



# higher education & training

Department:  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

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**Request for a Proposal for the appointment of a suitable Service Provider to conduct an  
Impact Evaluation for the Technical and Vocational Education and Training Management  
Information System (TVETMIS) Project by the Department of Higher Education and  
Training**

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**RFP NUMBER: RFQ400/2024**

**Date Issued:**

**Closing date and time: 21 August 2024 @ 11h00**

**Briefing Session : None**

**Bid Validity Period: 90 days**

**TENDER BOX ADDRESS:**

117 - 123 Francis Baard Street

Pretoria

0002

## 1. LEGISLATIVE FRAMEWORK OF THE BID

### 1.1. TAX LEGISLATION

- 1.1.1. Bidders must be vigilant of compliance measures and requirements when submitting a proposal to the Department and remain compliant in terms of all applicable tax legislation for the entire contract period, including but not limited to the application parameters of the *Income Tax Act, 1962 (Act No. 58 of 1962)* and *Value Added Tax Act, 1991 (Act No. 89 of 1991)*.
- 1.1.2. It is a pre-condition of this bid document that the tax affairs of the successful bidder will be in order, or that satisfactory arrangements have been made with the South African Revenue Service (SARS) in meeting the bidder's pending tax obligations.
- 1.1.3. The relevant tax compliance status requirements are also applicable to any foreign bidders / individuals who wish to participate during the bidding process.
- 1.1.4. It is a requirement that bidders when submitting a bid, provide written confirmation that SARS may on an ongoing basis and for the duration of the tenure of the contract, disclose the bidder's tax compliance status. By the very act of submitting a bid, such a confirmation therefore is also deemed to have been granted by the potential bidder.
- 1.1.5. Bidders must be registered on the National Treasury **Central Supplier Database** (CSD) prior to the submission of bidding documentation and National Treasury will accordingly verify the bidder's tax compliance status through screening of the requisite information provided on the Central Supplier Database.
- 1.1.6. Where consortia / joint ventures and/or sub-contractors are involved in the bidding process, each party must be registered individually on the Central Supplier Database and their tax compliance status will accordingly be verified by National Treasury through the Central Supplier Database.

## 2. PROCUREMENT LEGISLATION

The Department utilises a detailed evaluation methodology premised on Treasury Regulation 16A3 promulgated phased under Section 76 of the Public Finance Management Act, 1999 (Act, No. 1 of 1999), the Preferential Procurement Policy Framework Act 2000 (Act, No.5 of 2000); the

Preferential Procurement Regulations, 2017 and the Broad-Based Black Economic Empowerment Act, 2003 (Act, No. 53 of 2003).

## 2.1. TECHNICAL LEGISLATION AND/OR STANDARDS

Bidder(s) should at all times be cognisant of the relevant legislation and/or standards specifically applicable to the service portfolio to be rendered in terms of this tender.

## 2.2. TIMELINE OF THE BID PROCESS

The validity period and possible withdrawal of offers, subsequent to the closing date and time of this tender is (within a six months period after appointment). The relevant project time-frames in terms of this bid are indicated as follows:

| Activity                                                                                             | Due Date                                                                                                                                      |
|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Advertisement of the bid via the Department e-tender portal / Department's website / Tender Bulletin |                                                                                                                                               |
| Questions related to the bids received from bidder(s)                                                | <b>Within two weeks after SCM issued requests</b>                                                                                             |
| The bid closing date                                                                                 | <b>21 August 2024 @ 11h00</b>                                                                                                                 |
| Notice to bidder(s)                                                                                  | The Department undertakes to inform bidders of progress regarding the evaluation of bidding documents until conclusion of the tender process. |

All dates and times in this bid are determined in accordance with South African standard time.

Any time or date reflected in this bid is subject to change at the Department's discretion. The determination of a time or date in this bid does not presuppose an obligation on the part of the Department in taking action, or creating by any manner rights in terms of which bidders may demand that specific action(s) be undertaken on the date(s) accordingly reflected in this bid. The bidder therefore accepts that, in the event of the Department extending the deadline for bid submissions (the closing date) based on and influenced by whichever circumstance, the conditions and requirements attached to this bid remain unaltered and apply equally with regard to the revised deadline.

### 3. CONTACT AND COMMUNICATION

- 3.1. A nominee on behalf of the bidder may make enquiries in writing, to the Directorate: Supply Chain Management, via email on [quotation@dhnet.gov.za](mailto:quotation@dhnet.gov.za) before the bid closing date.
- 3.2. Any communication by Bidders addressed to or with an official or person acting in an advisory capacity on behalf of the Department, in so far as it has relevance to bid proposal, during the period commencing from the bid closing date and that of awarding of the tender is strongly discouraged.
- 3.3. All communication between Bidders and the Department **must be** provided **in writing**.
- 3.4. While due care has been taken regarding the finalisation of this bid, the Department duly makes no representations or provides any warranty that the contents thereof, or any part of the information accordingly communicated or provided to Bidders during the bidding process is accurate, current and/or complete. The Department and its employees/advisors therefore will not be liable in relation to any information communicated and proves to be inaccurate, outdated and/or incomplete.
- 3.5. In the event of bidders reasonably believing there to be substantive discrepancy, ambiguity, error or inconsistency contained in this bid or any part of other information provided by the Department (excluding any minor clerical matters), bidders must promptly bring such a discrepancy, ambiguity, error or inconsistency, in writing, to the attention of the Department before the closing date with the aim of affording the Department an opportunity to consider the issue(s) and where required, take the requisite corrective action.
- 3.6. All bidders (including any other relevant persons) obtaining or receiving the bid and/or any other information in relation to the bid or the tender process are obliged to keep the entire contents of the bid and all related information confidential and may not disclose or use the information in any other manner than for the express purpose of developing a proposal in response to this bid.
- 3.7. Any actual discrepancy, ambiguity, error or inconsistency in relation to the bid or part of any other information provided by the Department will, where possible, be corrected and the revised documentation be published.

#### **4. LATE BIDS**

Bids received at the address indicated in the bid documents after the specified closing date and time, will not be accepted for consideration and where practical, will be returned unopened to the bidder(s).

#### **5. COUNTER CONDITIONS**

Bidders are advised that subsequent amendments to any of the Bid Conditions, the proposals of any counter conditions by bidders or qualifications made in respect of the Bid Conditions will result in the immediate disqualification of such bids. Bidders should therefore adapt their standard conditions in line with those that are issued by the Department.

#### **6. FRONTING**

- 6.1. The Department supports the spirit of broad - based black economic empowerment and recognises that true empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and garnering opportunities in an honest, fair, equitable, transparent and legally compliant manner. Against this background the Department strongly condemns any form of fronting.
- 6.2. The Department, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations in determining the accuracy of the representations made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be determined during such an enquiry/investigation, the onus rests on the bidder/contractor to prove that the allegation of fronting does in fact not exist. Failure to do so within a period of 14 days and determined from the date of notification may invalidate the bid/contract and also result in the restriction of the Bidder/contractor to conduct business with the public sector for a subsequent period of up to ten years and in addition to any other actions the Department may have at its disposal and accordingly wish to institute against such bidders/contractors.

## 7. SUPPLIER DUE DILIGENCE

The Department reserves the right to conduct rolling out due diligence on suppliers prior to final awarding of the contract, or on an occasional basis during the implementation of the mandated contract period. These actions may also include site visits and requests for the provision of additional information.

## 8. SUBMISSION OF PROPOSALS

- 8.1. Bid documents must be placed in the Department's tender box situated in **123 Francis Baard**, Pretoria (Opposite Pretoria Magistrate Court on or before the closing date and time.

8.1.1 Closing Date: **21 August 2024**

8.1.2 Closing Time: **11:00**

- 8.2. Bid documents will only be considered if received by the Department before or on the closing date and time, regardless of the method used to send or deliver such documents to the Department.

- 8.3. Bidder(s) are required to submit copies of each file, **one (1)** original and **one (1)** copy. Each file must be marked correctly and sealed separately for ease of reference during the evaluation process. Furthermore, the files must be labelled and submitted to the Department in the following format:

| FILE 1 (TECHNICAL FILE)                                                                                                                                                                                                                | FILE 2 (PRICE & SPECIFIC GOALS)       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| Exhibit 1:<br>Pre-qualification documents<br><br><i>Phase 0: Pre-qualification Criteria (Table 1))</i>                                                                                                                                 | <b>Exhibit 1:</b><br>Pricing Schedule |
| Exhibit 2: <ul style="list-style-type: none"><li>• Technical Responses and Bidder Compliance Checklist for Technical Evaluation</li><li>• Supporting documents for technical responses.</li></ul> <i>Technical Evaluation Criteria</i> |                                       |

|                                                                          |  |
|--------------------------------------------------------------------------|--|
| Exhibit 3:<br>• General Conditions of Contract (GCC)                     |  |
| Exhibit 4:<br>• Company Profile<br>• Any other supplementary information |  |

**Bidders are requested to initial the bottom right-hand corner of each page of the tender document. On pages where bidders are required to provide full signatures, initialling at the bottom of these pages is not required.**

## **9. DURATION OF THE CONTRACT**

The successful bidder will be appointed to render the requisite service portfolio for a period of six (6) months. The starting period is provisionally foreseen for June 2024. Foreseen finishing period or duration: Not later than December 2024. The duration of Impact Evaluation is three to six months months. The successful service provider has a maximum period of six (6) months to render the full service and the number as recorded.

