



**MICT SETA Head Office**  
Supply Chain Management  
19 Richards Drive  
Gallagher Convention Centre, Gallagher House  
Level 3 West Wing  
Tel +27 11 207 2600  
E-mail: [rfqs@mict.org.za](mailto:rfqs@mict.org.za)

<b>RFQ NUMBER</b>	<b>RFQ/MICT/103/2023</b>
<b>RFQ DESCRIPTION</b>	<b>APPOINTMENT OF SERVICE PROVIDER FOR THE PROVISIONING DEVICE MANAGEMENT, SECURITY, DATA PROTECTION AND THEFT RECOVERY SOLUTION FOR A PERIOD OF TWELVE (12) MONTHS</b>
<b>RFQ ISSUE DATE</b>	<b>19 January 2024</b>
<b>BRIEFING SESSION</b>	<b>N/A</b>
<b>CLOSING DATE &amp; TIME</b>	<b>26 January 2024 @ 11:00 AM RFQ submitted after the stipulated closing date and time will not be considered.</b>
<b>LOCATION FOR SUBMISSIONS</b>	<b><a href="mailto:rfqs@mict.org.za">rfqs@mict.org.za</a></b>
<b>NO: OF DOCUMENTS</b>	<b>Soft Copy</b>

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

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

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

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

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

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

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

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

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

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

**SUPPLIER REGISTRATION ON CSD**

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



**RETURNABLE DOCUMENTS CHECKLIST**

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

(Tick in the relevant block below)

DESCRIPTION	YES	NO
<b>CSD</b> Central Supplier Database (CSD) Registration Report		
Pricing Schedule		
Valid Tax Clearance Certificate (S) and or proof of application endorsed by <b>SARS</b> and/or <b>SARS-issued</b> verification pin		
<b>SBD 4 – Bidder’s Disclosure</b>		
<b>SBD 6.1 - Preference Procurement Claim Form</b>		
CIPC registration documents		
Director(s) Certified ID copy		
Shareholder Certificate		

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

## MICT SETA –QUOTATION CONDITIONS

### 1. QUOTATION CONDITIONS

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

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

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

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

### 2. COST OF BIDDING

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

## TERMS OF REFERENCE

### 1. INTRODUCTION

The Media, Information, and Communication Technologies Sector Education and Training Authority (MICT SETA) invites qualified and experienced service providers to submit proposals for the provision of publication services. MICT SETA seeks to establish a panel of service providers capable of delivering various publications to support its communication and educational initiatives. The MICT SETA is dedicated to delivering information, promotions, and messages that resonate with our audience and our publications will serve as ambassadors of our brand, carrying our message to diverse audiences. To accomplish this, we require a panel of service providers who can translate our ideas into visually stunning, meticulously crafted publications that leave a lasting impression.

### 2. OBJECTIVES

MICT SETA invites service providers with the necessary expertise and experience to submit proposals for the provisioning of a solution to tightly secure computing infrastructure and technology investment. Since end-point devices are a significant point of exposure in relation to the security policy. The MICT SETA views entity data as part of its valued Intellectual Property (IP) in line with the POPI Act. and pursues a solution to aid the increase of management and safeguarding of end-point computing devices for a period of twelve (12) months.

#### **The following are identified as objectives of the project:**

- a) Ability to manage and secure mobile devices.
- b) Security, data protection and data loss prevention.
- c) Theft recovery solution.
- d) Enhanced endpoint security.

### 3. SCOPE OF WORK

In line with the vision of the MICT SETA of "a global leader in the development and delivery of revolutionary ICT skills", the MICT SETA seeks to appoint a suitable, competent, and experienced service provider for provisioning of device management, security, data protection for a period of twelve (12) months.

#### **3.1. Device Assignment and Reporting.**

- Device Management Service to adhere to asset audit and compliance specifications.
- Persistent asset tracking technology to be activated on laptop/mobile devices, the scope of mobile devices includes but not limited to Laptops, Apple MacBooks and iPads.
- Computer Serial number coupled with cloud console to tamper proof electronic serial number (ESN) in the BIOS.
- Cloud Asset Management platform integrated with persistent tracking technology providing single trusted source of asset inventory.
- Access Control and management of employee devices movement in and out of buildings in the Cloud Console.
- Audit and Procurement verification integrated service to verify asset assignment to employee and department. Verification by scanning procured devices against Purchase Order (PO).

#### **3.2. Configuration Management and Variance Reporting**

- Service Function to execute Scripts remotely to a specific group or subset of devices from a library of predefined scripts.
- Reporting on Software that is not approved by the MICT SETA.

- The device performance such as used vs remaining space on Disk Drive and Random Access Memory (RAM) along with usage of the device.

### **3.3. Lost and Stolen Devices**

- Physical location of all devices managed.
- System to identify and manage a device which is lost or stolen.
- Stolen device must have data remotely deleted and proof of data removal.
- Reporting of stolen devices and the global recovery thereof.

### **3.4. Deployment of the solution**

- Provide MICT SETA with onsite technical assistance and project management to complete all activities required for onboarding devices.
- The successful bidder will be required to provide basic training to MICT SETA's ICT staff and users.
- Enrolment of all devices on the solution.
- Activation and deployment of all features on the solution.

### **3.5. Additional Requirements**

- A contractual agreement, with clear deliverables and timeframes will be signed with the successful bidder upon award of the bid.
- The successful bidder must install and configure the Asset and Device Tracking solution in accordance with the requirements and will be required to work with and provide feedback to the relevant officials from installation and configuration.
- The licensed subscriptions of the solution spanning twelve (12) months and incorporating all identified (250) devices already within the infrastructure. The subscription license should be transferable from one device to another in case of an End-of-Life (EOL) of the asset.
- MICT SETA seeks a solution that will be able to host its data within the South African borders in compliance with the POPI Act.
- Evidence of product code specifically stating **NETSEC-NAM-MSP-GOV-60**.

### **3.6. Current State**

The following indicates the status of the MICT SETA environment:

- a) All MICT SETA devices are currently enrolled on Microsoft Intune.
- b) All MITCT SETA devices are bit locked.
- c) MICT SETA primarily subscribes to the Microsoft environment.

## **4. TECHNICAL REQUIREMENTS**

### **4.1. Asset Administration**

- The tool must provide an easy-to-use and cost-effective interface that maintains accurate endpoint device inventory data throughout the life cycle of the endpoint and furthermore integrates the proposed tracking technology.
- This must include asset assignment to users and departments, access control and mobile scanning application, but it must not be limited to storeroom management.
- The solution must have an Integration capability of asset register and user information into a cloud-based management console.
- Retain a complete asset event history ensuring live and current auditing of devices in the environment, adhering to the PFMA and AGSA requirements.

### **4.2. Data & Device Security**

- Sensitive data being the intellectual property of the MICT SETA must be always protected. Hence the solution must have the capability to be accessed remotely and safeguard data facing potential risks.
- Data that is end-of-life needs to be wiped off so that it is not accessible for any purpose. Audit logs and lifecycle certificates should be accessible as proof of data wipe process.

### 4.3. Geo-technology

- Being able to track and trace, and set physical locations.
- Tracking of assets over the internet map.

### 4.4. Endpoint Forensics

- Providing advanced Forensics for devices that are stolen and would need investigations if any criminal activity is associated.
- The solution should be able to provide the ability to trace who has the device.

### 4.5. Theft Recovery

- Capabilities to facilitate criminal acts that have occurred via theft of a device, by tracking, tracing, and recovering devices.
- Criminal activity can be linked to local Police (SAPS) to assist in further investigations.
- Speedy recovery of devices to protect sensitive data and intellectual property.

## 5. TRAINING

- 5.1. The service provider will be required to conduct online training of users via Teams.
- 5.2. Training of ICT administrators.

## 6. CONTRACT PERIOD

The contract period is 12 months.

## 7. CONDITIONS FOR RFQ PARTICIPATION AND PENALTIES

- 7.1. Prices quoted by the service provider under the contract shall not vary from the price quoted at the time of appointment unless otherwise stated or subject to escalations.
- 7.2. Subject to GCC Clause 25, if the supplier fails to deliver any or all of the goods or to perform the services within the period(s) specified in the contract, the purchaser shall, without prejudice to its other remedies under the contract, deduct from the contract price, as a penalty, a sum calculated on the delivered price of the delayed goods or unperformed services using the current prime interest rate calculated for each day of the delay until actual delivery or performance. The purchaser may also consider termination of the contract pursuant to GCC Clause 23.
- 7.3. For delays in the delivery of requested services a penalty of 2 % of the purchase order value will be calculated and deducted.
- 7.4. If the contractor fails to execute the order, within the stipulated time, the order will be cancelled and procured from the other service providers, in addition, the difference will be recovered from the contractor.
- 7.5. Failure to supply the items during the validity of the contract may result in removing the service provider from the panel.

### Declaration:

I declare that I have read and understood the above terms, conditions and requirements of the Delivery/Performance and Conditions for RFQ Participation and Penalties. I acknowledge and agree to comply with the above-outlined terms, conditions, and requirements for the duration of the contract.

Bidder representative: \_\_\_\_\_ Signature: \_\_\_\_\_

**PRICING SCHEDULE**

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

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

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

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

**Bidders are 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 Cost	Total Cost
	APPOINTMENT OF SERVICE PROVIDER FOR THE PROVISIONING DEVICE MANAGEMENT, SECURITY, DATA PROTECTION AND THEFT RECOVERY SOLUTION FOR A PERIOD OF TWELVE (12) MONTHS.			
1.	Endpoint/mobile device, Tracking, Tracing and asset management Solution.	1	R	R
2.	Cloud hosting.	1	R	R
3.	Solution Training	1	R	R
4.	Product Rollout and Support Management	1	R	R
5.	Other related costs	1	R	R
<b>TOTAL AMOUNT EXCL VAT</b>				
<b>VAT @ 15%</b>				
<b>TOTAL CONTRACT VALUE</b>				

**\*\* Bidders are requested to submit a separate cost breakdown that covers the entire scope of work.**

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

### EVALUATION CRITERIA

RFQs received will be evaluated on mandatory criteria, functional criteria, and price & specific goals.

#### MANDATORY EVALUATION CRITERIA

RFQ proposals submitted will be evaluated on mandatory requirements.

Only bidders who fully comply with the mandatory requirements will move to the next stage of evaluations.

#### Mandatory Requirements:

##### a) Affiliation Certification

The bidder must provide a copy of valid certification or endorsement or affiliation with the provision of product codes **NETSEC-NAM-MSP-GOV-60**.

##### b) OEM Certification

The bidder must provide a copy of a valid certificate or confirmation letter from the OEM indicating a value-added partner status. The letter should have valid contact details of the OEM.

**Note:** All bidders who do not comply with the mandatory requirements will be declared non-responsive and will not move to the next stage of evaluations.

#### FUNCTIONAL EVALUATION CRITERIA

RFQ proposals submitted will be evaluated on technical functionality out of a maximum of **100 points**. A threshold of **80 points** out of **100 points** has been set.

Only bidders who have met or exceeded the qualification threshold on technical functionality of **80 points** will move to the next stage of evaluations.

**Note:** All bidders achieving less than the set threshold of **80 points** will be declared non-responsive and will not move to the next stage of evaluations.

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

FUNCTIONAL CRITERIA		
Category	Description	Maximum Points
Experience of the service provider	<p>The bidder must have rendered or provided endpoint device tracking and tracing solutions in the last five (5) years).</p> <p><b>Evidence:</b> The bidder must provide a minimum of three (3) contactable reference letters from different clients/institutions confirming the implementation of an endpoint device tracking and tracing solution in the last five (5) years.</p>	21



	<p><b>Points will be allocated as follows:</b></p> <ul style="list-style-type: none"> <li>▪ 3 reference letters submitted from different clients = <b>21 Points</b></li> <li>▪ 2 reference letters submitted from different clients = <b>11 Points</b></li> <li>▪ 1 reference letter submitted = <b>6 Points</b></li> <li>▪ No reference letters = <b>0 Points</b></li> </ul> <p>Non-compliance with the minimum requirement = <b>0 points</b>  <b>Due diligence will be conducted against reference letters submitted</b></p>	
<p><b>Project implementation plan</b></p>	<p>The bidder must provide a detailed project implementation plan which details how the solution will be carried out for implementation. clear time frames, skills, training of end users and resources utilized to deliver the proposed solution.</p> <p>Project implementation plan must include the following, but not limited to:</p> <ul style="list-style-type: none"> <li>• <b>Initiation</b></li> <li>• <b>Rollout plan with clear timeframes</b></li> <li>• <b>Testing process</b></li> <li>• <b>Onboarding and training of ICT administrators</b></li> <li>• <b>Close out report</b></li> </ul> <p><b>Points will be allocated as follows:</b></p> <ul style="list-style-type: none"> <li>▪ Project plan includes all five (5) phases = <b>40 Points</b></li> <li>▪ Project plan includes only four (4) phases = <b>30 Points</b></li> <li>▪ Project plan includes only three (3) phases = <b>20 Points</b></li> <li>▪ Project plan includes only two (2) phases = <b>10 Points</b></li> <li>▪ Project plan includes only one (1) phase = <b>05 Points</b></li> <li>▪ No Project plan included/ <i>Non-compliance to any of the above</i> = <b>0 Points</b></li> </ul>	<p><b>40</b></p>
<p><b>Solution Strategy and Approach proposal</b></p>	<p>The bidder/s must provide a detailed (end-to-end) strategy and approach that complies with core terms as specified in the scope of work.</p> <p>Detailed approach (Min 2 pages) and strategy for compliance to below:</p> <ul style="list-style-type: none"> <li>• <b>Asset Administration</b></li> <li>• <b>Geo-technology</b></li> <li>• <b>Endpoint Forensics</b></li> <li>• <b>Data &amp; Device Security</b></li> <li>• <b>Theft Recovery: Lost and Stolen Devices</b></li> </ul> <p><b>Points will be allocated as follows:</b></p> <ul style="list-style-type: none"> <li>▪ Strategy and approach include all five (5) aspects = <b>39 Points</b></li> <li>▪ Strategy and approach only four (4) aspects = <b>30 Points</b></li> <li>▪ Strategy and approach include only three (3) aspects = <b>20 Points</b></li> <li>▪ Strategy and approach include only two (2) aspects = <b>10 Points</b></li> <li>▪ Strategy and approach include only one (1) aspect = <b>05 Points</b></li> <li>▪ No Strategy and approach included/ <i>Non-compliance to any of the above</i> = <b>0 Points</b></li> </ul>	<p><b>39</b></p>
<p><b>Threshold</b></p>		<p><b>80</b></p>
<p><b>TOTAL</b></p>		<p><b>100</b></p>

## PRICE AND SPECIFIC GOALS EVALUATION

Evaluation of the quotations received is based on the 80/20 preference point system as per PFMA regulation of 2022.

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

Special Goal Criteria	Points
Enterprises which are at least 51% owned by historically disadvantaged persons.	10
Enterprises which are at least 51% owned by historically disadvantaged women.	5
Enterprises which are at least 51% owned by historically disadvantaged youth.	5
<b>Total</b>	<b>20</b>

**\*\* 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 six (6) months)
- CIPC Documents and/or Shareholder Certificate (for companies that have two or more directors as per CIPC document)

**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 interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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

2.2.1 If so, furnish particulars:

.....  
 .....

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

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....  
.....

**3 DECLARATION**

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 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

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

and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

## PREFERENCE 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
<b>PRICE</b>	<b>80</b>
<b>SPECIFIC GOALS</b>	<b>20</b>
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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

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

## 2 DEFINITIONS

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

## 3 FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

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

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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

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

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)
Enterprises which are at least 51% owned by historically disadvantaged persons.	10	
Enterprises which are at least 51% owned by historically disadvantaged women.	5	
Enterprises which are at least 51% 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.

<p>.....</p> <p><b>SIGNATURE(S) OF TENDERER(S)</b></p> <p><b>SURNAME AND NAME:</b> .....</p> <p><b>DATE:</b> .....</p> <p><b>ADDRESS:</b> .....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
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