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REQUEST FOR QUOTATION (RFQ)

RFQ/CPS/2024/10245046/59 - APPOINTMENT OF A SERVICE PROVIDER, TO ASSIST WITH ONGOING STRATEGY, STRATEGIC ALIGNMENT AND HUMAN RESOURCES SUPPORT TO THE SABC FOR A PERIOD OF 10 MONTHS

RFQ PROCESS	EXPECTED DATES
Advertisement Date	22 August 2024
RFQ Documents Available From	National Treasury's tender portal (http://www.etenders.gov.za) SABC Website (http://www.sabc.co.za/sabc/tenders/)
Briefing session	None
Closing Date and Time	29 August 2024 AT 12H00 Noon
Contact details	tenderqueries@sabc.co.za

Submissions must be emailed to: SABC RFQSubmissions@sabc.co.za on or before the closing date of this RFQ.

The SABC requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above. Late and incomplete submissions will invalidate the quote submitted.

SUPPLIER NAME: _____

POSTAL ADDRESS: _____

TELEPHONE NO: _____

FAX NO.: _____

E MAIL ADDRESS: _____

CONTACT PERSON: _____

CELL NO: _____

SIGNATURE OF BIDDER: _____

NOTES ON QUOTATIONS AND PROPOSALS SUBMISSION

1. All electronic submissions must be submitted in a **PDF** format that is protected from any modifications, deletions or additions.
2. Financial/pricing information must be presented in a **separate** attachment from the Technical / Functional Response information.
3. The onus is on the Bidder to further ensure that all mandatory and required documents are included in the electronic submission.
4. All electronic submissions should be prominently marked with the full details of the tender in the email subject line.
5. Bidders are advised to email electronic submissions at least thirty minutes before the bid closing time to cater for any possible delay in transmission or receipt of the bid. The onus is on bidder to ensure that the bid is submitted on time via email.
6. Tender submission emails received after submission date and time will be considered late bid submissions and will not be accepted for consideration by SABC.
7. SABC will not be responsible for any failure or delay in the email transmission or receipt of the email including but not limited to:
 - receipt of incomplete bid
 - file size
 - delay in transmission receipt of the bid
 - failure of the Bidder to properly identify the bid.
 - illegibility of the bid; or
 - Security of the bid data.

1. REQUIRED DOCUMENTS

- 1.1 Central Supplier Database (CSD) Registration details
- 1.2 SARS "Pin" to validate supplier's tax matters
- 1.3 Original or Certified copy of Valid BBEE Certificate (from SANAS accredited Verification Agency)
- 1.4 All EME's and 51% black Owned QSE's are only required to obtain a **sworn affidavit** on an annual basis, confirming the following;
 - 1.4.1. Annual Total Revenue of R10 Million or less (EME) or Revenue between R10 Million and R50 Million for QSE
 - 1.4.2. Level of Black Ownership

Note 1:

Verification Agencies and Auditors who are accredited by the IRBA (Independent Regulatory Board for Auditors) are no longer the 'approved regulatory bodies' for B-BBEE verification and therefore IRBA auditors are not allowed to issue B-BBEE certificates after 30 September 2016.

Note 2:

Any misrepresentation in terms of the above constitutes a criminal offence as set out in the B-BBEE act as amended.

- 1.5 Proof of Valid TV License Statement (Company's, Shareholders and all Directors'), or affidavit proving that company and/or officials are not in possession of TV licence. Verification will also be done by the SABC internally.
- 1.6 Certified copy of Company Registration Document that reflect Company Name, Registration number, date of registration and active Directors or Members.
- 1.7 Certified copy of Shareholders' certificates.
- 1.8 Certified copy of ID documents of the Directors or Members.

NB: NO CONTRACT WILL BE AWARDED TO ANY BIDDERS WHO'S TAX MATTERS ARE NOT IN ORDER.

NO CONTRACT WILL BE AWARDED TO ANY BIDDERS WHO'S TV LICENCE STATEMENT ACCOUNT IS NOT VALID.

