
- 10.5 SAHRC does not bind itself to accept the lowest quote.
- 10.6 The SAHRC reserves the right to invite bidders for presentation at bidders' own cost and perform site visits on short listed bidders before the award of the bid, as part of evaluation process.
- 10.7 SAHRC does not bind itself to make any selection from the proposals, or quotations received.
- 10.8 SAHRC reserves the right, at its sole discretion, to cancel this request for proposals and/or not to make any selection of the service provider/s at all.
- 10.9 All prices quoted must be VAT inclusive.
- 10.10 SAHRC will not make any upfront payments before the rendering of services.
- 10.11 The successful bidder shall provide the service required based on the set timelines and as per the schedule to be provided by SAHRC.
- 10.12 A pricing schedule with one of the specified elements omitted from the costing may be considered non-responsive.
- 10.13 The price proposal must be valid for 120 days.
- 10.14 This is a two-stage bidding process in which proposals submitted must include technical and price, submitted in separate envelopes. For this purpose, the service provider must provide in respect of:
- 10.15
- a. Clearly marked **Technical**, one (1) original and one (1) usb.
 - b. The price proposal, original must be sealed clearly marked **price bid sheet** should include the name of service provider and certification that the person signing the proposal is entitled to represent the service provider empowered to submit the bid and authorized to sign a contract with the SAHRC.

11. CONTRACT PERFORMANCE

- 11.1 If it is found that the information provided is false including the breach of the General Condition of Contract, The SAHRC reserves the right to terminate this contract with immediate effect.
- 11.2 The performance of the Service Provider shall be reviewed quarterly during the period of the signed Service Level Agreement

12. FORMAT AND SUBMISSION OF THE PROPOSAL

- 12.1 All the official forms (SBD) must be completed and signed in all respects by bidders. Failure to comply will invalidate a bid.
- 12.2 Bidders are requested to submit one (1) original plus one (1) USB.
- 12.3 For ease of reference, bids should be packaged in the following format:
- a. Annexure A - Signed Tender Document and Completed SBD Forms
 - b. Annexure B - Mandatory Documents
 - c. Annexure C - Functionality Response
 - d. Annexure D - Company Profile
 - e. Annexure E - Any other supporting document

13. BRIEFING / INFORMATION SESSION & ENQUIRIES

- 13.1 DATE: 26 August 2024 TIME: 11H00 (GMT +2)
- ADDRESS: Sentinel House, Sunny Side Office Park, 32 Princess of Wales Terrace, Parktown Johannesburg
- 13.2 Inquiries must be made in writing to the following

Supply Chain Management / Admin	Technical
Mr. Kganki Kekana tenders@sahrc.org.za	Ms Thembisile Manhlagu tmahlangu@sahrc.org.za

Enquiries must be submitted by the 26 August 2024 deadline. Responses would be made by the 26 August 2024

14. CLOSING DATE

- 14.1.1 Proposals must be submitted on or before 02 September 2024 at 11h00 at SAHRC Office Sentinel House, Sunny Side Office Park, 32 Princess of Wales Terrace, Parktown There will be a submission register which bidder must sign upon submitting their bid.
- 14.1.2
- 14.1.3 Bidders are therefore strongly advised to ensure that bids are dispatched allowing enough time to for any unforeseen events that may delay the delivery of the bid.

ANNEXURE A

Pricing of the Wellness Services

Name of components	R
1.Retainer fee (per employee including VAT)	
2.Counselling Service	
3.Life Management Services	
4a. Unfair Discrimination and Sexual Harassment Support Programme (4 session per year)	
4b. Unfair Discrimination and Sexual Harassment Consultations (one on one/face to face)	
5.Incapacity Solutions (once a year)	
6.Annual Employee Health Screening	
7.Awareness Education & Training (12 sessions per annum)	
8.Referral and support services	
9.Conflict Management Intervention	
10.Programme Management	
11. Other please <i>positively charged as per special programes</i>	
12. Other cost	
Total Bid Price	

*Price must be fixed for a period of thirty-six months, thus including CPI.

NB: THIS PRICE PROPOSAL NEEDS TO BE SUBMITTED SEPARATELY.



SBD1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION					
BID NUMBER:	RFQ01-2024			CLOSING TIME:	11:00am
DESCRIPTION	Health and Wellness services for SAHRC with terms of reference for a period of 3 years				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT					
Sentinel House, Sunny Side Office Park, 32 Princess of Wales Terrace, Parktown					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Tender office		CONTACT PERSON	Ms Thembisile Manhlagu	
TELEPHONE NUMBER	011 877 3600		TELEPHONE NUMBER	011 877 3600	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	tenderoffice@sahrc.org.za		E-MAIL ADDRESS	tmahlangu@sahrc.org.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		O R	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		TICK APPLICABLE BOX] ☐ Yes ☐ No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.	

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4.	THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT STATE." A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6	WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7	NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE

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:

.....

PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....	Bid number.....
Closing Time 11:00	Closing date.....

OFFER TO BE VALID FOR.....DAYSFROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
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Required by:

At

Brand and model

Country of origin

- Does the offer comply with the specification(s)? *YES/NO

- If not to specification, indicate deviation(s)

Period required for delivery

*Delivery: Firm/not firm

Delivery basis

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

*Delete if not applicable



SBD4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

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.

Full Name	Identity Number	Name of State institution

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

2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

2 Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

I CERTIFY THAT THE INFORMATION FURNISHED IN
PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME
IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22
ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN
MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE
FALSE.

.....

Signature Date

.....

Position Name of bidder

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

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

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

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

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

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

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

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

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
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 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \frac{PPPP}{mmmmmm} = 8888 \frac{11}{11} - \frac{PPPP - PP}{PP \ mmmmm} & \text{or} & \frac{PPPP}{mmmmmm} = 9988 \frac{11}{11} - \frac{PPPP - PP \ mmmmm}{PP \ mmmmm} \end{array}$$

Where

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

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc}
 \text{80/20} & \text{or} & \text{90/10} \\
 \text{PPPP} = \frac{8888}{\text{minimum}} \diamond 11 + \frac{\text{PPPP} - \text{PP}}{\text{PP minimum}} \diamond ? & \text{or} & \text{PPPP} = \frac{9988}{\text{minimum}} \diamond 11 + \frac{\text{PPPP} - \text{PP minimum}}{\text{PP minimum}} \diamond ?
 \end{array}$$

Where

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

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of__

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Enterprises with ownership of 51% or more by person/s who are black person/s		10		
Enterprises with ownership of 51% or more by person/s who are women		5		
Enterprises with ownership of 51% or more by person/s who are youth		3		
Enterprises with ownership of 51% or more by person/s with disability		2		

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:
.....

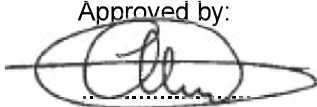
4.5. TYPE OF COMPANY/ FIRM

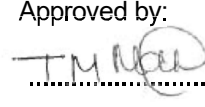
- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

- 4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:
- i) The information furnished is true and correct;
 - ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
 - iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
 - iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....	
SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:	
DATE:	
ADDRESS:	
	
	
	
	

Approved by:

SCM Manager

Approved by:

HR Manager