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0081

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REQUEST FOR QUOTATION	MAINTENANCE AND SUPPORT: SAGE 300 PEOPLE SYTEM
REQ NUMBER	00154
CLOSING DATE	22 SEPTEMBER 2026
CLOSING TIME	16:00



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1. INTRODUCTION

- 1.1. The Office of the Pension Funds Adjudicator (OPFA) was established in terms of section 30B of the Pension Funds Act No.24 of 1956 (ACT) with effect from 1 January 1998 to investigate and determine complaints lodged in terms of the ACT.
- 1.2. The mission of the organisation is to resolve complaints in terms of the ACT. The OPFA has a staff complement of about eighty (85) employees with potential to grow to a hundred (100) employees.
- 1.3. The mandate of the OPFA is to ensure a procedurally fair, economical, and expeditious resolution of complaints in terms of the ACT, by:
 - Ensuring that its services are accessible to all
 - Investigating complaints in a procedurally fair manner
 - Reaching a just and expeditious resolution of complaints in accordance with the ACT.
- 1.4. In supporting the mission of the OPFA, Information and Communication Technology (ICT) has been identified as one of the key drivers in modernising and continuously improving the functioning of the organisation.
- 1.5. This modernisation is aimed at improving service delivery to the stakeholders of the office and optimising internal operations. To this end, various investments have been made in underlying technologies to support the mission on the organisation and to ensure business continuity.

2. BACKGROUND AND CONTEXT

- 2.1. The OPFA relies on ICT systems, including Sage 300 People (HR & Payroll), to support key human capital and payroll management processes.
- 2.2. The following Sage 300 People modules are currently implemented and in use at the OPFA:
- **Human Resources Management**, including organisation structure, jobs, positions, personnel and records management, job costing, budgeting, learning and skills development, employment equity management, performance management, recruitment and terminations.
 - **Payroll Management**, including salaries and benefits, general ledger integration and leave management.
 - Reporting and management information.
 - **Employee Self-Service Portal** used by employees and managers for HR self-service processes, such as the submission of leave, claims, training requests, performance management contracts and assessments etc.
- 2.3. In addition, the recruitment of new employees is managed through **MCI DirectHire**, an online recruitment platform integrated with the OPFA website, hosted on WordPress, and the OPFA intranet, hosted on SharePoint Online. These integrations support the internal and external advertisement of vacancies.

3. PURPOSE AND OBJECTIVE OF THE BID

- 3.1. The purpose and objective of this Request for Quotation (RFQ) is to appoint a suitable service provider to provide maintenance and support services for the Sage 300 People system, including the integrated MCI DirectHire for a period of **12 months effective from 1 December 2026 and license renewal.**

4. SCOPE OF SERVICES REQUIRED

The successful bidder will be required to:

- 4.1. Maintain and support the on-premises Sage 300 People system including the Sage Employee Self Service portal and existing integration to MCI DirectHire for online recruitment for a period of twelve (12) months as per details in **section 6 below**.
- 4.2. Renewal of the 100 on-premises licenses in the name of the OPFA. The licenses should include both the server and user licenses (license period: 1 May to 30 April).
- 4.3. Train 5 super users on HR and Payroll functionality as and when the need arises e.g new users or updated functionality.
- 4.4. Update and maintain training materials, user guides and system documentation to ensure they remain accurate and aligned with system changes.
- 4.5. The OPFA has four distinct IT environments; production, development, testing, disaster recovery and the service provider should take this into consideration for licensing, to maintain and support operational, testing and business continuity requirements.

5. EXCLUSIONS (OUT OF SCOPE)

The following ICT infrastructure and licensing requirements are out of scope

- 5.1. Sage 300 People is currently implemented on-premises and the OPFA will provide all the on-premises ICT infrastructure (back-end and end users) including Microsoft base operating systems licenses and SQL requirements'

6. MAINTENANCE & SUPPORT- SERVICE LEVEL AGREEMENT (SLA)

- 6.1. The following minimum service standards and service level agreement, targets and penalties will be applicable during the maintenance and support phase of the contract.

