

REQUEST FOR PROPOSALS (RFP)

RFP REFERENCE NUMBER	RFP 02-09-2024	
DESCRIPTION OF GOODS, WORK OR SERVICES	EAP CONTRACT WITH A NEW SERVICE PROVIDER	
NON-COMPULSORY BRIEFINGSESSION DETAILS	DATE	TIME
RFP CLOSING DETAILS	Date:07 Oct 2024 Time: 11h00 a.m. Email:Quotation3@cbrta.co.za (Bid responses received outside this email address will NOT be considered)	
RFP VALIDITY PERIOD	60 Working days (Commencing from the official RFP closing date)	
ENQUIRIES	lindiwe.makole@cbrta.co.za	

PROSPECTIVE BIDDERS MUST REGISTER ON NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE PRIOR TO SUBMITTING PROPOSALS.

SECTION A: SBD 1

PARTA: INVITATION TO BID

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 SUBMITTED BY THE STIPULATED TIME TO THE CORRECT EMAIL 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.
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:

DATE:

SECTION B: TERMS OF REFERENCE

1. Introduction to C-BRTA

- 1.1. The Cross-Border Road Transport Agency (C-BRTA) is PFMA Schedule 3A Agency established through the Cross-Border Road Transport Act 4 of 1998 and provides advice, regulation, facilitation and law enforcement in respect of commercial cross border road transportation. The Act gives the C-BRTA mandate to licence commercial cross border road transport operators by issuing permits to operate. The provision of cross-border transport services in South Africa is subject to the provisions of the Cross-Border Road Transport Act. In terms of the Act, any person or organisation wishing to provide cross-border transport services must apply to the Cross-Border Road Transport Agency's Regulatory Committee for a Permit to conduct cross-border business.
- 1.2. The Cross-Border Road Transport Agency's (C-BRTA) thus exists, amongst others, to improve the flow of passengers and freight road transport in the region, introduce regulated competition in cross-border road transport, reduce operational constraints for the cross-border road transport industry, provide oversight and monitoring functions, and to improve the unimpeded transport flow by road of freight and passengers.

2. General rules and instructions

- 2.1. Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, C-BRTA and its Client.
- 2.2. Should a bidder have reason to believe that the Functional Requirements are not open/fair and/or are written for a particular service provider or that the specification is based on a specific brand; the bidder must inform C-BRTA within five (5) days after publication of the RFP.
- 2.3. This RFP is subject to Government Procurement: General Contract Conditions – July 2011, Special Contract Conditions and any other contract conditions to be finalised during contracting.

3. Instructions for submitting bids

- 3.1. Bidders should submit their bid responses strictly to Quotation3@cbrta.co.za. Bid responses received outside this email address will NOT be considered.
- 3.2. Bid responses will NOT be considered if submitted after the closing date and time.
- 3.3. All e-mailed proposal submissions are to be clearly **subject-referenced with the RFP number**.

4. RFP Returnables

- 4.1. Bidders shall submit response in accordance with the response format below. Failure to do so shall result in the rejection of the bidder's RFP response.

4.2. Schedule Index:

Schedule 1: Completed and signed SBD 1

Schedule 2: Central Supplier Database (CSD) Registration Report

Schedule 3: Bidder's Tax Compliance System PIN and/or valid Tax Clearance Certificate (TCC)

Schedule 4: Sworn Affidavit or valid B-BBBEE Certificate

Schedule 5: Completed and signed SBD 4 – Bidder's Disclosure

Schedule 6: Completed and signed SBD 6.1 – Preference Points Claim

Schedule 7: Technical Proposal

Schedule 8: Pricing Proposal

5. C-BRTA's Rights

5.1. C-BRTA is entitled to verify any information, amend the RFP specification, extend the bid validity period or extend the bid closing date, all before the bid closing date. All bidders, to whom the RFP documents have been issued, will be advised in writing of such amendments in good time.

5.2. C-BRTA reserves the right to request all relevant information and other documents to verify information supplied in the bid proposal.

6. Undertakings by the bidder

6.1. By submitting a bid in response to the RFP, the bidder will be taken to offer to render all or any of the services described in the bid response submitted by it to the C-BRTA.

6.2. The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the C-BRTA during the bid validity period indicated in this RFP.

6.3. The bidder accepts that any mistakes regarding prices and calculations will be at their own risk.

SECTION C : FUNCTIONAL REQUIREMENTS

TERMS OF REFERENCE

Appointment of a service provider who will assist with the implementation of Employee Assistance Programme (EAP) at Cross-border Road Transport Agency (C-BRTA).

1. PURPOSE

- 1.1.** The Cross-Border Road Transport Agency intent to appoint a service provider to render a full Employee Assistance Program (EAP) of two hundred seventy employees. C-BRTA employees and their immediate family members (spouse, children with a potential growth of one percent annually for a period of twelve) months contract with a new service provider.

2. Objective

- 2.1.** The specific objective of this project /assignment is to assist C-BRTA employees to manage personal and work-related problems to reduce absenteeism, unsatisfactory work performance, and loss of concentration on the job, emotional outburst, and improper conduct.

3. Background

- 3.1.** The C-BRTA intend to contact with a suitable qualified service provider who will implement and provide EAP services to approximately 270 C-BRTA employees and their immediate family members (spouse, children) with a potential growth 1% annually for a period of twelve (12) months.
- 3.2.** The EAP services must be provided to C-BRTA head office and its regional offices in the following provinces: Mpumalanga (Mbombela), North-West (Zeerust), Limpopo (Musina and Mokopane), Northern Cape (Upington), Western Cape (Cape town), Free state (Lady brand).
- 3.3.** The EAP services must be provided to C-BRTA employees in their language of preference, at a convenient place (close to place of residence or work) when requested to do so.

- 3.4.** The C-BRTA has the Employee Wellness Strategy, and the Policy therefore contracting with a services provider is critical for the realization of employee wellness within the Agency.
- 3.5.** It has become imperative for the C-BRTA to address crucial issues impacting negatively on working environment and productivity amongst others are the following:
- 3.5.1. Low staff morale and demotivation
 - 3.5.2. High absenteeism/ Late coming to work.
 - 3.5.3. Poor /unsatisfactory work performance
 - 3.5.4. Improper conduct
 - 3.5.5. Lack of trauma counselling and
 - 3.5.6. Employer and Employee relationship

4. Scope of service

The scope of work is as follows:

- 4.1.** To Implement the EAP at C-BRTA and regular reviews, provide 24-hour telephonic contact by way of a call Centre and face to face consultation (at place of residence/work/whichever is closer).
- 4.2.** To provide suitably qualified professionals to render the EAP services to C-BRTA employees all the time.
- 4.3.** The turnaround time for normal case response must be less than Twenty-Four (24) hours from request for assistance.
- 4.4.** The turnaround time for critical incidents must be no more than Eight (8) hours from the request for assistance.
- 4.5.** To provide written health and wellness calendar and articles, brochures, pamphlets, telephone directory cards, including other similar materials which will be published on C-BRTA intranet monthly as per best practice.
- 4.6.** To prepare a plan to undertake the health risk assessment activities, timelines, approaches, deliverable and identify specific needs, and requirements of stakeholders for approval by C-BRTA prior implementation.
- 4.7.** To participate at employer wellness day once in a year which will offer the following medical services, amongst others:
 - 4.7.1. Wellness screening
 - 4.7.2. Weight management
 - 4.7.3. HIV testing and counselling

- 4.7.4. Substance abuse management
 - 4.7.5. Personal Health assessment and Personal Stress assessment
 - 4.7.6. Hypertension
 - 4.7.7. Blood sugar level testing and other related diseases.
- 4.8. To provide general health, financial, family (marital, divorce, relation, family and parenting concern, stress anxiety and depression etc.) matters and legal advice to C-BRTA employees on a quarterly basis; or as and when required.

5. Deliverables

The deliverables of this project are as follows:

- 5.1. To provide psychological support to C-BRTA employees and their immediate family members (spouse and children).
- 5.2. To render provide 24 hours telephone contact Centre.
- 5.3. To attend and finalize normal cases within 24 hours.
- 5.4. To attend and finalize emergency cases within 8 hours.
- 5.5. To provide written health and wellness awareness articles, brochures, pamphlets, posters, or similar materials for publication on C-BRTA intranet on a regular basis as per best practice monthly.
- 5.6. To participate at employer wellness day once in a year.
- 5.7. To provide health risk assessments plans, monthly, and quarterly statistics reports.

6. Roles and responsibility

- 6.1. The C-BRTA will be responsible for providing Internet facility and Notice Boards for the service provider to disseminate EAP related articles to Employees.
- 6.2. The appointed service provider will be expected to provide EAP as described in the scope of work above.
- 6.3. The appointed service provider will sign a Non-Disclosure Agreement (NDA) and Service Level Agreement (SLA) with C-BRTA for the duration of the contract.

7. Reporting requirements

- 7.1. The service provider will consult with the Human Resources Specialist: Culture, Ethics and Employee Health and Wellness and report to Senior Manager: Human Resource at the C-BRTA.

- 7.2. Submission of monthly, quarterly, annual, and ad hoc reports on all EAP programmes and recommendations to the designated C-BRTA representative, further deal with monthly, quarterly, and annual meetings.
- 7.3. Comprehensive, accurate analysis and interpretations of trends and problems profile and interventions

8. Evaluation Criteria

- 8.1. The bids will be evaluated using the 80/20 preference points system in terms of the Preferential Procurement Regulations 2022. The following three (3) steps will be followed to evaluate this bid (Administrative Compliance, Functionality, Price, and Specific Goals).

8.1.1. Step 1 Administrative Compliance:

Documents that must be submitted	Non-submission of any of the items against which a YES is denoted shall result to immediate disqualification	
Invitation to Bid – SBD 1	Complete and sign the supplied pro forma document	NO
Tax Status	Submit proof of Central Supplier Database report. NB: The bidder will be given Seven (7) days to correct tax non-compliance prior award, failure will result to a disqualification.	NO
Bidders Disclosure Form – SBD4	Complete and sign the supplied pro formadocument	NO
Preference Point Claim Form – SBD 6.1	Non-submission will lead to a zero (0) score on Specific goals	NO
Pricing Schedule	Submit full details of the pricing proposal	YES

8.1.2. MANDATORY COMPLIANCE

Documents that must be submitted	Non-submission of any of the mandatory items against shall result to immediate disqualification.
Company registration with a professional body	The bidder must submit a valid proof of Service Provider membership with the Employee Assistance Professionals Association of South Africa (EAPASA).

Documents that must be submitted	Non-submission of any of the mandatory items against shall result to immediate disqualification.
	NB: The proof must be issued under the name of the bidding company. Memorandum of agreement with a company registered with EAPASA will not be considered.
Team leader registration with a professional body	The project leader must submit a valid and verifiable proof of registration with either of the following: • Health Professions Council of South Africa (HPCSA), • Psychological Society of South Africa (PsySSA), • South African Council for Social Services Professions (SACSSP), or • South African Nursing Council (SANC). NB: Should it not be clear on the proposal whom the team leader role is assigned, the C-BRTA will in its own discretion consider and evaluate the most qualified resource as team leader.

9. Step 2: Functionality

Any proposed bid which does not meet a minimum threshold of **75 points** out of **100 points** will not be considered for further evaluation.

The following criteria and weights shall apply when considering bids:

Criteria	Points
1. Bidders Track record/ Experience. 1.1. The bidder must submit valid reference letters issued in the company name rendering the services of employee health/ assistance and wellness program. - Non-submission/ irrelevant reference letter(s) = 0 points - 1 reference letter = 2 points - 2 – 3 reference letters = 6 points - 4 – 5 reference letters = 15 points - 6 - 7 reference letters = 20 points - 8 and more reference letters = 30 points	30
2. Team capacity and capability	40

