

RFQ NUMBER	RFQ/MICT/28/2024
RFQ DESCRIPTION	APPOINTMENT OF A QUALIFIED AND EXPERIENCED SERVICE PROVIDER TO HELP THE MICT SETA FACILITATE THE STRATEGIC PLANNING SESSIONS FOR A PERIOD OF 3 YEARS.
RFQ ISSUE DATE	09 July 2024
BRIEFING SESSION	N/A
CLOSING DATE & TIME	16 July 2024 @ 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 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
CSD Central Supplier Database (CSD) Registration Report		
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		
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. BACKGROUND & CONTEXT

The Media, Information and Communication Technology Sector Education and Training Authority ("MICT SETA") is a statutory body established through the Skills Development Act, No. 97 of 1998 section 10 (1) (a). The SETA has a mandate to facilitate skills development. Adhering to the key principles of the Skills Development Act and the National Skills Development Plan (NSDP), the SETA seeks to facilitate alignment between skills supply and demand by enhancing the linkages between institutional and workplace learning. The mandate adopted by the SETA derives from the broader plan of government, namely the NDP, which aims to put in place the framework whereby, the capabilities of South African citizens are built.

The SETA was established to offer support to its stakeholders through skills development imperatives within the Advertising, Electronic Media and Film, Electronics, Information Technology and Telecommunications sub-sectors.

Within these sub-sectors, the MICT SETA is responsible for the following:

- Development of a Sector Skills Plans (SSP) within the framework of the National Skills Development Plan (NSDP).
- Implementation of the SSP.
- Development and administration of Learnerships.
- Support of the implementation of the National Qualifications Framework (NQF).
- Quality assurance of sector learning interventions.
- Disbursement of levies collected from employers in their sector; and reporting to the Minister and the South Africa Qualifications Authority (SAQA).

With the current 2020-2025 Strategic Plan cycle coming to an end in March 2025, an opportunity has arisen for the SETA to develop its new Strategic Plan (SP) and Annual Performance Plan (APP) for the 2025- 2030 period. Recognizing the complexity and importance of this task, the SETA intends to appoint a qualified and experienced facilitator to oversee the strategic planning sessions. Thus, the MICT SETA extends this request to appoint a service provider who can contribute their expertise to guide and facilitate these critical sessions effectively.

2. PURPOSE

The purpose of this request is to invite qualified and experienced service providers to submit proposals for the facilitation of the MICT SETA strategic planning sessions (Management and Board) for the new 2025- 2030 Strategic Plan and Annual Performance Plan.

3. OBJECTIVES

The main objectives are as follows:

- To guide and facilitate the strategic planning sessions effectively, enabling the development of a clear roadmap for achieving the objectives outlined in the Strategic Plan and Annual Performance Plan for the 2025-2030 period.

- To ensure that the strategic planning process adheres to the broader objectives outlined in the National Development Plan (NDP), particularly focusing on building the capabilities of South African citizens.
- Ensure that MICT SETA's skills planning needs and priority actions are well articulated in the SP and APP Updates.

4. SCOPE OF WORK

The scope of service will be to facilitate the MICT SETA's Management and Board Strategic Planning sessions in line with the Department of Planning, Monitoring, and Evaluation's (DPME's) Framework for Strategic and Annual Performance Plans.

The successful service provider will be required to:

- Facilitation of a two-day Management Strategic Planning session.
- Facilitation of a three-day Board Strategic Planning session.
- Facilitation discussions around the SETA's internal and external performance environment, and the MICT SETA's strategy (i.e., theory of change, envisioned outcomes, and impact) as set out in the Strategic Plan (SP) and Annual Performance Plan (APP).

There will be two sessions in a year (Management Strategic session and Board Strategic session)

Dates of the sessions will be communicated with the appointed service provider.

Scenario Planning:

- **Environmental Scanning:** Conduct thorough research and analysis of internal and external factors, including economic, technological, political, social, and environmental trends.
- **Stakeholder Engagement:** Involve key business line managers to gather diverse insights and perspectives.
- **Impact Analysis:** Assess the potential impact of each scenario, identifying risks and opportunities.
- **Strategic Response Planning:** Develop strategic responses and contingency plans for each scenario to ensure readiness and agility.
- **Scenario Report:** Develop a comprehensive report detailing the developed scenarios, including key assumptions, driving forces, and potential impacts.

Preparatory work for the session will include:

- Document review, including MICT SETA's approved Sector Skills Plan (SSP), Draft SP, APP, DPME Framework for Strategic and Annual Performance Plans, National Development Plan (NSDP), the Economic Reconstruction and Recovery Plan (ERRP), Economic Reconstruction and Recovery Plan Skills Strategy (ERRP SS), and MICT SETA Strategic Plan mid-term review.
- Baseline consultation with relevant MICT SETA Management.
- Development and preparation of facilitation material to be submitted to the MICT SETA Management before the session.
- MICT SETA to provide guidance and advice on matters to be discussed as part of the agenda and preparatory work as per the full brief:
 - A briefing session with the SETA CEO: Engagement and discussions with the SETA CEO on approach, etc., prior to the Management session.
 - A briefing session with SETA AA Chair: Engagement and discussions with the AA Chair on approach, etc., prior to the AA session.

The facilitator should be accompanied by supporting personnel, to:

- Support the facilitators during the session.
- Prepare a summary report that is to be presented as the last item on the agenda - outlining key highlights, outcomes, and resolutions or decisions made.
- Conduct a situational analysis of Internal and external environmental analysis, explicit Theory of Change, SWOT Analysis, PESTEL, and provide recommendations.

1. Service provider mandatory requirements

The facilitator should collectively possess the following qualifications, expertise, and experience:

- Expert in organizational strategy with a key focus on facilitating and implementing strategic sessions at the Board level.
- Understanding the monitoring and evaluation functions specific to SETAs.
- Demonstrate understanding of the DPME's Framework for Strategic and Annual Performance Plans.
- Demonstrate understanding of the National Development Plan (NDP) 2030 and National Skills Development Plan (NSDP), 2030 and associated outcomes.
- Thorough knowledge and understanding of corporate governance principles and King IV principles.
- Governance knowledge and experience in a SETA context (Not compulsory) or environment including having actively been involved in the sector at a strategic level.
- Strong understanding and knowledge of the post-school education and training sector.
- Experience in strategy development and facilitation of strategic planning sessions.
- A good understanding of the MICT SETA's operating environment and its five sub-sectors.

5. PROJECT TIMELINES

The contract is for a period of 3 years.

PRICING SCHEDULE

Name of bidder _____

RFQ number: RFQ/MICT/28/2023

Closing date _____

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

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

Item	Requirement Description <u>APPOINTMENT OF A QUALIFIED AND EXPERIENCED SERVICE PROVIDER TO HELP THE MICT SETA FACILITATE THE STRATEGIC PLANNING SESSIONS FOR A PERIOD OF 3 YEARS.</u>	Quantity	Unit Cost (Excl. VAT)	Total Cost (Excl. VAT)
1.	Development and alignment of all plans	6	R	R
2.	Stakeholder engagement sessions	6	R	R
3.	Reports	6	R	R
4.	Other related costs	1	R	R
Sub-Total				R
VAT@15%				R
TOTAL PRICE (INCLUDING VAT)				R

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

Complete below:

- Delivery Address: **MICT SETA Head office**
Level 3 West wing, Gallagher House
19 Richards Drive, Halfway House
Midrand
- Indicate Delivery period after order receipt.....
- Is delivery period fixed? **Yes/No**
- Is the price(s) fixed? **Yes/No**
- 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 functional Criteria, and Price & specific goals comparison.

FUNCTIONAL EVALUATION CRITERIA

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

Only bidders that have met or exceeded the qualification threshold on technical functionality of **70 points** will be evaluated further on price and specific goals.

Note: All bidders achieving less than the set threshold of **70 points** 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
1. CONTENT OF THE PROPOSAL	<p>Bidder must submit a detailed proposal with methodology as follows:</p> <ol style="list-style-type: none">1. Understanding of the strategic planning process and the request for quotation (background to the planning process, purpose, objectives).2. Approach, design, and methodology for the strategic planning process (e.g., literature and documentation review, SMART Principles, understanding of the policy development process and suggestions for elaboration).3. Quality management plan (demonstrate ability to quality assure the strategic planning process to ensure high quality outputs and service offering).4. Policy nexus (indicate how the findings from this strategic planning process can be engaged with to promote utilization by MICTSETA at the strategic and operational levels).5. Reporting.6. Risks/mitigation measures. <p>Points for submission of proposal with methodology will be allocated as follows:</p> <ul style="list-style-type: none">• Bidder submitted a proposal that meets all six (06) elements = 30 points• Bidder submitted a proposal that meets four (04) to five (05) elements = 20 points• Bidder submitted a proposal that meets three (03) elements = 15 points• Bidder submitted a proposal that meets one (01) to two (02) elements = 0 points <p>Non-compliance to the requirements = 0 points</p>	30

2. CONTENT OF THE PROJECT PLAN/ IMPLEMENTATION PLAN	<p>Detailed proposed project plan/ Implementation plan for the services to be provided according to the following five elements:</p> <ol style="list-style-type: none"> 1. Scope of work. 2. Project objectives. 3. Activity-based plan (including number of person days per activity and time frame linked to activities); 4. Budget allocation (in South African Rand, including VAT); 5. Outcomes, milestones, and deliverable. <p>Points for submission of project plan/implementation plan will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted project plan that contains comprehensive information and cover all five (05) elements = 25 points • Bidder submitted project plan that contains comprehensive information and cover four (04) elements = 20 points • Bidder submitted project plan that contains comprehensive information and cover only three (03) elements = 15 points • Bidder submitted project plan that contains comprehensive information and cover only two (02) elements as outlined = 10 point • Bidder submitted project plan that contains comprehensive information and cover only one (01) element as outlined = 05 point • Bidder submitted project plan that that does not cover any elements as outlined/ did not submit a project plan = 0 point 	25
3. TRACK RECORD	<p>The bidder/service provider institution must submit a detailed outline which indicates expertise in facilitation of strategic planning sessions or similar projects in the public sector.</p> <p>Points for submission of track record will be allocated as follows:</p> <ul style="list-style-type: none"> • Execution of five (05) or more projects in facilitation of strategic planning sessions = 15 points • Execution of four (04) projects in facilitation of strategic planning sessions = 12 points. • Execution of three (03) projects in facilitation of strategic planning sessions = 10 points. • Execution of two (02) projects in facilitation of strategic planning sessions = 08 points. • Execution of one (1) project in facilitation of a strategic planning session = 05 points. • Non submission/ irrelevant experience/list of projects which does not demonstrate comparative/ similar projects = 0 point 	15
4. REFERENCE LETTERS	<p>The bidder must provide three contactable reference letters from different clients where they have done facilitation of strategic planning session or provided similar services in the past five years. This should be clearly indicated in the reference letters for similar interventions/projects embarked on in the last 5 years.</p> <p>NB: The reference letters must be on the client's letterhead, contactable, fully signed, and dated, and indicate the project description, and the period when the work was done.</p> <p>Points for the provision of reference letters will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted three (03) reference letters for facilitation of strategic planning session or similar work/project done in the last 5 years = 15 points • Bidder submitted two (02) reference letters for facilitation of strategic planning session or similar work/project done in the last 5 years = 10 points 	15

	<ul style="list-style-type: none"> • Bidder submitted one (01) reference letter for facilitation of strategic planning session or similar work/project done in the last 5 years = 05 points • Bidder did not submit reference letters for facilitation of strategic planning session or similar work/project done in the last 5 years = 0 point <p>NB: The reference letters must correspond to the track record list provided in the section above.</p>	
5. TEAM ORGANOGRAM	<p>The bidder/service provider institution must provide the team organogram with member roles, responsibilities, and level of effort.</p> <p>Team organogram provided with member roles and level of effort of each = 05 points No team organogram provided with member roles and level of effort of each = 0 point</p>	05
6. LEAD FACILITATOR QUALIFICATION AND EXPERIENCE	<p>QUALIFICATION (05 Points)</p> <p>The lead Facilitator/Project Lead of the bidding service provider / institution must have a minimum of a Post Graduate Degree NQF Level 8 or above in Social Sciences/Business Administration/Strategic Management/Monitoring and Evaluation/Public Administration or Management.</p> <p>Points for submission of Qualification/s will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted a certified copy of the lead Facilitator/Project Lead Post Graduate Degree NQF Level 8 or above = 5 points • Bidder submitted a certified copy of the lead Facilitator/Project Lead undergraduate degree NQF Level 7 = 03 points • Bidder did not submit a certified copy of qualification or submitted a certified copy of qualification that is less than NQF Level 7 = 0 point <p>EXPERIENCE OF THE LEAD FACILITATOR (05 Points)</p> <p>CV of project lead must demonstrate expertise/ experience in leading a team to execute a project of this nature or similar. The minimum experience required should be from 5 years.</p> <p>Points for submission of Qualification will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted the CV of the lead facilitator that indicates five (05) years of experience or more = 05 points • Bidder submitted the CV of the lead facilitator that indicates four (04) years of experience = 03 points • Bidder submitted the CV of the lead facilitator that indicates three (03) years of experience = 02 points • Bidder submitted the CV of the lead facilitator with less than three (03) years of experience or does not have experience in a project of this nature or similar = 0 point 	10
TOTAL		100

N.B: Only bidders who meet the threshold of 70 points out of 100 points on functional criteria will be further evaluated for price & specific goals.

PRICE AND SPECIFIC GOALS EVALUATION

Evaluation of 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.	05
Enterprise which is at least 51% owned by historically disadvantaged youth.	05
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 six (06) months).
- CIPC Documents and/or share certificate (for companies with more than one (01) Director).

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 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

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.

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
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:

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

Where

P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{min} = 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:

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

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.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....