

KZN GROWTH FUND AGENCY (KZNGFA) REQUEST FOR QUOTATION (RFQ)
REISSUE ANTI-FRAUD AND CORRUPTION HOTLINE SERVICES FOR 36 MONTHS
RFQ REFERENCE NUMBER: KZNGFA- RFQ 2025 – 04

CLOSING DATE: 08 July 2025
TIME: 12H00
SUBMISSION FORMAT: E-mail: scm@kzngf.co.za

Name of the respondent:

NOTE: LATE BIDS WILL NOT BE ACCEPTED

BID TITLE: REISSUE REQUEST FOR QUOTATIONS FOR THE PROVISION OF ANTI-FRAUD AND CORRUPTION HOTLINE SERVICES FOR 36 MONTHS.

PROCUREMENT REFERENCE NUMBER: KZNGFA- RFQ 2025 – 04

DESCRIPTION OF GOODS & SERVICES: APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE ANTI-FRAUD AND CORRUPTION HOTLINE SERVICES FOR THE KGZNGFA

DATE OF RFQ: 19 June 2025

DATE OF RFQ CLOSING: 08 July 2025

CONTACT INFORMATION

Any inquiries regarding the bidding procedure may be directed to: **Procurement Officer: Sijabulile Ntshangase**

Telephone: 031 372 3720

E-mail: scm@kzngf.co.za

BIDDER'S DETAILS

NAME OF BIDDER.....

POSTAL ADDRESS

STREET ADDRESS

CONTACT PERSON

TELEPHONE NUMBER Code Number

CELL PHONE NUMBER CodeNumber

FACSIMILE NUMBER Code Number

E-MAIL ADDRESS

Signature of Bidder **Date**

1. PURPOSE

The purpose of this Request for Quotation (RFQ) is to invite suitable service providers to submit quotations for the provision of Anti-Fraud and Corruption Hotline Services for the KZNGFA for a period of 36 (thirty-six) months.

2. BACKGROUND

KwaZulu-Natal Growth Fund Agency (KZNGFA) is an Agency, established as a Provincial Public Entity in terms of section 3(1) of the KZNGFA Act. The strategic objective of the KZNGFA is to provide support for creating an enabling environment for activities that create jobs and accelerate the economic development of KZN whilst promoting Broad-Based Black Economic Empowerment (B-BBEE).

2.1 Procurement Philosophy

It is the policy of the KZNGFA when purchasing goods and obtaining services to follow a course of optimum value and efficiency by adopting best purchasing practices in supply chain management, ensuring that open and fair competition has prevailed, with due regard being given to the importance of:

- 2.1.1 The promotion, development, and support of businesses from disadvantaged communities (small, medium, and micro-enterprises, as well as established businesses within those communities) in terms of its BEE Policy,
- 2.1.2 The promotion of national and regional local service providers and agents before considering overseas service providers; and
- 2.1.3 The development, promotion, and support for the moral values that underpin the above, in terms of KZNGFA Business Ethics and Guidelines which requires that all commercial conduct be based on ethical and moral values and sound business practice. This value system governs all commercial behaviours within KZNGFA.

2.2 Supplier Due Diligence

- 2.2.1 KZNGFA shall be entitled at all times to conduct bidder due diligence for short-listed bidders prior to final award or at any time during the contract period. This may include site visits if applicable.
- 2.2.2 KZNGFA reserves the right to request the successful bidder and its staff to undergo security vetting and/or credit vetting processes via external service providers such as Credit Bureaus and the South African Police Services. By submitting a bid proposal, the bidder gives explicit approval for KZNGFA to conduct such vetting requirements, if and when required.

The KZNGFA wishes to engage with service providers who are equally committed to maintaining high-quality services and better pricing.

3. SCOPE OF SERVICES REQUIRED

Kwazulu-Natal Growth Fund Agency (KZNGFA) requires a service provider to:

- 3.1** Provide 24/7 ethics and corruption hotline services in respect of any unlawful activities occurring within the organisation's business structures, including but not restricted to irregularities, fraud, theft, bribery and any other unlawful or dishonest activities of whatever nature perpetrated by the employee or the agent which activities directly or indirectly have a detrimental effect on the organisation,

- 3.2 Provide monthly whistleblower reports,
- 3.3 Provide quarterly whistle-blower reports, indicating incidences reported, number of preliminary investigations conducted, number of incidences escalated for investigation purposes,
- 3.4 Comparison report indicating the age of complaints, finalised complaints, ongoing complaints, and nature of incidents reported.

4. PROJECT PURPOSE AND OBJECTIVES

The KZNGFA has a staff complement of approximately 45. The overall objective of this project is for KZNGFA to have an independent and effective Anti-Fraud and Corruption Hotline service that will act as a fraud prevention, deterrent, and detection tool in its quest to combat fraud and corruption in line with the processes and protocol of the KZNGFA Whistle-blower Policy.

The specific objectives of this service, therefore, will include:

- 4.1 Provide a 24/7-hour hotline in all 11 official languages of South Africa,
- 4.2 A Fraud Hotline service to be used to report incidences of fraud and corruption available to the whistle-blower using innovative technology, for example: Free call number; Fax and/or Fax to mail, email facility, short message services (SMS) etc,
- 4.3 Callers ' Guaranteed Anonymity / Anonymous Reporting,
- 4.4 Signage and stickers to publicise the reporting channels,
- 4.5 Quarterly reports detailing progress and age of historical reported cases,
- 4.6 Services must comply fully with the provisions of the Protected Disclosure Act (Act 26 of 2000) and the Companies Act (Act 71 of 1988) and any other relevant legislation,
- 4.7 Is certified to the External Whistle-blowing Hotline Service Provider Standard EO1.1.1 of the Ethics Institute of South Africa,
- 4.8 Is independent of KZNGFAs' external or internal auditors,
- 4.9 Has an experienced and dedicated management team with extensive experience,
- 4.10 Offers direct access to and frequent contact with top management,
- 4.11 The service operates 24 hours a day, 7 days a week, 365 days a year,
- 4.12 Has an effective technology solution,
- 4.13 Reports can be made using a unique 0800-FreeCall number, a unique e-mail address, via a website template, or via SMS,
- 4.14 Offers a web-based system for sending reports,
- 4.15 Has a user-friendly module to assist in managing reports,
- 4.16 Provide a free digital awareness video to create awareness among staff.
- 4.17 Provides an in-person training session to all employees at KZNGFA,
- 4.18 The service provider must retain all documents, in their final form, relating to this contract for a period of 5 (five) years,
- 4.19 Provide monthly reports summarizing all calls received,
- 4.20 Assist KZNGFA in designing a logo and slogan for the internal awareness campaign,
- 4.21 The above should also include an emergency reporting mechanism,
- 4.22 Due to the size of KZNGFA and the wide range of services provided, some of the calls may be service delivery related. Therefore, the hotline services may receive calls unrelated to fraud and corruption. It is therefore expected that the service provider should have the capacity to distinguish between the two types of calls and refer the service delivery calls to the identified/ designated office, and
- 4.23 Ethics/ fraud surveys.

5. CONTRACT DURATION

The contract period is for thirty-six (36) months with an option to review for a further twelve (12) months subject to performance review.

6. CONFIDENTIALITY OF THIS INFORMATION

- 6.1 All the information in this document must be considered confidential as per POPI Act 4 of 2013 as amended requirements. Bidders are requested not to copy or forward this document or part thereof to any third party for any purpose other than to prepare for the response to this tender invitation.
- 6.2 The successful bidder will be required to enter into a non-disclosure agreement with KZNGFA.

7. AWARD OF THE RFQ

The KZNGFA is not obliged to accept and award this tender to the lowest bidder or any other bidder.

8. EVALUATION PROCESS AND CRITERIA

Selection will be conducted over three stages as detailed below:

Stage 1 - Compliance with Mandatory Requirements

Stage 2 - Functionality Evaluation

Stage 3 - Price and Specific Goals

9. STAGE 1 – COMPLIANCE WITH MANDATORY REQUIREMENTS

- 9.1 All quotations must be completed and accompanied by:
 - 9.1.1 Signed RFQ document
 - 9.1.2 Company Profile
 - 9.1.3 The service provider must fully complete and sign SBD 1,4, and 6.1 documents.
 - 9.1.4 Evidence of registration on the National Treasury Central Supplier Database (or proof of registration) must show Tax Compliance status.
 - 9.1.5 The service provider must provide proof/evidence that the company is certified as Safeline-Ex standard for external whistleblowing hotline service providers as certified by the Ethics Institute of South Africa, must be valid on date of submission.

All bids duly lodged as specified in this RFQ will be examined to determine compliance with the mandatory requirements and conditions. Failure to provide any mandatory information as requested above will result in the submission being deemed non-responsive.

9.2 STAGE 2 – FUNCTIONALITY EVALUATION

Responses will be evaluated based on the below functionality criteria and weights:

FUNCTIONAL EVALUATION CRITERIA	Weight
Previous Experience Bidders must demonstrate experience in having provided work of a similar nature, by submitting five reference letters from clients for current and/or completed projects of similar nature and value (must be within the last ten (10) years). All reference letters must be on a client letterhead, dated and signed by the client not older than 10 years. Points will be allocated as follows: • 1 Letter – 5 points • 2 Letters – 10 points • 3 Letters – 15 points • 4 Letters – 20 points • 5 Letters or more – 25 points	25
Key Personnel/Resources The service provider must submit their key resources copies of CVs and copies of qualifications demonstrating extensive knowledge and experience in Anti-fraud and corruption, Ethics management, and knowledge of the Public Finance Management Act: Less than 1 year to 2 years of experience – 5 points 2 to 4 years of experience – 10 points 4 to 6 years of experience – 15 points 6 to 8 years of experience – 20 points 8 to 10 years of experience – 25 points *The team's experience shall be determined using a simple average whereby the aggregate experience of the team members in years, is divided by the size of the team. Note: Failure to attach proof of qualifications will result in a score of zero. Failure to submit a one-page CV using Annexure A will result in a score of zero.	25
Copy of a certificate of at least one member who is a Certified Fraud Examiner	10
Methodology and Approach Bidder must provide a detailed: 1. Methodology and approach detailing how the project will be executed, together with, 2. A copy of a Project plan outlining, project activities, and 3. timelines, from the start to the finalisation stage. Points will be allocated as follows: • Methodology and approach outline all three of the highlighted elements = 40 • Methodology and approach outline two of the elements = 30 • Methodology and approach outline only one of the elements = 20 • Methodology does not speak to any of the elements = 0	40
TOTAL	100

Note: Failure to obtain the minimum of 70 out of 100 on functionality will result in disqualification from further evaluation.