DOCUMENT A

RFQ/CPS/2024/10245046/59 : APPOINTMENT OF A SERVICE PROVIDER, TO ASSIST WITH ONGOING STRATEGY, STRATEGIC ALIGNMENT AND HUMAN RESOURCES SUPPORT TO THE SABC FOR A PERIOD OF 10 MONTHS**1. BACKGROUND**

The SABC has embarked upon a process to develop a Strategy, Corporate Plan and an aligned execution process that addresses many of the past funding, commercial and human resource challenges and opportunities. To date extensive work has been done to develop a new Strategy for 2025 – 2030, a number of iterations of the Corporate Plan, aligned Exco Performance Agreements, to build a cohesive leadership team, develop the blueprint for a new, strategically aligned commercial capability, to develop an aligned Innovation Strategy, to assess Human Resource capacity and capability, to develop an ongoing process of stakeholder communication and to re-focus the energy of the SABC's people on the most important strategic initiatives required for success. It is now considered important to take the work done so far and accelerate strategy execution through a number of important strategic focus areas.

It must always be remembered that strategy is a journey and an iterative process that reveals itself as work is completed. It requires an organization and its executives to '*cross a bridge whilst it is being built*'. From the experience gained in previous phases of work, it is clear that the SABC has a number of important additional strategic imperatives that need to be urgently addressed so as not lose the momentum in the strategy execution process that has been developed up to now.

2. OBJECTIVES OF THE PROJECT

The objectives of the next phase of strategy crafting, alignment and executive is to accelerate the successful achievement of key strategic initiative and to build an enabling environment for successful strategy execution and navigation going forward.

The work in this phase includes:

- Reviewing the Strategy & Corporate Plan in the context of an -changing world, including any new policy directions that may come from the ever newly elected 7th Administration.
- Research and develop sub-strategies and business models to underpin the future success of linear television as well as the SABC Plus OTT platform.
- Support for the development of a new Innovated Funding Model.
- Support for the implementation of the new Sales / Commercial capability.
- Support for the implementation of the newly developed Innovation capability / strategy.
- Support for a large-scale change strategic alignment process to align all SABC people behind the Corporate Strategy and Plan.
- Design and implementation of an employee engagement process inclusive of associated surveys.

- Ongoing support for leadership team effectiveness at an Exco level.
- Support for ongoing strategic stakeholder communications inclusive of internal / stakeholder communications.
- Support for the design and implementation of internal and external short surveys to provide important performance information.
- Project management of the overall strategic alignment process.

3. OUTCOME AND DELIVERABLES

	Initiatives	Deliverables	When
3.1.	Strategic risk assessment , together with mitigation plans - for stand-alone use and incorporation into Strategy & CP.	Facilitate one day strategic review workshop with Board & Exco and invited participants. Document outputs of day. Revise Strategy and Corporate Plan for submission to Board and other relevant parties. Develop presentation to accompany Strategy / Corporate Plan. Prepare for strategic risk workshop inclusive of development of workshop design. Facilitate strategic risk workshop to unpack strategic risks and their mitigation. Updated Strategy & Corporate Plan – with strategic risk elements included. Prepare stand-alone Strategic Risk document for submission to ARC.	September

3.2.	Annual review, iteration and further development of Strategy / Corporate Plan: Review and iteration of Strategy and 2025 Corporate Plan Plan based on direction provided by 7th Administration and a shifting context.	Research on updated trends impacting SABC strategic landscape, platforms and channels. Prepare upfront scoping document setting out revised context. Develop design for strategic framework for the SABC. Facilitate Operations Summit, Group Services Summit and Exco Summit. Develop design for workshop in consultation with Exco Facilitate Two day for the board review section. Facilitate two-day strategy workshop with Exco and invited guests to conduct review. Documentation of workshop. Update existing Strategy & Corporate Plan 2025/26 Iterate based on Exco feedback. Prepare Board and DCDT presentations. Conduct relevant contextual research to track changes in SABC's competitive and technological environment. Update strategic context based on research that covers how SABC strategic context has evolved to date. (based on what is contained within current SABC Strategy / CP). Prepare for strategy review workshop including preparation of workshop design and collateral.	November
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3.3.	Develop clear underpinning future strategy and business model for revitalized S3 and for SABC+ (through an innovation lens) in alignment with proposed SABC innovation strategy and funnel	Conduct specific research as may be necessary. Incorporate strategic research into briefing document for workshop. Design one day workshops for linear tv (focus on S3) and for SABC Plus. Facilitate one-day Strategy / Business Model workshops for linear tv (specific focus on S3) and SABC Plus Develop coherent strategies incorporating revised business models for S3 and SABC Plus. Present to Exco and iterate as required. Prepare presentation for Board / DCDT.	September to November
3.4.	Iteration and support for development of Innovated Funding Model.	Keep abreast of global trends with regard to the funding of public broadcasters. Provide ongoing support for engagement with DCDT / NT etc for the review of the current funding model and with recommendations for innovation and way forward to assure sustained funding.	September to February

