

<b>RFQ NUMBER</b>	<b>RFQ/MICT/47/2022</b>
<b>RFQ DESCRIPTION</b>	<b>APPOINTMENT OF A SUITABLY QUALIFIED AND EXPERIENCED RESEARCH AND PLANNING SERVICES PROVIDER TO ASSIST IN THE DEVELOPMENT OF THE STRATEGIC PLAN UPDATE 2023/24 AND ANNUAL PERFORMANCE PLAN UPDATE 2023/24</b>
<b>RFQ ISSUE DATE</b>	<b>03 August 2022</b>
<b>BRIEFING SESSION</b>	<b>N/A</b>
<b>CLOSING DATE &amp; TIME</b>	<b>08 August 2022 @ 11:00 AM RFQ submitted after the stipulated closing date and time will not be considered.</b>
<b>LOCATION FOR SUBMISSIONS</b>	<a href="mailto:rfqs@mict.org.za">rfqs@mict.org.za</a>
<b>NO: OF DOCUMENTS</b>	<b>1 SOFT COPY</b>

For queries, please contact [rfqs@mict.org.za](mailto:rfqs@mict.org.za) before the closing date of this RFQ.

The MICT SETA requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above. **Late and incomplete submissions will invalidate the quote submitted.**

SUPPLIER NAME: \_\_\_\_\_

NATIONAL TREASURY (CSD) SUPPLIER NUMBER: \_\_\_\_\_

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

TELEPHONE NO: \_\_\_\_\_

E MAIL ADDRESS: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

CELL NO: \_\_\_\_\_

SIGNATURE OF BIDDER: \_\_\_\_\_

**SUPPLIER REGISTRATION ON CSD**

Prospective suppliers must register on the National Treasury Central Supplier database in terms of National Treasury circular no 4A of 2016/17. The bidder shall register prior submitting a proposal/bid.

### RETURNABLE DOCUMENTS CHECKLIST

quotation invitation document must be completed, signed and submitted as a whole by the authorised Company representative. All forms must be properly completed, list below serve as a checklist of your RFQ submission.

(Tick in the relevant block below)

DESCRIPTION	YES	NO
<b>CSD</b> Central Supplier Database (CSD) Registration Report		
CIPC registration documents		
Pricing Schedule		
Valid Tax Clearance Certificate (S) and or proof of application endorsed by <b>SARS</b> and/or <b>SARS</b> issued verification pin		
<b>SBD 4 – Bidder’s Disclosure</b>		
<b>SBD 6.1 - Preferential Procurement Claim Form</b>		
Certified Copy of Valid B-BBEE Certificate / Affidavit. All section of BBBEE sworn affidavits must be completed in full. Please see guideline for validating BBBEE sworn affidavits.		

**Note: This RFQ must be completed and signed by the authorised company representative**



## MICT SETA –QUOTATION CONDITIONS

### 1. QUOTATION CONDITIONS

NOTE: Quotation for the supply of goods or services described in this document are invited in accordance with the provision of Government Procurement: General Conditions of Contract available for download from <http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/>

- a. **MICT SETA** does not bind itself to accept the lowest or any RFQ, nor shall it be responsible for or pay any expenses or losses which may be incurred by the bidder in the preparation and delivery of the RFQ.
- b. No RFQ shall be deemed to have been accepted unless and until a formal contract/letter of intent is prepared and executed.

#### 1.1 **MICT SETA** reserves the right to:

- a. Not evaluate and award RFQ that do not comply strictly with the requirements of this RFQ.
- b. Make a selection solely on the information received in the RFQs and Enter into negotiations with any one or more of the preferred bidder(s) based on the criteria specified in the evaluation of this RFQ.
- c. Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders, and no change in the content of the RFQ shall be sought, offered, or permitted.
- d. Award a contract to one or more bidder(s).
- e. Withdraw the RFQ at any stage
- f. Accept a separate RFQ or any RFQ in part or full at its own discretion.
- g. Cancel this RFQ or any part thereof at any stage as prescribed in the PPPFA regulation.
- h. Select the bidder(s) for further negotiations based on the greatest benefit to MICT SETA and not necessarily on the basis of the lowest costs

### 2. COST OF BIDDING

The bidder shall bear all costs and expenses associated with the preparation and submission of its RFQ or RFQ, and the MICT SETA shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection processes.

## TERMS OF REFERENCE

### **1. Background Information**

The Media, Information and Communication Technology Sector Education and Training Authority ("MICT SETA") is a statutory body established through the Skills Development Act, of 1998 section 10 (1) (a). The SETA was established to offer support to its stakeholders through skills development imperatives within the Advertising, Film and Electronic Media, Electronics, Information Technology and Telecommunications sub-sectors.

In accordance with the Skills Development Act 1998 Section 10(1) (a) each SETA is required to develop a Sector Skills Plan (SSP) within the framework of the National Skills Development Plan (NSDP). The SSP development is based on the view that the research itself is a national document, therefore, it should be used by all stakeholders, policy makers and the SETA staff. It should be used as one of a range of critical documents to inform skills planning and strategic decision in the SETA and the entire sector. The MICT SETA aims to address skills development priorities determined by the sector for the purpose of enhancing skills and ensuring the development of a skilled and capable workforce.

MICT SETA conducts its activities within the following five sub-sectors:

- Advertising
- Film and Electronic Media
- Electronics
- Information Technology and
- Telecommunications sub-sectors.

Within these sub-sectors, MICT SETA is responsible for the following:

- a. Development of a Sector Skills Plans (SSP) within the framework of the National Skills Development Plan (NSDP).
- b. Implementation of the SSP.
- c. Development and administration of Learnerships.
- d. Support of the implementation of the National Qualifications Framework (NQF).
- e. Quality assurance of sector learning interventions.
- f. Disbursement of levies collected from employers in their sector; and reporting to the Minister and the South Africa Qualifications Authority (SAQA).

### **2. Purpose**

The purpose of this request is to invite suitably qualified and experienced service providers to submit proposals for the development and update of the MICT SETA Strategic Plan Update 2023/24 and the Annual Performance Plan (APP) Update for the fiscal years 2023/24. The main objectives are as follows:

- a) Develop and align the SSP 2023/24 to the Strategic Plan and APP in line with the Revised DPME Framework and Requirements for SP-APPs and DHET requirements.
- b) Ensure that MICT SETA's skills planning needs and priority actions are well articulated in the SP and APP Updates for 2023/24.
- d) Articulate the strategic priorities identified in MICT SETA's SSP into the Strategic Plan and APP to ensure the achievement of the SETA's vision and mission.
- e) Translate the strategic objectives identified in the MICT SETA SSP, SP, and other stakeholder engagements into targets aligned with the goals of the NSDP.
- f) Evaluation and advice on strategy execution risks and other related risks.
- g) Develop the MICTSETA Strategic Planning model/Framework/policy in line with the revised DPME Framework for SP-APPs to support the strategic planning process

### **3. Scope of the Services**

Interested parties are requested to provide proposals on how they can provide the following services/deliverables:

- a) Develop and update SP and all relevant annexures within the DPME Revised Framework for Strategic Plans and Annual Performance Plans and DHET requirements.
- b) Plan and engage in internal stakeholder consultations with business.
- c) Develop and revise the SP Technical Indicator descriptors to be in line with the SMART principles- as per the DPME Framework.
- d) Receive and incorporate input from all relevant stakeholder consultations.
- e) Incorporate input from Board and Management strategic planning session.
- f) Incorporate SSP priority actions into SP.
- g) Prepare first and second draft SP and accompanying annexures for submission to relevant MICT SETA management structures at least two weeks before submission deadline to DHET.
- h) Receive and incorporate feedback from relevant MICT SETA management structures and DHET at least two weeks before submission.
- i) Incorporate any feedback received from DHET on the 1<sup>st</sup> draft submission and any corrections that need to be aligned.
- j) Incorporate any feedback received from the Auditor-General for 2021/22 audit report and align with the AGSA requirements.
- k) Meet the deadline for submission of first draft SP on the 15 September 2022 and final SP 20 November 2022.
- l) Attend to any corrections and feedback from DHET until it is tabled in parliament in February 2023.

### **4. Annual Performance Plan**

- a) Develop and update APP and all relevant annexures within the DPME Revised Framework for Strategic Plans and Annual Performance Plans and DHET requirements.
- b) Plan and engage in internal stakeholder consultations with business through workshops and individual meetings with departments.
- c) Develop and revise the APP Technical Indicator descriptors to be in line with the SMART principles- as per the DPME Framework.
- d) Receive and incorporate input from all relevant stakeholder consultations.
- e) Facilitate the Board and Management Strategic Planning session in September 2022 for 2 days.

- f) Incorporate input from Board and Management strategic planning session.
- g) Take notes during the board strategic session and provide a report to management not more than 14 days after the session.
- h) Translate and incorporate outcomes from the SSP and SP, including Outcomes and Outputs and priorities, into targets aligned with the NSDP, National Treasury, DPME and DHET frameworks and requirements.
- i) Prepare first and second draft APP and accompanying annexures for submission to relevant MICT SETA management structures at least two weeks before submission to DHET.
- j) Receive and incorporate feedback from relevant MICT SETA management structures and DHET at least two weeks before submission to DHET.
- k) Incorporate any feedback received from DHET after 1<sup>st</sup> draft submission and any corrections that need to be made.
- l) Incorporate any feedback from the Auditor-General received in 2021/22 and align with the AGSA requirements.
- m) Submit APP drafts internally to MICT SETA two weeks before submission deadline.
- n) Meet the deadline for submission of first draft APP on the 15 September 2022 and final APP 30 November 2022.
- o) Attend to any corrections and feedback from DHET until it is tabled in parliament in February 2023

## **5. Deliverables**

This project is expected to provide the following deliverables:

- a) A work plan/implementation plan following discussions with the MICT SETA on the interpretation of the scope of project.
- b) First draft submission of SP and APP and accompanying annexures
- c) Final draft submission of SP and APP and accompanying annexures
- d) All process reports including stakeholder engagement sessions, consultation sessions with business and document analysis.
- e) Power-point presentations of the SP and APP to the MICT SETA as and when required.
- f) Facilitate and present at the MICT SETA Board and Management strategic planning session.
- g) Align the SP and APP in terms of the SMART Principles and M&E practice for fit for purpose.

## **6. Additional Information**

These are available on the MICT SETA website and upon request:

## **7. MICT SETA Reports & Plans**

- MICT SETA Sector Skills Plan (SSP)
- MICT SETA Annual Performance Plan (APP)
- MICT SETA Strategic Plan (SP)
- MICT SETA Annual Reports (AR)

## 8. GUIDELINES

The service provider must provide the following requirements when compiling the proposal:

1. Understanding of the strategic planning process and the request for quotation (background to the planning process, purpose, objectives).
2. Approach, design, and methodology for the strategic planning process (e.g., literature and documentation review, a proposed sample of data collection tools, suggestions for elaboration or changes to scope and methodology as outlined in the TORs).
3. Activity-based plan (including number of person days per activity and time frame linked to activities).
4. Activity-based budget (in South African Rand, including VAT).
5. Competence (include list of related projects undertaken and contactable references).
6. Team organogram (team members, roles and level of effort of each person involved in the project).
7. Quality management plan (demonstrate ability to quality assure the strategic planning process in the methodology to ensure high quality outputs and services);
8. Policy nexus (indicate how the findings from this process can be engaged with to promote utilization by MICTSETA at the strategic and operational level.
9. Experience in drafting technical indicators as per the SMART principles.
10. Experience in policy development.
11. Understanding of the legislation governing skills development and the strategic planning process.
12. An understanding of South African skills system.
13. Reporting.
14. Risks/mitigation measures.
15. The following attachments:
  - i. References for related work undertaken by the service provider.
  - ii. CV of project lead and certified copies of qualifications.
  - iii. CVs of key personnel involved in the project
  - iv. Organisational track record/experience on SETA strategic Planning environment (letters).

**PRICING SCHEDULE**

Name of bidder \_\_\_\_\_

RFQ number: \_\_\_\_\_

Closing date \_\_\_\_\_

Bid shall remain valid for acceptance for a period of **90 days** counted from the closing date.

Item	Requirement Description	Costing (Excl. VAT)
	<b>APPOINTMENT OF A SUITABLY QUALIFIED AND EXPERIENCED RESEARCH AND PLANNING SERVICES PROVIDER TO ASSIST IN THE DEVELOPMENT OF THE STRATEGIC PLAN UPDATE 2023/24 AND ANNUAL PERFORMANCE PLAN UPDATE 2023/24.</b>	
1.	Development and alignment of all plans	R
2.	Stakeholder engagement sessions	R
3.	Power-point presentations	R
4.	Reports	R
5.	Presentation to Board	R
6.	Other related costs	R R R R
	<b>Sub-Total</b>	R
	<b>VAT@15%</b>	R
	<b>TOTAL PRICE (INCLUDING VAT)</b>	R

Complete below:

- Delivery Address: **MICT SETA Head office**  
**Level 3 West wing, Gallagher House**  
**19 Richards Drive, Halfway House**  
**Midrand**
- Indicate Delivery period after order receipt.....
- Is delivery period fixed? **Yes/No**
- Is the price(s) fixed? **Yes/No**
- Is the quote strictly to specification? **Yes/No**

I/We, the undersigned, agree that this bidding price shall remain binding on me/us and open for acceptance for the period stipulated above.

Authorised Company Representative: .....

Capacity under which this quote is signed.....

Signature: .....

Date: .....



## EVALUATION CRITERIA

### EVALUATION CRITERIA

RFQ's received will be evaluated on Functional criteria and Price & BBB-EE comparison.

#### 7.1 FUNCTIONAL EVALUATION CRITERIA

Bids submitted will be evaluated on technical functionality criteria out of a maximum of **100 points**. A threshold of **70** out of the **100 points** has been set.

Only bidders that have met or exceeded the qualification threshold on technical functionality of 70 points will qualify to be evaluated for price preference

**Note:** All bidders achieving less than the set threshold will be declared non-responsive. Assessment of evaluation of the functional/ technical criteria will be based on the table below:

7.2 Technical Evaluation criteria		
Description	Evaluation category	Points per criteria
<b>7.2.1 Content of the Proposal</b>		
Detailed proposal with methodology to be provided as follows: 1.Understanding of the strategic planning process and the request for quotation (background to the planning process, purpose, objectives).  2. Approach, design, and methodology for the strategic planning process (e.g., literature and documentation review, SMART Principles, understanding of the policy development process and suggestions for elaboration.  3. Competence (include list of related projects undertaken and contactable references).  4. Team organogram (team members, roles, and level of effort of each person involved in the project).	Proposal provides comprehensive details of all nine elements on the proposal and methodology	25
	Proposal provides comprehensive details of all seven to eight elements on the proposal and methodology	20
	Proposal provides comprehensive details of all five to six elements on the proposal and methodology	15
	Proposal provides comprehensive details of all four elements on the proposal and methodology	10

<p>5. Quality management plan (demonstrate ability to quality assure the strategic planning process to ensure high quality outputs and service offering).</p> <p>6. Policy nexus (indicate how the findings from this strategic planning process can be engaged with to promote utilization by MICTSETA at the strategic and operational level.</p> <p>7. Reporting.</p> <p>8. Risks/mitigation measures.</p> <p>9. The following attachments:</p> <p>i. Reference letters for related work undertaken by the service provider.</p> <p>ii. CV of project lead and certified copies of qualifications.</p> <p>iii. CVs of key personnel involved in the project.</p> <p>iv. Organisational track record/ experience on SETA strategic Planning environment (Reference letters).</p> <p>v. Project team Organogram with member roles and areas of responsibility.</p>	<p>Proposal provides less than four elements on the proposal and methodology</p>	<p>0</p>
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**7.2.2 Content of the Project plan/ Implementation Plan**

<p>Detailed proposed project plan/ Implementation plan for the services to be provided according to the following five elements:</p> <p>1. Scope of work.</p>	<p>The project plan contains comprehensive information and covers all the five elements of the services to be provided.</p>	<p>25</p>
<p>2. Project objectives.</p> <p>3. Activity-based plan (including number of person days per activity and time frame linked to activities);</p>	<p>The project plan contains comprehensive information and covers all three to four elements of the services to be provided.</p>	<p>20</p>
<p>4. Budget allocation (in South African Rand, including VAT);</p> <p>5. Outcomes, milestones and deliverable.</p>	<p>The project plan contains comprehensive information and covers all two elements of the services to be provided.</p>	<p>15</p>
	<p>The project plan provides less than two elements covering services to be provided as outlined in RFQ</p>	<p>0</p>

**7.3 Track Record and Experience of the bidding Institution**

Description	Evaluation category	
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**7.3.1 Bidder/Bidding Institution Credentials**

The bidder/service provider institution must submit a detailed outline which indicates expertise in comparative/similar projects in related sectors or public sector	Execution of 5 or more comparative projects in all the elements as specified in the TORs	15
	Execution of 3 or 4 comparative projects in all the elements as specified in the TORs	10
	Execution of 1 or 2 more comparative in all the elements as specified in the TORs projects	5
	Non submission/ irrelevant experience/list of projects which does not demonstrate comparative/ similar projects	0

**7.3.2 Reference Letter requirements**

Description	Evaluation Category	Weights/Points
The bidder/service provider institution must provide three contactable reference letters from companies where they have done similar work or provided similar services in the past five years. This should be clearly indicated in the recommendation letters for similar interventions/projects embarked on in the last 5 years. The reference letters must indicate specific period when the work was done. The reference letters must be on company letterhead or use the reference letter template included in the bid document.	Submitted three contactable reference letters relating to similar work / project done in the last 5 years	15
	Submitted two contactable reference letters relating to similar work / project done in the last 5 years	10
	Submitted one contactable reference letter relating to similar work / project done in the last 5 years	5
	Did not submit contactable reference letters relating to similar work/project done in the last 5 years	0

**7.4 Human Resource Experience and Capability:** Resources available to meet the project deliverables and timelines

**7.4.1 Team Organogram**

Description	Evaluation Category	Weights/Points
The bidder/service provider institution must provide the team organogram with member roles, responsibilities and level of effort.	Team organogram provided with member roles and level of effort of each	15
	No team organogram provided with member roles and level of effort of each	0

**7.4.2 Qualifications**

Description	Evaluation Category	Weights/Points
The lead researcher/ Project Lead of the bidding/ service provider institution must have a minimum of a Masters' degree and demonstrate	Expertise of Project Lead/ Lead researcher with a Masters' Degree	10
	Expertise of Project Lead/ Lead researcher with an undergraduate Degree	5

expertise/ experience in leading a team to execute a project of this nature or similar.	Expertise of Project Lead/ Lead researcher with no Degree	0
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**Bidders must score a minimum qualifying score for functionality and motivate decision**

**70 points out of 100**

Bidder must submit a valid proof of BBBEE contributor status (BBBEE verification certificate issued by a SANAS accredited verification agency or CIPC B-BBEE certificate or B-BBEE affidavit duly sworn and commissioned) for points allocation. **All sections of BBBEE sworn affidavits must be completed in full. Please see guideline for validating BBBEE sworn affidavits.**

**BIDDER'S DICLOSURE**

**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 State institution

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

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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.

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 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.

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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.

3.6 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

**PREFERENTIAL PROCUREMENT CLAIM FORM SBD 6.1**

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

**1 GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to all bids:

- 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).

a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable.

1.2 Points for this bid shall be awarded for:

Price; and B-BBEE Status Level of Contributor.

1.3 The maximum points for this bid are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	80
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.4 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.5 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

**2 DEFINITIONS**

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;



- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price Bid, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

### 3 POINTS AWARDED FOR PRICE

#### 3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

**80/20**

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

### 4 POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

**5 BID DECLARATION**

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

**6 B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

6.1 B-BBEE Status Level of Contributor: = .....(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7 SUB-CONTRACTING**

7.1 Will any portion of the contract be sub-contracted?

**(Tick applicable box)**

YES		NO	
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7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

**(Tick applicable box)**

YES		NO	
-----	--	----	--

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

<b>Designated Group: An EME or QSE which is at least 51% owned by:</b>	<b>EME</b>	<b>QSE</b>
	√	√
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

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

8.1 Name of company/firm:.....

8.2 VAT registration number.....

8.3 Company registration number.....

**8.4 TYPE OF COMPANY/ FIRM**

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....  
.....

**8.6 COMPANY CLASSIFICATION**

- Manufacturer
- Supplier
- Professional Bidder
- Other Bidders, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (b) 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;
  - (c) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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 forward the matter for criminal prosecution.

<b>WITNESSES</b>
1. ....
2. ....

.....
<b>SIGNATURE(S) OF BIDDERS(S)</b>
DATE: .....
ADDRESS .....
.....

## Sworn Affidavit – B-BBEE Exempted Micro Enterprise

I, the undersigned,

<b>Full name and Surname</b>	
<b>Identity number</b>	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

<b>Enterprise Name:</b>	
<b>Trading Name</b>	
<b>Registration Number:</b>	
<b>Enterprise Address:</b>	
<b>Entity Type (CC, (Pty) Ltd,</b>	
<b>Nature of Business:</b>	
<b>Definition of "Black People"</b>	<p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians –</p> <p>(a) who are citizens of the Republic of South Africa by birth or descent; or</p> <p>(b) who became citizens of the Republic of South Africa by naturalisation-</p> <ol style="list-style-type: none"> <li>i. before 27 April 1994; or</li> <li>ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"</li> </ol>
<b>Definition of "Black Designated Groups"</b>	<p>"Black Designated Groups means:</p> <ol style="list-style-type: none"> <li>(a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution.</li> <li>(b) Black people who are youth as defined in the National Youth Commission Act of 1996.</li> <li>(c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act.</li> <li>(d) Black people living in rural and underdeveloped areas.</li> <li>(e) Black military veterans who qualify to be called a military veteran in terms of the Military Veterans Act 18 of 2011".</li> </ol>

3. I hereby declare under Oath that:

- The Enterprise is \_\_\_% Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is \_\_\_% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is \_\_\_% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
  - Black Youth % = \_\_\_\_\_%

- Black Disabled % = \_\_\_%
- Black Unemployed % = \_\_\_\_\_%
- Black People living in Rural areas % = \_\_%
- Black Military Veterans % = \_\_\_%

- Based on the Audited Financial Statements/Financial Statements and other information available on the latest financial year-end of \_\_\_\_\_ DD/MM/YYYY the annual Total revenue did not exceed R10,000,000.00 (Ten Million Rends)
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	<b>Level One</b> (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	<b>Level Two</b> (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	<b>Level Four</b> (100% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter  
 5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

**Deponent Signature:** .....

**Deponent Designation:** .....

**Date:** .....

.....  
**Commissioner of Oaths**  
**Signature & stamp**

**Date:** .....

**Sworn Affidavit – B-BBEE Qualifying Small Enterprise**

I, the undersigned,

<b>Full name and Surname</b>	
<b>Identity number</b>	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

<b>Enterprise Name:</b>	
<b>Trading Name</b>	
<b>Registration Number:</b>	
<b>Enterprise Address:</b>	
<b>Entity Type (CC, (Pty) Ltd,</b>	
<b>Nature of Business:</b>	
<b>Definition of "Black People"</b>	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – a. who are citizens of the Republic of South Africa by birth or descent; b. who became citizens of the Republic of South Africa by naturalisation- iii. before 27 April 1994; or iv. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"
<b>Definition of "Black Designated Groups"</b>	"Black Designated Groups means: c. unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution. d. Black people who are youth as defined in the National Youth Commission Act of 1996. e. Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act. f. Black people living in rural and underdeveloped areas. g. Black military veterans who qualify to be called a military veteran in terms of the Military Veterans Act 18 of 2011".

3. I hereby declare under Oath that:

- The Enterprise is \_\_\_% Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is \_\_\_% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is \_\_\_% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
  - Black Youth % = \_\_\_%
  - Black Disabled % = \_\_\_%

- Black Unemployed % = \_\_\_\_\_%
- Black People living in Rural areas % = \_\_%
- Black Military Veterans % = \_\_\_\_%

- Based on the Audited Financial Statements/ Financial Statements and other information available on the latest financial year-end of \_\_\_\_\_ DD/MM/YYYY, the annual Total Revenue did not exceed R50,000,000.00 (Fifty Million Rands).
- Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% Black Owned	<b>Level One</b> (135% B-BBEE procurement recognition level)	
At Least 51% black owned	<b>Level Two</b> (125% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter  
 5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

**Deponent Signature:** .....

**Deponent Designation:** .....

**Date:** .....

.....  
**Commissioner of Oaths**  
**Signature & stamp**

**Date:** .....