Description	Mean time to Respond	Mean time to Repair	Target	Penalties
Incidents – Normal	1 hour	8 hours	95%	3% of the monthly invoice
Incidents – Critical (Complete system failure)	1 hour	4 hours	95%	3% of the monthly invoice
Service requests	1 hour	8 hours	95%	3% of the monthly invoice
Service requests (New enhancements/business requirements)	1 hour	4 hours	95%	3% of the monthly invoice
Problem Management	n/a	40 hours	90%	3% of the monthly invoice
Problem Management (Root cause Analysis Report)	n/a	40 hours	100%	3% of the monthly invoice
Reports		As per agreed reporting dates	100%	5% of the monthly invoice

6.2. Maintenance & Support Requirements

6.2.1. Provide technical support and maintenance of the entire integrated human resources management system including integration to MCI DirectHire for a period of 12 months. These services will have to be provided in line with the ITIL process. Below is the summary of the high-level requirements for the maintenance and support services

6.2.2. **Incidents and Problem Resolution** - This includes resolving all break fixes to restore the IT system in line with SLA. This also includes producing root cause analysis reports for major incidents and problems.

6.2.3. **Service Requests** – This includes attending to all requests from the users (e.g., request for access, reports etc.)

- 6.2.4. **Corrective, Adaptive, Perfective & Preventative Maintenance Services.** This must be implemented at least once a month during the maintenance weekend. This includes installing the necessary Sage 300 patches, statutory releases, upgrades and integration testing with other applications during the maintenance weekend.
- 6.2.5. **System Availability and Performance Monitoring** – This includes end to end system availability and monitoring of the Sage 300 system and conduction periodic health checks.
- 6.2.6. **System Upgrades** – This includes participation in the upgrade or update of the base Windows and database layers (Windows SQL etc.). This also includes at least one major system upgrade if released by the OEM during the contract. The upgrade and timelines must be agreed with the OPFA before implementation.
- 6.2.7. **Disaster Recovery and Tests** – This involves participating in the pre and actual disaster recovery tests including creating a step-by-step disaster recovery manual for starting up the solution in DR and production after the test or actual DR. The successful bidder will also be required to participate in setting up the backup of the system using the Veeam Backup solution and implementing the designed solution and ensure that the data between the two sites is synchronised at a minimum of 15 minutes interval. This also includes restoring services at the DR site in case of a major incident or a disaster.
- 6.2.8. **Backup Services** – This includes ensuring that the solution is fully backed up utilising the current OPFA Veeam backup solution. This also includes testing the backups in line with the OPFA backup policy (minimum of three times a year).
- 6.2.9. **Document Upkeep** – This includes ensuring that all the system documentation is kept up to date for the duration of the contract including training material and recordings.
- 6.2.10. **User Access Management** – Ensure that user access is maintained and kept up to date at all times. This includes creating, maintaining and disabling users based on approved service requests.

6.2.11. **Security Management** – Ensure that the system security is always kept up to date.

6.2.12. **Audit Management** – Participate in providing management information for internal and external audit findings in line with the auditors required timelines. This includes drafting management responses for the audit questions related to the system and the scope of the contract.

6.2.13. **Reporting** – Configuring all the required reports required for the optimal running of the OPFA business.

6.2.14. **Transition Out Services** – This is a once off service that will ensure that at the end of the contract, the service provider prepares all the documentation and fully participates in the transitioning-in of the new service provider. This exercise is expected to be conducted within a maximum period of three months.

6.3. **Maintenance & Support Services Payments/Invoicing**

6.3.1. The maintenance and support invoice services will be payable monthly after delivery of the services. Invoice are payable within 30 days of receipt of invoice. The monthly payment will be fixed for the duration of the period.

6.3.2. The invoice must be preceded by the monthly report and performance against SLA agreements. This report will be reviewed by OPFA and discussed with the service provider.

6.3.3. The penalties, if applicable, will be applied as per the penalty section.

7. CONTINUOUS IMPROVEMENT SERVICES

- 7.1. This is a provision that will be used to implement new business requirements. These ad-hoc requests will be initiated by the OPFA.
- 7.2. Upon submission of the business change request by the OPFA, the bidder will prepare the statement of work for consideration and approval by the OPFA. Only after approval can the bidder implement the change.
- 7.3. Once the statement of work is approved, the service provider responsibilities will include the following:
 - 7.3.1. Analysing the requirements in consultation with the OPFA.
 - 7.3.2. Documenting the solution design (functional and technical).
 - 7.3.3. Completing a change request form.
 - 7.3.4. Developing, testing and implementing the enhancement.
 - 7.3.5. Developing testing and training material.
 - 7.3.6. Updating the documentation.
- 7.4. The service provider must make a provision of 100 hours for ad-hoc services. These services will be initiated by the OPFA based on new business requirements.
- 7.5. The service provider is not entitled to the total amount in this provision. The service provider can only bill for the actual work done and signed off by the OPFA.
- 7.6. The OPFA reserves the right not to use this provision for the duration of the contract if there is no business need.

8. SUBMISSION OF COMPLIANCE REQUIREMENTS

#	MANDATORY REQUIREMENT	COMPLY	NOT COMPLY
1.	Sage Accreditation/ Reseller/ Partner Status The bidder must be a recognised Sage partner and must submit proof evidence from Sage that they are accredited to maintain the software. Evidence required: Partnership proof from Sage bearing the name of the bidder.		
2.	Bidder Experience The bidder must have successfully maintained and supported Sage 300 People including integration to MCI DirectHire solution in the past three (3) years, in organisations with requirements comparable to those of the OPFA. Documentary evidence of this experience must be provided, supported by verifiable reference letters. The information submitted must include the following: • Name of the organisation • Name of the contact person • Contact telephone number(s) • Contract duration and nature of services rendered. Evidence required: Bidder must submit at least one reference letter outlining the specific services rendered in this regard.		
3.	Availability of appropriate skill to support the OPFA Project Team Experience demonstrating a minimum of two (2) years' experience in the maintenance, and support of Sage 300 People and integration to DirectHire. Evidence required: The bidder must submit a three (3) CVs for proposed project team members.		

#	MANDATORY REQUIREMENT	COMPLY	NOT COMPLY
4.	Support and SLA Capability The bidder must have local presence in South Africa and confirm its ability to provide post-implementation maintenance and support services in line with the service levels set out in this RFQ. Evidence required: Bidder must submit proposal details of its support model, escalation procedures, support hours and response time and how the maintenance and support required in this bid will be met.		

9. COST MODEL/PRICING SCHEDULE

ITEMS	REF TO SCOPE	PRICE EXCLUDING VAT
Maintenance and Support (1-year period)	4.1	
Licensing (12 months)	4.2	
User Training	4.3	
Continuous Improvements (Provision of hours for ad-hoc)	7	
Other (specify)		
TOTAL EXCLUDING VAT		
VAT		
TOTAL INCLUDING VAT		

License renewal details are from 1 May to 30 April 2026. Site code:U35275



10. PRICE

- 10.1. Bidders must provide comprehensive costs of providing the whole service taking into consideration all the assumptions in drawing up the quotation including all cost factors and VAT where applicable.
- 10.2. Only firm prices received will be accepted. Bid will be valid for the period of fourteen days from closing date.

11. EVALUATION

- 11.1. The 80/20 preference point system shall be applicable to this bid, where 80 points represent maximum obtainable points for the lowest acceptable price, and 20 points represents the specific goals. Points will be awarded to a bidder for attaining the specific goals outlined in accordance with the table below:

#	Specific Goals of Preference	Proof/ Evidence required	Points Allocation
01	51% or more ownership by black people	CSD report/BEE Certificate or Sworn Affidavit	5
02	51% or more ownership by black women	CSD report/BEE Certificate or Sworn Affidavit	5
03	30% or more ownership by people living with disabilities	CSD report/BEE Certificate or Sworn Affidavit	3
04	30% or more ownership by youth	CSD report/BEE certificate or Sworn Affidavit	3
05	EME/QSE	CSD Reports/ BEE certificate or Sworn affidavits	4
TOTAL POINTS			20

- 11.2. To claim preference, point bidders must submit evidence of the specific goals as per the table above. No points will be allocated if no supporting evidence is provided when submitting the bid.
- 11.3. The OPFA will further extract CSD reports from the CSD system during the evaluation of bids. It is the responsibility of the Bidders to ensure information is updated and correct as per the points being claimed.

