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National Lotteries Commission (NLC)
P.O Box 1556 Brooklyn Square 0083,
Pretoria

NATIONAL LOTTERIES COMMISSION

REQUEST FOR QUOTATION OF THE SERVICE PROVIDER FOR A ONCE-OFF SUPPLY, INSTALLATION AND COMMISSIONING OF 1.5KW CENTRIFUGAL WATER PUMP AND AUTOMATIC FLOW CONTROLLER AND PLUMBING ASSESMENT AT THE NATIONAL LOTTERIES COMMISSION IN WELKOM OFFICE

BID PROCESS	BID REQUIREMENTS
RFQ Number	RFQ 2024-008-008
RFQ Issue Date	14 August 2024
Closing Date and Time	21 August 2024 @ 11h00
RFQ Validity Period	60 days from the closing date
Briefing/Information Session	Non-Compulsory Briefing session
RFQs are to be submitted to the following address on the stipulated closing date and time:	The bid document must be submitted only at the below address: Black D, Hatfield Gardens 333 Grosvenor Street Hatfield, Pretoria Bids enquiries must be emailed to: quotation@nlcsa.org.za

SECTION 1: INTRODUCTION AND BACKGROUND AND SCOPE OF REQUIREMENTS

1. INTRODUCTION AND BACKGROUND

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

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

2. PURPOSE

The NLC requires a suitably qualified service provider for the supply, install and commission a 1.5kw Centrifugal water pump and Automatic Flow Controller for the water tank at the National Lotteries Commission in Free State Welkom Office for once-off services.

3. SCOPE OF REQUIREMENT

Service includes but not limited to the following contents

1.5KW water Pump

Pre-Installation Preparation:

- Assessing the water source, determining the optimal location for the pump, and ensuring that all necessary tools and equipment are readily available.
- It is also vital to confirm that the pump meets the specific requirements of the water system it will be installed in.

Installation Process:

- Mount the 1.5kw Automatic water pump securely on a stable surface, ensuring that it is level and properly aligned.
- Connect the inlet and outlet pipes to the pump, seal all joints and fittings to prevent leaks.
- Once the pump is securely mounted and connected, it is crucial to wire the pump to the electrical supply.
- The pump should be tested to ensure that it is functioning correctly and providing adequate water flow.

Post-Installation Assessment:

- Once the pump has been successfully installed and tested, it is essential to conduct a thorough

post-installation assessment.

- This includes checking for any leaks or defects in the pump, ensuring that the water flow is consistent and adequate, and confirming that the pump is operating within the specified parameters.
- Any issues or concerns should be promptly addressed to prevent further problems and ensure the optimal performance of the pump.

Assessment and repairs

This includes Pressure line jetting, checking piping cracks, leaks and non-functioning components and Provide Repairs.

- Kitchen
- Visitor bathrooms
- Staff bathrooms
- Irrigation systems

4. SITE VISIT

Non- compulsory Site visit may be arranged with Facilities and provincial office by interested bidder.

Address

282 Stateway,
Badelia
WELKOM

4. Specification

1.5 KW water Pump

- Maximum power 1.5 KW
- Centrifugal Pump
- Automatic Controller, Pro-Pumps
- Input voltage 220-240v
- Max Working Pressure of 10 Bar
- IP65 Protection
-

Plumbing Assessment and repairs

- 10 Toilet bowl
- 3 urinal systems
- 9 basin bowl taps

- Water Tank system
- Irrigation system

6. REPORTING REQUIREMENTS

The service provider will report to the NLC Facilities (FMU) Department.

7. DURATION OF THE PROJECT

The expected duration of the project is 1 Week after the receipt of the purchase order (PO).

SECTION 2: NOTICE TO BIDDERS

1. Terms and conditions of Request for Quotation (RFQ)

- 1.1 This document may contain confidential information that is the property of the Commission.
- 1.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFQ without prior written permission from the Commission.
- 1.3 All copyright and intellectual property herein vests with the Commission.
- 1.4 Late and incomplete submissions will not be accepted.
- 1.5 No services must be rendered, or goods delivered before an official Commission Purchase Order form has been received.
- 1.6 This RFQ will be evaluated in terms of the 80/20 preference point system prescribed by the Preferential Procurement Policy Framework Act of 2000 and PPR of 2022.
- 1.7 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.
- 1.8 Suppliers must provide their CSD registration number (and attach a CSD Summary report) and ensure that their tax matters are compliant.
- 1.9 All questions regarding this RFQ must be forwarded to quotation@nlcsa.org.za within five (5) days of the closing date.
- 1.10 Any supplier who has reasons to believe that the RFQ specification is based on a specific brand must inform the Commission via the email.