Although the exact scheduling of inputs and allocation of days will be agreed to between the Department and the consulting team, it is envisaged that the assignment will be carried out in five missions as outlines below:

| <b>Mission</b> | <b>Broad tasks</b>                                                                                 | <b>Expected Milestones</b> | <b>% Payment</b> |
|----------------|----------------------------------------------------------------------------------------------------|----------------------------|------------------|
| I              | Approval of Project Inception Report, including detailed methodology and Proposed Report Structure | Weeks 2                    | 30               |
| II             | Workshop with stakeholders to discuss evaluation instruments                                       | Week 9                     | 20               |
| III            | Submission/ presentation of draft evaluation report for review in 1/5/25 format                    | Week 10                    | 40               |
| IV             | Approval of the final evaluation report                                                            | Week 12                    | 10               |
| V              | Submission of all                                                                                  | Week 13                    |                  |

|  |                                                                                                                                               |  |  |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------|--|--|
|  | databases,metadata and documentation, including interviews, where data was collected, PowerPoint or audio visual presentation of the results. |  |  |
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## 10. Background

The Department of Higher Education and Training (the Department) has been collecting aggregated student and staff data from Technical and Vocational Education and Training (TVET) colleges through annual surveys since 2010. Data collected by the Department are used for planning, monitoring, and budgeting of resources for TVET colleges. In order to improve on the quality of the data obtained from TVET colleges, the Department designed a unit-level record-based data system called TVETMIS in 2015. The supporting TVETMIS data specifications were gazetted in February 2015.

Implementation of TVETMIS commenced in 2016, where data submission from TVET colleges to the Department were undertaken via data uploads from the electronic Business Management Systems (BMS) of TVET colleges (as opposed to manual or electronic annual surveys).

TVETMIS has progressed significantly since being promulgated in 2014 for first college submissions by January 2016. However, feedback from colleges and from within the Department indicated the need for a quality audit of the system. As a response, in early 2018 the Department completed a 360-degree TVETMIS review. The purpose of the review was to assess TVETMIS operations from all perspectives technical, functional, staffing, communication, management and organisational. The review was conducted by an international team of consultants provided by the Dutch-supported project. The core findings were that:

- The overall technical design and functionalities of the TVETMIS are in order, with selected remedial improvements and complementary facilities required.
- College Student and Business Information systems need continued streamlining to capture data as required by TVETMIS.
- Some data mapping, definitions and conversions need to be verified and confirmed.
- TVETMIS Staffing, Communication, Management and Organisation needs urgent attention.
- Effective business processes need to be designed and implemented at both College and Department/national level.

Overall, it was concluded that the investments and efforts required to effectively implement TVETMIS at college and even Department/national level have been underestimated and TVETMIS as a result been inadequately implemented. Weak project management poorly described and implemented business processes at all levels, insufficient support, training, and capacity development and some “flaws” with data capturing at a few colleges. Moreover, there

were indications, that the TVETMIS was seen as burden by the colleges and that the processes, staffing, and management required for the submission of college declared uploading of data would benefit from some innovation, rethinking and strengthening.

As a result, the Department implemented non-best practice parallel data collection systems (e.g. surveys) to collect data. This however results in unreliable, undeclared, non-unit-record-based data which are a burden to colleges and subject to questioning by the South African Auditor-General.

The findings in the review were used to initiate and implement the TVETMIS project. TVETMIS project aimed to address core TVETMIS performance challenges identified by the 2018 TVETMIS Review, and also aimed to review, update, coordinate and manage the implementation of the TVETMIS Action Plan. The TVETMIS project provided support for the implementation of selected prioritised deliverables of the TVETMIS Action Plan. These were addressed by implementing prioritised activities under three project components:

- 1) TVETMIS Governance and Management
- 2) TVETMIS Systems Development; and
- 3) TVETMIS Capacity Development

The project builds on achievements made under two projects:

- 1) The HETMIS Project (funded by the National Skills Fund) implemented by the Department and under which the TVETMIS has been designed.
- 2) The TVET College Business Management Project supported by the Government of Netherlands since 2006. This project has a DHET TVET Datawarehouse design component which has provided technical assistance to e.g. TVETMIS File Specifications Development, Key Performance Indicator Design, TVETMIS Eduktiv validation tool design, the establishment of an interim platform to support college data submission, TVETMIS capacity development for DHET and Colleges and the 2018 TVETMIS Review.

TVETMIS responsibilities are shared between the two Branches within the Department. The Planning Policy and Strategy Branch (Branch P) of the Department is responsible for the technical functioning of TVETMIS. The main user of TVET college data is the TVET Branch (Branch T).

The intended users of the evaluation would be the Department and TVET Colleges.

## **11. PURPOSE OF THE EVALUATION**

The evaluation should investigate whether the TVETMIS has achieved its objectives and assess the effectiveness and efficiency of its implementation and delivery.

## **12. SCOPE OF THE EVALUATION**

The evaluation will encompass the mandate and reach of the TVETMIS project. The evaluation will focus on the period 01 March 2019 to 31 March 2023.

## **13. EVALUATION DESIGN**

The prospective Service Provider should propose an appropriate methodology to respond to the evaluation questions in Section 14 below. The Service Provider is expected to use both qualitative and quantitative methods to respond to the evaluation questions. Amongst others the approach should include the following:

### **1.1. Document Review**

Document review will include the documents related to the project. This is the Business Plan, the inception report, project outputs, final reports for the project (which includes the research on the State and Management of HR data at TVET colleges).

### **1.2. Data collection and analysis**

This is a mixed-method evaluation, and should combine surveys, interviews and focus groups, document review, as well as a Stakeholder Validation Workshop.

## **14. EVALUATION QUESTIONS**

The key evaluative questions and their associated sub questions are:

- a) Have the TVETMIS Standard Operating Procedures (SOPs) been fully implemented within the Department and at TVET colleges?
- b) How well do TVET colleges and the Department adhere to the SOPs in their data management practices?
- c) Are there any challenges faced by TVET colleges and the Department in implementing the SOPs?
- d) How flexible is TVETMIS in accommodating changes to meet evolving needs?
- e) To what extent are dashboards and reports from the TVETMIS portal utilised by the users?
- f) How well does the Department respond to challenges or issues related to TVETMIS management?
- g) How accurate and timely are data submissions from colleges?
- h) Are there ways that the efficiency and sustainability of the TVETMIS could be maximized?
- i) Are there any unintended consequences in the implementation of TVETMIS?
- j) What is the emerging impact or benefits of TVETMIS, if any?

## **15. EVALUATION PROJECT PLAN**

The selected Service Provider is expected to develop an evaluation plan that includes the following activities within a period of six months:

- a) Attend an inception and briefing meeting with the DHET Project Management Team for the evaluation. (1 day)
- b) Prepare a revised proposal (inception report) for the study, including the provision of a budget and activity plan (10 days).
- c) Refine and finalise the evaluation design through a literature review/document review (10 days).
- d) Prepare a Theory of Change and Logframe (10 days)
- e) Map the evaluation questions with methodology/information sources (5 days).
- f) Develop data collection tools, data collection and analysis (50 days).
- g) Prepare a draft evaluation report (19 days).
- h) Organise stakeholder workshop where a draft report is presented and workshopped (5 days).
- i) Finalise the evaluation report with recommendations (10 days).

## **16. KEY DELIVERABLES**

The deliverables expected from the evaluation are the following:

- a) Inception Report by the selected Service Provider as a follow-up to the proposal with a revised evaluation plan/ design and methodology;
- b) Document review/Literature Review;
- c) Theory of Change and Logical Framework for TVETMIS;
- d) Report structure (drawing from the document review and evaluation questions), analytical framework, final data collection instruments and other tools;
- e) Draft evaluation report for review;
- f) Final evaluation report, in hard copy and electronic;
- g) Provision of all datasets, metadata and survey documentation (including interviews) where data is collected. This data may need to be anonymised.
- h) A PowerPoint or audio-visual presentation of the results.

The selected Service Provider is expected to attend the following engagements as a minimum:

- Participation in an inception workshop with the Steering Committee to develop a focused and detailed methodology to address the key sub-questions. The selected Service Provider will be expected to revise the proposal following the inception workshop (if applicable) and prepare an inception report.
- Participation in Steering Committee and Technical Working Group/Project Management Committee meetings.

- Presentation of initial findings, analysis and recommendations to a stakeholder validation workshop. The selected Service Provider will utilise the feedback from the workshop to finalise the report and its recommendations.

## 17. TIMEFRAMES FOR THE EVALUATION

The indicative timeframe for the evaluation is **six months** in total (120 days). The evaluation will start in **June 2024** and should be completed by December 2024.