3.5.	Support and assistance for implementation of Sales / Commercial Capability Model inclusive of structural and ways of working changes as may be required.	Iterate overall organization design for Commercial capability with integrated Sales / Marketing structures, inclusive of Ways of Working (cadences). Development of implementation Plan, inclusive of change management / legal implications. Facilitation of workshops to prepare teams for implementation of new innovated commercial capability. Prepare, assess and workshop Team Effectiveness for Sales / Marketing / Commercial top team Provide ongoing support to the Heads of Sales and Marketing to facilitate a smooth transition to the new structure. Support successful migration to new structure / ways of working with the appropriate change and other interventions.	September to November
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3.6.	Support for implementation of Innovation capability inclusive of setting up of new structure, innovation audit and assessment, implementation of governance structures and development of Innovation funnel with current innovation pipeline. Training of 100 participants in Design Thinking.	Develop implementation Plan aligned to Innovation Strategy. Provide support for structural changes required. Provide support for implementation of governance structures. Provide support for implementation of Innovation funnel and pipeline. Configure training programme on Design Thinking to SABC requirements and focus on leading practice. Develop participant collateral and materials Facilitation of one day Design Thinking training for 100 participants.	September to December
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3.7.	Design and implementation of Employee Engagement process in alignment with Corporate Plan requirements	Configuration of EE assessment survey Conduct survey for 3440 people in August (baseline) and again at an additional date to be confirmed. Facilitation of Leadership / management workshops, including Exco – 2 x 2 day to provide relevant feedback and plan to address outcomes Develop relevant training programme to strengthen employee engagement as a key management competency. Develop associated participant collateral. Train Exco using training programme. Training of Trainers in base EE training programme. Ongoing monitoring of training implementation. Develop output documents of survey in compliance with KPA / KPI requirements.	September to November
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3.8.	Design and implementation of strategic alignment process for all SABC employees - utilizing Train the Trainer methodologies to equip internal facilitators.	Develop overall strategic alignment process that is appropriate to SABC's context and requirements. Design engagement process using large scale change methodologies such as Real Time Strategic Change, Open Space & Conference model. Prepare four trainer's kits inclusive of facilitation guide, digital slides and other aids. Develop Strategy Alignment workshop for both digital and physical print distribution. Facilitate Train the Trainer for facilitators. Develop participant collateral. Provide ongoing oversight and review. Review and align output documents. Develop close-out report. Facilitate 3 x large-scale workshops - Johannesburg, Cape Town & Durban	September to December
3.9.	Leadership / Exco activation Part 2 , inclusive of additional Team Effectiveness collateral and support for any top structure restructuring that may be necessary.	Develop ongoing process for Exco leadership cohesiveness. Develop implementation plan with catch-up session for new Exco members Facilitate review & reflection sessions. Provide Team Effectiveness collateral for 5 members.	September to November
3.10.	Provide ongoing Communications support for strategy execution.	Develop ten key strategic communications on the strategy alignment inclusive of ongoing assistance with stakeholder presentations as may be required.	September to December

3.11.	Design and implementation of surveys to inform CEO and other KPAs / KPIs - SERVQUAL internal & external - Board perceptions elections etc.	Develop internal surveys as required by Corporate Plan using Survey Monkey Administer surveys and consolidate results Feedback results to Exco Include - Board survey - elections / days of national importance Internal SERVQUAL surveys for internal Customer evaluations as required.	September to January
3.12.	Strategic alignment for the Cosec and Group Corporate Strategy	Developed integrated strategies and plans for two divisions, aligning with the overarching Corporate Strategy and Corporate Plan. A Corporate Governance Strategy for Cosec	To be discussed with the Head of the respective division
3.13.	Project Management	Develop comprehensive Project Plan with resource schedule Provide weekly feedback to Project Champion Provide monthly report on progress and achievement of milestones / deliverables. Develop close-out report.	September to May 2025

4. RFQ Response Information

4.1. Effective Date of Bid

Vendors should state in writing in its quotation to the SABC that all furnished information, including price, will remain valid and applicable for 90 days from the date the vendor quotation is received by the SABC.

4.2. COSTING

The quotation must reflect a detailed cost breakdown, and any indirect costs associated with the delivery of the required service.

4.3. DURATION OF THE CONTRACT

10 months

5. Minimum required information

- Extensive experience in development and facilitation of Strategic Planning and Corporate Plan;
- Experience in ICT/Public Administration/ Broadcasting/Governance/Development Studies or equivalent;
- 10 (ten) years of experience in the intersection of digital transformation, public administration, and Broadcasting environment.
- Sound knowledge of the ICT sector, Broadcasting, digitisation and digital economy;
- Published Research Studies on digital economy, Broadcasting, digital governance, and or digital transformation in government and society; and
- Published Journal Articles.

6. EVALUATION CRITERIA

Responses will be evaluated using a predetermined set of evaluation criteria. The evaluation criteria is designed to reflect the SABC's requirements in terms of identifying a suitable service provider and ensure the selection process is transparent and afford all the bidders a fair opportunity for evaluation and selection.

During the evaluation process, the SABC may require a bidder's representative to answer questions with regard to the proposal and/or require certain bidders to make a formal presentation to the evaluation team.

6.1. Technical Evaluation

6.1.1. The tender submission will be technically evaluated out of **105 points**.

6.1.2. All bidders achieving less than the set threshold of **65 points out of 105 points** will be declared non-responsive and therefore will not continue to be evaluated for Specific goals & Price Preference.

			Max points	Min points	Value Rating
1.	Approach and Methodology	• Methodology and approach reflect a sound understanding of strategy and its strategic interdependence with other systems, human resource and business processes • Methodology is aligned to the scope of work to be rendered. • Methodology and approach clearly illustrate an understanding of the SABC's strategy, strategic imperatives and requirements.	30	20	30 = The proposal is fully responsive to the requirements of the SABC, and the methodology and approach responds to its strategic imperatives, proposal is in accordance with strategy and other related leading practice. 20 = The proposal is not fully responsive to the requirements of the SABC, its methodology and approach does not fully respond to its strategic imperatives and shows limited compliance with strategy and other related leading practice. 0 = The proposal is not responsive to the requirements of the SABC;

					its methodology and approach does not respond to SABC's strategic imperatives and does not demonstrate compliance with strategy and other related leading practice.
2.	Project Plan	- Proposal with project plan displaying an understanding and knowledge of strategy, strategic research, strategy alignment, human resource management, employee engagement and other leading change management methodologies. - Detailed activity based project plan detailing timelines for the project and activity / resource based budget.	20	10	20 = project plan outlines key activities and time frames in accordance with scope of work 10 = project plan outlines limited key activities and some accordance with time frame as per scope of work. 5 = project plan is attached but has limited relevance and accordance with the scope of work. 0 = project plan not attached.
3.	Previous experience of the service provider, preferably within the Public Sector.	References: Submission of reference letters of similar work conducted containing the following: - Name of company / public sector entity - Nature of the work conducted - Date of when work / project was conducted - Duration of the work / project. - Reference letters must be signed	15	10	15 = References indicate that the service providers' consultants allocated to this project have ten or more years' experience in strategy facilitation, alignment and implementation in the public sector 10 = References indicate that the service providers' consultants allocated to this project have five to 10 years' experience in strategy facilitation, alignment and implementation in the public sector 5 = References indicate that the service providers' consultants allocated to this project have at least three years' experience in strategy facilitation, alignment and implementation in the public sector
4.	Contactable references on	References: Submission of reference letters of similar work, inclusive of strategy development and research conducted containing the following:	10	5	10 = More than five reference letters. Reference letters show experience in strategy facilitation,

	similar services	- Name of company / public sector entity - Nature of the work conducted - Date of when work / project was conducted - Duration of the work / project. Reference letters must be signed			development and research in the public sector, digital, media and telecommunications industries. 5 = At least three reference letters. Reference letters show experience in strategy facilitation, development and research in the public sector, digital, media and telecommunications industries. 0 = Less than three reference letters. Reference letters show experience in strategy facilitation, development and research in the public sector.
5.	Experience of the consulting team inclusive of the project leader, project manager and team members - detailed CVs	The team must include a strategy specialist with at least five years of experience in strategy facilitation, development and alignment in the digital, media and telecommunications industries. The team must include a research specialist with at least five years of experience in the digital, media and telecommunications industries. The team must contain a human resource / employee engagement specialist with at least five years of experience in the public sector. Attach CVs of the Project Leader, Project Specialists, Project Manager and all members of the proposed project team	30	20	30 = Project Team has all of the specialist skills required, all with more than five years of relevant experience in the industries specified. 20 = Project Team has all of the specialist skills required, all with less than five years of relevant experience in the industries specified. 10 = Project Team has some of the specialist skills required, all with less than three years of relevant experience in the industries specified. 0 = Project Team has none of the specialist skills required, all with less than three years of relevant experience in the industries specified.
TOTAL POINTS			105	65	

6.2. Price and Specific goals

The RFQ responses will be evaluated on the **80/20**-point system.

