

## NATIONAL LOTTERIES COMMISSION

|                                                         |                                                                                                                                                                               |
|---------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| REQUEST FOR QUOTATION [RFQ]NO                           | RFQ/2024-005-012                                                                                                                                                              |
| RFQ DESCRIPTIONS                                        | REQUEST FOR QUOTATIONS FOR THE APPOINTMENT OF A RECRUITMENT COMPANY TO APPOINT OFFICE ASSISTANTS (CLEANER/S) FOR NATIONAL LOTTERIES COMMISSION                                |
| SUBMISSIONS                                             | All submissions must be sent to:<br><br><a href="mailto:quotation@nlcsa.org.za">quotation@nlcsa.org.za</a> and <a href="mailto:maureen@nlcsa.org.za">maureen@nlcsa.org.za</a> |
| DELIVERY ADDRESS                                        | National Lotteries Commission<br><br>Head Office and all Provincial Offices                                                                                                   |
|                                                         |                                                                                                                                                                               |
| ISSUE DATE                                              | 14 May 2024                                                                                                                                                                   |
| CLOSING DATE                                            | 17 May 2024                                                                                                                                                                   |
| CLOSING TIME                                            | 11:00                                                                                                                                                                         |
| RFQ VALIDITY PERIOD                                     | The validity period of the quotation requested must be 60 days [From 17 May 2024 – 18 July 2024]                                                                              |
|                                                         |                                                                                                                                                                               |
|                                                         |                                                                                                                                                                               |
| <b>NO HAND DELIVERED RFQ RESPONSES WILL BE ACCEPTED</b> |                                                                                                                                                                               |

## **SECTION 1: BACKGROUND, OVERVIEW AND RFQ SCOPE OF REQUIREMENTS**

### **1. INTRODUCTION**

The National Lotteries Commission (NLC) is a public entity established by the Lotteries Act No. 57 of 1997 as amended, to regulate the National Lottery and other lotteries and to administer the National Lottery Distribution Trust Fund ("NLDTF"). In December 2014, the Lotteries Amendment Act 32 of 2013 was promulgated and Regulations thereof published on 14 April 2015.

In line with the requirements of the Public Finance Management Act No. 1 of 1999 ("PFMA") and Treasury Regulations, the NLC seeks to engage the services of duly qualified Recruitment Agency service providers to assist in appointments of Office Assistant (Cleaner/s) for all Provincial Offices and the Head Office of the National Lotteries Commission.

### **2. BACKGROUND**

The objective of this bid is to secure the services of an experienced Recruitment service provider to appoint Office Assistants (Cleaner/s) for the all Provincial Offices and the Head Office of the National Lotteries Commission as and when required.

### **3. OBJECTIVES**

To appoint a Recruitment Agency service provider to provide Office Assistants (Cleaner/s) for the National Lotteries Commission across all Provinces including Head Office as and when required for a period of 12 months.

### **4. MANDATE**

Interested service providers will be required to comply with all NLC policies and applicable regulations and maintain strict confidentiality. Appointed service provider(s) will be required to provide a service that is in accordance with the scope as indicated below:

- The NLC has offices in all 9 provinces and requires relief labour for our Office Assistants/Cleaner when they are otherwise incapacitated to perform their duties.
- It is required that the appointed service provider be able to provide an Office Assistant/Cleaner, which will be vetted and approved by the NLC Human Capital Function, Facilities Function and where required the Provincial Manager concerned within 24 hours of the submitted request.
- The Office Assistants/Cleaner must be paid, as a minimum, the NLC rate for Office Assistants/Cleaner.

- The Head Office (Hatfield Gardens) is looking for (2) Office Assistant (Cleaner)
  - 1<sup>st</sup> Position is for a period of three (3) months.
  - 2<sup>nd</sup> Position is for an initial period of 3 weeks with option to renew based on needs of the NLC.

**NB: The Office Assistant (Cleaner) will be paid by the service provider, and the service provider will invoice NLC.**

## **5. REQUIREMENTS FOR THE OFFICE ASSISTANT/CLEANER**

To provide a professional, efficient, and effective cleaning service that enhances the appearance of the facility and supports a healthy environment within the office.