2. General rules and instructions

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

2.2 Precedence of documents

- 2.2.1 This RFQ consists of several sections. Where there is a contradiction in terms between the clauses, phrases, words, stipulations, or terms and herein referred to generally as stipulations in this RFQ and the stipulations in any other document attached hereto, or the RFQ submitted hereto, the relevant stipulations in this RFQ shall take precedence.
- 2.2.2 Where this RFQ is silent on any matter, the relevant stipulations addressing such matter, and which appear in the PPPFA shall take precedence. Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that the Commission may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by the Commission.
- 2.2.3 It is acknowledged that all stipulations in the PPPFA are not equally applicable to all matters addressed in this RFQ. It, however, remains the exclusive domain and election of the Commission as to which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of the commission in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the Bidder(s). The Bidder(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

2.3 Preferential procurement reform

- 2.3.1 The commission supports B-BBEE as an essential ingredient of its business. In accordance with government policy, the commission insists that the private sector demonstrates its commitment and track record to B- BBEE in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices (SMME Development) etc.

2.4 National Industrial Participation Programme.

- 2.4.1 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).

2.5 Language

- 2.5.1 Bids shall be submitted in English.

2.6 Gender

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

2.7 Headings

- 2.7.1 Headings are incorporated into this RFQ document and submitted in response thereto,

for ease of reference only and shall not form part thereof for any purpose of interpretation or for any other purpose.

2.8 Occupational Injuries and Diseases Act 13 of 1993

2.8.1 The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFQ and/ or subsequent agreement. the commission reserves the right to request the Bidder to submit documentary proof of the Bidder's registration and "good standing" with the Compensation Fund, or similar proof acceptable to the commission.

2.9 Processing of the Bidder's Personal Information

2.9.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFQ is collected and processed for the purpose of assessing the content of its tender proposal and awarding the bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation including the PPPFA and NLC SCM Policy.

The Bidder is advised that Bidder Personal Information may be passed on to third parties to whom the commission is compelled by law to provide such information. For example, where appropriate, the commission is compelled to submit information to National Treasury's Database of Restricted Suppliers.

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

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

2.9.4 In signing this document, the Bidder consents to the use of its Personal Information for the purposes as specified in section 2.9.1 above.

3. National Treasury's Central Supplier Database

3.1 Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.

3.2 The Commission may not award business to a bidder who has failed to register on the CSD.

3.3 Only foreign suppliers with no local registered entity need not register on the CSD.

- 3.4 The CSD can be accessed at <https://secure.csd.gov.za/>

4. Confidentiality

- 4.1 Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding.
- 4.2 The Commission reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.
- 4.3 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.
- 4.4 The Bidder shall notify the Commission in writing of any unauthorized access to personal information and the information of a third party, through cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such.

5. Communication

- 5.1 Specific queries relating to this RFQ should be submitted quotation@nlcsa.org.za, before the closing date.
- 5.2 In the interest of fairness and transparency the Commission's response to such a query may be made available to other bidders.
- 5.3 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.
- 5.4 Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

SECTION 3: EVALUATION CRITERIA

The Commission will evaluate all proposals in terms of the Preferential Procurement Regulation of 2022 and Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). The six (6) phase evaluation criteria will be considered in evaluating the proposals, being:

Stage 1: RFQ Closing Date and Submission Instructions and Format

RFQ Closing Details

The deadline for RFQ submission is **21 August 2024` at 11:00** Standard South African Time. Any late RFQ will not be accepted. Quotations are to be submitted to the below address:

Black D, Hatfield Gardens
333 Grosvenor Street
Hatfield, Pretoria

Stage 2: Administrative Compliance

All bid respondents must submit required documents that comply with all this request for quotation. The Administrative Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Document
Original signed standard bidding documents (SBD Forms). It is required that the bidder must provide correct information and declaration in the SBD Forms duly signed by the authorized person	Fully Completed Standard Bidding Documents SBD 1 SBD 6.1
Original signed consent form in terms of the Protection of Personal Information Act 4 of 2013 (POPIA)	POPIA Consent Form
BBBEE Certificate/ Sworn Affidavit in terms of Codes of Good Practice	BEE Certificate/Sworn Affidavit
Registered with the Central Supplier Database (CSD). Recent Central Supplier Database (CSD)	Full Report with SARS Tax Compliance Status
CIPC Registrations Documents	CIPC CK Documents

Stage 3: Mandatory Requirements

Bidders are required to submit a mini proposal with their quotation that comply with the specification / electrical requirements as specified and failure to meet two (2) requirements of the specification listed below, will result in disqualification.

