

REQUEST FOR PROPOSALS (RFP)

RFP REFERENCE NUMBER	RFP 07-11-2024	
PROJECT NAME/ DESCRIPTION OF GOODS, WORK OR SERVICES	SERVICE PROVIDER FOR LAW ENFORCEMENT STRATEGY	
BRIEFING SESSION DETAILS	Compulsory (please tick or cross the applicable session)	
	Non-compulsory (please tick or cross the applicable session)	
	Date: Time: Venue/ platform:	
RFP CLOSING DETAILS	Date: 26 November 2024 Time: 11h00 a.m. RFP must be submitted to Email: Quotation3@cbrta.co.za	
RFP VALIDITY PERIOD	60 Working days (Commencing from the official closing date)	
ENQUIRIES	Lindiwe Makole	

DIRECTIVE TO BIDDERS ON COMPLETION OF STANDARD BIDDING DOCUMENT FORMS OF BID PROPOSAL

1. The purpose of this document is to guide bidders on the completion of standard bidding document forms of the C-BRTA bid.
2. The date on all standard bidding documents must be a date which is within the bid/RFQ/RFP advertising period.
3. The last column of the table below must be ticked as an indication that each document and its requirements have been complied with by the bidder.

DOCUMENT	DIRECTIVE	COMPLIED/ NOT COMPLIED
Invitation to Bid	The bidder is required to complete this document in full and signed off. The bidder must tick (circle/erase) "YES OR NO" on this document. The bidder may not ignore any clause and/or write "not applicable (N/A)" unless it is the only option available, e.g., are you a foreign based supplier for the goods/servicers/works offered? If the answer is no, then on the questionnaire to bidding foreign suppliers. The bidder may write N/A.	
Bidder's Disclosure	This document must be completed in full and be signed off. The bidder must tick (circle/erase) "YES OR NO" on this document and indicate not applicable where necessary. The bidder must disclose if the company or any of its directors have an interest in other companies whether they bid or not. Should a bidder have more companies to declare, such information can be provided on a separate sheet in the format prescribed. The information captured or disclosed for each director/ owner etc must be in line with what is captured in the central supplier database report.	
Central supplier database report	The bidder must attach a Central Supplier Database report printed from https://secure.csd.gov.za/	
Preference points claim form	The bidder must fully complete the SBD form and sign off. The bidder must allocate correct preference points, the preference points claimed will be verified using the following: - Broad-Based Black Economic Empowerment Certificate (B-BBEE certificate) - Central Supplier Database report The bidder must submit the documents above to qualify for preference points.	
Pricing schedule	The bidder must complete the supplied pricing schedule and sign-off. The bidder may add other applicable costs which may not be covered by the C-BRTA pricing schedule. In addition, the bidder must submit a detailed price quotation on the company letterhead.	
Bid proposal	The bidder must submit a detailed bid proposal in line with the specifications/terms of reference, if applicable	

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE CROSS-BOARDER ROAD TRANSPORT AGENCY					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE SUBMITTED VIA THE OFFICIAL EMAIL ADDRESS ON THE COVER PAGE					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON			CONTACT PERSON		
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS			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:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?		☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?					☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?					☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?					☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?					☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?					☐ YES ☐ NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 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 A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

Signature of bidder:	
Capacity Under Which This Bid Is Signed: (Proof of authority must be submitted e.g. company resolution)	
Date:	

1. Introduction to C-BRTA

- 1.1. The Cross-Border Road Transport Agency (C-BRTA) is PFMA Schedule 3A Agency established through the Cross-Border Road Transport Act 4 of 1998 and provides advice, regulation, facilitation and law enforcement in respect of commercial cross border road transportation. The Act gives the C-BRTA mandate to licence commercial cross border road transport operators by issuing permits to operate. The provision of cross-border transport services in South Africa is subject to the provisions of the Cross-Border Road Transport Act. In terms of the Act, any person or organisation wishing to provide cross-border transport services must apply to the Cross-Border Road Transport Agency's Regulatory Committee for a Permit to conduct cross-border business.
- 1.2. The Cross-Border Road Transport Agency's (C-BRTA) thus exists, amongst others, to improve the flow of passengers and freight road transport in the region, introduce regulated competition in cross-border road transport, reduce operational constraints for the cross-border road transport industry, provide oversight and monitoring functions, and to improve the unimpeded transport flow by road of freight and passengers.