### **5.1 REQUIRED QUALIFICATION**

- Must have a Senior National certificate (Matric).

### **5.2 EXPERIENCE**

- At least One (1) year experience in cleaning of office premises.

### **5.3 KEY DELIVERABLES**

- Provide professional cleaning service
- Clean the Reception area of the facility every morning before 08h00.
- Clean all floors daily by sweeping, mopping and, where necessary, polishing and/or buffing
- Empty office dustbins daily and dispose of all refuse appropriately in the refuse bins for collection
- Collect paper waste in the specially marked bins for collection by the Recycling company
- Check bathrooms twice a day and clean accordingly. Complete the cleaning roster after each cleaning session
- Clean kitchen twice a day.
- Dust office furniture at least weekly, taking care not to disorganise documents and papers on desks, etc.
- Servicing of Board room for meetings
- Vacuum all carpets at least twice per week. Clean, where necessary, all spots and marks on the carpets using the appropriate cleaning products and equipment
- Clean windows on the inside at least quarterly on a rotational basis (External window surfaces will be cleaned by an external service provider.)
- Store all cleaning equipment and products neatly in the designated cupboards on each floor
- Prepare catering/tea & coffee for meetings & workshops at office

## **6. REPORTING REQUIREMENTS**

The service provider shall work closely with the office of the Recruitment Office, Facilities Unit and the Provincial Offices. Timesheets should be completed and signed daily and be submitted to the Recruitment Office and the Provincial Offices.

## **7. ENGAGEMENT MODEL**

The NLC Human Capital shall send a request for placement of Office Assistant/Cleaner as soon as they identify the need to allow for adequate sourcing and placement by the service provider, however in the minimum period is 24 hours.

The Service Provider shall provide CV's from their database of minimum of 3 possible placements which must come with reference letters and meet the minimum qualification and experience requirements.

NLC, through Human Capital, shall review in conjunction with Facilities Unit and Provincial Managers where appropriate, and may request to conduct an interview should they deem necessary. Human Capital shall confirm the selected candidate to the Service Provider with confirmation date for assumption of duties.

The NLC shall induct the placement and provide the necessary tools of trade. For short term placement (less than a month), placements shall be required to wear black skirts/pants (no jeans) and White T-shirt/shirt and comfortable work shoes/trainers). For longer placement, an agreed upon uniform will be confirmed with the service provider and NLC shall bear the cost of the uniform.

## **8. DURATION OF THE MANDATE**

As and when required by the NLC per allocation for a period of 12 months.

## **SECTION 2: NOTICE TO BIDDERS**

### **1. Terms and conditions of Request for Quotations (RFQ)**

- 1.1 This document may contain confidential information that is the property of NLC.
- 1.2 No part of the contents may be used, copied, disclosed or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a quotation in response to this RFQ without prior written permission from NLC.
- 1.3 All copyright and intellectual property herein vests with NLC.
- 1.4 Late and incomplete submissions will not be accepted.
- 1.5 No services must be rendered, or goods delivered before an official NLC Purchase Order form has been received.

- 1.6 Suppliers are required to register on the Central Supplier Database at [www.csd.gov.za](http://www.csd.gov.za), Suppliers must provide their CSD registration number (and attach a full CSD Registration report) and ensure that the Tax Matters are compliant.
- 1.7 All questions regarding this RFQ must be forwarded to [maureen@nlcsa.org.za](mailto:maureen@nlcsa.org.za) within 2 days after the RFQ has been issued.

## **2. General rules and instructions**

### **2.1 News and press releases**

- 2.1.1 Bidders or their agents shall not make any news releases concerning this RFQ or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, NLC.