9.3 STAGE 3 - PRICE AND SPECIFIC GOALS

9.3.1 Proposals will be subject to an evaluation based on an 80/20 - 80 points for price and 20 points for specific goals.

9.3.2 A fixed price is required; the price must be inclusive of VAT and all costs relating to disbursements and accommodation. **See Annexure B**

Evaluation	Maximum points to be awarded
The relative competitiveness of the price	80
Specific Goals (see the table below)	20
Total Price and B-BBEE Points	100

SPECIFIC GOALS TABLE

SPECIFIC GOAL		POINTS
Black Ownership	51% - 100 %	10
	30% - 50%	6
	5% - 29%	4
	0% - 4%	0
Black Women Ownership	51% - 100 %	4
	30% - 50%	2
	5% - 29%	1
	0% - 4%	0
Black Youth Ownership	30% - 100 %	3
	5% - 29%	2
	0% - 4%	0
Disability	30% - 100 %	3
	5% - 29%	2
	0% - 4%	0
TOTAL POINTS		20

The following may be used as proof for claiming preference points:

- B-BBEE Certificate or B-BBEE Affidavit
- CSD Report
- ID Documents of the owners of the company
- Municipal Account or Lease Agreement
- Doctors' certificates/disability database from relevant institutions (for more research)

10.THE INFORMATION REQUIRED

You are requested to provide KZNGFA with a quotation by no later than **12H00 on 18 July 2025**.

11.SUBMISSION DETAILS

- Submissions must be emailed to scm@kzngf.co.za with attention to **Sijabulile Ntshangase** by no later than the stipulated time above.
- For queries, you can contact Thulisile Nxumalo at thulisile@kzngf.co.za during business hours of 08H00 am to 16H30 Monday to Friday on 031 372 3720.

Approved by



Thulisile Nxumalo
Company Secretary

Curriculum Vitae

1. Role – Key Resource

Name and Surname	
Residential Address	
Project Role	

2. Relevant Qualifications/Certifications

Name of Certificate	Institution	Year Obtained	Expiry Date (if any)

3. Relevant Experience

Company Name	Position	Key responsibility	Start Date	End Date

4. References

Name	Company Name	Position	Relationship

Annexure B

NAME OF BIDDER: _____

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF RFP.

No.	Description	Quantity	Unit Price	Total Price
1.	Monthly Management of Anti-Fraud and Corruption Hotline, with monthly update reports, and quarterly reports as per para 3 above.	36		
2.	***Marketing campaign (once off)	1		
3.	Hotline implementation (once off)	1		
4.	Fraud Awareness Staff Training (bi-annually)	6		
Sub-total				
VAT@ 15%				
Grand Total				

Tenderers signature.....

*****PROMOTIONAL MATERIALS AND AWARENESS CAMPAIGNS**

Promotional materials, included in the Marketing campaign above.

- Whistle Blower Reporting, Ethics Management (10 x A3) posters that can be put up,
- Whistle Blower Reporting e-mail signature,
- Introductory email to be sent to staff and/or stakeholders, and
- Web banner for the website.



COMPANY STAMP

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)							
BID NUMBER:	KZNGFA- RFQ 2025 – 04	CLOSING DATE:	18 JULY 2025		CLOSING TIME:	12H00 PM	
DESCRIPTION	REISSUE ANTI-FRAUD AND CORRUPTION HOTLINE SERVICES FOR 36 MONTHS						
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)							
Via email to scm@kzngf.co.za							
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACT PERSON	Sijabulile Ntshangase			CONTACT PERSON	Thulisile Nxumalo		
TELEPHONE NUMBER				TELEPHONE NUMBER			
FACSIMILE NUMBER				FACSIMILE NUMBER			
E-MAIL ADDRESS	scm@kzngf.co.za			E-MAIL ADDRESS	scm@kzngf.co.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							
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				☐ YES ☐ NO			
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				☐ YES ☐ NO			
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				☐ YES ☐ NO			
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				☐ YES ☐ NO			
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				☐ YES ☐ NO			
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.							

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, 2017, 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:

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

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:

.....

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.

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.
- 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

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.

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

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

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

1. GENERAL CONDITIONS

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

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

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

(delete whichever is not applicable for this tender).

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

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

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

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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	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”** 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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Black Ownership		10		
Black Women Ownership		4		
Black Youth Ownership		3		
Disability		3		

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:	