



MICT SETA Head Office

Supply Chain Management
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| | |
|--------------------------|---|
| RFQ NUMBER | RFQ/MICT/44/2023 |
| RFQ DESCRIPTION | APPOINTMENT OF A SERVICE PROVIDER FOR ENHANCEMENTS, SUPPORT AND MAINTENANCE OF THE MICT SETA WEBSITE FOR A PERIOD OF THIRTY-SIX (36) MONTHS. |
| RFQ ISSUE DATE | 20 July 2023 |
| BRIEFING SESSION | N/A |
| CLOSING DATE & TIME | 27 July 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.



RETURABLE 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 and/or share certificate | | |
| 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 – Preference Procurement Claim Form | | |
| Certified ID copies of company Directors | | |

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 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 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 A SERVICE PROVIDER FOR ENHANCEMENTS, SUPPORT AND MAINTENANCE OF THE MICT SETA WEBSITE FOR A PERIOD OF THIRTY-SIX (36) 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. BACKGROUND

The MICT SETA intends to modernise its value chain by introducing and maintaining technology solutions that provide and improve management and processing of its data and information through implementation of Customer Relationship Management (CRM) systems for improved stakeholder relations.

In line with the vision of the MICT SETA of "*Cutting-edge future skills*", the MICT SETA has developed a Digital Transformation Strategy, and is currently in the process of implementation. Subsequently, the MICT SETA seeks to appoint a suitably competent and experienced service provider for enhancements, support, and maintenance of its website for a period of thirty-six (36) months.

The project and system should enable the MICT SETA to achieve project objectives as detailed herein under.

3. PURPOSE AND OBJECTIVES

3.1. Purpose

To invite service providers with the necessary expertise and experience to submit proposals for the enhancements, support, and maintenance of the MICT SETA website. The successful

bidder may be required to migrate the website from the existing hosting service provider to any preferred MICT SETA's cloud hosting environment as may be required.

3.2. Objectives

The following are identified as objectives of the project:

- a) Increase digitisation in business processes and systems;
- b) Improved customer platforms through adoption of Artificial Intelligence (AI) technologies;
- c) Improved integration with internal and external portals & systems;
- d) Increased transparency to MICT SETA stakeholders; and
- e) Enhanced data processing and analytics.

4. PROJECT SCOPE AND REQUIREMENTS

4.1. Overview

The MICT SETA website is built on WordPress platform. The MICT SETA seeks to review and enhance its website for improved user experience. The website provides up-to-date information about the MICT SETA, links to internal customer platforms of the MICT SETA such as Learner Management Systems system, and links to other external stakeholder platforms.

The MICT SETA website is hosted in a cloud platform. The service provider will be granted controlled access to the website by the MICT SETA. All changes must be documented and approved following the approved Change Management processes of the MICT SETA.

4.2. Project Scope (Minimum Requirements)

4.2.1. Website Hosting

- The service provider will not be required to provide the hosting services for the website. The website is hosted in a cloud platform (Microsoft Azure) which is organised by the MICT SETA. The service provider will be granted controlled access to the website by the MICT SETA.
- The bidder must assist with migration of the website to another platform (hosting) which the MICT SETA may acquire during and / or within the contract period.

- The bidder will be required to recommend hosting and performance requirements for maximum optimisation and performance of the website.

4.2.2. Website Enhancements

- Enhancements of the website must ensure compatibility with the current and future versions of the following web browsers or any other new prominent browsers:
 - Microsoft Edge
 - Internet Explorer
 - Firefox
 - Safari
 - Chrome
 - Opera
 - Mobile device compatibility
- Provide enhancements on the look and feel of the website as may be required from time-to-time.
- Integration with existing and future internal / external web portals.
- The bidder must secure the existing site during transition, by preserving all current website content and functionality. Utilise the latest web /open-source technology available (e.g., macromedia flash animation, sound, and graphics).
- Ensure seamless communication and integration of the website with other internal and / or external third-party applications (current and future).
- Optimise the website to accommodate low bandwidth access and utilisation.
- Develop an online booking / registration module for events organised by the MICT SETA.
- Should have the functionality to create customisable forms for different kind of events and relevant WordPress plugins.
- The website must have a newsletter registration form.
- Develop stakeholder communication mailer templates.
- Develop stakeholder query / compliment contact form which exports data in excel, csv, pdf format.
- The website must be enhanced and maintained to provide links to other MICT SETA applications, information, and websites of other key stakeholders on an ongoing basis.

4.2.3. Content Management

- Content management (upload of MICT SETA content as and when required).

- Bidders are requested to indicate hourly rate. Content Management will include, but not limited to the following:
 - Content design and creation, scheduling, and editing.
 - Content archive.
 - Monthly website traffic / Google analytics report to be sent to the MICT SETA.
 - Bidder to update / refurb website in line with CI and themes agreed upon with the MICT SETA throughout the duration of the contract.
- Training will be required for the intended personnel.

4.2.4. Support and Maintenance

- Bidder must conduct website optimisation to ensure the website ranks well in search engines.
- Maintenance and update of existing plug-ins and associated runtime environment applications.
- Conduct daily website backups to safeguard website content in the event of a system crash, to a maximum period of 14 working days. Periodic backup reports must be presented to MICT SETA.
- Conduct search engine optimization to ensure the website ranks well in search engines.

4.2.5. Website Security

- The site's traffic must be secured with a digital certificate.
- Performance of the website must be regularly monitored to determine and detect any anomalies and for improved performance.
- Ongoing security patches to secure the website must be conducted. Periodic reports must be presented to MICT SETA.

4.2.6. Project Management

- Bidders are requested to submit a project plan detailing activities of the project from appointment, take over performance of services according to requirements.
- The project plan must also include activities to be performed during project closeout at the end of the contract.

4.2.7. Digital Career Portal

- The Bidder will be required to develop, maintain, and review Digital Career Portal on the website including upload of contents.

- Incorporate the Digital Career Portal on the website.
- The Career Portal must be interactive and intuitive to enable users / students to navigate easily with designed information presented.
- Host, maintain and update the MICT SETA Digital Career Portal
- The portal comprises of interactive functionalities accessed on the MICT SETA website showcasing comprehensive career opportunities within the MICT sector for learners to make informed choices about the MICT sectoral occupations.
- The Bidder will be required to update, schedule, and edit relevant content on a quarterly basis. Bidder will also be expected to suggest on improving the delivery of content.
- The Career Portal must consider future skills and new qualifications developed by the MICT SETA.
- Training and skills transfer will be required for proper functioning of the Career Portal and creating internal capacity.

4.2.8. Data Ingestion and handover

- The bidder will be required to transfer the current website and its content to any new hosting requirements should a need arise anytime throughout the duration of the contract.
- When the services terminate for any reason whatsoever, including but not limited to contract expiry, the bidder / service provider will be required to handover all the Intellectual Property (IP) within their possession, *including but not limited to*, the latest version of the website, plug-in / runtime environment settings and its content to MICT SETA and / or any of its service providers.
- The costs for services covered under this section and the entire RFQ must be included in the bidder's pricing submitted in response to this RFP.

5. DURATION OF CONTRACT

- The contract will commence upon appointment of service provider and activation of the services.
- The contract shall endure a duration of thirty-six (36) months.

6. COSTING MODEL

- The solution objectives together with scope of work should be considered when compiling the pricing for the delivery of the services.
- All costing must be projected inclusive of any applicable taxes.
- Costing must be done inclusive of any applicable travel or allowances of any kind and should therefore be inclusive of all foreseeable costs to achieve the project objectives.
- The costing model provided below shall guide bidders on how their costing shall be indicated. The below model is for illustration only. Bidders may include all deliverables required for this project, which must be linked to the project deliverables.
- The website services costed in terms of the Hourly rate below will be capped at twenty-five **(25) hours a month**. The quotation must round up with costings on the duration of the contract.
- The successful bidder should formally notify the MICT SETA in advance of any foreseeable circumstance that may lead to the exceeding of monthly capped hours of service.

7. PRICING SCHEDULE

Name of bidder: _____

RFQ number: _____

Closing date: _____

RFQs 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:

| <u>Requirement Description</u> | | | | |
|--|---|----------|----------------|-------|
| APPOINTMENT OF A SERVICE PROVIDER FOR ENHANCEMENTS, SUPPORT AND MAINTENANCE OF THE MICT SETA WEBSITE FOR A PERIOD OF THIRTY-SIX (36) MONTHS. | | | | |
| Prices are to be quoted at an all-inclusive rate. | | | | |
| Item | Requirement Description | Quantity | Price by phase | Total |
| 1. | <p>Digital Career Portal.</p> <p>Once-off costs for the design, development, and onboarding of the Digital Career Portal on the website.</p> | | R | R |
| 2. | <p>Total costs calculated on the hourly rate of website support and maintenance services.</p> <p>The service provider is required to provide an hourly rate for all the services of the website as per below. The hourly rate must take into consideration all resources involved in in the project:</p> <ul style="list-style-type: none"> Website enhancements; Content Management; Support and Maintenance; Website Security; Project Management; Digital Career Portal; and Data Ingestion and handover. <p>The website services costed in terms of the Hourly rate will be capped at twenty-five (25) hours a month.</p> | | R | R |
| Sub-Total | | | | |
| VAT@15% | | | | |
| TOTAL PRICE (INCLUDING VAT) | | | | |

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:

8. EVALUATION CRITERIA

The MICT SETA complies with the provisions of the Public Finance Management Act, Act No. 1 of 1999 *as amended*; Treasury Regulations of 2005; the Preferential Procurement Policy Framework Act, Act No. 5 of 2000; Preferential Procurement Regulations of 2022; and MICT SETA Supply Chain Management (SCM) Policy.

RFQ's received will be evaluated on Functional/ Technical Criteria and Price & Specific Goals comparison.

8.1. STAGE 1: FUNCTIONAL/ TECHNICAL CRITERIA

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

| CRITERION | WEIGHT |
|---|-----------|
| EXPERIENCE AND REFERENCES | 15 |
| <p>The bidder must submit contactable Reference Letters for similar projects in website implementation, support, and maintenance within the past five (05) years. 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. [15]</p> <p>Points on reference letters will be allocates as follows:</p> <ul style="list-style-type: none"> • Five (05) or more signed reference letters from different clients submitted = 15 points • Four (04) signed reference letters from different clients submitted = 12 points • Three (03) signed reference letters from different clients submitted = 09 points • Two (02) signed reference letters from different clients submitted = 06 points • One (01) signed reference letter submitted = 03 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> | |
| SAMPLES OF WEBSITES DEVELOPED, SUPPORTED AND MAINTAINED | 15 |
| <p>Bidders are required to submit evidence of previous websites developed and maintained for their current / previous clients in the form of screen dumps together with corresponding website links. [15]</p> <p>Points on Samples and Weblinks will be allocates as follows:</p> | |

- Five (05) or more website links aligned to reference letters submitted = **15 points**
- Four (04) website links aligned to reference letters submitted = **12 points**
- Three (03) website links aligned to reference letters submitted = **09 points**
- Two (02) website links aligned to reference letters submitted = **06 points**
- One (01) website link aligned to a reference letter submitted = **03 points**
- No website link aligned to reference letters submitted = **0 points**

NB: No points will be allocated for website links not related to reference letters submitted.

PROJECT METHODOLOGY AND APPROACH

50

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: **[50]**

- Website enhancements;
- Content Management;
- Support and Maintenance;
- Website Security;
- Project Management;
- Digital Career Portal; and
- Data Ingestion and handover.

Points on Methodology and Approach will be allocated as follows:

- A detailed methodology and approach that meets all the eight (08) elements = **50 points**
- A detailed methodology and approach that meets only seven (07) elements = **40 points**
- A detailed methodology and approach that meets only six (06) elements = **35 points**
- A detailed methodology and approach that meets only five (05) elements = **30 points**
- A detailed methodology and approach that meets only four (04) elements = **24 points**
- A detailed methodology and approach that meets only three (03) elements = **18 points**
- A detailed methodology and approach that meets only two (02) elements = **12 points**
- A detailed methodology and approach that meets only one (01) element = **06 points**
- A methodology and approach that meets none of the elements/ a brief methodology and approach = **0 points**

NB: all elements of the project scope must be covered in detail.

PROJECT IMPLEMENTATION PLAN

20

Bidders are required to provide a detailed Project Implementation Methodology and Plan which clearly articulates how the project will be delivered. This Project Plan should clearly indicate the following (but not limited to): **[20]**

- Project team and resource allocation;

- Project deliverables;
- Project sub-activities; and
- Project timelines.

Points on Implementation Plan will be allocated as follows:

- A detailed project implementation methodology and plan elaborative in detail and meets all the four (04) elements = **20 points**
- A detailed project implementation methodology and plan elaborative in detail and meets only three (03) elements = **15 points**
- A detailed project implementation methodology and plan elaborative in detail and meets only two (02) elements = **10 points**
- A detailed project implementation methodology and plan elaborative in detail and meets only one (01) element = **05 points**
- Project implementation methodology and plan summarises and / or not elaborative = **0 points**

NB: all elements of the implementation methodology and plan must be covered in detail.

| | |
|--------------------------|------------|
| MINIMUM THRESHOLD | 70 |
| TOTAL | 100 |

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

8.2. STAGE 2: PRICE AND SPECIFIC GOALS

Only bidders that have met the requirements of the Mandatory Criteria will qualify for further evaluation on Price and Specific Goals according to the 80/20 preference point system in terms of the Preferential Procurement Regulations 2022, where 80 points will be for Price and 20 points will be for Specific Goals.

Specific Goal to be evaluated out of **20 Points**:

| Special Goal Criteria | Points |
|---|-----------|
| Enterprise which is at least 51% owned by historically disadvantaged persons. | 10 |
| Enterprise which is at least 51% owned by historically disadvantaged women. | 5 |
| Enterprise which is at least 51% owned by historically disadvantaged youth. | 5 |
| Total | 20 |

**** Enterprises that are not owned by historically disadvantaged persons will be allocated 0 points.**

Bidder must submit the following documents:

- Certified ID copies of the company's directors as per the CIPC documents. (Certified copies must not be older than three (03) months).
- CIPC Documents and/or share certificate.

Failure on the part of a service provider to submit proof or documentation required in terms of this RFQ to claim points for specific goals, will be interpreted to mean that preference points for specific goals are not claimed.

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling 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**

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

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.

PREFERENCE PROCUREMENT CLAIM FORM

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1 GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the **80/20** preference point system.
- b) the **80/20 preference point system** will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
(b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

| | POINTS |
|--|------------|
| PRICE | 80 |
| SPECIFIC GOALS | 20 |
| Total points for Price and SPECIFIC GOALS | 100 |

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2 DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3 FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20 or 90/10

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

Where:

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

80/20

or

90/10

$$Ps = 80 \left(1 + \frac{Pt - Pmax}{Pmax} \right)$$

or

$$Ps = 90 \left(1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where:

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

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

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

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

| The specific goals allocated points in terms of this tender | Number of points allocated (80/20 system) (To be completed by the organ of state) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|--|--|
| Enterprise owned by historically disadvantaged persons. | 10 | |
| Enterprise owned by historically disadvantaged women. | 5 | |
| Enterprise owned by historically disadvantaged youth. | 5 | |

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

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

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

| | |
|---|-------------------------|
| SIGNATURE(S) OF TENDERER(S) | |
| SURNAME AND NAME: | |
| DATE: | |
| ADDRESS: | |