### **2.2 Precedence of documents**

- 2.2.1 This RFQ consists of several sections (see list). Where there is a contradiction in terms between the clauses, phrases, words, stipulations, or terms and herein referred to generally as stipulations in this RFQ and the stipulations in any other document attached hereto, or the RFQ submitted hereto, the relevant stipulations in this RFQ shall take precedence.
- 2.2.2 Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that NLC may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by NLC.
- 2.2.3 It is, however, remains the exclusive domain and election of NLC as to which of these stipulations are applicable and to what extent. Bidders hereby acknowledging that the decision of NLC in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the Bidder(s). The Bidder(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

### **2.3 Preferential procurement reform**

- 2.3.1 NLC shall apply the principles of the Preferential Procurement Policy Framework Act, (Act No.5 of 2000) to this proposal read together with the Preferential No. 5 of 2000) to this proposal read together with the Preferential Procurement Regulations published with effect from 16 January 2023 ("the Preferential Procurement Regulations, 2022").

### **2.4 National Industrial Participation Program**

- 2.4.1 The Industrial Participation policy, which was endorsed by Cabinet on 30 April 1997, is applicable to contracts that have an imported content. The NIP is obligatory and therefore must be complied with. Bidders are required to sign and submit the Standard Bidding Document (SBD).

## 2.5 Language

2.5.1 Bids shall be submitted in English.

## 2.6 Gender

2.6.1 Any word implying any gender shall be interpreted to imply all other genders.

## 2.7 Headings

2.7.1 Headings are incorporated into this RFQ document and submitted in response thereto, for ease of reference only and shall not form part thereof for any purpose of interpretation or for any other purpose.

## 2.8 Occupational Injuries and Diseases Act 13 of 1993

2.8.1 The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFQ and/ or subsequent agreement. NLC reserves the right to request the Bidder to submit documentary proof of the Bidder's registration and "good standing" with the Compensation Fund, or similar proof acceptable to NLC.

## 2.9 Processing of the Bidder's Personal Information

2.9.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFQ is collected and processed for the purpose of assessing the content of its tender proposal and awarding the bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation, the Preferential Procurement Regulations, 2022. The Bidder is advised that Bidder Personal Information may be passed on to third parties to whom NLC is compelled by law to provide such information. For example, where appropriate, NLC is compelled to submit information to National Treasury's Database of Restricted Suppliers.

2.9.2 All Personal Information collected will be processed in accordance with POPIA and with the NLC Data Privacy Policy.

2.9.3 The following persons will have access to the Personal Information collected:

2.9.3.1 NLC personnel participating in procurement/award procedures; and

2.9.3.2 Members of the public: within seven working days from the time the bid is awarded, the following information will have to be made available on National Treasury's e- Tender portal.

## 2.10. Rejection of all Bids/Quotation and Disclaimer

The NLC reserves the right to reject all bids when deemed necessary. This is justified when there is lack of effective competition, or bids/quotation are not substantially responsive.

### 3. Supplier Performance

- 3.1 The National Lotteries Commission conducts regular performance reviews in accordance with the requirements for the classification of the contract and or stakeholder by making use of supplier evaluation forms. The evaluation is conducted against the deliverables or scope of the contract with a minimum of an annual review done for contracts longer than a year and a review at completion of contract for those contracts less than a year.
- 3.2 Ad-hoc performance reviews shall be conducted where non-performance is identified outside the review period.
- 3.3 Non-performance will be addressed with at least a formal letter advising specific non-performing areas and stating remedial action/s required within specific time frames. Non-adherence to remedial actions shall lead to escalating performance management actions.
- 3.4 Any party to this agreement may request to participate in a joint performance review where appropriate and seek continuous improvement opportunities.

### SECTION 3: EVALUATION CRITERIA

The NLC will evaluate all quotations in terms of the Preferential Procurement Regulation 2022 (PPR2022) using the price quoted and special goal stated on this specification,

#### Phase 1: Administrative Compliance

The Administrative Compliance Evaluation will include the following:

| Evaluation Criteria                                                                                                                                      | Supporting Documents          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| 1. Returnable documents (standard bidding documents) and/or schedules were completed, duly signed by the authorized person                               | (SBD) Forms: SBD 1, SBD 6.1   |
| 2. Signed consent form in terms of the Protection of Personal Information Act 4 of 2013 (POPIA) (Consent Forms Attached to the Bid as part of the SBDs). | Signed POPIA Consent Form.    |
| 3. Latest CSD registration report with a tax compliant tax status.                                                                                       | Full CSD registration report. |

