



## REQUEST FOR PROPOSAL (RFP)

| RFP NUMBER: RFQ/ETQ/24/25/327                                                      |                  |                |       |
|------------------------------------------------------------------------------------|------------------|----------------|-------|
| CLOSING DATE                                                                       | 06 February 2025 | CLOSING TIME   | 16:00 |
| PHYSICAL ADDRESS                                                                   |                  | POSTAL ADDRESS |       |
| <b>Block C, Metropolitan Park, 8 Hillside Rd,<br/>Parktown, Johannesburg, 2193</b> |                  |                |       |

| SUPPLY CHAIN CONTACTS AND ENQUIRIES |                           |
|-------------------------------------|---------------------------|
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|                                                                   |                         |                                        |               |
|-------------------------------------------------------------------|-------------------------|----------------------------------------|---------------|
| Document Title                                                    | Request for Proposal(s) |                                        |               |
| Document Number                                                   | FIN-TP-001(B)           | Revision Date                          | 03 June 2024  |
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| Revision Number                                                   | Rev 00                  | Access                                 | Controlled    |
| Reviewed: Senior Manager:<br>Supply Chain and Contract Management |                         | Controlled:<br>Chief Executive Officer |               |

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## 1. Introduction to Request for Proposal (RFP)

1.1 The Manufacturing, Engineering and Related Services Sector Education and Training Authority (merSETA) is a Schedule 3A public entity established in terms of the Skills Development Act (Act No. 97 of 1998), Registration Number 17/merSETA/01/04/20, to facilitate skills development for the Metal and Engineering, Motor Retail and Components Manufacturing, Automobile Manufacturing, Plastics Manufacturing and New Tyre Manufacturing Sectors Automotive Components Manufacturing Chamber.

The merSETA is inviting potential service providers to submit the proposal for the services described under scope of work.

1.2 This RFP is subject to the Preferential Procurement Policy Framework Act (Act No. 5 of 2000) and the Preferential Procurement Regulations (2022 Regulations), the General Conditions of Contract (GCC), and, if applicable, any other special conditions of contract. Where, however, the special conditions of the contract conflict with the general conditions of the contract, the special conditions of the contract prevail.

1.3

## 2. Background Information

The merSETA qualifications development project involves the development of all new qualifications as Skills Programmes using the QCTO methodology. The tyre retreading specialisation area addresses the retreading of passenger, light and heavy commercial vehicles and agricultural and off-the-road (OTR) machine tyres and includes both hot and precure retreading processes.

The tyre repair and fitting specialisation area addresses the needs of the tyre servicing industry which is characterized by the provision of tyre maintenance, repair and fitting services for a range of tyre contexts including passenger, light and heavy commercial vehicles, industrial, agricultural and off-the-road (OTR) machine/equipment tyres.

This project will be reviewing the curriculum and qualification documents (to be provided) of the Wheel, Tyre Serviceperson, Tyre Retreader and Repairer to develop the occupational skills programme(s).

## 3. Objectives of the Service

The objective of this project is to procure the services of a qualified and capable service provider for the development of the following specialised occupational skills programmes Wheel, Tyre Serviceperson, Tyre Retreader and Repairer. The service provider will be

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responsible for the development according to the QCTO approved process, which comprises the templates, guidelines, forms and schedules.

#### 4. Scope of Work (Service)

The National Certificate: Tyre Repair and Maintenance SAQA 61809 together with the already developed curriculum and qualifications documents will be the focus for this project. The Part- qualifications listed on the curriculum document(s) will be used to guide the scope of the occupational skills programmes. (Annexure A)

#### 5. Deliverables

- Scoping Meeting conducted
- Qualification WG members identified and confirmed by stakeholders.
- Occupational Profile developed and verified
- Skills Programme Document(s)
- Skills Programme Curriculum Specifications Document(s)
- Final verification meeting conducted
- Reports for every deliverable including close out report.

#### 6. Project Timeline

6.1 It is estimated period for this project is a minimum of Three (3) days.

#### 7. RFP Submission

7.1 Bid documents may be emailed to [quotations@merseta.org.za](mailto:quotations@merseta.org.za) on or before the closing date and closing time. or, placed in the tender box at the offices of the merSETA, or couriered to the merSETA physical address indicated in the paragraph. In the event of bidders submitting physical documents, bids must be properly packaged and deposited on or before the closing date and before the closing time in the tender box situated at the reception area (ground floor) of the merSETA. The merSETA's physical address is as follows:

**merSETA Head Office**  
**Metropolitan Park, Block C**  
**8 Hillside Road**  
**Parktown**  
**Johannesburg**

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7.2 The merSETA will only consider bid documents received on or before the closing date and time, regardless of the method used to provide them.

## 8. Late submissions of the RFP

Submission of quotation(s) received late (after the closing date and time) will not be considered.

## 9. Request for Proposal (RFP) Rules

9.1 The following rules will apply for this Request for Proposal:

9.1.1 The price(s) quoted shall be valid for a minimum period of 60 days from the closing date and time of this RFP.

9.1.2 The price(s) quoted must be firm and inclusive of value-added tax (VAT) where applicable.

9.1.3 The price(s) must include all related expenses, i.e., transport, accommodation, etc. (where applicable).

9.1.4 A potential supplier or service provider must be validly registered on the Central Supplier Database (CSD), as hosted by the National Treasury.

9.1.5 Only an official purchase order or appointment letter issued by the merSETA will bind the merSETA.

## 10 Bid Evaluation Process

10.1 The RFQ will be evaluated in terms of PPPFA 05 of 2000 and Preferential Procurement Regulation 2022 (80/20).

### 10.1.1 Evaluation Stage 1: Compliance

10.1.1.1 All bidders must comply with the administrative requirements outlined in the Standard Bidding Documents and the mandatory requirements listed below. All bidders failing to provide the required information and documentation in this evaluation stage may face disqualification from further evaluation. Failure to comply with the requirements assessed in Stage 1 (compliance) may lead to the disqualification of bids.

#### a) Standard Bidding Document (SBD 4)

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b) Standard Bidding Documents (SBD 6.1)

**10.1.2 Evaluation Stage 2: Technical Evaluation**

**10.1.2.1** Bidders must meet the minimum technical specification requirements in this evaluation stage to advance to the next evaluation stage. Failure to meet the prescribed technical specification will automatically disqualify the bid offer from proceeding to the next evaluation stage. Each **proposal that passed functional evaluation of 70% and more, will be on equal footing to proceed to the final round of evaluation on price and specific goals.**

| No | Requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Criteria                                                                                                                                                                               | Points |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 1. | <b>Team Member/Leader Experience</b><br><br>The potential bidder must attach a detailed Curriculum Vitae (CV) indicating duties, responsibilities, number of years detailing the start & end date and relevant experience in occupational qualifications and skills programmes development.<br><br>NB: Bidders must provide list of developed qualifications registered on the National Qualifications Framework at the South African Qualifications Authority with SAQA ID populated / Approved occupational skills programme with skills programme ID recorded on the skills programme database at the Quality Council for Trades and Occupations. | Four(4) or more registered qualifications / approved occupational skills = <b>30 points</b>                                                                                            | 30     |
|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | One (1) - Three (3) registered qualifications / approved occupational skills = <b>20 points</b>                                                                                        |        |
|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | No registered qualifications / approved occupational skills programme = <b>0 points</b>                                                                                                |        |
|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                        |        |
| 2. | <b>Capacity to deliver :</b><br>The bidder must prove capacity to undertake a project of this nature and capacity to complete the project by submitting a detailed proposed methodology and approach, as well as                                                                                                                                                                                                                                                                                                                                                                                                                                     | Fully complies - The Bidder has provided a detailed explanation of the methodology implementation approach which details how the services will be carried out as outlined in the scope | 20     |

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|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                            |    |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
|    | timeframes and a project plan                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | and deliverables and timelines = <b>20 points</b>                                                                                                                                                                                                          |    |
|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Poor proposed methodology with no detailed project plan and timeframes. = <b>0 points</b>                                                                                                                                                                  |    |
| 3. | <p><b>Reference letters</b></p> <p>Reference from previous clients within the Education and Training sector as evidence of work previously conducted as a Qualification Development Facilitator (QDF) / Technical Working Group (TWG) member for qualification development/ skills programme developer.</p> <p><b>NB:</b> The Reference Letter(s) must be on the letterhead of the previously serviced client and/or work-in-progress from current clients, and should reflect at least the name of the client, title of the related work conducted, year(s) conducted and completed, contactable reference name and contact details, and be signed by the appropriate delegate. Only references indicating work successfully rendered will be accepted. merSETA reserves the right to contact the referee/s.</p> | <p>Three (3) or more relevant written reference letters attached = <b>20 points</b></p> <p>One (1) – Two (2) relevant written reference letters attached = <b>10 points</b></p> <p>No or unsatisfactory reference letter(s) attached = <b>0 points</b></p> | 20 |
| 4. | <p><b>Developed Occupational Qualifications:</b></p> <p>The bidder must propose a team member(s) with experience for undertaken similar work: developed Occupational Qualifications/ Occupational Skills Programmes/ QAS Addendum</p> <p>NB: Bidders must attach the following:</p> <ol style="list-style-type: none"> <li>1. Signed Curriculum Document.</li> <li>2. Submission letter to QCTO for evaluation.</li> <li>3. QCTO Acknowledgement letter for evaluation.</li> </ol>                                                                                                                                                                                                                                                                                                                                | <p>All Three (3) documents submitted = <b>30 points</b></p> <p>One (1) - Two (2) documents submitted = <b>20 points</b></p> <p>No documents submitted = <b>0 points</b></p>                                                                                | 30 |

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|--------------------------------|--|--|------------|
|                                |  |  |            |
| <b>TOTAL WEIGHTING</b>         |  |  | <b>100</b> |
| <b>MINIMUM WEIGHTING SCORE</b> |  |  | <b>70</b>  |

### 10.1.3 Evaluation Stage 3: Preference Point System

10.1.3.1 The 80/20 preference point system shall be applicable to this phase, where 80 points represent the maximum obtainable points for the lowest acceptable price and 20 points represent the specific goals. The bid documentation's table below will award points to a bidder for achieving the specific goals.

| The specific goals allocated points in terms of this tender | Number of points Allocated (80/20 system)<br>(To be completed by the organ of state) | Number of points claimed (80/20 system)<br>(To be completed by the tenderer) |
|-------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Tenderer who has 51% to 100% black people ownership         | 6                                                                                    |                                                                              |
| Tenderer who has 30% to 100% black women ownership          | 4                                                                                    |                                                                              |
| Tenderer who has 30% to 100% black youth ownership          | 4                                                                                    |                                                                              |
| Tenderer who has 30% to 100% White women ownership          | 2                                                                                    |                                                                              |
| Tenderer who has 20% or more owners with disability         | 4                                                                                    |                                                                              |
| <b>Total Points allocated to Specific Goals</b>             | <b>20</b>                                                                            |                                                                              |

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**Note: Refer to Annexure A for Proof or documentation that may be considered to claim points for specific goal related to persons or categories of persons historically disadvantaged by unfair discrimination.**

## **11 Cost Proposal**

11.1 All prices must be VAT inclusive (where applicable) and must be quoted in South African Rand (ZAR).

11.2 The rates of remuneration will be subject to negotiation, not exceeding the applicable rates as contained in the guidelines:

11.2.1 The “Guideline on Fees for Audits done on behalf of the Auditor-General of South Africa (AGSA)<sup>1</sup>” as issued by the South African Institute of Chartered Accountants (SAICA);

11.2.2 The “Guide on Hourly Fee Rates for Consultants”, as issued by the Department of Public Service and Administration (DPSA); and/or

11.2.3 Remuneration guidelines issued by professional service organisations or regulatory bodies, as may be relevant.

## **12 merSETA’s RIGHTS**

12.1 The merSETA is entitled to amend any bid condition, bid validity period, RFP specification, or extend the bid closing date, all before the bid closing date. All bidders, to whom the RFP documents have been issued and where the merSETA has records of such bidders, may be advised in writing of such amendments in good time, and any such changes will also be posted on the merSETA’s website under the relevant tender information. Therefore, before submitting their bid response, prospective bidders should regularly check the website to stay informed about any amendments related to this matter.

12.2 The merSETA reserves the right not to accept the lowest priced bid or any bid in part or in whole. It normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose bid is functionally acceptable and/or financially advantageous to the merSETA.

12.3 The merSETA reserves the right to award this bid as a whole or in part.

12.4 The merSETA reserves the right to conduct site visits at bidder’s corporate offices and or at client sites if so required.

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- 12.5 The merSETA reserves the right to consider the guidelines and prescribed hourly remuneration rates for consultants as provided in National Treasury Instruction 02 of 2016/2017: Cost Containment Measures, where relevant.
- 12.6 The merSETA reserves the right to request all relevant information, agreements, and other documents to verify the information supplied in the bid response. The bidder hereby gives consent to the merSETA to conduct background checks, including FICA verification, on the bidding entity and any of its directors, trustees, shareholders or members.
- 12.7 The merSETA reserves the right, at its sole discretion, to appoint any number of vendors to be part of this panel of service providers, if applicable (i.e., where a panel is considered).
- 12.8 The merSETA reserves the right to make a final decision on the interpretation of its tender requirements and responses thereto.
- 12.9 The merSETA reserves the right to consider the professional conduct and experiences it had with any bidder that rendered similar services to the merSETA in the past 5 years over and above the references put forward by the bidder in its response.

### **13 UNDERTAKINGS BY THE BIDDER**

- 13.1 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 merSETA on the terms and conditions and in accordance with the specifications stipulated in this RFQ document.
- 13.2. The bidder shall prepare for a possible presentation should merSETA require such, and the bidder will be required to make such a presentation within five (5) days from the date the bidder is notified of the presentation. Such a presentation may include a practical demonstration of products or services as called for in this RFP.
- 13.3. The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the merSETA during the bid validity period indicated in this RFP, and its acceptance shall be subject to the terms and conditions contained in this RFP document read with the bid.
- 13.4. The bidder furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all his/her obligations under a resulting contract for the services

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contemplated in this RFP; and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.

13.5. The successful bidder accepts full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on him/her under the supply agreement and SLA to be concluded with merSETA, as the principal(s) liable for the due fulfillment of such a contract.

13.6 The bidder accepts that all costs incurred in the preparation, presentation, and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with the bid will become merSETA property unless otherwise stated by the bidder(s) at the time of submission.

## **ANNEXURE A**

### **Specific Goal Guide – Preferential points (80/20)**

**This specific goal guide will be used to assist providers in submitting relevant documents to confirm specific goals.**

“**Specific goals**” means specific goals as contemplated in section 2 (1) (d) of the Act which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of Reconstruction and Development programme as published in government gazette No. 16085 dated 23 November 1994.

**Please note that:**

- **Financial account, management account or auditors’ letter should be submitted confirming turnover of the company determining BBBEE status on Affidavit and B-BBEE CIPC certificate in order for the specific goals can be awarded.**

### **Preferential points for tenders without local content requirements.**

| <b>Specific goal</b>                 | <b>80/20 Preference Point system</b> | <b>Example of Submission</b>                      | <b>Tick if relevant document submitted</b> | <b>Indicate which document have been submitted</b> |
|--------------------------------------|--------------------------------------|---------------------------------------------------|--------------------------------------------|----------------------------------------------------|
| Black People Ownership – 51% or more | 6                                    | Valid B-BBEE certificate/Affidavit or B-BBEE CIPC |                                            |                                                    |

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|                                                 |           |                                                   |  |  |
|-------------------------------------------------|-----------|---------------------------------------------------|--|--|
| Black Women Ownership – 30% or More             | 4         | Valid B-BBEE certificate/Affidavit or B-BBEE CIPC |  |  |
| Black Youth Ownership – 30% or More             | 4         | Valid BBEE certificate/Affidavit or B-BBEE CIPC   |  |  |
| White Women Ownership – 30% or More             | 2         | Valid B-BBEE certificate/Affidavit or B-BBEE CIPC |  |  |
| People with Disability (PwD) Ownership          | 4         | Medical certificate                               |  |  |
| <b>Total Points allocated to Specific Goals</b> | <b>20</b> |                                                   |  |  |

| AUTHORISATION SIGNATORIES TO CONFIRM RFP                                                              |                |                                                                                     |                 |
|-------------------------------------------------------------------------------------------------------|----------------|-------------------------------------------------------------------------------------|-----------------|
| The employee signing below hereby affirms the accuracy of the information requested for the proposal. |                |                                                                                     |                 |
| Supply Chain Management Representative                                                                |                |                                                                                     |                 |
| Full Names                                                                                            | Karabo Phalo   | Date                                                                                | 31 January 2025 |
| Signature                                                                                             |                |                                                                                     |                 |
| Technical Representative                                                                              |                |                                                                                     |                 |
| Full Names                                                                                            | Sibusiso Hlubi | Date                                                                                | 22 January 2025 |
| Signature                                                                                             |                |  |                 |

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## **SECTION 1: CURRICULUM SUMMARY**

### **1. Occupational Information**

#### **1.1 Associated Occupation**

714101: Rubber Production Machine Operator

#### **1.2 Occupation or Specialisation Addressed by this Curriculum**

714101001: Tyre Retreader and Repairer

#### **1.3 Alternative Titles used by Industry**

- 

### **2. Curriculum Information**

#### **2.1 Curriculum Structure**

:

Knowledge Modules:

- 714101-001-00-00, KM-01, Tyre retreading fundamentals
- 714101-001-00-00 KM-02, Tyre repair fundamentals,
- 714101-001-00-00 KM-03, Tyre production,

Practical Skill Modules:

- 712101001-PM-01, Work safely,
- 712101001-PM-02, Retread tyres,
- 712101001-PM-03, Repair Tyres,

Work Experience Modules:

- 712101001-WM-01, Tyre retreading operations
- 712101001-WM-02, Tyre repair operations
- 712101001-WM-03, Tyre production operations

## **SECTION 2: OCCUPATIONAL PROFILE**

### **1. Occupational Purpose**

The purpose of this qualification is to prepare a learner to operate as a Tyre Retreader and Repairer.

A Tyre Retreader and Repairer repairs and retreads tyres, productively and safely, in accordance with standards, specifications and organisational requirements.

Retreading will include pre- and post-inspections, and may include retreading tyres, buffing off residual rubber, removing imperfections, repairing casings, hot re-treading or applying precured tread.

Repairs will include pre- and post-inspections, and may include skiving, filling, and reinforcing.

The curriculum will be contextualised to passenger, light commercial, light agricultural, medium, and heavy commercial, industrial, and heavy agricultural vehicles, or off-the-road (OTR) vehicles, machines, and equipment, as applicable.

A qualified learner will be able to:

- Repair tyres
- Retread tyres
- Work safely and respond to emergencies

## **2. Occupational Tasks**

- Work safely
- Retread Tyres
- Repair tyres

## **SECTION 3. CURRICULUM SUMMARY**

### **3. Occupational Information**

#### **3.1 Associated Occupation**

832910 Component Fitter

#### **3.2 Occupation or Specialisation Addressed by this Curriculum**

832910001 Wheel and Tyre Serviceperson

#### **3.3 Alternative Titles used by Industry**

- 

## **4. Curriculum Information**

### **4.1 Curriculum Structure**

Knowledge Modules

- 83291001-KM-01 Wheel and tyre servicing fundamentals
- 83291001-KM-02 Wheel alignment fundamentals
- 83291001-KM-03 Wheel and tyre service administration and sales

Practical Skill Modules

- 832910001-PM-01, Work safely
- 832910001-PM-02 Fit wheels and tyres
- 832910001-PM-03 Monitor and control steering, suspension, wheel, and tyre condition; and align wheels,

Work Experience Modules

- 832910001-WM-01 Wheel and tyre fitting operations
- 832910001-WM-02 Wheel aligning operations
- 832910001-WM-03 Tyre serviceperson operations

## **SECTION 5 OCCUPATIONAL PROFILE**

### **5.1. Occupational Purpose**

The purpose of this qualification is to prepare a learner to operate as a Wheel and Tyre Serviceperson.

A Wheel and Tyre Serviceperson carries out the activities to remove, inspect, maintain, repair, balance and fit wheels and tyres, use tyre stripping and fitting machines or tubeless tyre tool kits or tyre levers, monitor

and control vehicle steering, suspension wheels and tyre condition, and to align wheels, applying and exercising health, safety and environmental procedures and practices, in accordance with standards, specifications and organisational requirements.

The curriculum will be contextualised to passenger, light commercial, light agricultural, medium, and heavy commercial, industrial, and heavy agricultural, or off-the-road vehicles, machines, and equipment, as applicable

A qualified learner will be able to:

- Service wheels and tyres
- Align wheels
- Work safely and respond to emergencies

## **5.2. Occupational Tasks**

- Service wheels and tyres (NQF Level 2)
- Align wheels (NQF Level 3)
- Work safely and respond to emergencies (NQF Level 2)

## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

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

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

### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

| Full Name | Identity Number | Name of institution | State |
|-----------|-----------------|---------------------|-------|
|           |                 |                     |       |
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2.2 Do you, or any person connected with the bidder, have a relationship

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<sup>1</sup> 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.

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<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.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

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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.

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:

|                                                  | POINTS     |
|--------------------------------------------------|------------|
| PRICE                                            | 80         |
| SPECIFIC GOALS                                   | 20         |
| <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 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right) \quad \text{or} \quad Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

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

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

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

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

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

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

| The specific goals allocated points in terms of this tender | Number of points allocated<br>(80/20 system)<br>(To be completed by the organ of state) | Number of points claimed<br>(80/20 system)<br>(To be completed by the tenderer) |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| Tenderer who has 51% to 100% black people ownership         | 6                                                                                       |                                                                                 |
| Tenderer who has 30% to 100% black women ownership          | 4                                                                                       |                                                                                 |
| Tenderer who has 30% to 100% black youth ownership          | 4                                                                                       |                                                                                 |
| Tenderer who has 30% to 100% White women ownership          | 2                                                                                       |                                                                                 |
| Tenderer who has 20% or more owners with disability         | 4                                                                                       |                                                                                 |
| <b>Total Points allocated to Specific Goals</b>             | <b>20</b>                                                                               |                                                                                 |

#### **DECLARATION WITH REGARD TO COMPANY/FIRM**

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

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One-person business/sole propriety

Close corporation

Public Company

Personal Liability Company

(Pty) Limited

Non-Profit Company

State Owned Company

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

.....  
**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

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