Technical Evaluation/Requirement	Compliance Yes/No	
1. Bidder must provide Two reference letters where Similar services was rendered		
2. Bidder must provide a CIDB Grading SO 1 or higher.		
3. A valid letter of good standing from the Compensation Commissioner (COIDA) Valid Certified COIDA Registration Certificate		

Price The following formula will be used to calculate the points out of 80 for price in respect of a bid with a Rand value equal to or above R30 000 and up to a Rand value of R50 million, inclusive of all applicable taxes: $P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$ Where: P_s = Score for the Bid under consideration P_t = Price of Bid under consideration P_{min} = Price of lowest acceptable Bid	80
TOTAL SCORE:	80

Stage 4: Evaluation on Price and Specific Goals as Per PPR2022

The 80/20 Principle based on Price and special goals for the NLC.

The following formula to be used to calculate the points out of 80 for price inclusive of all applicable taxes. maximum of 80 points is allocated for price on the following basis:

1. Procurement from entities who are Black Owned	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence
Tenderer who have 100% black Ownership	8	8	Copies of ID's/3 months CIPC Report from the closing date of the bid/ CSD Recent Report
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	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	B-BBEE Certificate / B-BBEE Sworn Affidavit
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 CSD report
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		
Total points for specific goals		20	

A maximum of 20 points will be awarded to a bidder for the specific goals specified for the RFQ.

Stage 5: Due Diligence

The Commission reserves the right to undertake a due diligence exercise on the preferred bidder/s as part of a material risk evaluation aimed at determining to its satisfaction the validity of the information provided by the Bidder.

Stage 6: Contract and Award

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

Annexure A: Pricing schedule

Description	Unit	Quantity	Amount
Centrifugal Pump	Item	1	R
Automatic controller	item	1	R
Provisional sum for Assessment, Repairs and line Jetting	item	1	R10 000.00

THE SERVICE PROVIDER FOR A ONCE-OFF SUPPLY, INSTALLATION AND COMMISSIONING OF 1.5KW CENTRIFUGAL WATER PUMP AND AUTOMATIC FLOW CONTROLLER AND PLUMBING ASSESMENT AT THE NATIONAL LOTTERIES COMMISSION IN WELKOM OFFICE

Section 4: INVITATION TO BID (SBD 1)

YOU ARE HEREBY INVITED							
BID NUMBER:	NLC/2024-008-008	ISSUE DATE:	14/08/2024	CLOSING DATE:	21/05/2024	CLOSING TIME:	11:00
DESCRIPTION	THE SERVICE PROVIDER FOR A ONCE-OFF SUPPLY, INSTALLATION AND COMMISSIONING OF 1.5KW CENTRIFUGAL WATER PUMP AND AUTOMATIC FLOW CONTROLLER AND PLUMBING ASSESMENT AT THE NATIONAL LOTTERIES COMMISSION IN WELKOM OFFICE						
BID RESPONSE DOCUMENTS							
BIDDING PROCEDURE ENQUIRIES MAY BEDIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACT PERSON	SCM			CONTACT PERSON		End User	
TELEPHONE NUMBER	012 432 1309			TELEPHONE NUMBER		012 432 1515	
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:		O R	CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] Yes No		B-BBEE STATUS LEVELSWORN AFFIDAVIT		[TICK APPLICABLE BOX] Yes No

RFP2023-007 – WORK STUDY

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 FOREIGNBASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?

☐ Yes ☐ No

[IF YES, ANSWER QUESTIONNAIRE BELOW]

☐

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO

☐

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 BELOW.

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. TAX COMPLIANCE REQUIREMENTS

- 1.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 1.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 1.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 1.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 1.5 IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 1.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

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

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company
resolution)DATE:_____



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 institution	State

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.

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.

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.

- 3.5 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.

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 **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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

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

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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS	
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:

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

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:

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

Where

- P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

1. Procurement from entities who are Black Owned	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence
Tenderer who have 100% black Ownership	8	8	Copies of ID's/3 months CIPC Report from the closing date of the bid/ CSD Recent Report
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	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	B-BBEE Certificate / B-BBEE Sworn Affidavit
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 CSD report
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		
Total points for specific goals		20	

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:

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