## Phase 2: Mandatory Compliance

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation.

| Evaluation Criteria                                                                                                                                                                                                                | Supporting Document |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 1. Fully completed and signed Standard Bidding Document.                                                                                                                                                                           | SBD 4.              |
| 2. Three Contactable Reference letters, not older than 5 years on client letterhead, for provision of Office Assistants to public Sector institutions on client letterheads. (Appointment letters and orders will not be accepted) | Reference letters   |

## Annexure A: Pricing Schedule

| Item                | Unit of measurement          | NLC Rate Per Day/Percentage/ Per unit | NLC Rate Per Month | Total (Monthly Rate only) |
|---------------------|------------------------------|---------------------------------------|--------------------|---------------------------|
| 1. Office Assistant | Per day                      | R250                                  | R5000              | R5000                     |
| 2. Management fee   | Per appointment (Percentage) |                                       |                    |                           |
| <b>Total</b>        |                              |                                       |                    |                           |

Note to bidders on completion of Pricing schedule:

### Management fee:

Place Management fee as a percentage, this will include costs of sourcing and placing the Office Assistant/Cleaner and paying the Office Assistant/Cleaner.

The rand value must multiply the percentage by the monthly rate of the Office Assistant/Cleaner to provide rand value of management fee.

\_\_\_\_\_  
Bidders Signature

\_\_\_\_\_  
Date

Name of the Bidder: \_\_\_\_\_

**Phase 3: The 80/20 Principle based on Price and Specific goal stated below.**

| <b>1. Procurement from entities who are black Owned</b>                  | <b>Sub - points for specific goals</b> | <b>Maximum points for specific goals</b> | <b>Relevant Evidence</b>                                                                |
|--------------------------------------------------------------------------|----------------------------------------|------------------------------------------|-----------------------------------------------------------------------------------------|
| Tenderer who have 100% black Ownership                                   | 8                                      | <b>8</b>                                 | Copies of ID's/3 months CIPC Report from the closing date of the bid/ CSD Recent Report |
| Tenderer who have 51% to 99% black ownership                             | 4                                      |                                          |                                                                                         |
| Tenderer who have less than 51% black ownership                          | 0                                      |                                          |                                                                                         |
| <b>2. Procurement from entities who are women Owned</b>                  |                                        | <b>4</b>                                 | B-BBEE Certificate / B-BBEE Sworn Affidavit                                             |
| Tenderer who have 100% women ownership                                   | 4                                      |                                          |                                                                                         |
| Tenderer who have 30% to 99% women ownership                             | 2                                      |                                          |                                                                                         |
| Tenderer who have less than 30% women ownership                          | 0                                      |                                          |                                                                                         |
| <b>3. Black Youth Ownership</b>                                          |                                        | <b>4</b>                                 | CSD                                                                                     |
| Tenderer who have 100% black youth ownership                             | 4                                      |                                          |                                                                                         |
| Tenderer who have 30% to 99% black youth ownership                       | 2                                      |                                          |                                                                                         |
| Tenderer who have less than 30% black youth ownership                    | 0                                      |                                          |                                                                                         |
| <b>4. Procurement from Disabilities</b>                                  |                                        | <b>4</b>                                 | Letter from the Doctor confirming disability and CSD report                             |
| Tenderer who have 20% or more owners with disability                     | 4                                      |                                          |                                                                                         |
| Tenderer who have less than 20% but more than 10% owners with disability | 2                                      |                                          |                                                                                         |
| Tenderer who have less than 10% owners with disability                   | 0                                      |                                          |                                                                                         |
| <b>Total points for specific goals</b>                                   |                                        | <b>20</b>                                |                                                                                         |

#### **SECTION 4: INSTRUCTION AND CONDITIONS TO PROSPECTIVE SUPPLIERS**

1. The cost of delivery, labor etc. must be included in this quotation.
2. Suppliers must keep all items listed below in stock.
3. NLC reserves the right to use the prevailing exchange rate as at the time of procurement of goods. The parties agree that, at the time of the order, the Supplier will procure an agreed forward exchange contract for the foreign content of the applicable order. Suppliers are expected to take forward cover to cover the foreign exchange risk upon receipt of the order by NLC.
4. Only Suppliers who complied under Technical Specification will be

considered for further evaluation.