## 18. MANAGEMENT ARRANGEMENTS

### 18.1 The Steering Committee

A Steering Committee will be established by the Department. It will comprise of officials from the Department, service provider and other key stakeholders, which will be responsible for overseeing the whole evaluation including approving the inception report and other main deliverables.

### 18.2 Technical Working Group/Project Management Committee:

A Technical Group will be established to facilitate the smooth implementation of the project and to ensure that the objectives of the project are met. The Technical Group will comprise officials from the Department, and the service provider. Meetings will be arranged as per approved proposal.

The Service Provider will report to DHET through Ms Gloria Maaka-Tlokana, Director: Development Support.

## 19. THE PROPOSAL TO BE SUBMITTED

The technical submission should include the following:

- 1) Introduction;
- 2) A detailed structure of the bidder's organisation/company and contact information of the bidder, including all parties to the consortium where applicable;

- 3) The bidder must demonstrate a thorough understanding of the DHET mandate and the skills development legislative, regulatory and policy framework;
- 4) The detailed approach and methodology to be applied in managing the intended project.
- 5) Project Work plan / methodology with final outputs must be linked to the timeframes
- 6) Service providers to indicate what procedure/methodology is going to be used to execute the service or project
- 7) Demonstrated proven previous experience and knowledge:
- 8) Compulsory tender documents completed in full together with supplementary bidder documents as required.

## **20. EVALUATION AND SELECTION CRITERIA**

The Department has set minimum standards that bidders need to meet as a precursor to Rapid Evaluation and selection as the successful. The minimum standards consist of the following criteria:

- Project manager – responsible for overall project management and quality control as well as liaison with client;
- Evaluation specialist – able to bring specialist knowledge of evaluation methodology (and not just research)
- IT specialist – with in-depth knowledge of the sector and able to bring this insight to ensure that the richness of the sector is explored and meaningful recommendations
- The team leader must have at least ten years relevant experience, including working with government at a high level, and of leading sensitive and complex evaluations.

The Department requires the services of a team of experts (Minimum of 3 - Maximum of 4) as outlined in the evaluation criteria in the Terms of Reference. As a pre-qualification requirement, prospective bidders are requested to submit the following:

- Curriculum Vitae for each team member
- Certified copies of the highest education qualification/s of each team member, as certified by a commissioner of oath, of each expert.

### **Functionality Technical Scorecard**

**100**

The proposals will be evaluated in accordance with the PPPFA 80/20 principle. In terms of technical detail the following will be taken into consideration when evaluating the technical bids proposals.

| No. | CRITERIA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | POINTS |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| a)  | <p>Organisation profile and proven project <b>evaluation</b> experience of successfully completed projects:</p> <p><i>Private or public sector monitoring and evaluation experience:</i></p> <p><i>Proven experience on evaluation of similar projects</i></p> <ul style="list-style-type: none"> <li>• Description of the project</li> <li>• Value of project</li> <li>• Duration of project</li> <li>• Contact person</li> <li>• Contact numbers and email address</li> </ul> <p>8 - 10 Clients past and current references = <b>12 points</b></p> <p>5 - 7 Clients past and current references = <b>8 points</b></p> <p>3 - 4 Clients past and current references = <b>5 points</b></p> <p><b>Knowledge, experience and skills of ;</b></p> <ul style="list-style-type: none"> <li>• <b>Developing and using evaluation proposals;</b> 3 points</li> <li>• <b>Evaluation Framework and project management tools;</b> 4 points</li> <li>• <b>In conducting evaluation.</b> 6 points</li> </ul> | 25     |

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|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| b) | <p><b>The relevant <i>educational qualifications</i> and experience</b></p> <ul style="list-style-type: none"> <li>• <i>Abridged curricular vitae showing work experience, educational qualifications of key personnel assigned to the project.</i></li> </ul> <p><b>Team leader (10 points)</b></p> <p><b>Experience: 10 years or more on:</b></p> <p><b><i>project management, 2 points</i></b></p> <p><b><i>Evaluation performed in Public or Private Sector and qualifications. 2 points</i></b></p> <p><b><i>Specific professional experience:</i></b></p> <p><b><i>Knowledge of, and experience in the Higher Education sector, including Universities and Technical and Vocational Training; 2 points</i></b></p> <p><b><i>Extensive experience in, and knowledge of, South Africa's higher education and public sector would be a strong advantage.2 points</i></b></p> <p><b><i>Qualifications: Research based Master's Degree/ NQF Level 9 and above. Should hold at least Master's Degree or, in its absence, equivalent professional experience. Equivalent professional experience include; at least 10 years in monitoring and evaluation. 2 points</i></b></p> | 35 |
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|  | <p><b><i>Team members (Minimum of 5 members] at 5 points each = 25 points</i></b></p> <p><b><i>Experience:</i></b></p> <p><b><i>At least 5 years or more on project management and qualifications. 1 point</i></b></p> <p><b><i>Evaluation assignments carried out in Public or Private Sector. 1 point</i></b></p> <p><b><i>Specific professional experience:</i></b></p> <ul style="list-style-type: none"> <li><b><i>• Knowledge of, and experience in the Higher Education sector, including Universities and Technical and Vocational Training; 1 Articulation of the tasks to develop and use evaluation proposals (1 point)</i></b></li> <li><b><i>• Evidence of full comprehension of processes to conduct Evaluation (1 point)</i></b></li> <li><b><i>• Extensive experience in, and knowledge of, South Africa higher education public sector and Post School Education and Training Sector would be a strong advantage. 1 point</i></b></li> </ul> <p><b><i>Qualifications: Bachelor's Degree (NQF Level 7)</i></b></p> <p><b><i>Qualifications and experience relevant to the project requirements (Attach CV) 1 point</i></b></p> <p><b><i>5 points per team member</i></b></p> |  |
|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |    |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| c) | <p>The evaluation methodology and approach to be employed including administration aspects of the project.</p> <ul style="list-style-type: none"> <li>• Depiction of the understanding of the assignment in the approach and methodology of the proposal from inception phase to project close out. (up to <i>15 points</i>)</li> <li>• Articulation of the tasks to develop and use evaluation framework and evaluation proposals (up to <i>15 points</i>)</li> <li>• Evidence of full comprehension of processes to conduct Evaluation (up to <i>10 points</i>)</li> </ul> | 40 |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|

*Bidders must score a minimum points of 70 on functional technical criterion.*

No proposals will be accepted if it is not sent in the required format as stipulated in this Terms of Reference.

## Phase 0: Pre-Qualification Criteria:

Without any limitation in respect of the Department's other critical requirements relevant to this Bid, prospective bidders must submit all the documents listed in Table 1 below. Each document must be completed and signed by the duly authorised representative on behalf of the prospective bidding company. During this phase bid responses will be evaluated with emphasis placed on documentary compliance with the listed administrative and mandatory bid requirements. Bidders proposal will be disqualified as a result of non-submission and completion of the listed documents.

**Table 1: Documents to be submitted for pre-qualification:**

| Document that must be submitted                         | NO | Non-submission may result in disqualification?                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------------------------------|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Invitation to Bid - SBD 1</b>                        |    | Complete and sign the attached <i>pro-forma</i> document                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Tax Status<br/>Tax Clearance Confirmation- SBD 2</b> |    | <ul style="list-style-type: none"> <li>i. Written confirmation that SARS may on an ongoing basis during the period of the contract disclose the bidders tax compliance status.</li> <li>ii. Proof of Registration on the Central Supplier Database</li> <li>iii. Vendor number</li> <li>iv. In the event where the bidder submits a hard copy of the Tax Clearance Certificate, the CSD verification outcome will take precedence.</li> </ul> |
| <b>Declaration of Interest - SBD 4</b>                  |    | Complete and sign the attached <i>pro-forma</i> document.                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Preferential Procurement based on SMME - SBD 6.3</b> |    | Complete and sign SBD 6.3                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Preference Points Claim Form – SBD 6.4</b>           |    | Complete and sign the attached form for the purpose of claiming specific goals points. (SBD 6.4).                                                                                                                                                                                                                                                                                                                                             |
| <b>Briefing Certificate</b>                             |    | Submission of the <b>original briefing session certificate</b>                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Preference Points Claim Form – SBD 6.1</b>           |    | Complete and sign the attached form for the purpose of claiming specific goals points. (SBD 6.1).                                                                                                                                                                                                                                                                                                                                             |
|                                                         |    |                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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|------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Registration on the Central Supplier Database (CSD)</b> |  | i. The bidder must be registered as a service provider on the Central Supplier Database (CSD). If not registered proceed with completing the company registration prior to submission of the proposal. Visit <a href="https://secure.csd.gov.za/">https://secure.csd.gov.za/</a> to obtain a vendor number.<br>ii. Submit proof of registration. |
| <b>Pricing Schedule</b>                                    |  | Submit full details of the pricing proposal <b>in a separate Envelope</b>                                                                                                                                                                                                                                                                        |

### **Phase 1: Technical Evaluation Criteria = 100 points:**

All bidding companies are required to fully adhere to the technical evaluation criteria scorecard and compliance checklist. Only Bidding companies that have fully met the Pre-Qualification Criteria in Phase 0 will accordingly be evaluated in Phase 1 for determination of functionality. Bidders are required to score a minimum of **70 points** to proceed to Phase 2, evaluation for Pricing and DHET Specific goals.

