

**BROADBAND INFRACO SOC LTD**

**Appointment of a Service Provider to Provide Strategic Thinking for one (1) person.**

|                                                       |                                                                                                                                                    |
|-------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>RFQ NUMBER:</b>                                    | <b>RFQ- 10268</b>                                                                                                                                  |
| <b>RFQ ISSUE DATE:</b>                                | <b>16 August 2023</b>                                                                                                                              |
| <b>RFQ CLOSING DATE:</b>                              | <b>23 August 2023 @12h00 Noon</b>                                                                                                                  |
| <b>RFQ VALIDITY PERIOD:</b>                           | <b>30 days (COMMENCING FROM THE RFQ CLOSING DATE)</b>                                                                                              |
| <b>A FULL DESCRIPTION OF GOODS/SERVICES REQUIRED:</b> | <b>Appointment of a Service Provider to Provide Strategic Thinking for one (1) person.</b>                                                         |
| <b>RESPONSES TO THIS RFQ SHOULD BE FORWARDED TO:</b>  | <b>Supply Chain Management – Commercial Department<br/>Email: <a href="mailto:Sindisiwe.Mweli@infraco.co.za">Sindisiwe.Mweli@infraco.co.za</a></b> |
| <b>ENQUIRY: NAME:</b>                                 | <b>Sindisiwe Mweli</b>                                                                                                                             |

**Bidders must acknowledge receipt of this RFQ on the above contact details.**

**BIDDER:** .....

**REGISTRATION NUMBER:** .....

**ADDRESS:** .....

**CONTACT PERSON:** .....

**TEL:** .....

**FAX:** .....

**E-MAIL ADDRESS:** .....

#### TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

1. Broadband Infraco standard conditions of purchase shall apply.
2. No services must be rendered or goods delivered before an official Broadband Infraco Purchase Order form has been received.
3. Late and incomplete submissions will not be accepted.
4. Any bidder who has reasons to believe that the RFQ specification is based on a specific brand must inform Broadband Infraco before RFQ closing date.
5. Where applicable, Work will be carried out in terms of the OHSA and regulations and therefore it is important for the bidders to include OHSA compliance costs (i.e safety file for the recommended bidder will be approved by Broadband Infraco).
6. **Bidder is required to submit copy of Tax Clearance Certificate and verification information (PIN) to be used by Broadband Infraco to validate the copy on the SARS website for all price quotations exceeding the value of R30 000 (VAT included). Failure to submit the copy of valid Tax Clearance Certificate and verification information will result in the invalidation of this RFQ. It is the responsibility of the bidder to ensure that Broadband Infraco is in possession of the bidder's valid Tax Clearance certificate. The onus is on the bidder to ensure that Broadband Infraco receives a valid Tax Certificate as soon as the validity of the said certificate expires.**
7. Bidders must attach valid BBBEE certificate, correct affidavit or valid exemption letters with the bid. **Copies must be certified.**
8. Bidders are required to complete costing model for all price quotations exceeding the value of R30 000 (VAT included).
9. This RFQ will be evaluated in terms of the 80/20 preference point system prescribed by the Preferential Procurement Regulations, 2022
10. All prices must be quoted in South African Rand (ZAR) and the foreign currency amount applicable must be stated. The bidder must indicate **clearly** which portion of the quoted price is linked to the exchange rate. The cost of installation, delivery, and **other** charges must be included in the total price quoted.
11. It is within Broadband Infraco's prerogative to award this bid in part/s or whole to one or more than one service provider based on the pricing and other technical consideration within the ambits of the law.
12. Broadband Infraco will only commence payment processes after fulfilment of the conditions contained in the contract and/ or on receipt of an invoice from the service provider and after such has been approved by the client division as representing the services received.
13. Payment of invoices will be effected on the last day of the calendar month following the calendar month of receipt of a correct and original invoice
14. Bidders who submitted information that is fraudulent, factually untrue or inaccurate, for example memberships that do not exist, BEE credentials, experience, etc will be disqualified.
15. Bidders will be disqualified if there are listed on prohibited register of bidders in National Treasury and register of tender's defaulters.

**NB\*, Please provide us with a detailed quotation on your company letterhead, indicating all the product specifications and indicate compliance (and any deviations) to the given specification.**

.....

**DECLARATION BY BIDDER**

I, the undersigned (NAME).....certify that :

- i. I have read and understood the conditions of this RFQ.
- ii. I have supplied the required information and the information submitted as part of this RFQ is true and correct.

.....

**Signature**

.....

**Date**

.....

**Capacity**

## STANDARD BIDDING DOCUMENT 1 - PART A: INVITATION TO BID

|                                                                                                                                                                    |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------------|
| <b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF BROADBAND INFRACO (SOC) LTD</b>                                                                               |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |
| BID NUMBER:                                                                                                                                                        | <b>RFQ-10268</b>                                                                           | CLOSING DATE:                                                                      | <b>23 August 2023</b>                                                                                      | CLOSING TIME: | <b>12:00 Noon</b>                                                                               |
| DESCRIPTION                                                                                                                                                        | <b>Appointment of a Service Provider to Provide Strategic Thinking for one (1) person.</b> |                                                                                    |                                                                                                            |               |                                                                                                 |
| BID RESPONSE DOCUMENTS MUST BE SUBMITTED THROUGH EMAIL.                                                                                                            |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |
| <b>SUPPLIER INFORMATION</b>                                                                                                                                        |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |
| NAME OF BIDDER                                                                                                                                                     |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |
| POSTAL ADDRESS                                                                                                                                                     |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |
| STREET ADDRESS                                                                                                                                                     |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |
| TELEPHONE NUMBER                                                                                                                                                   | CODE                                                                                       |                                                                                    | NUMBER                                                                                                     |               |                                                                                                 |
| CELLPHONE NUMBER                                                                                                                                                   |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |
| FACSIMILE NUMBER                                                                                                                                                   | CODE                                                                                       |                                                                                    | NUMBER                                                                                                     |               |                                                                                                 |
| E-MAIL ADDRESS                                                                                                                                                     |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |
| VAT REGISTRATION NUMBER                                                                                                                                            |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |
| TAX CLEARANCE NUMBER                                                                                                                                               |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |
|                                                                                                                                                                    | TCS PIN:                                                                                   |                                                                                    | OR                                                                                                         | CSD No:       |                                                                                                 |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE<br>[TICK APPLICABLE BOX]                                                                                              | <input type="checkbox"/> Yes<br><br><input type="checkbox"/> No                            |                                                                                    | B-BBEE STATUS LEVEL SWORN AFFIDAVIT<br><br><input type="checkbox"/> Yes<br><br><input type="checkbox"/> No |               |                                                                                                 |
| IF YES, WHO WAS THE CERTIFICATE ISSUED BY?                                                                                                                         |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |
| AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX                                                   | <input type="checkbox"/>                                                                   | AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)           |                                                                                                            |               |                                                                                                 |
|                                                                                                                                                                    | <input type="checkbox"/>                                                                   | A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS) |                                                                                                            |               |                                                                                                 |
|                                                                                                                                                                    | <input type="checkbox"/>                                                                   | A REGISTERED AUDITOR                                                               |                                                                                                            |               |                                                                                                 |
|                                                                                                                                                                    | <input type="checkbox"/>                                                                   | NAME:                                                                              |                                                                                                            |               |                                                                                                 |
| <b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs&amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b> |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |
| <b>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</b>                                                               | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><br>[IF YES ENCLOSE PROOF]     |                                                                                    | <b>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</b>                            |               | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><br>[IF YES ANSWER PART B:3 BELOW ] |
| <b>SIGNATURE OF BIDDER</b>                                                                                                                                         | .....                                                                                      |                                                                                    | <b>DATE</b>                                                                                                |               |                                                                                                 |
| <b>CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)</b>                                    |                                                                                            |                                                                                    |                                                                                                            |               |                                                                                                 |

## PART B: TERMS AND CONDITIONS FOR BIDDING

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                      |                                                          |                                                |                                                          |                                                                 |                                                          |                                                            |                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|----------------------------------------------------------|------------------------------------------------|----------------------------------------------------------|-----------------------------------------------------------------|----------------------------------------------------------|------------------------------------------------------------|----------------------------------------------------------|
| <b>1. BID SUBMISSION:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                      |                                                          |                                                |                                                          |                                                                 |                                                          |                                                            |                                                          |
| <p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.</p> |                                                                      |                                                          |                                                |                                                          |                                                                 |                                                          |                                                            |                                                          |
| <b>2. TAX COMPLIANCE REQUIREMENTS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                      |                                                          |                                                |                                                          |                                                                 |                                                          |                                                            |                                                          |
| <p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER AND PROOF MUST BE PROVIDED.</p>                                                                                                                                                                                                                                                                                                                             |                                                                      |                                                          |                                                |                                                          |                                                                 |                                                          |                                                            |                                                          |
| <b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                      |                                                          |                                                |                                                          |                                                                 |                                                          |                                                            |                                                          |
| <table style="width: 100%; border: none;"> <tr> <td style="width: 70%;">3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> </table> <p><b>IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</b></p>                                                                                                                                                           | 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | <input type="checkbox"/> YES <input type="checkbox"/> NO | 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? | <input type="checkbox"/> YES <input type="checkbox"/> NO | 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? | <input type="checkbox"/> YES <input type="checkbox"/> NO | 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/> YES <input type="checkbox"/> NO             |                                                          |                                                |                                                          |                                                                 |                                                          |                                                            |                                                          |
| 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/> YES <input type="checkbox"/> NO             |                                                          |                                                |                                                          |                                                                 |                                                          |                                                            |                                                          |
| 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/> YES <input type="checkbox"/> NO             |                                                          |                                                |                                                          |                                                                 |                                                          |                                                            |                                                          |
| 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/> YES <input type="checkbox"/> NO             |                                                          |                                                |                                                          |                                                                 |                                                          |                                                            |                                                          |

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

## DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative: .....

2.2 Identity Number: .....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>): .....

2.4 Company Registration Number: .....

2.5 Tax Reference Number: .....

2.6 VAT Registration Number: .....

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

<sup>1</sup>"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

<sup>2</sup>"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder  
presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member: .....