5. Suppliers are requested to attend a compulsory briefing session if applicable.
6. Inspection of goods prior to delivery will be conducted by the Department on request.
7. Fraudulent practices shall result in immediate disqualification.
8. Bidders may be requested, at the behest of the NLC, to submit via courier services to the SCM unit of the NLC, within a minimum of 3 working days from date of request hard copy certified qualifications, memberships certificates, COIDA etc. which may have been requested for mandatory or functionality assessment.
9. Failure to submit the information within the requested period shall render the bidder non-responsive.

## **SECTION 5: CLARIFICATION / ENQUIRIES**

Telephonic request for clarification will not be considered. Any clarification required by a prospective service provider regarding the meaning or interpretation of the Specification or any other aspects concerning the request is to be requested in writing (letter or e-mail) from the following contact persons.

### **Request Enquiries and Quotations to:**

Name and Surname: SCM

E-mail: [quotation@nlcsa.org.za](mailto:quotation@nlcsa.org.za) and [maureen@nlcsa.org.za](mailto:maureen@nlcsa.org.za)

Tel: 012 432 1300/1470

**LATE SUBMISSIONS WILL NOT BE ACCEPTED.**

**THE NLC IS NOT OBLIGED TO ACCEPT THE LOWEST BIDDER AND RESERVES THE RIGHT TO ACCEPT ANY BID IN WHOLE OR PART.**

| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS                                                                                        |                                                                                                                                                       |            |                                     |                                                |                                                                                   |               |              |
|---------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------------------------------|------------------------------------------------|-----------------------------------------------------------------------------------|---------------|--------------|
| BID NUMBER:                                                                                                                           | <b>RFQ/2024-005-012</b>                                                                                                                               | ISSUE DATE | <b>14 May 2024</b>                  | CLOSING DATE:                                  | <b>17 May 2024</b>                                                                | CLOSING TIME: | <b>11H00</b> |
| DESCRIPTION                                                                                                                           | <b>REQUEST FOR QUOTATIONS FOR THE APPOINTMENT OF A RECRUITMENT COMPANY TO APPOINT AN OFFICE ASSISTANT (CLEANER) FOR NATIONAL LOTTERIES COMMISSION</b> |            |                                     |                                                |                                                                                   |               |              |
| <b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>                                            |                                                                                                                                                       |            |                                     |                                                |                                                                                   |               |              |
| Bid proposals OR Quotation MUST be submitted the below address:                                                                       |                                                                                                                                                       |            |                                     |                                                |                                                                                   |               |              |
| <a href="mailto:quotation@nlcsa.org.za">quotation@nlcsa.org.za</a> and <a href="mailto:maureen@nlcsa.org.za">maureen@nlcsa.org.za</a> |                                                                                                                                                       |            |                                     |                                                |                                                                                   |               |              |
|                                                                                                                                       |                                                                                                                                                       |            |                                     |                                                |                                                                                   |               |              |
| <b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>                                                                                 |                                                                                                                                                       |            |                                     | <b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b> |                                                                                   |               |              |
| CONTACT PERSON                                                                                                                        | SCM                                                                                                                                                   |            |                                     | CONTACT PERSON                                 | HCM                                                                               |               |              |
| TELEPHONENUMBER                                                                                                                       | 012 432 1470                                                                                                                                          |            |                                     | TELEPHONE NUMBER                               | 012 432 1515                                                                      |               |              |
| FACSIMILENUMBER                                                                                                                       |                                                                                                                                                       |            |                                     | FACSIMILE NUMBER                               |                                                                                   |               |              |
| E-MAIL ADDRESS                                                                                                                        | <a href="mailto:quotation@nlcsa.org.za">quotation@nlcsa.org.za</a>                                                                                    |            |                                     | E-MAIL ADDRESS                                 | <a href="mailto:quotation@nlcsa.org.za">quotation@nlcsa.org.za</a>                |               |              |
| <b>SUPPLIER INFORMATION</b>                                                                                                           |                                                                                                                                                       |            |                                     |                                                |                                                                                   |               |              |
| NAME OF BIDDER                                                                                                                        |                                                                                                                                                       |            |                                     |                                                |                                                                                   |               |              |
| POSTAL ADDRESS                                                                                                                        |                                                                                                                                                       |            |                                     |                                                |                                                                                   |               |              |
| STREET ADDRESS                                                                                                                        |                                                                                                                                                       |            |                                     |                                                |                                                                                   |               |              |
| TELEPHONENUMBER                                                                                                                       | CODE                                                                                                                                                  |            |                                     | NUMBER                                         |                                                                                   |               |              |
| CELLPHONENUMBER                                                                                                                       |                                                                                                                                                       |            |                                     |                                                |                                                                                   |               |              |
| FACSIMILENUMBER                                                                                                                       | CODE                                                                                                                                                  |            |                                     | NUMBER                                         |                                                                                   |               |              |
| E-MAIL ADDRESS                                                                                                                        |                                                                                                                                                       |            |                                     |                                                |                                                                                   |               |              |
| VAT REGISTRATION NUMBER                                                                                                               |                                                                                                                                                       |            |                                     |                                                |                                                                                   |               |              |
| SUPPLIER COMPLIANCE STATUS                                                                                                            | TAX COMPLIANCE SYSTEM PIN:                                                                                                                            |            | OR                                  | CENTRAL SUPPLIER DATABASE                      | UNIQUE REGISTRATION REFERENCE NUMBER: MAAA                                        |               |              |
| B-BBEE STATUSLEVEL VERIFICATION CERTIFICATE                                                                                           | [TICK APPLICABLE BOX]<br><input type="checkbox"/> Yes <input type="checkbox"/> No                                                                     |            | B-BBEE STATUS LEVEL SWORN AFFIDAVIT |                                                | [TICK APPLICABLE BOX]<br>Yes <input type="checkbox"/> No <input type="checkbox"/> |               |              |

**[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]**

|                                                                                                 |                                                                                    |                                                                             |                                                                                                  |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| 1. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THEGOODS/ SERVICES /WORKS OFFERED? | Yes <input type="checkbox"/> No <input type="checkbox"/><br>[IF YES ENCLOSE PROOF] | 2. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | Yes <input type="checkbox"/> No <input type="checkbox"/><br>[IF YES, ANSWER QUESTIONNAIRE BELOW] |
|-------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|

**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

|                                                                                                                                                                                                                    |                              |                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------|
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?                                                                                                                                                    | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA?                                                                                                                                                                          | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?                                                                                                                                                         | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?                                                                                                                                                              | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION                                                                                                                                                           | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FORA TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 BELOW. |                              |                             |

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

|                                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. BID SUBMISSION:</b>                                                                                                                                                                                                                      |
| 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).                                                                                                                                                |
| <b>2. TAX COMPLIANCE REQUIREMENTS</b>                                                                                                                                                                                                          |

- 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](http://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: .....

[illegible]

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

**2.3.1** If so, furnish particulars:

.....

.....

**2.4** 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**

**2.4.1** If so, furnish particulars:

.....

.....

### **3 DECLARATION**

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

- 3.1** I have read and I understand the contents of this disclosure;
- 3.2** I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3** The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4** In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4** The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

- 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

## **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:

|                                                  | <b>POINTS</b> |
|--------------------------------------------------|---------------|
| <b>PRICE</b>                                     | <b>80</b>     |
| <b>SPECIFIC GOALS</b>                            | <b>20</b>     |
| <b>Total points for Price and SPECIFIC GOALS</b> | <b>100</b>    |

- 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 PREFERENCE POINT SYSTEMS

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

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

Where

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

#### 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 the 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 the 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.) Please complete this table for claiming of points.***

| 1. Procurement from entities who are black Owned | Sub - points for specific goals | Maximum points for specific goals | Relevant Evidence                                                                       | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|--------------------------------------------------|---------------------------------|-----------------------------------|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| Tenderer who have 100% black Ownership           | 8                               | 8                                 | Copies of ID's/3 months CIPC Report from the closing date of the bid/ CSD Recent Report |                                                                           |
| Tenderer who have 51% to 99% black ownership     | 4                               |                                   |                                                                                         |                                                                           |
| Tenderer who have less than 51% black ownership  | 0                               |                                   |                                                                                         |                                                                           |
| 2. Procurement from entities who are women Owned |                                 |                                   | B-BBEE Certificate / B-BBEE                                                             |                                                                           |
| Tenderer who have 100% women ownership           | 4                               |                                   |                                                                                         |                                                                           |

|                                                                          |   |           |                                                             |  |
|--------------------------------------------------------------------------|---|-----------|-------------------------------------------------------------|--|
| Tenderer who have 30% to 99% women ownership                             | 2 | <b>4</b>  | Sworn Affidavit                                             |  |
| Tenderer who have less than 30% women ownership                          | 0 |           |                                                             |  |
| <b>3. Black Youth Ownership</b>                                          |   | <b>4</b>  | CSD Report                                                  |  |
| Tenderer who have 100% black youth ownership                             | 4 |           |                                                             |  |
| Tenderer who have 30% to 99% black youth ownership                       | 2 |           |                                                             |  |
| Tenderer who have less than 30% black youth ownership                    | 0 |           |                                                             |  |
| <b>4. Procurement from Disabilities</b>                                  |   | <b>4</b>  | Letter from the Doctor confirming disability and CSD report |  |
| Tenderer who have 20% or more owners with disability                     | 4 |           |                                                             |  |
| Tenderer who have less than 20% but more than 10% owners with disability | 2 |           |                                                             |  |
| Tenderer who have less than 10% owners with disability                   | 0 |           |                                                             |  |
| Total points for specific goals                                          |   | <b>20</b> |                                                             |  |

## 5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1. Name of company/firm.....

5.2. Company registration number: .....

5.3. 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]

4.5. 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:** .....

.....

.....

## **SCM:** **CONSENT** **REQUEST FORM**

REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF PROCUREMENT OF GOODS AND SERVICES APPLICATION, IN LINE WITH THE NLC's SUPPLY CHAIN MANAGEMENT POLICY, IN TERMS OF SECTION 11(1)(a) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013) ("**POPIA**").

TO: \_\_\_\_\_

FROM: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Contact number: \_\_\_\_\_

Email address: \_\_\_\_\_

### **PART A**

1. In terms of the PROTECTION OF PERSONAL INFORMATION ACT, consent for processing of personal information of a data subject (the person/entity to whom personal information relates) must be obtained for the purpose of processing of application for procurement of goods and services, in line with the NLC's supply chain management policy, and storage of your personal data by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMSs or e-mail, which is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by us (NLC). After you have indicated your wishes in Part B, you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.
2. "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—

- 2.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
  - 2.2 dissemination by means of transmission, distribution or making available in any other form; or
  - 2.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.
3. "Personal information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—
- 3.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
  - 3.2 information relating to the education or the medical, financial, criminal or employment history of the person;
  - 3.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
  - 3.4 the biometric information of the person;
  - 3.5 the personal opinions, views or preferences of the person;
  - 3.6 correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
  - 3.7 the views or opinions of another individual about the person; and
  - 3.8 the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

---

Full names of the designated person on behalf of the Responsible Party

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Signature of Designation person

## PART B

I, \_\_\_\_\_ (full names), duly authorized, hereby:  
Consent to the processing of my/our personal information for the application of  
procurement of goods and services, in line with the NLC supply chain management  
policy, in terms of section 11(1)(a) of POPIA.

SPECIFY GOODS AND SERVICES (Edit/Click on services not required):

- ☐ Product Information
- ☐ Product Updates
- ☐ Industry Newsletters
- ☐ Price Changes

Method of Communication will be via: Email/Postal

- ☐ Give my consent.

By Ticking the next box, I am aware that I am Digitally Signing this Consent  
request Form:

☐

Full Name:

Date:

### **WITHDRAWAL OF CONSENT ONCE GIVEN**

You may withdraw your consent at any time.

Write or email us at the address above, advising us of your consent withdrawal