



MICT SETA Head Office
Supply Chain Management
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RFQ NUMBER	RFQ/MICT/60/2022
RFQ DESCRIPTION	APPOINTMENT OF SERVICE PROVIDER TO HOST AND MANAGE THE ANTI-FRAUD WHISTLE BLOWING HOTLINE FOR MICT SETA FOR A PERIOD OF TWENTY-FOUR (24) MONTHS
RFQ ISSUE DATE	21 September 2022
BRIEFING SESSION	N/A
CLOSING DATE & TIME	03 October 2022 @ 11:00 AM RFQ submitted after the stipulated closing date and time will not be considered.
LOCATION FOR SUBMISSIONS	rfqs@mict.org.za
NO: OF DOCUMENTS	1 SOFT COPY

For queries please contact 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
CSD Central Supplier Database (CSD) Registration Report		
CIPC registration documents		
Pricing Schedule		
Valid Tax Clearance Certificate (S) and or proof of application endorsed by SARS and/or SARS issued verification pin		
SBD 4 – Bidder’s Disclosure		
SBD 6.1 - Preferential Procurement Claim Form		
Certified Copy of Valid B-BBEE Certificate / Affidavit. All section of BBEE sworn affidavits must be completed in full. Please see guideline for validating BBEE 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 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 on the basis of 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 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.

DETAILED SPECIFICATION

APPOINTMENT OF SERVICE PROVIDER TO HOST AND MANAGE THE ANTI-FRAUD WHISTLE BLOWING HOTLINE FOR MICT SETA FOR A PERIOD OF TWENTY-FOUR (24) MONTHS

1. INTRODUCTION

The Media, Information and Communication Technologies Sector Education and Training Authority (MICT SETA) is a public entity established in terms of Section 9(1) of the Skills Development Act (Act No. 97 of 1998). The MICT SETA plays a pivotal role in achieving South Africa's skills development and economic growth within the 5 distinct sub-sectors it operates in; i.e., Advertising, Film and Electronic Media, Electronics, Information Technology, and Telecommunications.

2. PURPOSE

The MICT SETA is looking for a suitably and experienced service provider to host and manage the anti-fraud whistle blowing hotline for MICT SETA for a period of twenty-four (24) months. Through this service, the MICT SETA aims to minimise corruption within the organization.

3. SERVICE DESCRIPTION

The service provider will be appointed for a period of twenty-four (24) months to host and manage a hotline, which may be facilitated telephonically, via email, or other electronic platforms for the MICT SETA and manage the receipt and recording of fraud and corruption allegation reports received through the hotline.

4. OBJECTIVES

Objectives of the anti-fraud whistle blowing hotline is to provide a secure, independent, and confidential platform to the public and the MICT SETA officials to report any suspected or alleged acts of fraud and corruption, which could be taking place within the operations of the MICT SETA.

5. SCOPE OF SERVICES

- Host the 24hr/7days; toll-free Anti-fraud whistle-blowing hotline facility with an option to make reports in any of the 11 official languages in South Africa.
- Have the facility in place to translate the reports received in any of the official languages to English.
- Notify the MICT SETA of any reports received within thirty-six (36) hours after receipt of such reports during weekdays or within thirty-six (36) hours after the next business day, for reports received on weekends or public holidays.
- Share with the MICT SETA, periodic statistical reports detailing the number of engagements received, including prank calls or calls wherein no reports were made.
- Establish other reporting platform such as email, call back function, WhatsApp, etc.
- Receive, record, and safeguard all recordings of reports received.
- Provide the MICT SETA with any reports as and when received and provide a consolidated report on a monthly basis.
- Provide trends report on received incidences on a quarterly basis.
- Put measures in place to fully comply with the Protected Disclosure Act, Act 26 of 2000, the Protection of Personal Information Act, Act 4 of 2013- and the other relevant legislation.

6. DELIVERY PERIOD

The appointed service provider will be required to render the services to host and manage the anti-fraud whistle blowing hotline for MICT SETA for a period of twenty-four (24) months from the date of appointment.

Reporting platforms shall be made available within seven (07) working days from the date of appointment. (The receipt of an official Order from the MICT SETA).

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	Quantity	Unit Price	Total Price (Exc VAT)
	APPOINTMENT OF SERVICE PROVIDER TO HOST AND MANAGE THE ANTI-FRAUD WHISTLE BLOWING HOTLINE FOR MICT SETA FOR A PERIOD OF TWENTY-FOUR (24) MONTHS			
1.	Initiation cost (if any) please specify	1	R	R
2.	Fixed monthly cost	24	R	R
Sub-Total				R
VAT@15%				R
TOTAL PRICE (INCLUDING VAT)				R

Complete below:

1. Delivery Address: **MICT SETA Head office**
Level 3 West wing, Gallagher House
19 Richards Drive, Halfway House
Midrand
2. Indicate Delivery period after order receipt.....
3. Is delivery period fixed? **Yes/No**
4. Is the price(s) fixed? **Yes/No**
5. 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

1. EVALUATION CRITERIA

RFQ's received will be evaluated on Functional evaluation and preference points systems.

1.1 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 for further evaluation on Price and Preference according to the 80/20 preference point system in terms of the PPPFA Regulations 2017, where 80 points will be for Price and 20 points will be for B-BBEE status level of contribution.

Assessment of evaluation of the functional/ technical criteria will be based on the table below:

#	Functional Evaluation Criteria	Weight
1	<p>Bidder's Professional Affiliation</p> <p>Bidders must be affiliated with a professional Ethics Institute of South Africa or a similar regulatory body. Bidders must submit a certified copy of certificate or proof of registration with the Ethics Institute of South Africa or a similar regulatory body or equivalent. [15]</p> <p>Where:</p> <ul style="list-style-type: none">• Submission of a certified copy of certificate or proof of registration with the professional call centre regulatory body or equivalent = 15 points• Non-Submission of a certified copy of certificate or proof of registration with the Ethics Institute of South Africa or a similar regulatory body or equivalent = 0 points• Submission of a certified copy of a certificate or proof of registration with a professional body that is not relevant for whistleblowing facilities = 0 points	15

2	<p>Experience & References:</p> <p>Bidders must have experience in providing anti-fraud whistle blowing hotline or similar services/projects for at least five (05) years. Reference letters with contactable references for similar projects (anti-fraud whistle blowing hotline services) implementation are required. The reference letters must be for the bidder's clients from within the Republic of South Africa (RSA). Reference letters must be on company letterhead signed by company representative of the bidder's client. Contactable references must include name of company, contact details, project description, and project period/ year. [10]</p> <p>Points on submission of signed reference letters will be allocated as follows:</p> <ul style="list-style-type: none"> • Five (05) or more signed reference letters from different clients submitted = 10 points • Four (04) signed reference letters from different clients submitted = 08 points • Three (03) signed reference letters from different clients submitted = 06 points • Two (02) signed reference letters from different clients submitted = 04 points • One (01) signed reference letter submitted = 02 points • No reference letters submitted = 0 points <p>Important: In the event of sub-contracting, the bidder must furnish the above reference letters of the main bidder.</p> <p>MICT SETA reserves the right to contact references prior to award.</p>	10
3	<p>Qualifications and Experience of the Project Team</p> <p>Bidders are required to provide experienced and qualified Project Manager and Project Lead Consultant allocated to the call centre/ facility where calls will be received. Provide certified copies of qualifications and CV of the Project Manager and Project Lead Consultant. CVs should clearly indicate the projects, project duration/period and names of clients. Bidders are required to clearly indicate on their bids the Project Manager and Project Lead Consultant, MICT SETA will not award points for bids not clearly indicating the Project Team [35]</p> <p>Membership/Affiliation of the Project Manager</p>	

Project Manager must be a valid member of Project Management South Africa (PMSA). Bidders are required to provide a **certified** membership certificate and confirmation letter from PMSA, clearly indicating membership type, membership number, membership inception date and next renewal date.

Points on submission of membership certificate and confirmation letter will be allocated as follows:

- Valid certified membership certificate and confirmation letter = **05 points**
- Valid certified membership certificate only = **03 points**
- No valid certified membership certificate and confirmation letter = **0 points**

Experience of the Project Manager in managing similar (Whistleblowing Services) projects

CVs should clearly indicate the projects managed, project duration/period and names of clients.

Where:

- 08 to 10 years' experience in managing similar projects = **10 points**
- 06 to 08 years' experience in managing similar projects = **08 points**
- 04 to 06 years' experience in managing similar projects = **06 points**
- 02 to 04 years' experience in managing similar projects = **04 points**
- Less than 02 years' experience in managing similar projects = **02 points**
- No experience in managing similar projects = **0 points**

Qualifications of the Project Lead Consultant

Project Lead Consultant must have a qualification in Call Centre Management/ Administration/ Communications/ Languages and/or any other related qualification.

Where:

- NQF Level 7 in in any of the above qualifications = **10 points**
- NQF Level 6 in any of the above qualifications = **08 points**

	<ul style="list-style-type: none"> • NQF Level 5 in any of the above qualifications = 06 points • NQF Level 4 in any of the above qualifications = 04 points • Certificate in any of the above qualifications = 02 points • No qualifications provided = 0 points <p>Experience of the Project Lead Consultant in delivering similar (Whistleblowing Services) projects</p> <p>CVs should clearly indicate the projects delivered, project duration/period and names of clients.</p> <p>Points on submission of project lead consultant's CV detailing experience in in delivering anti-fraud whistle blowing hotline or similar services/projects will be allocated as follows:</p> <ul style="list-style-type: none"> • 08 to 10 years' experience in delivering similar projects = 10 points • 06 to 08 years' experience in delivering similar projects = 08 points • 04 to 06 years' experience in delivering similar projects = 06 points • 02 to 04 years' experience in delivering similar projects = 04 points • Less than 02 years' experience in delivering similar projects = 02 points • No experience in delivering similar projects = 0 points <p>Note: The projects in this factor refer to those delivered by the project lead consultant in any past company, not limited to the bidding company, i.e., linked to the individual.</p>	
4	<p>Project Methodology and Approach</p> <p>Bidders are required to provide a detailed project implementation methodology and approach in executing the project and support services. The methodology and approach should include all (but not limited to) of the following elements: [40]</p> <ul style="list-style-type: none"> ○ The detailed reporting process; ○ Translation of the reports received in any of the official languages to English; ○ Notifying MICT SETA of any reports received within thirty-six (36) hours after receipt of such reports during weekdays or within thirty-six (36) hours after the next business day for reports received on weekends or public holidays; 	40

- Sharing of periodic statistical reports detailing the number of engagements received, including prank calls or calls wherein no report was made;
- Establish other reporting platforms such as email, call back function, WhatsApp, etc.;
- Detailed features of the Anti-fraud hotline;
- Detailed process of recording and safekeeping of information;
- Details on how the bidder will maintain confidentiality and independency;
- Project management; and
- Project close-out processes.

Points on submission of methodology and approach will be allocated as follows:

- A detailed methodology and approach that meets all the ten (10) elements = **40 points**
- A detailed methodology and approach that meets only nine (09) elements = **36 points**
- A detailed methodology and approach that meets only eight (08) elements = **32 points**
- A detailed methodology and approach that meets only seven (07) elements = **28 points**
- A detailed methodology and approach that meets only six (06) elements = **24 points**
- A detailed methodology and approach that meets only five (05) elements = **20 points**
- A detailed methodology and approach that meets only four (04) elements = **16 points**
- A detailed methodology and approach that meets only three (03) elements = **12 points**
- A detailed methodology and approach that meets only two (02) elements = **08 points**
- A detailed methodology and approach that meets only one (01) element = **04 point**

	<ul style="list-style-type: none"> A methodology and approach that meets none of the elements/ a brief methodology and approach = 0 points <p>NB: all elements of the project scope must be covered in detail.</p>	
MINIMUM THRESHOLD		70
TOTAL		100

Note: Bidders that do not meet the minimum threshold 70 points on functional criteria will be declared non-responsive.

Bidder must submit a certified copy of valid proof of BBBEE status (BBBEE verification certificate issued by a SANAS accredited verification agency or CIPC B-BBEE certificate or B-BBEE affidavit duly sworn and commissioned). This will be used for points allocation.

PREFERENCE POINT SYSTEM

EVALAUTION ON 80/20 PREFERENCE POINT SYSTEM

- a. The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder
- b. Preference points shall be calculated after process has been brought to a comparative basis taking into account all factors of non-firm prices.
- c. In the event that two or more bids have scored equal pints, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- d. However, when functionality is part of the evaluation process and two or more bids have scored equal points for B-BBEE, the successful bid must be the one scoring the highest score for functionality
- e. Should two or more bids be equal in all respect, the award shall be decided by the drawing of lots.

POINTS AWARDED FOR PRICE

The **80/20** preference point system

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

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

Where:

- P_s = Points scored for comparative price of bid under Consideration
 P_t = Comparative price of bid under consideration
 P_{\min} = Comparative price of lowest acceptable bid

B-BBEE PREFERENTIAL POINTS WILL BE AWARDED AS FOLLOWS:

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

- a. Bidders who qualify as EME's and QSE's in terms of the B-BBEE Act must submit a Sworn affidavit. Misrepresentation of information, constitutes a criminal offence.
- b. Bidders other than EME's or QSE's must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by SANAS.

- c. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- d. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- e. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- f. A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intend sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended Sub-contractor is an EME that has the capacity and the ability to execute the sub-contract.
- g. A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- h. A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended Sub-contractor is an EME that has the capacity and the ability to execute the sub-contract.
- i. A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract.

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 interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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**

2.2.1 If so, furnish particulars:

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

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 consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

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

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:

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

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	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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

Designated Group: An EME or QSE which is at last 51% owned by:	EME	QSE
	√	√
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		
OR		
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 Company
- Close corporation

(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.

WITNESSES

- 1.
- 2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

Sworn Affidavit – B-BBEE Exempted Micro Enterprise

I, the undersigned,

Full name and Surname	
Identity number	

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:

Enterprise Name:	
Trading Name	
Registration Number:	
Enterprise Address:	
Entity Type (CC, (Pty) Ltd, etc.):	
Nature of Business:	
Definition of "Black People"	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; or (b) who became citizens of the Republic of South Africa by naturalisation- i. before 27 April 1994; or ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"
Definition of "Black Designated Groups"	"Black Designated Groups means: (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black people who are youth as defined in the National Youth Commission Act of 1996; (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; (d) Black people living in rural and under developed areas; (e) Black military veterans who qualifies 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 R10,000,000.00 (Ten Million Rands)
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

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

Full name and Surname	
Identity number	

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:

Enterprise Name:	
Trading Name	
Registration Number:	
Enterprise Address:	
Entity Type (CC, (Pty) Ltd, etc.):	
Nature of Business:	
Definition of “Black People”	<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> <ol style="list-style-type: none"> a. who are citizens of the Republic of South Africa by birth or descent; or b. who became citizens of the Republic of South Africa by naturalisation- <ol style="list-style-type: none"> 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;”
Definition of “Black Designated Groups”	<p>“Black Designated Groups means:</p> <ol style="list-style-type: none"> a. unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; b. Black people who are youth as defined in the National Youth Commission Act of 1996; 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; d. Black people living in rural and under developed areas; e. Black military veterans who qualifies 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	Level One (135% B-BBEE procurement recognition level)	
At Least 51% black owned	Level Two (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:.....