Name of state institution at which you or the person  
connected to the bidder is employed : .....

Position occupied in the state institution: .....

Any other particulars:

.....  
.....  
.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attached proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....  
.....  
.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

.....  
.....  
.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.

.....  
.....  
.....

2.10 Are you, or any person connected with the bidder, **YES/NO**  
aware of any relationship (family, friend, other) between  
any other bidder and any person employed by the state  
who may be involved with the evaluation and or adjudication  
of this bid?

2.10.1 If so, furnish particulars.

.....  
.....  
.....

2.11 Do you or any of the directors / trustees / shareholders / members **YES/NO**  
of the company have any interest in any other related companies  
whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

.....  
.....  
.....

### 3 Full details of directors / trustees / members / shareholders.

| Full Name | Identity Number | Personal Tax Reference Number | State Number / Employee Persal Number |
|-----------|-----------------|-------------------------------|---------------------------------------|
|           |                 |                               |                                       |
|           |                 |                               |                                       |
|           |                 |                               |                                       |
|           |                 |                               |                                       |
|           |                 |                               |                                       |
|           |                 |                               |                                       |

### 4 DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.  
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF  
PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT 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     |
|--------------------------------------------------|------------|
| <b>Price</b>                                     | <b>80</b>  |
| <b>Specific Goals</b>                            | <b>20</b>  |
| <b>Total points for Price and Specific Goals</b> | <b>100</b> |

**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:

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

|                                                           |           |                                                           |
|-----------------------------------------------------------|-----------|-----------------------------------------------------------|
| <b>80/20</b>                                              | <b>or</b> | <b>90/10</b>                                              |
| $Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$ | 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 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<br>(80/20 system)<br>(To be completed by the organ of state) | Number of points claimed (80/20 system)<br>(To be completed by the tenderer) |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Black Owned Entity                                          | 6                                                                                       |                                                                              |
| Woman Owned Equity                                          | 4                                                                                       |                                                                              |
| Youth Equity Ownership                                      | 4                                                                                       |                                                                              |
| People With Disability                                      | 3                                                                                       |                                                                              |
| Military Veterans                                           | 3                                                                                       |                                                                              |
| <b>Total Points</b>                                         | <b>20</b>                                                                               |                                                                              |

## 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:** .....

.....

.....

.....

## TERMS OF REFERENCE

### APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE STRATEGIC THINKING FOR ONE (1) PERSON.



#### 1. SCOPE OF WORK

**1.1** BBI hereby invites suitable bidders to send quotations for Strategic Thinking for one (1) person. The bidder is expected to provide the following Materials and/or facilities:

- Provide study material / Training manual;
- Attendance Register;
- Certificate of competence or attendance upon completion;
- Training should be held at service provider premises or virtual;
- Refreshments to be provided if not conducted virtually;
- Details of training credits;
- Accreditation of service provider;
- Training outline.

**1.2** The bidder needs to confirm validity of quotation/s

**1.3** Bidder to tick the below table whether training will be provided physically or virtually

| Physically               | Virtually                |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |

#### 2. PRICING SCHEDULE

| No.                            | Qty | Item Description                                                       | Unit Price<br>(Excl VAT) | Total Price (Excl VAT) |
|--------------------------------|-----|------------------------------------------------------------------------|--------------------------|------------------------|
| 1.                             | 1   | Strategic Thinking for one (1) person.                                 | R                        | R                      |
| 2.                             | 1   | Refreshments (if training is provided at service provider's premises). | R                        | R                      |
| <b>Total Price (VAT Excl.)</b> |     |                                                                        |                          |                        |
| <b>VAT (15%)</b>               |     |                                                                        |                          |                        |
| <b>Total Price (VAT Excl.)</b> |     |                                                                        |                          |                        |

**3. REQUIRED DOCUMENTS TO BE SUBMITTED WITH YOUR RESPONSE:**

**QUOTATION REQUIREMENTS**

- a. Completed RFQ document.
- b. Quotation in company letter head
- c. Confirmation of validity of quotes
- d. Complete and sign SBD 4
- e. Complete and sign SBD 6.1
- f. SARS tax verification pin
- g. Complete table 1 on page 13 of the SBD 6.1 form, provide proof in support of the points claimed i.e (BBBEE certificate, sworn affidavit, shareholder certificate or CIPC documents.
- h. Failure to complete and provide proof will forfeit the specific goals points.