Criteria	Points
2.1. Account manager/ coordinator. The bidder must allocate a resource who will be responsible for the management or coordination of the C-BRTA account. The bidder must submit a CV to evaluate experience. - 0 year of experience/ irrelevant experience = 0 points - 1 – 2 years of experience managing EAP account = 5 points - 3 – 4 years of experience managing EAP account = 10 points - 5 year and more years' experience managing EAP account = 15 points 2.2. Experience of the Team leader/ manager The bidder must allocate a qualified resources who will be responsible to lead the project. The bidder must submit a CV to evaluate experience. - 0 - 1 year of experience/ irrelevant experience = 0 points - 2 – 3 years of experience managing EAP = 5 points - 4 – 5 years of experience managing EAP = 10 points - 6 year and more years' experience managing EAP = 15 points 2.3. Qualifications of the Team leader/ manager - The team leader does not have a minimum three of a (3) year degree in psychology and or Social Work = 0 points - The team leader has a minimum three of a (3) year degree in psychology and or Social Work = 5 points - The team leader has a postgraduate degree in psychology and or Social Work = 10 points NB: Should it not be clear whom the team leader or accounts manager role is assigned, the C-BRTA will in its own discretion consider and evaluate the most qualified resource as team leader and the resource with the relevant experience as accounts manager.	
3. Approach and methodology. The bidder must submit a detailed proposal with processes, practices, templates, etc to address the following: 5.1. Describe what measures will be put in place to ensure that the psychological support to C-BRTA employees and their immediate family members (spouse and children) only = 5 points	30

Criteria	Points
5.2. The bidder must demonstrate in their proposal how the 24 hours telephone contact Centre will be free from service disruption = 5 points 5.3. Describe how normal cases will be finalized within 24 hours = 5 points 5.4. Describe how emergency cases finalized within 8 hours = 5 points 5.5. Describe the contingency plan to resolve backlog in either normal or emergency cases = 5 points 5.5. Describe how the bidder will assist C-BRTA to raise health and wellness awareness = 5 points	
Total Points	100

SECTION D: STANDARD BIDDING DOCUMENTS

BIDDER'S DISCLOSURE

SBD4

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.

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.

2.22.2	Full Name	Identity Number	Name of State institution

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 consortium 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.
- 3.5 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.
- 3.6 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.
- 3.7 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

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

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

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

1. GENERAL CONDITIONS

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

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

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

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

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

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

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

1.5 Points for specific goals for this tender will be allocated on the basis B-BBEE Status Level as shown in Table 1 below.

1.6 In order to claim points for specific goals, bidders must submit B-BBEE Certificate and/or sworn affidavit, as the case may be.

1.7 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.

- 1.8 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:

80/20	or	90/10	
$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	or	$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{min} = 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:

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

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 tenderers: The tenderer must indicate how they claim points for each preference point system. Thus, tenderers are required to indicate number of points in line with their B-BBEE Status Level and Ownership

No	The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Means of verification	Number of points claimed (80/20 system) (To be completed by the tenderer)
A	BBBEE Level 1 - 4	10	BBBEE or Sworn affidavit submitted with the bid	
B	Women owned Enterprises	5	Central Supplier Database	
C	Enterprises owned by Disable people	5	Medical report	
D	Total point claimed	D= A + B + C		

5. SUBMISSIONS BY CONSORTIUMS AND JOINT VENTURES

5.1 If a submission is made by a consortium or Joint Venture, the points claimed for ownership must be detailed separately on an attachment showing the following:

- The percentage (%) of the contract allocated to each JV member or consortium member. This should also be included in an agreement to be made available on request by C-BRTA
- The percentage ownership by race category of each JV member or consortium member in each of the specific goals relevant to this bid.
- The total points claimed will be the sum of the percentage contract allocation for each partner multiplied by the percentage weighting for the race category, multiplied by the percentage ownership in the relevant specific goal.

6. DECLARATION WITH REGARD TO COMPANY/FIRM

6.1. Name of company/firm.....

6.2. Company registration number:

6.3. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety

- Y Close corporation
 - Y Public Company
 - Y Personal Liability Company
 - Y (Pty) Limited
 - Y Non-Profit Company
 - Y State Owned Company
- [TICK APPLICABLE BOX]

6.4. 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.

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SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

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