Prospective bidders are requested to submit the following:

- Certified copies of the Educational Qualifications of each evaluation expert (Certified copies by a Commissioner of Oath);
- Minimum of Master's Degree/NQF level 9 for the Team Leader (1) one; and
- Minimum of Bachelor's Degree/ NQF level 7 for Team Members maximum of **three (3)**;

### **Mandatory requirements**

- List and profile of evaluation experts; (Minimum of **3** - Maximum of **4**);
- Track record on similar projects;
- Proposals outlining the development the evaluation process including specific areas to be evaluated based on project business plans (Business Plans available on request); and
- Certified copies of the originals for the highest Qualifications of each member of the Team.

## Phase 1: Technical Evaluation Criteria

**Technical Evaluation** - Bidding companies will be evaluated on an overall score of **100 points**.

The Department as part of on-site reference checks for allocating points, will at its own discretion Choose a site at one of the bidding company's clients for validation of the services rendered.

The choice of site will remain Department's sole discretion.

The bidders' information will be scored according to the following points determination system:

| Functionality          | Maximum Points Achievable |
|------------------------|---------------------------|
| A Technical Evaluation | 100                       |

## Phase 2: Price and Specific Goals (80 + 20) = 100 points:

Only prospective bidders that have attained the 70 points allocation threshold in phase 1 will subsequently progress for evaluation in phase 2 in relation to pricing options and specific goals qualification criteria. Pricing options and specific goals qualification will accordingly be evaluated as follows :

- The bid pricing (maximum 80 points)
- Specific goals contributor (maximum 20 points)

### Stage 1 - Price Evaluation (80 Points):

| Criteria                                                                          | Points |
|-----------------------------------------------------------------------------------|--------|
| Price Evaluation<br>$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$ | 80     |

The following formula will be applied to calculate the points awarded in relation to pricing and

this determination is informed as follows:

- Ps** - Points scored for comparative pricing of the bid submitted for consideration
- Pt** = Comparative pricing of the bid under consideration
- Pmin** - Comparative pricing of the lowest acceptable bid

## Stage 2 – DHET Specific Goals Evaluation (20 Points):

### a. Specific Goals Points allocation:

A maximum of 20 points may be allocated to a bidder based on the evaluation of the company's Specific goals contribution that is determined as follows:

| *80/20 PREFERENTIAL PROCUREMENT POINTS                        |                                            |                            |                          |                                              |                                                                                |    |
|---------------------------------------------------------------|--------------------------------------------|----------------------------|--------------------------|----------------------------------------------|--------------------------------------------------------------------------------|----|
| (a)                                                           | (b)                                        | (c)                        | (d)                      | (e)                                          | (f)                                                                            |    |
| The specific goals allocated points in terms of this tender   | Criteria                                   | Specific Goal Contribution | Maximum Points allocated | Bidder must tick (x) relevant points claimed | Indicate if evidence is provided (Y/N). Please refer to LEGEND for requirement |    |
| Person historically disadvantaged on the basis of race        | 100% black owned                           | 60.00                      | 7.19                     |                                              | Yes                                                                            | No |
|                                                               | 75%-99% black owned                        | 50.00                      | 5.99                     |                                              | Specify                                                                        |    |
|                                                               | 60%-74% black owned                        | 40.00                      | 4.79                     |                                              |                                                                                |    |
|                                                               | 51%-59% black owned                        | 30.00                      | 3.59                     |                                              |                                                                                |    |
|                                                               | 01-50% black owned                         | 10.00                      | 1.20                     |                                              |                                                                                |    |
|                                                               | None                                       | 0.00                       | 0.00                     |                                              |                                                                                |    |
| Persons historically disadvantaged on the basis of gender     | 100% women owned                           | 40.00                      | 4.79                     |                                              | Yes                                                                            | No |
|                                                               | 75%-99% women owned                        | 30.00                      | 3.59                     |                                              | Specify                                                                        |    |
|                                                               | 60%-74% women owned                        | 20.00                      | 2.40                     |                                              |                                                                                |    |
|                                                               | 51%-59% women owned                        | 10.00                      | 1.20                     |                                              |                                                                                |    |
|                                                               | 01-50% women owned                         | 5.00                       | 0.60                     |                                              |                                                                                |    |
|                                                               | None                                       | 0.00                       | 0.00                     |                                              |                                                                                |    |
| Persons historically disadvantaged on the basis of disability | 100% owned by persons with disabilities    | 7.00                       | 0.84                     |                                              | Yes                                                                            | No |
|                                                               | 75%-99% owned by persons with disabilities | 5.00                       | 0.60                     |                                              | Specify                                                                        |    |
|                                                               | 60%-74% owned by persons with disabilities | 3.00                       | 0.36                     |                                              |                                                                                |    |
|                                                               | 01-59% owned by persons with disabilities  | 1.00                       | 0.12                     |                                              |                                                                                |    |
|                                                               | None                                       | 0.00                       | 0.00                     |                                              |                                                                                |    |
| Development of Youth                                          | 100% youth owned                           | 30.00                      | 3.59                     |                                              | Yes                                                                            | No |
|                                                               | 75%-99% youth owned                        | 20.00                      | 2.40                     |                                              | Specify                                                                        |    |
|                                                               | 60%-74% youth owned                        | 15.00                      | 1.80                     |                                              |                                                                                |    |

| *80/20 PREFERENTIAL PROCUREMENT POINTS                      |                                                 |                            |                          |                                              |                                                                                |
|-------------------------------------------------------------|-------------------------------------------------|----------------------------|--------------------------|----------------------------------------------|--------------------------------------------------------------------------------|
| (a)                                                         | (b)                                             | (c)                        | (d)                      | (e)                                          | (f)                                                                            |
| The specific goals allocated points in terms of this tender | Criteria                                        | Specific Goal Contribution | Maximum Points allocated | Bidder must tick (x) relevant points claimed | Indicate if evidence is provided (Y/N). Please refer to LEGEND for requirement |
|                                                             | 51%-59% youth owned                             | 10.00                      | 1.20                     |                                              |                                                                                |
|                                                             | 01-50% youth owned                              | 5.00                       | 0.60                     |                                              |                                                                                |
|                                                             | None                                            | 0.00                       | 0.00                     |                                              |                                                                                |
| Development of SMMEs                                        | Micro 1 - 10 employees; turn-over per sector    | 30.00                      | 3.59                     |                                              | Yes                                                                            |
|                                                             | Small 11- 50 employees; turn-over per sector    | 15.00                      | 1.80                     |                                              | No                                                                             |
|                                                             | Medium 51 - 250 employees; turn-over per sector | 10.00                      | 1.20                     |                                              | Specify                                                                        |
|                                                             | None                                            | 0.00                       | 0.00                     |                                              |                                                                                |
|                                                             |                                                 |                            |                          |                                              |                                                                                |
| POINTS                                                      |                                                 | 167                        | 20                       |                                              |                                                                                |

Specific goals points are allocated to bidder on receipt of the following documentation or evidence

- Certified copies of ID documentations
- Copy of Companies Intellectual Property Commission (CIPC) registration to confirm the type of business i.e EME ,QSE etc.
- Certified B-BBEE Certificates indicating the percentage level of contribution for SMMEs
- Sworn affidavit + confirmation of turnover by a financial professional for qualifying EMEs with annual revenue less than R10 m; and QSE with an annual revenue between R10m & R50m QSEs
- Certified medical certificate or substantive proof for disability.
- Central Supplier Database (CSD).

**Note:** Bidders who does not submit all the above mentioned documents as proof will not be disqualified but forfeit specific goals points.

- The points scored by a bidder in respect of Specific goals will be added to the points scored for price.

| AREAS OF EVALUATION           | POINTS     |
|-------------------------------|------------|
| • Price                       | 80         |
| • Specific goals contribution | 20         |
| <b>Total</b>                  | <b>100</b> |

**b. Joint Ventures, Consortiums and Trusts:**

A trust, consortium or joint venture, will qualify for points on evaluation of their B-BBEE status level as a legal entity, provided that the entity submits the requisite B-BBEE status level certificate.

A trust, consortium or joint venture will qualify for points on evaluation of their B-BBEE status level as an unincorporated entity, provided that the entity submits their requisite, consolidated B-BBEE scorecard as if they were a group structure and on condition that such a consolidated B-BBEE scorecard is prepared for every separate bid application.

Bidders must submit substantive proof of the existence of joint ventures and/or consortium arrangements. The Department will accept signed agreements as satisfactory proof for the existence of a joint venture and/or consortia arrangement.

Joint venture and/or consortia agreements must clearly set out the roles and responsibilities of the lead partner, alongside the joint venture and/or consortium. The agreement must also clearly identify the lead partner that is accordingly provided with a power of attorney to bind the other co-parties in all matters pertaining to the joint venture and/or consortia arrangement.

**21. GENERAL CONDITIONS OF CONTRACT**

Any subsequent award/concession made to a prospective bidder in terms of these ToRs is conditional on, (among others):

- a. The bidding party accepting the terms and conditions as contained in the General Conditions of Contract as the minimum terms and conditions on which the Department is prepared to enter into a contract with the successful Bidder.
- b. The bidder submitting the General Conditions of Contract to the Department together with its bid, has ensured that the document has duly been signed by an authorised representative on its behalf.

**22. CONTRACT PRICE ADJUSTMENT**

Contract price adjustments will be effected on an annual basis on the anniversary of the contract start date. The price adjustment will be informed by the Consumer Price Index Headline Inflation.

## **23. SPECIAL CONDITIONS OF THIS BID**

The Department reserves the right to:

- a. Negotiate with one or more preferred bidders identified in the evaluation process, regarding any terms and conditions, including pricing without offering the same opportunity to any other bidder(s) who had not been awarded the status of a preferred bidder;
- b. Accept any part of a tender in lieu of the whole tender;
- c. Carry out at its discretion, site inspections, product evaluations or facilitate explanatory meetings in order to verify the nature and quality of the services offered by the potential bidders, either before, during or subsequent to adjudication of the Bid;
- d. At any stage during the evaluation of bids, cancel and/or terminate the tender process, even subsequent to the tender closing date and/or after presentations by selected bidders have been made, and/or after tenders have been evaluated and/or after the preferred bidders have as such been notified of their status;
- e. Award the tender to multiple bidders based either on organisational capacity, specialisation and size, as well as geographic considerations.

## **24. THE DEPARTMENT REQUIRES BIDDER(S) TO DECLARE**

Bidders as part of their respective technical responses, are required to declare the following and confirm that they will:

- a. At all times for the duration of the tender, act honestly, fairly and with due skill, care and diligence in the best interest of the Department;
- b. Manage, effectively utilise and apply the resources, procedures and appropriate technological systems to ensure the proper performance of the services for the duration of the tender;
- c. Act with circumspection and treat the Department fairly in all situations where conflicting interests may become apparent;
- d. Comply with all applicable statutory or common law requirements related to the conduct of its business;

- e. Make adequate disclosures regarding relevant and material information, including the disclosure of actual or potential interests the company may acquire, in relation to its dealings with the Department;
- f. Avoid any form or instance of fraudulent and misleading advertising, canvassing and marketing for the duration of the tender;
- g. Conduct business activities transparently and consistently uphold the interests and needs of the Department as a client, before any other consideration; and
- h. Ensure that for the duration of the tender no information acquired from the Department will be utilised and/or disclosed to any third party/ies unless written consent from the Department has been obtained to do so.

## **25. CONFLICT OF INTEREST, CORRUPTION AND FRAUD**

20.1 The Department reserves the right to disqualify any potential bidder who either itself, or through any of its members (save for such members who hold a minority interest in the bidder through shares listed on any recognised stock exchange), indirect members (being any person or entity who indirectly holds at least a 15% interest in the bidder other than in the context of shares listed on a recognised stock exchange), directors or members of senior management, whether in respect of the Department or any other Department organ or entity and whether from the Republic of South Africa or otherwise ("Department"):

- a. Engages in any collusive tendering, anti-competitive conduct, or any other similar conduct, including but not limited to any collusion with any other bidder in respect of the subject matter of this bid;
- b. Seeks any assistance, other than assistance officially provided by a Department, from any employee, advisor or other representative of a Department in order to obtain any unlawful advantage in relation to the procurement or services provided or to be provided to the Department;
- c. Makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of the Department's officers, directors, employees, advisors or other representatives;
- d. Makes or offers any gift, gratuity, anything of any value or other inducement, to any Departmental officers, directors, employees, advisors or other representatives

in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Department;

- e. Accepts anything of value or an inducement that would or may provide financial gain, advantage or benefit in relation to procurement or services provided or to be provided to a Department;
- f. Pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift or any other consideration, that is contingent upon or results from, the awarding of any tender, contract, right or entitlement which is in any way related to procurement or the rendering of any services to the Department;
- g. Has in the past engaged in any matter referred to above; or
- h. Has been found guilty in a court of law on charges of fraud and/or forgery, regardless of whether or not a prison term was imposed and despite such a bidder, member or director's name(s) not specifically appearing on the List of Tender Defaulters kept at National Treasury.

## **26. MISREPRESENTATION DURING THE LIFECYCLE OF THE CONTRACT**

- a. The bidder should note that the terms of its tender will be incorporated in the proposed contract by reference and that the Department relies upon the bidder's tender as a material representation in making an award to a successful bidder and in concluding an agreement with said bidder.
- b. It follows therefore that misrepresentations in a tender may give rise to service termination and a claim by the Department against the bidder notwithstanding the conclusion of the Service Level Agreement between the Department and the bidder for the provision of the service(s) in question. In the event of a conflict between the bidder's proposal and the Service Level Agreement concluded between the parties, the contents of the Service Level Agreement will prevail.

## **27. PREPARATION COSTS**

The Bidder will bear all its costs in preparing, submitting and presenting any response or tender to this bid and all other costs incurred by it throughout the bidding process. Furthermore, no statement in this bid will be construed as placing the Department, its employees or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the bidder(s) in the preparation of their responses to this bid.

## **28. INDEMNITY**

If a bidder breaches the conditions of this bid and as a result of that breach, the Department incurs costs or damages (including, without limitation, the cost(s) of any investigations, procedural impairment, repetition of all- or any part of the bid process and/or enforcement of intellectual property rights or confidentiality obligations), the bidder then indemnifies and holds the Department harmless from any and all such costs which the Department may incur and for any damages or losses the Department may suffer.

## **29. PRECEDENCE**

This document will prevail over any information provided during any stage whether oral, electronically or written, unless such written information provided, expressly amends this document by reference.

## **30. LIMITATION OF LIABILITY**

A bidder participates in this bid process entirely at its own risk and cost. The Department shall not be liable to compensate a bidder on any grounds whatsoever, for any costs incurred or any damages suffered as a result of the Bidder's participation in this bidding process.

## **31. TAX COMPLIANCE**

No tender shall be awarded to any bidder which is not tax compliant. The Department reserves the right to withdraw an award made, or cancel a contract concluded with a successful bidder in the event that it is established that such bidder was in fact not tax compliant at the time of the award, or has submitted a fraudulent Tax Clearance Certificate to the Department, or whose verification against the Central Supplier Database (CSD) proves non-compliant. The Department further reserves the right to cancel a contract with a successful bidder in the event that such a bidder does not remain tax compliant for the full term of the contract.

## **32. TENDER DEFAULTERS AND RESTRICTED SUPPLIERS**

No tender shall be awarded to a bidder whose name (or any of its members, directors, partners or trustees) appears on the Register of Tender Defaulters maintained by National Treasury, or who have been placed on National Treasury's List of Restricted Suppliers. The Department reserves the right to withdraw an award, or cancel a contract concluded with a Bidder should it be established, at any time, that a bidder has been blacklisted with National Treasury by another organ of state.

### **33. GOVERNING LAW**

South African law will in its full extent govern the Application parameters of this bid and the bid response process. The bidder agrees to submit to the exclusive jurisdiction of the South African court system in any dispute of any kind that may arise out of- or in connection with the subject matter of this bid, the bid itself and all processes associated with the bid.

### **34. RESPONSIBILITY FOR SUB-CONTRACTORS AND BIDDER'S PERSONNEL**

A bidder is responsible for ensuring that its personnel (including agents, officers, directors, employees, advisors and other representatives), its sub-contractors (if any) and personnel of its sub-contractors comply with all terms and conditions of this bid. In the event that the Department allows a bidder to make use of sub-contractors, the actions and activities of such sub-contractors will at all times remain the responsibility of the bidder and the Department will not under any circumstances, be liable for any losses or damages incurred by or caused by such sub-contractors.

### **35. CONFIDENTIALITY**

30.1 Except as may be required by the operation of law, by a court or by any regulatory authority having appropriate jurisdiction, no information contained in- or relating to this bid or a bidder's tender(s) will be disclosed by any bidder or other person not officially involved with the Department's examination and evaluation of a tender.

30.2 No part of the bid may be distributed, reproduced, stored or transmitted, in any form or by any means, electronically, or by way of photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a tender. This bid and any other documents

supplied by the Department remain proprietary to the Department and must be promptly returned to the Department upon request, together with all copies, electronic versions, excerpts or summaries thereof or work as a consequence derived there from.

- 30.3 Throughout this bid process and thereafter, bidders must secure the Department's written approval prior to the release of any information that pertains to (i) the potential work or activities to which this bid relates; or (ii) the process which follows this bid. Failure to adhere to this requirement may result in disqualification from the bid process and civil action.

### **36. PROPRIETARY INFORMATION OF THE DEPARTMENT**

Bidders will declare in their respective bid cover letters that they did not have access to any departmental proprietary information, or any other matter that may have unfairly placed that bidder in a preferential position in relation to any of the other bidder(s).

### **37. AVAILABILITY OF FUNDS**

Should funds no longer be available to pay for the execution of the responsibilities of this bid the Department may terminate the agreement at its own discretion or temporarily suspend all or any part of the services by notice to the successful bidder who shall immediately make the requisite arrangements to cease the performance of the services and minimise any further expenditure, provided that the successful bidder shall thereupon be entitled to payment in full for the services delivered, up to the date of service cancellation or suspension.

### **38. SUBMISSION OF PROPOSAL**

The two envelope procedure must be followed for tender submissions. The first envelope must clearly state TECHNICAL SUBMISSION, wherein the bidder should address all aspects of the required scope of services. The second envelope must clearly state FINANCIAL SUBMISSION, wherein the bidder should include the proposed fee for the project. Proposals must be submitted in hard copy format: One original and one copy.

### **39. CONTENT OF THE RESPONSE FOR TECHNICAL SUBMISSION**

The technical submission should include the following:

- 39.1 Introduction;
- 39.2 A detailed structure of the bidder's organization/company and contact information of the bidder, including all parties to the consortium where applicable;
- 39.3 The detailed approach and methodology to be applied in managing the intended fund.  
This includes, but is not limited to governance, administration, financial management (including financial reporting to the Department and project management aspects of the project (including monitoring and reporting);
- 39.4 Project Work plan / methodology with final outputs must be linked to the timeframes.
- 39.5 Service providers to indicate what procedure/methodology is going to be used to execute the service or project
- 39.6 Compulsory tender documents completed in full together with supplementary bidder documents as required;and

#### **40. FINANCIAL SUBMISSION**

- 40.1 The financial submission should include the proposed fee for the project over the (*number of months*) period.
- 40.2 The proposed fee should include any costs that will be incurred by the bidder, including travel and subsistence expenses. The total price or amount provided will be regarded as the cost of the project, including VAT and applicable taxes.

#### **41. REPORTING**

##### **The Project Management Committee**

A Project Management Team (PMT) will be established to facilitate the smooth implementation of the project and to ensure that the objectives of the project are met. The PMT will comprise officials from the Department, the EU and the service provider. Meetings will be arranged as per approved proposal.

##### **The Programme Steering Committee to serve as a reference group**

The reference group will consist of members of the Project Steering Committee (PSC) as well as identified stakeholders. The PSC will comment on the methodologies used in the study as well as the quality of the assignment outputs for approval of the report.

#### **40.1 Content**

The team will, for each mission submit progress reports to the reference in line with approved timeframes in the project plan. The reports should be in MS Word.

#### **40.2 Language**

All correspondence including reports must be written in English.

#### **40.3 Submissions/comments timing**

- The submission of the inception report, project implementation plan, and project charter shall be submitted to the Programme Steering committee within 10 days after the commencement of the project. Other reports shall be submitted as per the agreed project implementation milestone dates.
- The Department shall, within 30 days of receipt, notify the expert of its decision concerning the final report. If the Department does not give any comments on the final report within such time limit of 30 days, the expert may request written acceptance of it.
- The final report shall be deemed to have been approved by the Department if they do not expressly inform the evaluation team of any comments within 15 days of receipt of this written request.

### **42. OTHER IMPORTANT MATTERS TO NOTE**

- 41.1 The DHET reserves the right to conduct background/probity check on key management of the bidder.
- 41.2 The DHET reserves the right to conduct due diligence exercises as part of evaluating the implementing capacity of the bidder.
- 41.3 The shortlisted bidders may be called to present to the evaluation committee before a final selection is made.
- 41.4 The DHET will not be liable to reimburse any costs incurred by the bidder during this tender process.
- 41.5 Bidders must identify and disclose any conflict or perceived conflict of interest caused by current assignments, relationships or other dealings, and indicate how such conflicts would be addressed.

- 41.6 Only one proposal per bidder can be submitted and must indicate a (period) implementation

#### **43. COPYRIGHT**

All copyright and all intellectual property rights in respect of any documents and materials (works) developed by the service provider during this project, will vest in the Department. The Department will have the right to release the works under an appropriate copyright license, including an open licence, that will allow any individual, official, company, agency or organization to use or modify the works for any purpose as stated in the open licence.

#### **44. METHOD OF PAYMENT**

The method of payment will be established within the contractual agreement reached with the successful bidder.

##### **39.1 PRICING**

- 8.3.1. The price quoted must be a fixed price for the duration of the contract and must include all related costs (travel, accommodation, equipment and data communication).
- 8.3.2. Price must be VAT inclusive and quoted in South African Rand.
- 8.3.3. Costing should be aligned with project activities / project phases.
- 8.3.4. Details of the cost/fee breakdown for all the services to be rendered must be submitted in a sealed envelope with the rest of the documentation

## PRICING SCHEDULE – FIRM PRICES (PURCHASES)

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

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

|                     |                   |
|---------------------|-------------------|
| Name of bidder..... | Bid number.....   |
| Closing Time .....  | Closing date..... |

OFFER TO BE VALID FOR.....DAYS FROM THE CLOSING DATE OF BID.

| ITEM NO. | QUANTITY | DESCRIPTION | BID PRICE IN RSA CURRENCY<br>** (ALL APPLICABLE TAXES INCLUDED) |
|----------|----------|-------------|-----------------------------------------------------------------|
|----------|----------|-------------|-----------------------------------------------------------------|

- 
- Required by: .....
  - At: .....  
.....
  - Brand and model .....
  - Country of origin .....
  - Does the offer comply with the specification(s)? \*YES/NO
  - If not to specification, indicate deviation(s) .....
  - Period required for delivery .....  
\*Delivery: Firm/not firm
  - Delivery basis .....

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

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

\*Delete if not applicable



## higher education & training

Department:  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

### 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 interest<sup>1</sup> in the enterprise, employed by the state?

|                          |                          |                                   |
|--------------------------|--------------------------|-----------------------------------|
| <b>YES</b>               | <b>NO</b>                | <i>Select (x) the correct box</i> |
| <input type="checkbox"/> | <input type="checkbox"/> |                                   |

- 2.1.1 If yes, 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 |
|-----------|-----------------|---------------------|-------|
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |
|           |                 |                     |       |

- 2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the Department of Higher Education & Training?

|     |    |
|-----|----|
| YES | NO |
|     |    |

Select (x) the correct box

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<sup>2</sup> enterprise whether or not they are bidding for this contract?

|     |    |
|-----|----|
| YES | NO |
|     |    |

Select (x) the correct box

*Information not stated but found on CSD, CIPC or any other system may lead to disqualification of a bid.*

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 consortium<sup>3</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in

the drafting of the specifications or terms of reference for this bid.

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

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 |

---

<sup>1</sup> 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

<sup>2</sup> "related" as referred to in the Companies Act 2008, Act No 71 of 2008, section 2(1)(a)-(c). The Department reserves the right to access the Central Supplier Database (CSD), Companies Intellectual Property Commission (CIPC) or any other system to verify information

<sup>3</sup> 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.



# higher education & training

Department:  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

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

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

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

### 1. GENERAL CONDITIONS

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

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

1.2 The applicable preference point system for this tender is the **80/20** preference point system.

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

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

1.4 The maximum points for this tender are allocated as follows:

|                                           | POINTS |
|-------------------------------------------|--------|
| PRICE                                     | 80     |
| SPECIFIC GOALS                            | 20     |
| Total points for Price and SPECIFIC GOALS | 100    |

1.5 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 or bid”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

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

1.

#### POINTS AWARDED FOR PRICE

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

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

Where

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

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

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

**Table 1:** The table below provides the specific goals, its criteria of measurement for a tenderer to qualify for a maximum of 20 points (80/20) based on the proof submitted. Please complete the table below:

| <b>*80/20 PREFERENTIAL PROCUREMENT POINTS</b>                        |                                                 |                                   |                                 |                                                     |                                                                                       |           |
|----------------------------------------------------------------------|-------------------------------------------------|-----------------------------------|---------------------------------|-----------------------------------------------------|---------------------------------------------------------------------------------------|-----------|
| <b>(a)</b>                                                           | <b>(b)</b>                                      | <b>(c)</b>                        | <b>(d)</b>                      | <b>(e)</b>                                          | <b>(f)</b>                                                                            |           |
| <b>The specific goals allocated points in terms of this tender</b>   | <b>Criteria</b>                                 | <b>Specific Goal Contribution</b> | <b>Maximum Points allocated</b> | <b>Bidder must tick (x) relevant points claimed</b> | <b>Indicate if evidence is provided (Y/N). Please refer to LEGEND for requirement</b> |           |
| <b>Person historically disadvantaged on the basis of race</b>        | 100% black owned                                | 60.00                             | 7.19                            |                                                     | <b>Yes</b>                                                                            | <b>No</b> |
|                                                                      | 75%-99% black owned                             | 50.00                             | 5.99                            |                                                     | Specify                                                                               |           |
|                                                                      | 60%-74% black owned                             | 40.00                             | 4.79                            |                                                     |                                                                                       |           |
|                                                                      | 51%-59% black owned                             | 30.00                             | 3.59                            |                                                     |                                                                                       |           |
|                                                                      | 01-50% black owned                              | 10.00                             | 1.20                            |                                                     |                                                                                       |           |
|                                                                      | None                                            | 0.00                              | 0.00                            |                                                     |                                                                                       |           |
| <b>Persons historically disadvantaged on the basis of gender</b>     | 100% women owned                                | 40.00                             | 4.79                            |                                                     | <b>Yes</b>                                                                            | <b>No</b> |
|                                                                      | 75%-99% women owned                             | 30.00                             | 3.59                            |                                                     | Specify                                                                               |           |
|                                                                      | 60%-74% women owned                             | 20.00                             | 2.40                            |                                                     |                                                                                       |           |
|                                                                      | 51%-59% women owned                             | 10.00                             | 1.20                            |                                                     |                                                                                       |           |
|                                                                      | 01-50% women owned                              | 5.00                              | 0.60                            |                                                     |                                                                                       |           |
|                                                                      | None                                            | 0.00                              | 0.00                            |                                                     |                                                                                       |           |
| <b>Persons historically disadvantaged on the basis of disability</b> | 100% owned by persons with disabilities         | 7.00                              | 0.84                            |                                                     | <b>Yes</b>                                                                            | <b>No</b> |
|                                                                      | 75%-99% owned by persons with disabilities      | 5.00                              | 0.60                            |                                                     | Specify                                                                               |           |
|                                                                      | 60%-74% owned by persons with disabilities      | 3.00                              | 0.36                            |                                                     |                                                                                       |           |
|                                                                      | 01-59% owned by persons with disabilities       | 1.00                              | 0.12                            |                                                     |                                                                                       |           |
|                                                                      | None                                            | 0.00                              | 0.00                            |                                                     |                                                                                       |           |
|                                                                      |                                                 |                                   |                                 |                                                     |                                                                                       |           |
| <b>Development of Youth</b>                                          | 100% youth owned                                | 30.00                             | 3.59                            |                                                     | <b>Yes</b>                                                                            | <b>No</b> |
|                                                                      | 75%-99% youth owned                             | 20.00                             | 2.40                            |                                                     | Specify                                                                               |           |
|                                                                      | 60%-74% youth owned                             | 15.00                             | 1.80                            |                                                     |                                                                                       |           |
|                                                                      | 51%-59% youth owned                             | 10.00                             | 1.20                            |                                                     |                                                                                       |           |
|                                                                      | 01-50% youth owned                              | 5.00                              | 0.60                            |                                                     |                                                                                       |           |
|                                                                      | None                                            | 0.00                              | 0.00                            |                                                     |                                                                                       |           |
| <b>Development of SMMEs</b>                                          | Micro 1 - 10 employees; turn-over per sector    | 30.00                             | 3.59                            |                                                     | <b>Yes</b>                                                                            | <b>No</b> |
|                                                                      | Small 11- 50 employees; turn-over per sector    | 15.00                             | 1.80                            |                                                     | Specify                                                                               |           |
|                                                                      | Medium 51 - 250 employees; turn-over per sector | 10.00                             | 1.20                            |                                                     |                                                                                       |           |
|                                                                      | None                                            | 0.00                              | 0.00                            |                                                     |                                                                                       |           |
| <b>POINTS</b>                                                        |                                                 | <b>167</b>                        | <b>20</b>                       |                                                     |                                                                                       |           |

**\*LEGEND FOR CLAIMING POINT IN TABLE 1**

- *Tenderer may claim points in respect of the five (5) specific goals in the table;*
- *Tenderer must select the relevant and appropriate qualifying points in column (d) next to the point indicated in column (c);*
- *The evidence provided will be verified by the Department, who reserves the right to amend or ignore points claimed if incorrect or no/irrelevant evidence provided;*
- *Points claimed- must be valid at the time of closing date of tender (excluding tax information that must be valid at the date of award);*
- *A tenderer that fails to claim points for specific goals as per Table 1 will not be disqualified but will not qualify points for specific goals;*
- *The following as a minimum requirement of valid evidence is to be submitted:*

|                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Person historically disadvantaged on the basis of race        | <ul style="list-style-type: none"> <li>• Copy of CIPC (Companies and Intellectual Property Commission) registration, copies of ID's as well as CSD (Central Supplier Database)</li> </ul>                                                                                                                                                                                                                                                 |
| Person historically disadvantaged on the basis of gender      | <ul style="list-style-type: none"> <li>• Copy of CIPC (Companies and Intellectual Property Commission) registration, copies of ID's as well as CSD (Central Supplier Database)</li> </ul>                                                                                                                                                                                                                                                 |
| Persons historically disadvantaged on the basis of disability | <ul style="list-style-type: none"> <li>• Certified medical certificate or substantive proof</li> </ul>                                                                                                                                                                                                                                                                                                                                    |
| Development of Youth                                          | <ul style="list-style-type: none"> <li>• Copy of CIPC (Companies and Intellectual Property Commission) registration, copies of ID's as well as CSD (Central Supplier Database)</li> </ul>                                                                                                                                                                                                                                                 |
| Development of SMMEs                                          | <ul style="list-style-type: none"> <li>• BBBEE certificate indicating- percentage level of contribution for SMMEs, or</li> <li>• CIPC, SARS certificate, audited financial statement, or sworn affidavit for EME or QSE</li> <li>• Sworn affidavit + confirmation of turnover by a financial professional for qualifying EMEs with annual revenue less than R10 m; and QSE with an annual revenue between R10m &amp; R50m QSEs</li> </ul> |

**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. Provide the percentage of management for each firm below:

4.6.1. ....%

4.6.2. ....%

4.7. 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:          | .....                       |
|                   | .....                       |
|                   | .....                       |



# higher education & training

Department:  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

## PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT (ACT 5 OF 2000) AND SUBSEQUENT PREFERENTIAL PROCUREMENT REGULATIONS OF 2022: PROMOTION OF SMALL BUSINESSES (SMME)

**NB:** BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES SPECIFIED IN CLAIM FORM SBD 6.1 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, BASED ON THE PPPFA (Act 5 of 2000)

1. Section 2 (1) (d) (ii) of the Preferential Procurement Policy Framework Act (Act 5 of 2000) makes provision for the promotion of small businesses within the preference point systems.

| 80/20 PREFERENTIAL PROCUREMENT POINTS |                           |
|---------------------------------------|---------------------------|
| SPECIFIC GOAL                         | *MAXIMUM POINTS ALLOCATED |
| Development of SMMEs                  | 3.59                      |

### 2. DECLARATION WITH REGARD TO SMMEs

Bidders who wish to claim points in respect of this goal must complete paragraph 4 below.

### 3. POINTS CLAIMED

Indicate whether the points allocated for this goal is claimed.

| Yes                      | No                       |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |

### 4. INFORMATION FURNISHED WITH REGARD TO THE PROMOTION OF SMALL BUSINESSES

Indicate whether the company is a small, medium or micro enterprise as defined by the National Small Business Act, 1996 (Act 102 of 1996 and the Amendment Act, Act 29 of 2004).

| Yes                      | No                       |
|--------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> |

- 4.1. If the response to paragraph 4 is yes, the following must be completed:

4.1.1 Sector or sub-sector in accordance with the Standard Industrial Classification .....

4.1.2 Size or class .....

4.1.3 Total full-time equivalent of paid employees .....

4.1.4 Total annual turnover .....

4.1.5 Total gross asset value (fixed property excluded) .....

- 4.1.6 The bidder is compelled to indicate for which category he/she is bidding, and the relevant preference points claimed.

The information supplied above must be substantiated by documentary proof that must be submitted with the bid. **Failure to submit proof shall invalidate the points claimed. In order to substantiate revenue for complying as an SMME, a SARS return indicating turnover / B-BBEE certificate/ Audited Financial Statement/ CIPC certificate/ Sworn Affidavit for EMEs & QSEs must be submitted as proof.**

- 4.2 Total points claimed will not exceed the **maximum of 3.59 points allocated for this specific goal** - refer to SBD 6.1 Table 1.

**5. BID DECLARATION**

I/we, the undersigned, who warrants that he/she is duly authorised to do so on behalf of the firm declare that points claimed, based on promotion of small, medium or micro enterprises, qualifies the firm for the point(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct.
- (ii) In the event of a contract being awarded as a result of points claimed, the contractor may be required to furnish additional documentary proof to the satisfaction of the purchaser that the claims are correct.
- (iii) If the claims are found to be incorrect, the purchaser may, in addition to any other remedy it may have -
  - (a) recover all costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (b) 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.
  - (c) impose a financial penalty more severe than the theoretical financial preference associated with the claim which was made in the bid; or
  - (d) the purchaser may decide to impose a restriction penalty on the supplier by prohibiting such supplier from doing business with the public sector for a period not exceeding 10 years.

**WITNESSES:**

1. ....

.....  
SIGNATURE(S) OF BIDDER(S)

2. ....

DATE: .....



# higher education & training

Department:  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

## PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT (ACT 5 OF 2000) AND SUBSEQUENT PREFERENTIAL PROCUREMENT REGULATIONS OF 2022: BLACK PEOPLE, WOMEN, YOUTH, PEOPLE WITH DISABILITIES

**NB:** BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES SPECIFIED IN CLAIM FORM SBD 6.1 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, BASED ON THE PPPFA (Act 5 of 2000).

1. **Section 217 (1)** of the Constitution of the Republic of South Africa, 1996, determine: "When an organ of state in the national, provincial or local sphere of government, or any other institution identified in national legislation, contracts for goods or services, it must do so in accordance with a system which is fair, equitable, transparent, competitive and cost-effective".
2. **Section 217 (2)** of the Constitution determine: "Subsection (1) does not prevent the organs of state or institutions referred to in that subsection from implementing a procurement policy providing for – (a) categories of preference in the allocation of contracts; and (b) the protection or advancement of persons, or categories of persons, disadvantaged by unfair discrimination."
3. **Section 1 (iv)** of the Preferential Procurement Policy Framework Act (Act 5 of 2000) determine: "preferential procurement policy" means a procurement policy contemplated in section 217 (2) of the Constitution".
4. **Section 2 (1) (d) (i) and (ii)** of the Preferential Procurement Policy Framework Act (Act 5 of 2000) determine that "the specific goals targeting preference, may include: (i) contracting with persons or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender or disability; (ii) implementing the programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994".
5. In line with the above **the DHET SCM Policy** make provision for the promotion of Black people, Youth (in line with RDP), Women and people with disabilities relating to HDI.

| PREFERENTIAL PROCUREMENT POINTS |                         |                         |
|---------------------------------|-------------------------|-------------------------|
| SPECIFIC GOAL                   | *80/20 (maximum points) | *90/10 (maximum point ) |
| Race                            | 7.84                    | 3.92                    |
| Women                           | 5.23                    | 2.61                    |
| People with Disabilities        | 0.39                    | 0.20                    |
| Youth                           | 2.61                    | 1.31                    |
| SMMES                           | 3.92                    | 1.96                    |

*\*Points be recalculated if the number of specific goals are in-or decreased.*

### 6. GENERAL DEFINITIONS

- a) **"Acceptable tender"** means any tender which, in all respects, complies with the specifications and conditions of tender as set out in the tender document.
- b) **"Tender"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods, works or services.
- c) **"Black People"** Is a generic term which means African, Coloureds and Indians
  - I. who are citizens of the Republic of South Africa by birth or decent; or
  - II. who became citizens of the Republic of South Africa by naturalisation –
  - III. before 27 April 1994;

IV. on or after 27 April 1994 and who have been entitled to acquire citizenship by naturalisation prior to that date.

- d) **“Comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have been taken into consideration
- e) **“Contract”** means the agreement that results from the acceptance of a tender by an organ of state.
- f) **“Specific contract participation goals”** means the goals as stipulated in the Preferential Procurement Policy Framework Act (Act 5 of 2000) and further elaborated upon in the SCM Policy of **the dtic**.
- g) **“Control”** means the possession and exercise of legal authority and power to manage the assets, goodwill and daily operations of a business and the active and continuous exercise of appropriate managerial authority and power in determining the policies and directing the operations of the business.
- h) **“Disability”** means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being, or persons who have a long-term or recurring physical or mental impairment, which substantially limits their prospects of entry into, or advancement in employment.
- i) **“Equity Ownership”** means the percentage ownership and control, exercised by individuals within an enterprise.
- j) **“Historically Disadvantaged Individual (HDI)”** means a South African citizen.
  - a. who, due to the apartheid policy that was in place, had no voting rights in the national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No. 100 of 1983) or the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993) (“the interim Constitution”), and/or
  - b. who are women; and/or
  - c. who has a disability:
- k) **“Management”** means an activity inclusive of control and performed on a daily basis, by any person who is a principal executive officer of the company, by whatever name that person may be designated, and whether or not that person is a director.
- l) **“Owned”** means having all the customary elements of ownership, including the right of decision-making and sharing all the risks and profits commensurate with the degree of ownership interests as demonstrated by an examination of the substance, rather than the form of ownership arrangements.
- m) **“Person”** includes reference to a juristic person.
- n) **“Rand value”** means the total estimated value of a contract in Rand denomination that is calculated at the time of tender invitations and includes all applicable taxes and excise duties.
- o) **“Youth”** means persons between the ages of 14 and 35 (NO. 19 OF 1996: NATIONAL YOUTH COMMISSION ACT, 1996: Definitions 1 (vi).)

## **7. ESTABLISHMENT OF BLACK PEOPLE, YOUTH, WOMEN AND PEOPLE WITH A DISABILITY EQUITY OWNERSHIP IN AN ENTERPRISE**

- 7.1 Equity ownership shall be equated to the percentage of an enterprise which is owned by individuals classified as Black people, Youth, Women and People with Disabilities or in the case of a company, the percentage shares that are owned by individuals classified as Black people, Youth Women and People with Disabilities who are actively involved in the management and daily business operations of the enterprise and exercise control over the enterprise, commensurate with their degree of ownership.
- 7.2 Where individuals are not actively involved in the management and daily business operations and do not exercise control over the enterprise commensurate with their degree of ownership, equity ownership may not be claimed.

## **8. BID DECLARATION**

- 8.1 Tenderers who claim points in respect of equity ownership must complete the Bid Declaration at the end of this form.

## 8.2 POINTS TO BE CALCULATED FROM INFORMATION FURNISHED IN PARAGRAPH 8.

| OWNERSHIP                                                      | PERCENTAGE OWNED | POINTS CLAIMED. |
|----------------------------------------------------------------|------------------|-----------------|
| 8.2.1. Equity ownership <b>by people who are Black</b>         | %                |                 |
| 8.2.2. Equity ownership <b>by persons who Qualify as Youth</b> | %                |                 |
| 8.2.3. Equity ownership <b>by women</b>                        | %                |                 |
| 8.2.4. Equity ownership <b>by disabled persons*</b>            | %                |                 |

#If points are claimed for disabled persons, indicate nature of impairment (see paragraph 6(h) above)

.....  
**Copy of CIPC (Companies and Intellectual Property Commission) registration, copies of ID's as well as CSD (Central Supplier Database) report must be submitted in order to substantiate information provided against 8.2.1; 8.2.2 and 8.2.3 above.**

**A medical certificate/ letter signed by a registered medical practitioner (HPCSA) confirming disability should be submitted to substantiate information provided against 8.2.4 above.**

## 9. DECLARATION WITH REGARD TO EQUITY

9.1 **List all Directors by Name, Position, Identity Number, Citizenship, Black, Youth or HDI status and ownership, as relevant. Information to be used to calculate the points claimed in paragraph 8.2.**

| Name | Date/Position occupied in Enterprise | ID Number | * Status |       |       |          | % of businesses / enterprise owned |
|------|--------------------------------------|-----------|----------|-------|-------|----------|------------------------------------|
|      |                                      |           | Black    | Youth | Women | Disabled |                                    |
|      |                                      |           |          |       |       |          |                                    |
|      |                                      |           |          |       |       |          |                                    |
|      |                                      |           |          |       |       |          |                                    |
|      |                                      |           |          |       |       |          |                                    |
|      |                                      |           |          |       |       |          |                                    |
|      |                                      |           |          |       |       |          |                                    |
|      |                                      |           |          |       |       |          |                                    |

**\*Indicate YES or NO**

10. I/we, the undersigned, who warrants that he/she is duly authorised to do so on behalf of the firm certify that points claimed, based on the equity ownership, indicated in paragraph 8 of the foregoing certificate, qualifies the firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct.
- (ii) The Equity ownership claimed is in accordance with the General Conditions as indicated in paragraph 1 of the SBD 6.1 form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in

paragraph 10, the contractor may be required to furnish additional documentary proof to the satisfaction of the purchaser that the claims are correct.

- (iv) If the claims are found to be incorrect, the purchaser may, in addition to any other remedy it may have -
- (a) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (b) 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;
  - (a) impose a financial penalty more severe than the theoretical financial preference associated with the claim which was made in the tender; or
  - (b) the purchaser may decide to impose a restriction penalty on the supplier by prohibiting such supplier from doing business with the public sector for a period not exceeding 10 years.

**WITNESSES:**

1. ....

.....  
SIGNATURE(S) OF TENDERER(S)

2. ....

DATE:.....

ADDRESS:.....

.....

.....

.....

**COMPULSORY DOCUMENT (COMPLETED AND SIGNED)**  
**TO BE SUBMITTED WITH DHET RFQ**

**PERMISSION BY BIDDER:**

On behalf of Company/Close Corporation/Trust/Joint Venture (JV)/  
Consortium/Juristic Person/Partnership

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I, Prof/Dr/Mr/Ms \_\_\_\_\_(duly authorised),  
hereby grant permission, in terms of the Protection of Personal  
Information Act, 2013 (Act 4 of 2013), (POPI Act), to the Department of  
Higher Education and Training, to utilise all information contained in the  
Bid documents and Quotation submitted to the Department of Higher  
Education and Training, for purposes of procurement.

Capacity: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**NB: Bidder may be disqualified if completed form is not submitted with Bid documents**