2. General rules and instructions

- 2.1. 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, C-BRTA and its Client.
- 2.2. Bidders must be registered on the Central Supplier Database (CSD) to be able to conduct business with C-BRTA.
- 2.3. Any bidder who has reasons to believe that the RFP specification is based on a specific brand must inform C-BRTA within three (3) days after the publication of the RFP.
- 2.4. Bidders will be given seven (7) days to correct their non-tax compliance and three (3) days to fully disclose any information on the Standard Bidding Documents (SBD), failure such bidders will be disqualified.
- 2.5. This RFP is subject to Government Procurement: General Contract Conditions – July 2011, Special Contract Conditions and any other contract conditions to be finalised during contracting.

3. Instructions for submitting bids

- 3.1. Bidders should submit their bid responses strictly to the email address on the covering page. Bid responses received outside this email address will NOT be considered.
- 3.2. Bid responses will NOT be considered if submitted after the closing date and time.

4. RFP Returnable

4.1. Bidders shall submit response in accordance with the response format below. Failure to do so shall result in the rejection of the bidder's RFP response.

4.2. Schedule Index:

Schedule 1: Completed and signed SBD 1

Schedule 2: Central Supplier Database (CSD) Registration Report

Schedule 3: Bidder's Tax Compliance System PIN

Schedule 4: Sworn Affidavit or valid B-BBBEE Certificate

Schedule 5: Completed and signed SBD 4 – Bidder's Disclosure

Schedule 6: Bidder's Disclosure Annexure A

Schedule 7: Completed and signed SBD 6.1 – Preference Points Claim

Schedule 8: Price quotation in a company letterhead

5. Terms of Reference/ specification

1. Purpose

To appoint a service provider for the development of a Law Enforcement strategy for a period of two (2) months.

2. Background

The Part 8 of Cross Border Road Transport Act (Act No 4 of 1998) as amended outline the activities of the Law Enforcement division. The Cross-Border Road Transport Agency (C-BRTA), is an entity of the National Department of Transport and exist as a creature of statutes, established in terms section 4 of the of the Cross-Border Road Transport Act 1998, (Act No 4 of 1998) as amended.

2.1. Appointment and Functions

2.1.1. Appointments

Section 37 of the said act establishes the National Road Transport Inspectorate comprising of National Road Transport Inspectors.

2.1.2. Functions

a. In terms of section 39 meanwhile provides for the primary functions of RTI and they include:

- to enforce the provisions of the C-BRT Act.
- to enforce the provisions of any other legislation that confers certain rights and duties upon them.
- support the Board and the Regulatory Committee in the performance of their functions.

b. The Road Transport Inspectorate must from time to time, as determined by the Regulatory Committee and in the prescribed format, submit to the Regulatory Committee a report which contains:

- law enforcement information on a route basis.
- general information on traffic flows and tendencies; or
- any other such matters as may be prescribed.

This section further provides that the Road Transport Inspectorate must assist the Board in the performance of their duties thus ensuring overall compliance by cross-border road transport commercial and prospectus operators. The inspectorate is also responsible of ensuring the protection of the cross-border market and industry from any form of illegal operations through countrywide inspections and prosecutions of the non-compliant as well illegal operators.

3. Scope of work and deliverables

The Law Enforcement strategy to achieve the desired outcome and should cover the following areas of law enforcement:

3.1. Intelligent led deployment

- 3.2. Strategic deployment
- 3.3. Utilising the available resources to the fullest potential
- 3.4. Introduction of technology in law enforcement
- 3.5. Electronic capturing data system
- 3.6. Electronic data analysis tool
- 3.7. Cross border road transport monitoring tool
- 3.8. Overload control system
- 3.9. Increase compliance on cross border road transport
- 3.10. Electronic detection equipment's for fraudulent documents
- 3.11. Systems integration for verification purposes
- 3.12. Force multiply strategy

The appointed service provider should align the law enforcement strategy with the organisational objectives and projects.

5. EVALUATION CRITERIA

The bids will be evaluated using the 80/20 preference points system in terms of the Preferential Procurement Regulations 2022. The following three (3) steps will be followed to evaluate this bid (Functionality, Price, and Specific Goals and Administrative Compliance).

5.1. STEP 1: FUNCTIONALITY

Any proposed bid which does not meet a minimum threshold of **70 points** out of **100 points** will be disqualified and not considered for further evaluation.

The following criteria and weights shall apply when considering bids:

Criteria	Points
1. Bidders Track record/ Experience. 1.1. The bidder must submit valid reference letters for successful development of strategies with previous clients. The reference letter(s) must be on the <i>letterhead of the previously serviced client</i> . It should reflect at least name of the client, description of the service(s) conducted, date, contactable reference name and contact details and signed by the appropriate delegate (NB: A reference letter that does not include the any of the above criteria will not be considered) . 1.2. It will be an added advantage if the bidder has garnered experience in the development of a law enforcement strategy within the public sector environment. ✓ Non-submission/ irrelevant reference letter(s) = 0 points ✓ 1 reference letter = 10 points ✓ 2 – 3 reference letters = 20 points ✓ 4 – 5 reference letters = 25 points ✓ Above 5 reference letters, = 30 points	30
2. Team capacity and capability 2.1. Experience of the Project Manager	40

2.2. The bidder must submit a Curriculum Vitae (CV) of the Project Manager who will be responsible to execute this assignment evaluate experience. ✓ 0 – 2 years of experience/ irrelevant experience in developing a strategy = 0 points ✓ 3 – 4 years of experience in developing a strategy = 3 points ✓ 5 – 6 years of experience in developing a strategy = 6 points ✓ 7 – 8 years of experience in developing a strategy = 9 points ✓ 9 – 10 years of experience in developing a strategy = 12 points ✓ 11 years and more year`s of experience in developing a strategy = 15 points 2.2. Qualifications of the Project Manager The bidder must submit the qualifications of the Project Manager (Attach a copy of the qualifications) ✓ Grade 12/Matric or below = 0 points ✓ Diploma/ Degree = 3 points ✓ Post graduate diploma/ degree = 5 points 2.3. Experience of the Consultant The bidder must submit a Curriculum Vitae (CV) of the Consultant who will be responsible to execute this assignment. ✓ 0 – 2 years of experience/ irrelevant experience in developing a strategy = 0 points ✓ 3 – 4 years of experience in developing a strategy = 3 points ✓ 5 – 6 years of experience in developing a strategy = 6 points ✓ 7 – 8 years of experience in developing a strategy = 9 points ✓ 9 – 10 years of experience in developing a strategy = 12 points ✓ 11 years and more year`s of experience in developing a strategy = 15 points 2.4. Qualifications of the Consultant The bidder must submit the qualifications of the Consultant (Attach a copy of the qualifications) ✓ Grade 12/Matric or below = 0 points ✓ Diploma/ Degree = 3 points ✓ Post graduate diploma/ degree = 5 points	
3. Project Approach and Execution Plan. The bidder must demonstrate the following: 3.1. The bidder must demonstrate how the project will be executed within the time frame:	30

✓ Project plan without activities, timelines, resources, stakeholders = 0 points ✓ Project plan with activities, timelines, resources, stakeholders = 15 points	
3.2. The bidder must provide a contingency plan that will be deployed should there be delays in the development of this strategy = 15 points	
Total Points	100

5.1.2. Price and Specific goals (80/20)

Criteria
$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$

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

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

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

5.1.3. Specific Goals

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

Note to tenderers: Bidders must indicate how they claim points for each preference point system. Thus, tenderers are required to indicate number of points in line with their B-BBEE Status Level and Ownership.