12. PROTECTION OF PERSONAL INFORMATION ACT (POPIA)

- 12.1. "Personal Information" means personal information as defined in the Protection of Personal Information Act, 2013 (Act No. 4 of 2013), as amended from time to time.
- 12.2. All information collected and submitted by the bidders will be used by the OPFA for the evaluation and adjudication of this bid to determine the bidders' suitability and compliance to deliver the goods/services required. By submitting this bid the bidder gives consent for the OPFA to process the personal information provided by the bidder accordingly.
- 12.3. The parties acknowledge that for the purposes of this bid and agreement the parties may come into contact with, or have access to PI and other information that may be classified, or deemed as private or confidential and for which the other party is responsible. Such PI may also be deemed or considered as private and confidential as it relates to any third party who may be directly or indirectly associated with this agreement. Further, it is acknowledged and agreed by the parties that they have the necessary consent to share or disclose the PI and that the information may have value.
- 12.4. The parties agree that they will at all times comply with POPIA's Regulations and Codes of Conduct and that it shall only collect, use and process PI it comes into contact with pursuant to this agreement in a lawful manner, and only to the extent required to execute the services, or to provide the goods and to perform their respective obligations in terms of this agreement.
- 12.5. The parties agree that it shall put in place, and at all times maintain, appropriate physical, technological, and contractual security measures to ensure the protection and confidentiality of PI that it, or its employees, its contractors or other authorised individuals comes into contact with pursuant to this agreement.
- 12.6. Notify each other immediately where it has reasonable grounds to believe that the Personal Information in respect of this agreement, which has been provided to it including any Personal Information which it has processed, has been lost, destroyed, or accessed or acquired by any unauthorised person.
- 12.7. Unless so required by law, the parties agree that it shall not disclose any PI as defined in POPIA to any third party without the prior written consent of the other party, and notwithstanding anything to the contrary contained herein, shall any party in no manner whatsoever transfer any PI out of the Republic of South Africa.
- 12.8. The bidder has a right to request the OPFA to correct, delete, and destroy its PI in terms of POPIA using form 2 of the POPIA Regulations. The bidder also has the right to object the processing of its PI using form 1 of the POPIA Regulations. The rights of the bidder as a data subject are contained in the OPFA POPIA Policy, which can be viewed on the OPFA webs

STANDARD BIDDING FORMS: PART A: INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE OFFICE OF PENSION FUNDS ADJUDICATOR					
BID NUMBER:	RFQ: 00154	CLOSING DATE: 22 SEPT 2026		CLOSING TIME:	16:00
DESCRIPTION	MAINTENANCE AND SUPPORT OF SAGE 300 PEOPLE				
BID RESPONSE DOCUMENTS MUST BE SUBMITTED ELECTONICALLY					
QUOTATIONS AND ALL SUPPORTING DOCUMENTS MUST BE EMAILED TO: tenders@pfa.org.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Lufuno Balibali		CONTACT PERSON	Magadi Tshitanyne	
TELEPHONE NUMBER	012 748 4048		TELEPHONE NUMBER	012 748 4048	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	tenders@pfa.org.za		E-MAIL ADDRESS	tenders@pfa.org.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] Yes No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] Yes No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		Yes No [IF YES, ANSWER THE QUESTIONNAIRE BELOW] ☐ ☐
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					YES / NO
1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?					
2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?					
3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?					
4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?					
5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?					

PART B: TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022 , THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA .
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

SBD 4: BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned, (name).....in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

3.1 I have read and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

.....
Signature Date

.....
Position Name of bidder

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

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

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

1. GENERAL CONDITIONS

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

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

1.2 **To be completed by the organ of state**

- a) 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 **To be completed by the organ of state:**

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 regarding preferences, in any manner required by the organ of state.

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

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

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

3.2.1. POINTS AWARDED FOR PRICE

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

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
51% or more ownership by black people	5	
51% or more ownership by black women	5	
30% or more ownership by people living with disabilities	3	
30% or more ownership by youth	3	
EME/QSE	4	
Total points allocated	20	
Number of points claimed by the bidder		

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 because 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 because of that person's conduct.
 - (c) cancel the contract and claim any damages which it has suffered because 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: