



MICT SETA Head Office
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29RFQ NUMBER	RFQ/MICT/89/2022
RFQ DESCRIPTION	APPOINTMENT OF SERVICE PROVIDER FOR PROVISION AN ONLINE RECRUITMENT SOLUTION FOR PERIOD OF 3 YEARS RENEWED ANNUALLY.
RFQ ISSUE DATE	10 January 2023
BRIEFING SESSION	N/A
CLOSING DATE & TIME	17 January 2023 @ 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 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

APPOINTMENT OF SERVICE PROVIDER FOR PROVISION AN ONLINE RECRUITMENT SOLUTION FOR PERIOD OF 3 YEARS RENEWED ANNUALLY.

1. Introduction

The objective of this assignment is: "to procure an online recruitment solution for the Media Information and Communication Training Sector Education and Training Authority (MICT SETA)' for the period of three (3) years renewed annually.

The MICT SETA is looking to appoint a suitably qualified and experienced service provider for the customisation, implementation, support and maintenance of an Online recruitment solution.

2. Background

Media, Information and Communication Technology Sector Education ("MICT SETA") is a statutory body established through the Skills Development Act of 1998 to enable its stakeholders to advance the national and global position of the Advertising, Electronic Media and Film, Electronics, Information Technology and Telecommunications sectors in the Large, Medium, Small levy paying and non-levy paying companies in the sector.

This was as a result of Government's commitment to promote active labour markets policies and is demonstrated in the Skills Development Act of 1998 and the Skills Development Levies Act of 1999. As guided by its mandate, MICT SETA is as such, an agent of transformation by promoting employment equity and B-BBEE through skills development. In this context, MICT SETA is keen to form sustainable partnerships that will further promote its support for transformation.

Description of present system

The MICT Seta currently does the recruitment process manually from the advertising stage all the way to the interview stage. In short, if the SETA wishes to fill a vacant position an advert is published onto company website and across all social media platforms, in the case of senior managerial positions the advert will also be published on newspapers. Candidates who meet the minimum requirements will then send their applications to the designated MICT Recruitment mailbox. The received applications are then manually screened, a longlist (candidates who meet the minimum requirements) is then captured manually on an excel spreadsheet then presented to the shortlisting committee to determine the shortlist of candidates who will be interviewed.

Limitations of the current processes

- As mentioned above the recruiting process is fully manual and time consuming, it may take weeks just to screen applications for one (1) vacancy.
- The recruitment mailbox often fills up, forcing the ICT division to archive applications.

- Some applications are sent to Junk mail, someone who is not familiar with this could miss a good candidate's application.
- Creating subfolders and moving applications manually can result in missing applications.
- Attachments not opening due to unsupported formatting of the documents.
- The process of screening the applications is tedious and time consuming.
- The applicants are unable to track their application status.
- Lack of transparency regarding communication between MICT SETA and the applicant.

Proposed system

The Online Recruitment solution should be web-based supporting the recruitment process for the HR team. Some features of this solution will be:

- Profile creation for applicants
- Advertising vacancies (customised vacancy related question to eliminate applicants who don't meet the set criteria)
- The proposed system should be customisable as per the MICT SETA's corporate identity (branding),
- Storing application data,
- Surfing applications and immediately regretting those who don't meet the set criteria
- Exporting reports of applicants who meet criteria for shortlisting purposes
- Ability to move applicants through the recruitment process (inviting candidates for interviews and regretting candidates post interview etc.)
- Customized forms (adverts, reject letters, interview invites etc)
- The system should have filtering capabilities (contact details, dates, vacancies, gender etc)

3. Project Objectives

3.1 Ensuring a robust and transparent recruitment process is undertaken in alignment with HR strategy.

3.2 To achieve the objective of HR KRA's with the recruitment and retention of the suitable candidates, the online recruitment system should include the following components:

3.2.1 User friendly

3.2.2 Relevant

3.2.3 Time saver

3.2.4 Cost effective

4. Scope of Work

4.1. Provide an Online recruitment solution for four (4) internal users with the following capabilities:

- Be able to place 50 online advertisements per calendar year
- Be able to regret candidates that answers "No" to qualifying questions
- Receive notification of the submitted application at every stage i.e., cv viewed, regrets, longlisted, shortlisted, interview invite, regret
- Screening capability e.g., candidate answer screening questions for shortlisting purposes.

- To streamline the advertisement and selection of shortlisted suitable candidates for interviews, the online recruitment platform needs to be useful and user friendly with customer support available for admin and technical assistance.
- Relevant HR reports should be able to be generated when required for management information and decision-making
- Receive notification of submitted application
- Review and verify application and documentation for completeness.
- Create pre-screening questionnaires
- Generate and pull the reports based on the specific criteria.
- Approve / decline application. The ability to move applicants through the recruitment process (inviting candidates for interviews and regretting candidates post interview etc.)

4.2 Provide an Online recruitment solution external users with the following capabilities:

- Register as user on the system
- Create the profile
- Build a resume or upload from your local drive
- Attach supporting documents
- Apply for job posts advertised
- Receive notification of successfully submitted application, regret or interview invite
- Receive notifications and track application status

4.3 Documents management

- The service provider must build and maintain a document repository for all applicant documents.
- The system must have capability to preview documents before downloading.
- System must be able to maintain confidentiality of applicant documents.
- System should accept different types of documents e.g. word & pdf.

4.4 Audit Trails

- The system must maintain an audit trail of all activities within the system.
- MICT SETA authorised users should be able to access and extract audit trail activity reports.

4.5 Solution hosting (Cloud)

- The bidder must propose a suitable technology architecture for the hosting of the solution.
- The successful bidder will be required to provide and manage all ICT infrastructure requirements required for the optimal functioning of the solution.
- The architecture proposed must be hosted in a cloud (e.g., either IaaS or SaaS).

4.6 Training and Skills Transfer

- Training to MICT SETA staff addressing key users: Administrators and Supper users

4.7 Non-functional requirements

- User friendly
- The system must be PoPIA compliant
- Backups and disaster recovery plan

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.

Bidders to provide further cost breakdown where necessary under each line item, and sub-total and the overall RFQ price (**Total**) should be included. The below table is for illustration only:

Item	Requirement Description	Quantity	Unit Price	Total Price (Excl. VAT)
	APPOINTMENT OF SERVICE PROVIDER FOR PROVISION OF AN ONLINE RECRUITMENT SYSTEM FOR A PERIOD OF 3 YEARS RENEWED ANNUALLY.			
1.	Online recruitment system	1	R	R
2.	Support and maintenance for 36 Months	36	R	R
3.	Training of four (04) users	4	R	R
				Sub-Total
				VAT@15%
				TOTAL PRICE (INCLUDING VAT)

Complete below:

1. Delivery Address:
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

EVALUATION CRITERIA

RFQ's received will be evaluated against the following criteria:

1. MANDATORY CRITERIA

a.) Bidders must be accredited by the Original Equipment Manufacturer (OEM) of the online recruitment solution that is being proposed.

Proof of compliance

Bidders must attach valid Original Equipment Manufacturer (OEM) Certificate or letter endorsed by the solution OEM.

Note: Bidders that do not meet the requirements of set mandatory criteria will be eliminated from further evaluation process.

2. TECHNICAL CRITERIA

Bidders will be evaluated on functionality and presentation out of a maximum of **100 points**. Bidders who meet the minimum threshold of **75 points** out of **100** will be further evaluated for price and B-BBEE.

a. Functional evaluation (Weight: 85 Points)

Only bidders that have met the set mandatory criteria will be considered for functionality evaluation. Bids submitted will be evaluated on technical functionality out of a maximum of 85 points. A threshold of **65** out of the **85** points has been set.

Only bidders that have met or exceeded the qualification threshold on technical functionality of 65 points will qualify for further evaluation on presentation.

b. Presentation Evaluation (Weight: 15 Points)

Only bidders that have met the set threshold of 65 points on functional evaluation will be considered for presentation evaluation. Presentation evaluation will be scored out of a maximum of 15 points.

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:

FUNCTIONAL CRITERIA		
Category	Description	Maximum Points
Proposal	<p>Bidders must submit a detailed proposal to indicate the capabilities of the online recruitment platform as per the scope of work.</p> <p>Proposal must highlight the below:</p> <ul style="list-style-type: none"> • System Hosting • Server Failover Architecture • Data Protection <p>Points on proposal that address above capabilities will be allocated as follows:</p> <ul style="list-style-type: none"> • Proposal submitted includes all three (03) aspects = 20 Points • Proposal submitted includes two (02) aspects = 10 Points • Proposal submitted includes one (01) aspects = 05 Points <p>Non-compliance with any of the above functionality = 0 points.</p>	20
System	<p>Bidder to provide screenshots to substantiate the functioning of the proposed platform. Screenshots must be of the following functions:</p> <ul style="list-style-type: none"> • Provide proof that the system is an online platform. • Provide for screening capability. • Able to receive notification. • Generate reports • To streamline the advertisement and selection of shortlisted suitable candidates for interviews <p>Points on provision of screenshots to substantiate the functioning of the proposed platform will be allocated as follows:</p> <ul style="list-style-type: none"> • Screenshots provided showcasing all five (05) aspects = 10 Points • Screenshots provided showcasing four (04) aspects = 08 Points • Screenshots provided showcasing three (03) aspects = 05 Points • Screenshots provided showcasing two (02) aspects = 03 Points <p>Non-compliance with the minimum requirement = 0 points</p>	10
Experience of Team Member	<p>Bidder must submit CV or profile of Account Manager with experience in the provisioning of an online recruitment solution allocated to the MICT SETA to support the HR Team when required.</p> <p>Points on provision of CV or profile of account manager will be allocated as follows:</p> <ul style="list-style-type: none"> • CV or profile of account manager submitted with Five (05) years and above experience in provisioning of an online recruitment solution = 10 points • CV or profile of account manager submitted Two (02) to four (04) years' experience in provisioning of an online recruitment solution = 05 points • CV or profile of account manager submitted Less than two (02) years' experience of an online recruitment solution = 0 points 	10

Project Approach and Methodology	<p>Bidder must provide a detailed project implementation methodology and approach in executing the project and support services. The methodology and approach should include the following:</p> <ul style="list-style-type: none"> • End User Training (Training plan) • Implementation plan of the solution as per the requirements <p>Points on provision of implementation methodology and approach will be allocated as follows:</p> <ul style="list-style-type: none"> • Methodology and approach that include both training and implementation plan = 20 points • Methodology and approach that include only implementation plan = 15 points • Methodology and approach that include only training plan = 05 points <p>Non-compliance with all the above requirements = 0 points.</p>	<p style="text-align: center;">20</p>
Experience and References	<p>Bidder must submit at least 3 reference letters from different clients in providing online recruitment solution or similar services to organizations with similar demographics to the MICT SETA in the past 3 years.</p> <p>N.B: Reference Letters must be fully signed on the client's letter head, with contact details, project description and duration.</p> <p style="color: red;">No recommendation letters or purchase order will be accepted.</p> <p>Points on provisions of signed reference letters will be allocated as follows:</p> <ul style="list-style-type: none"> • Three or more signed reference letters from different clients submitted = 10 points • Two signed reference letters from different clients submitted = 06 points • One signed reference letter submitted = 03 points • No reference letters submitted = 0 points <p>MICT SETA reserves the right to contact references prior to award.</p>	<p style="text-align: center;">10</p>
TOTAL SCORE		<p style="text-align: center;">85</p>
MINIMUM SCORE		<p style="text-align: center;">65</p>

PRESENTATION EVALUATION

Only bidders that have met the set threshold of **65** points on functional evaluation will be considered for presentation evaluation. Presentation evaluation will be scored out of a maximum of 15 points

PRESENTATION ON SOLUTION FUNCTIONS	Maximum Points
<ul style="list-style-type: none"> • Allow candidates to register their CVs online and apply online whenever there is a vacant position. 	<p style="text-align: center;">5 points</p>
<ul style="list-style-type: none"> • Be able to regret candidates that answers "No" to qualifying questions. 	<p style="text-align: center;">2 points</p>
<ul style="list-style-type: none"> • Receive notification of the submitted application at every stage i.e. cv viewed, regrets, longlisted, shortlisted, interview invite, regret 	<p style="text-align: center;">2 points</p>
<ul style="list-style-type: none"> • Screening capability e.g. candidate answer screening questions for shortlisting purposes. 	<p style="text-align: center;">2 points</p>

<ul style="list-style-type: none"> To streamline the advertisement and selection of shortlisted suitable candidates for interviews, the online recruitment platform needs to be useful and user friendly with customer support available for admin and technical assistance. 	2 points
<ul style="list-style-type: none"> Relevant HR reports should be able to be generated when required for management information and decision-making 	2 points
TOTAL SCORE	15

Final Score Calculation:

Score received on functional evaluation plus score received during presentation = final score out of 100 points

Note: Bidders that do not meet the minimum threshold 75 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

EVALUATION 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 points, 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

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**

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.

2.2.1 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 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.

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.

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:

	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		NO	
-----	--	----	--

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:

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
 - Close corporation
 - (Pty) Limited
 - Company
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

- Manufacturer
 - Professional Bidder
 - Supplier
 - 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,	
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> <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"> 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"	<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 underdeveloped areas. (e) 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 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	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,	
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> <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> <p style="margin-left: 40px;">i. before 27 April 1994; or</p> <p style="margin-left: 40px;">ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"</p>
Definition of "Black Designated Groups"	<p>"Black Designated Groups means:</p> <p>(a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution.</p> <p>(b) Black people who are youth as defined in the National Youth Commission Act of 1996.</p> <p>(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.</p> <p>(d) Black people living in rural and underdeveloped areas.</p> <p>(e) Black military veterans who qualify to be called a military veteran in terms of the Military Veterans Act 18 of 2011".</p>

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: