



MICTSETA

Media, Information And
Communication Technologies
Sector Education And Training Authority

SHAPING SKILLS, PIONEERING INDUSTRIES, EMPOWERING FUTURES

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: bidqueries@mict.org.za

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE MEDIA INFORMATION
AND COMMUNICATIONS TECHNOLOGIES SECTOR EDUCATION AND TRAINING
AUTHORITY**

REQUEST FOR BIDS REF: MICT/SETA/REC/08/2023

REQUIREMENT DESCRIPTION:

**THE APPOINTMENT OF A PANEL OF RECRUITMENT AGENCIES FOR A PERIOD OF THREE
(3) YEARS.**

BID CLOSING DATE: 20 MARCH 2024 at 11:00 AM



Bid Reference Number	MICT/SETA/REC/08/2023
Supplier Briefing Session	N/A
Bid Closing date & time	20 March 2024 @ 11:00 am South African Time. <i>*Note: A bid will not be considered if it arrives a second after 11:00 am or any time thereafter. Bidders are therefore strongly advised to ensure that bids are dispatched allowing enough time for any unforeseen events that may delay the delivery of the bid.</i>
Instruction for submission of Bid	Bid must be received in a sealed envelope (1 hard copy and 1 USB) marked with this RFB reference number and deposited in a tender box at the location indicated hereunder.
Location for Bid submissions	MICT SETA Head Office: Reception 19 Richards Drive, Gallagher Convention Centre West Wing, level 3 Midrand
Bid Validity Period	Bids received shall remain valid for acceptance for a period of 120 counted from the closing date of the bid.

CLARIFICATION AND COMMUNICATION

- All enquiries relating to this bid must be addressed in writing to bidqueries@mict.org.za five (05) days **before the closing date and time**. Queries received after this period will not be entertained.
- The bid reference number must be mentioned in all correspondences.

Note: Bidders are advised that a response will be disqualified should any attempt be made by a bidder either directly or indirectly to canvass any officer(s) or employees of **MICT- SETA** in respect of the RFB, between the closing and award date of the business.

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.



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RETURNABLE DOCUMENTS CHECKLIST

Bid 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 RFB submission.

(Tick in the relevant block below)

DESCRIPTION	YES	NO
CSD Central Supplier Database (CSD) Registration Report		
CICP Company Registration documents and/or Shareholder certificate		
SBD 1 – Fully completed with required proof (Where applicable)		
Valid Tax Clearance Certificate(s) and/or proof of application endorsed by SARS and/or SARS issued verification pin		
SBD 4 – Declaration of interest		
SBD 6.1 – Preferential Procurement Claim Form		
Copy of joint venture/ consortium or sub-contracting agreement duly signed by all parties (Where applicable)		
Financial Statements for 2022/2023 FY of the bidder		

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



SBD 1: PART A: INVITATION TO BID

SUPPLIER INFORMATION			
NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE	NUMBER	
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE	NUMBER	
E-MAIL ADDRESS			
COMPANY REGISTRATION NUMBER			
DATE OF REGISTRATION			
VAT REGISTRATION NUMBER			
		TCS PIN:	OR CSD No:
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)	
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)	
	<input type="checkbox"/>	A REGISTERED AUDITOR NAME:	
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.			
TOTAL NUMBER OF ITEMS OFFERED	Refer to pricing schedule/costing	TOTAL BID PRICE (ALL INCLUSIVE)	Refer to pricing schedule/costing



PART B: TERMS AND CONDITIONS FOR BIDDING

BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE.
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES).
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION.
- 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

TAX COMPLIANCE REQUIREMENTS:

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? YES NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.



BIDDING STRUCTURE

Bidding structure

Indicate the type of bidding structure by marking with an 'X':

Individual bidder	
Joint Venture	
Consortium	
Subcontractors	
Other	

If the bid is submitted as a Consortium or Joint Venture or Sub Contracting Arrangement list the members of such Consortium or Joint Venture and Sub Contractors below:

Bidder's Information (includes bids submitted Individual or as a Consortium or Joint Venture)

Supplier size type (Large or QSE or EME)	
First time business with MICT SETA (Yes/No)	
Number of existing running contracts and total value	
Total number of Employees	

Entity ownership

Ownership category	% of ownership
Black or historically disadvantage individual owned	
Black women owned	
Black youth owned	
People living with disability	
Military veteran	
Other ownership	
Total (100%)	



MICT SETA -BID CONDITIONS

1. BID CONDITIONS

NOTE: Bids 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 RFB, 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 RFB.
- b. No RFB 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 RFB that do not comply strictly with the requirements of this RFB.
- b. Make a selection solely on the information received in the RFBs and Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the evaluation of this RFB.
- 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 RFB shall be sought, offered or permitted.
- d. Award a contract to one or more bidder(s).
- e. Withdraw the RFB at any stage
- f. Accept a separate RFB or any RFB in part or full at its own discretion.
- g. Cancel this RFB or any part thereof at any stage as prescribed in the PPPFA regulation.
- h. Select the bidder(s) for further negotiations on the basis of the greatest benefit to MICT SETA and not necessarily on the basis of the lowest costs

2. COST OF BIDDING

The bidder shall bear all costs and expenses associated with preparation and submission of its RFB or RFB, 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 process.



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TERMS OF REFERENCE

**THE APPOINTMENT OF A PANEL OF RECRUITMENT AGENCIES FOR A PERIOD OF THREE
(3) YEARS.**

1. BACKGROUND

The Media, Information and Communication Technologies Sector Education and Training Authority, the "MICT SETA", was established in terms of the Skills Development Act, 1998 (Act No. 97 of 1998). It is responsible for skills development for its respective sub-sectors. The MICT sector is made up of five sub-sectors that are interconnected but also quite distinct and identifiable. These are Advertising, Film and Electronic Media, Electronics, Information Technology and Telecommunications.

2. OBJECTIVE

To invite prospective service providers to submit a proposal for appointment to a panel of recruitment agencies to headhunt/recommend appointable candidates to fill temporary fixed temp and permanent vacancies.

3. SCOPE OF WORK

- 3.1. The bidder will be required to provide recruitment services as and when required by MICT SETA. Service provider will be required to conduct the recruitment process by doing the following:
 - 3.1.1. Determine competency level or match an applicant with the job description provided by MICT SETA considering the key performance areas of the position.
 - 3.1.2. The recruitment agency will send the applications / CV of their candidates.
 - 3.1.3. Provide the MICT SETA with a shortlist of possibly suitable candidates within five (5) working days after MICT SETA has send the request to the service provider.
- 3.2. The MICT SETA will be responsible for conducting the interview/s
- 3.3. Source suitable candidates for temporary, fixed term and permanent appointments in one or more of the following categories:

Category	Description
A	General professional roles namely: (Finance, HR, SCM, Risk & Compliance, Legal, Marketing & Communications and Monitoring and evaluation)
B	ICT Specialists and related roles
C	Specialists related to the work of the MICT namely: (Learning Programmes, Education and Training Quality Assurance and Sector Skills Planning)
D	Management (Middle, Senior, and Executive roles).

The requirements are not limited to the above, other recruitment requirements may be required should it be necessary.

NB: MICT SETA reserves the right to limit the number of shortlisted recruitment agencies to be appointed in the panel.

4. DURATION OF THE PROJECT

Successful bidders will be appointed to be part of the panel for a period of three (03) years on an "as and when required" basis.



5. OPERATION OF THE PANEL

Services providers who qualify to be on the panel may be invited to submit portfolios/CVs for the available vacant position as and when required. The MICT SETA will invite the service providers qualified for this panel to compete on a quotation basis for allocated projects during these three (03) years.

The purchase order will be placed with the bidder whose candidate is to join the MICT SETA.

6. SERVICES

- 6.1. The bidders shall submit 5 CVs of candidates as per the request for quotation.
- 6.2. Selected candidates shall form part of the MICT SETA payroll unless otherwise stated.
- 6.3. MICT SETA reserves the right to conduct interviews and select a candidate that is deemed suitable for the position required to be filled.

7. CONDITIONS FOR TENDER PARTICIPATION

- 7.1. The percentages provided as per the above table shall form part of the contract and not vary during the time of appointment unless otherwise stated.
- 7.2. Only the placement percentage fee shall be paid to the bidder whose candidate(s) are appointed/selected, no other costs will be considered.
- 7.3. Failure to participate 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 **Services** and **Conditions for the tender Participation**. I acknowledge and agree to comply with the above-outlined terms, conditions, and requirements for the duration of the contract.

Bidder representative: _____ Signature: _____

COSTING STRUCTURE

Name of bidder _____

RFB number: _____

Closing date _____

Bid shall remain valid for acceptance for a period of **120 days** counted from the closing date.

Item	Requirement Description	Quantity	Percentage (%) based on package.
APPOINTMENT OF A PANEL OF RECRUITMENT AGENCIES FOR A PERIOD OF THREE (03) YEARS.			
1.	Permanent Placement:		
	Placement Fee - remuneration package from R0-R500K Per Annum	1	15%
	Placement Fee – remuneration package from R501 and above Per Annum	1	25%
2.	Temporary/Fixed Temp Placements:		
	Placement Fee - remuneration package from R0-500K PA (prorated by length of contract)	1	15%
	Placement Fee - remuneration package from R501 and above Per Annum (prorated by length of contract)	1	25%

Complete below:

- Delivery Address: **MICT SETA Head office, Level 3 West wing, Gallagher House
19 Richards Drive, Halfway House, Midrand**

I/We, the undersigned, agree that **Percentage (%) fee listed above** shall remain binding on me/us and open for acceptance for the period stipulated above;

Authorised Company Representative:

Capacity under which this bid is signed.....

Signature:

Date:

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 the MICT SETA Supply Chain Management (SCM) Policy.

Bids received will be evaluated against the following set evaluation criteria.

9.1. STAGE 1: FUNCTIONAL EVALUATION CRITERIA

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

Only bidders that have met or exceeded the qualification threshold on technical functionality of **70 points** will form part of the panel.

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 EVALUATION CRITERIA		
Category	Description	Maximum Points
Company Experience	<p>Bidders must submit a company profile highlighting experience in the recruitment of two (02) or more categories as mentioned in paragraph 3.3 of the scope of work.</p> <p>Points on providing a company profile will be allocated as follows:</p> <ul style="list-style-type: none"> • Company profile submitted highlighting four (04) categories = 25 points • Company profile submitted highlighting three (03) categories = 15 points • Company profile submitted highlighting two (02) categories = 10 points • Company profile submitted highlighting one (01) category as = 5 points • No company profile submitted/ no experience highlighted = 0 points 	25
Reference Letters	<p>Bidders should demonstrate experience in recruitment services.</p> <p>Bidders must submit Five (05) signed contactable reference letter/s highlighting recruitment services rendered in the past ten (10) years from different clients.</p> <p>Reference letters must be signed and must include the name of the company, contact details, recruitment services project description, and project duration.</p> <p>Points on reference letters will be allocated as follows:</p> <ul style="list-style-type: none"> • Five (5) signed reference letters from different reflecting the name of the company, contact details, recruitment services project description, and project duration = 15 points • Four (4) signed reference letters from different clients reflecting company, contact details, recruitment services project description, and project duration = 12 points • Three (3) signed reference letters from different clients reflecting company, contact details, recruitment services project description, and project duration = 09 points • Two (2) signed reference letters from different clients reflecting company, contact details, recruitment services project description, and project duration = 06 points 	15

	<ul style="list-style-type: none"> • One (1) signed reference letter from different client reflecting company, contact details, recruitment services project description, and project duration = 03 points • Less than one letter signed reference letter/s reflecting company, contact details, recruitment services project description, and project duration = 0 points <p>MICT SETA reserves the right to verify reference letters before award. Reference letters must not be older than 10 years</p>	
Proposal	<p>Bidders must submit a detailed proposal of the methodology and approach, processes and tools/ systems and timelines of recruiting the candidates for MICT SETA that meet requirements.</p> <p>The proposal must include the below principles/phases:</p> <ul style="list-style-type: none"> • Methodology and approach <ul style="list-style-type: none"> - candidate database - diversity and inclusion strategy (i.e. evidence of previous implementation should be provided) • Processes and tools/systems <ul style="list-style-type: none"> - pre-selection interviews (i.e. sampled reports) - advertising platforms (evidence required of the platforms) • Timeliness <ul style="list-style-type: none"> - project plan within our timelines of 5 working days. <p>Points for submitting a detailed methodology and approach will be allocated as follows:</p> <ul style="list-style-type: none"> • Proposal includes all three principles/phases = 40 points • Proposal does not include all principles/phases = 0 points 	40
Bidder's professional affiliation	<p>Bidders must submit a valid certified copy of the Company's or Director's registration or certificate with the Association of Personnel Services Organization (APSO).</p> <p>Points will be allocated as follows:</p> <ul style="list-style-type: none"> • Submitted proof of registration or certificate with the Association of Personnel Services Organization (APSO) = 20 Points • Non-submission of the APSO certificate = 0 points 	20
Total Score		100
Minimum Score		70

10. AWARD:

At least three (03) or more bidders that have met or exceeded the set threshold on technical functionality of **70 points** will form part of the panel.

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

BIDDER'S DICLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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

2.2.1 If so, furnish particulars:

.....

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

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

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

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

I 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 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.

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 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest 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 organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

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 which is 51% owned by historically disadvantaged persons.	10	
Enterprise which is 51% owned by historically disadvantaged women.	05	
Enterprise which is 51% owned by historically disadvantaged youth.	05	

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.

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SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

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