No	The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Means of verification	Number of points claimed (80/20 system) (To be completed by the tenderer)
A	BBBEE Level 1 – 4	10	BBBEE or Sworn affidavit submitted with the bid	
B	Women owned Enterprises	5	Central Supplier Database	
C	Enterprises owned by disabled people	5	Medical report	
D	Total point claimed	D= A + B + C		

5.1.4. Administrative Compliance

Documents that must be submitted	
Invitation to Bid – SBD 1	Complete and sign the supplied pro forma document
Tax Status	Submit proof of Central Supplier Database report.
Bidders Disclosure Form – SBD4	Complete and sign the supplied pro formadocument
Preference Point Claim Form – SBD 6.1	Non-submission will lead to a zero (0) score on Specific goals

PRICING SCHEDULE – FIRM PRICES

Name of bidder:	RFP No:
Closing Time: 11:00	Closing date:

OFFER TO BE VALID FOR **60 WORKING DAYS** FROM THE CLOSING DATE OF RFP.

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE (VAT EXCL.)	Total PRICE (VAT EXCL.)
1				
2				
3				
4				
5				
Value Added Tax (VAT) at 15%				
Total RFP Price (VAT Inclusive				

Brand and model, please specify				
Country of origin				
Does the offer comply with the specification(s)? Please tick or cross the correct answer	Yes		No	
If not to specification, indicate deviation(s)				
Period required for delivery (days)				
Delivery basis (once-off/ partial)				
All delivery costs must be included in the bid price, for delivery at the prescribed destination.				

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship 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:

.....

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.

.....

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.

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.

3.6.1 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

Annexure A – bidders Disclosure form as per section 2.3 of SBD 4 form

Bidders are requested to declare all enterprises/ companies any of its directors/ trustees/ shareholders/members/ partners have interest in, the enterprises/companies disclosed must be equal or more than those disclosed on the Central Supplier Database (CSD) report.

Name of Director	Name of the enterprise/ company	Supplier No. (MAAA....)	Registration No	Director status [Active/Resigned]

SBD 6.1

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

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

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

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 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 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 Points for specific goals for this tender will be allocated on the basis B-BBEE Status Level as shown in Table 1 below.

1.6 In order to claim points for specific goals, bidders must submit B-BBBEE Certificate and/or sworn affidavit, as the case may be.

1.7 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.

1.8 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:

80/20	or	90/10
$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$	or	$Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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:

80/20	or	90/10
$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$	or	$Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$

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 tenderers: The tenderer must indicate how they claim points for each preference point system. Thus, tenderers are required to indicate number of points in line with their B-BBEE Status Level and Ownership

No	The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Means of verification of	Number of points claimed (80/20 system) (To be completed by the tenderer)
A	BBBEE Level 1 – 4	10	BBBEE or Sworn affidavit submitted with the bid	
B	Women owned Enterprises	5	Central Supplier Database	
C	Enterprises owned by disabled people	5	Medical report	
D	Total point claimed	D= A + B + C		

5. SUBMISSIONS BY CONSORTIUMS AND JOINT VENTURES

5.1 If a submission is made by a consortium or Joint Venture, the points claimed for ownership must be detailed separately on an attachment showing the following:

- The percentage (%) of the contract allocated to each JV member or consortium member. This should also be included in an agreement to be made available on request by C-BRTA
- The percentage ownership by race category of each JV member or consortium member in each of the specific goals relevant to this bid.
- The total points claimed will be the sum of the percentage contract allocation for each partner multiplied by the percentage weighting for the race category, multiplied by the percentage ownership in the relevant specific goal.

6. DECLARATION WITH REGARD TO COMPANY/FIRM

6.1. Name of company/firm.....

6.2. Company registration number:

6.3. 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]

6.4. 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:

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