- 80 = Price
- 20 = Specific goals

6.3. Objective Criteria

- 6.3.1. The SABC reserve the right not to consider proposals from bidders who are currently in litigation with the SABC.
- 6.3.2. The SABC further reserve the right not to award this tender to any bidder based on the proven poor record of accomplishment of the bidder in previous projects within the SABC.
- 6.3.3. Bidders who are blacklisted or have committed other acts of fraud and misrepresentation of facts e.g. tax compliance, BBBEE, company financials, etc. will be eliminated from the bid process.
- 6.3.4. Vetting process will be conducted in line with the laws of RSA with the successful bidder.
- 6.3.5. Former employees, SABC's Non-Executive members and Independent Contractors:
- 6.3.6. No SABC former employees shall be awarded contracts with the SABC within 24 months after termination of employment with the SABC.
- 6.3.7. Should employees resign or retire from the employment of the SABC and become directors of other businesses tendering with the SABC, such tender shall not be considered until the cooling off period of 6 (six) months has expired.
- 6.3.8. Should the employee be dismissed from the SABC employment, such employee shall be prohibited from conducting business with SABC for a period of 5 (five) years from the date of dismissal.
- 6.3.9. Should the employee be found guilty in a court of law due to criminal conduct/act, such employee will not be considered to do/conduct business with SABC, until the criminal record has been legally expunged.
- 6.3.10. The SABC shall not procure any goods, services, works or Content from any Board member or Board member owned business, to ensure that suppliers competing for the SABC's business have confidence in the integrity of SABC's selection process.
- 6.3.11. Should the SABC's Board members no longer serve on the SABC Board but become directors of other companies, the SABC shall not conduct business with those companies until the cooling off period of 6 (six) months has expired.
- 6.3.12. Should the Board member be found guilty in a court of law due to criminal conduct/act, such Board member will not be considered to do/conduct business with SABC, until the criminal record has been legally expunged.

- 6.3.13. The SABC shall not procure any goods, services, works or Content from any independent contractor or independent contractor owned business, to ensure that suppliers competing for the SABC's business have confidence in the integrity of SABC's selection process.
- 6.3.14. Should the Independent Contractor no longer be contracted to the SABC but become directors of other companies, the SABC shall not conduct business with those companies until the cooling off period of 6 (six) months has expired.
- 6.3.15. Should the Independent Contract be found guilty in a court of law due to criminal conduct/act, such employee will not be considered to do/conduct business with SABC, until the criminal record has been legally expunged.
- 6.3.16. The SABC reserve the right not to consider proposals from bidders who are currently in litigation with the SABC.
- 6.3.17. The SABC further reserve the right not to award this tender to any bidder based on the proven poor record of accomplishment of the bidder in previous projects within the SABC.
- 6.3.18. Bidders who are blacklisted or have committed other acts of fraud and misrepresentation of facts e.g. tax compliance, BBBEE, company financials, etc. will be eliminated from the bid process.
- 6.3.19. Vetting process will be conducted in line with the laws of RSA with the successful bidder.

DECLARATION OF INTEREST

1. Any legal or natural person, excluding any permanent employee of SABC, may make an offer or offers in terms of this tender invitation. In view of possible allegations of favouritism, should the resulting tender, or part thereof be awarded to-
 - (a) any person employed by the SABC in the capacity of Tenderer, consultant or service provider; or
 - (b) any person who acts on behalf of SABC; or
 - (c) any person having kinship, including a blood relationship, with a person employed by, or who acts on behalf of SABC; or
 - (d) any legal person which is in any way connected to any person contemplated in paragraph (a), (b) or (c),

it is required that:

The Tenderer or his/her authorised representative shall declare his/her position *vis-à-vis* SABC and/or take an oath declaring his/her interest, where it is known that any such relationship exists between the Tenderer and a person employed by SABC in any capacity.

Does such a relationship exist? [YES/NO]

If YES, state particulars of all such relationships (if necessary, please add additional pages containing the required information):

	[1]	[2]
NAME	:	
POSITION	:	
OFFICE WHERE EMPLOYED	:	
TELEPHONE NUMBER	:	
RELATIONSHIP	:	

2. Failure on the part of a Tenderer to fill in and/or sign this certificate may be interpreted to mean that an association as stipulated in paragraph 1, *supra*, exists.
3. In the event of a contract being awarded to a Tenderer with an association as stipulated in paragraph 1, *supra*, and it subsequently becomes known that false information was provided in response to the above question, SABC may, in addition to any other remedy it may have:
 - recover from the Tenderer all costs, losses or damages incurred or sustained by SABC as a result of the award of the contract; and/or
 - cancel the contract and claim any damages, which SABC may suffer by having to make less favourable arrangements after such cancellation.

SIGNATURE OF DECLARANT

TENDER NUMBER

DATE

POSITION OF DECLARANT

NAME OF COMPANY OR TENDERER

DOCUMENT C**CONFIDENTIALITY**

All information related to this bid both during and after completion is to be treated with strict confidence. Should the need however arise to divulge any information gleaned from the service which is either directly or indirectly related to the SABC, written approval to divulge such information will have to be obtained from SABC.

The bidders must ensure that confidential information is: maintained confidential; not disclosed to or used by any unauthorised person; so as to prevent any disclosure or unauthorised use with at least the standard of care that bidders maintain to protect their own confidential information; only used for the purpose of considering and responding to this RFP; and not reproduced in any form except as required for the purpose of considering and responding to this bid. Bidders must ensure that: access to confidential information is only given to those of its partners, officers, employees and advisers who require access for the purpose of considering and responding to this RFP; and those partners, officers, employee and advisers are informed of the confidential information section and keep that information confidential. This bid remains at all times the property of the SABC. No rights other than as provided in this bid and in respect of the confidential information are granted or conveyed to bidder/s

NAME OF BIDDER: _____

PHYSICAL ADDRESS: _____

Bidder's contact person:

Name : _____

Telephone : _____

Mobile : _____

Fax.: _____

E-mail address : _____

DOCUMENT D**SBD 6.1****PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022**

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

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

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value below R50 000 000 (all applicable taxes included).

1.1 To be completed by the organ of state

(delete whichever is not applicable for this tender).

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

1.2 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.

1.3 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

SPECIFIC GOALS	80/20
EME/SME 51% owned by Black people	10
51% owned by Black people;	5
51% owned by Black people who are women	3
Black Youth	2

1.4 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.

1.5 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to

provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

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

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

3.2.1. POINTS AWARDED FOR PRICE

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

80/20

$$Ps = Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

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

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed. (80/20 system) (To be completed by the tenderer)
SMMEs (inclusive or QSEs and EMEs) 51% owned by Black people	10	
51% owned by Black people;	5	
51% owned by Black people who are women	3	
Black Youth	2	

NB: All tenders will be issued to the market with all specific goals, and these will be scored in accordance with the evidence as submitted by the bidder. The bidder who does not meet the specific goals will not be disqualified but score zero

Source Documents to be submitted with the Bid

Specific Goals	Acceptable Evidence
B-BBEE	Valid BEE Certificate / Sworn Affidavit (in case of JV, a consolidated scorecard will be accepted)
Black Women Owned	Certified ID Documents of the Owners/shareholder
Black Youth owned	Certified ID Documents of the Owners

EME or QSE 51% Black Owned	Annual Financial/ Management Accounts/ B-BBEE Certificate / Affidavit/ Certified ID Documents of the Owners/shareholder
51% Black Owned	CIPC Documents / B-BBEE Certificate/Affidavit/ Certified ID Documents of the Owners/shareholder
South African Enterprises	CIPC Documents

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from

obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

- (e) forward the matter for criminal prosecution, if deemed necessary.

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

DOCUMENT E

SBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1.0** This Standard Bidding Document must form part of all bids invited.
- 2.0** It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3.0** The bid of any bidder may be disregarded if that bidder, or any of its directors have-
- a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4.0** In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐

4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

CERTIFICATION

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

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

DOCUMENT F

SBD 9
CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. 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 consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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 **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.**

10. 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder