

RFQ NUMBER	<b>RFQ/MICT/102/2024</b>
RFQ DESCRIPTION	<b>APPOINTMENT OF A COMPETENT AND SUITABLY EXPERIENCED SERVICE PROVIDER TO ORGANIZE AND FACILITATE THE MICT SETA HACKATHONS</b>
RFQ ISSUE DATE	<b>03 February 2024</b>
BRIEFING SESSION	<b>N/A</b>
CLOSING DATE & TIME	<b>10 February 2024 @ 11:00 AM RFQ submitted after the stipulated closing date and time will not be considered.</b>
LOCATION FOR SUBMISSIONS	<a href="mailto:rfqs@mict.org.za">rfqs@mict.org.za</a>
NO: OF DOCUMENTS	<b>1 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 submitting a proposal/bid.

**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)**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, the list below serves as a checklist for 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**

### **APPOINTMENT OF A COMPETENT AND SUITABLY EXPERIENCED SERVICE PROVIDER TO ORGANIZE AND FACILITATE THE MICT SETA HACKATHONS**

#### **1. INTRODUCTION**

The Media, Information and Communication Technologies Sector Education and Training Authority (MICT SETA) is a public entity established in terms of Section 9(1) of the Skills Development Act (Act No. 97 of 1998). The MICT SETA plays a pivotal role in achieving South Africa's skills development and economic growth within the 5 distinct sub-sectors it operates in, i.e., Advertising, Film and Electronic Media, Electronics, Information Technology, and Telecommunications.

#### **2. BACKGROUND**

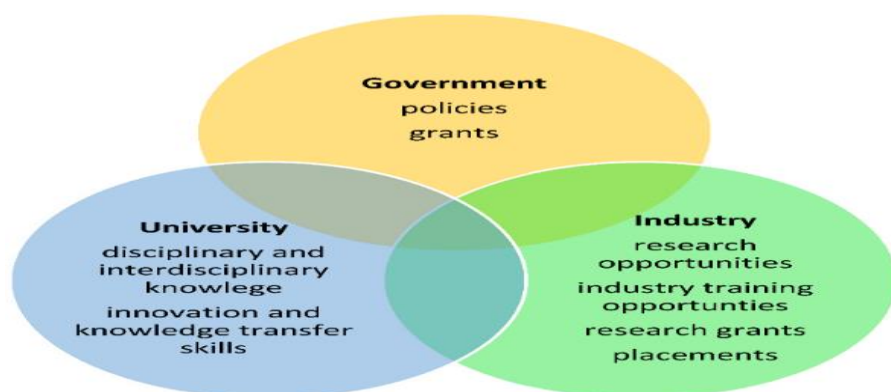
The MICT SETA intends to organise a series of hackathons as a means of enrolment, sourcing and onboarding of Small, Medium and Micro Enterprises (SMMEs) as the industry players in order to move towards the full adoption of the Triple-Helix Model of innovation.

The Hackathons will provide an opportunity to SMME companies with an appetite to participate in this MICT SETA processes and demonstrate their capacity and drive for innovation using tasks derived from real life, industry-based scenarios and competing for appointment as part of this process. Hackathons have proven to enhance individuals' learning and development and select the best from the processes for a particular project. This process is linked to the insourcing of service providers to be awarded contracts to support systems developed by the MICTS ETA through different 4IR Research Chairs as part of the Triple-Helix model of innovation. Competitors in the Hackathons processes will be assessed on their ability to solve complex problems with innovation mindset.

The Triple-Helix Model of innovation is a framework that describes the collaboration and relationships between three (3) key actors in an innovation ecosystem of academia, industry, and government. This highlights the idea that innovation and economic development are driven by the dynamic collaboration and synergy between these three spheres.

The institutions keep their own distinctive characteristics, while at the same time can assume the role of the other and gain values from each other.

The university is expected to play a role as an entrepreneur and develops capacities to help Triple-Helix model adopt institutions to achieve a hybrid status. The model and responsibilities of all the three (3) actors is summarised below:



The MICT SETA has already adopted the 2 actors of the model as it has partnered with several universities through the appointment of 4IR Research Chairs to develop innovative technologies. With this drive of hackathons, the MICT SETA seeks to complete the tripartite relationship. The MICT SETA is committed to promoting and supporting SMMEs, hence the onboarding of the industry player will only focus on companies classified as SMMEs.

A hackathon is a collaborative and intensive event where individuals or organisations, often with diverse skills and backgrounds, come together to work on projects, solve problems, or create innovative solutions within a set timeframe. The process of a hackathon typically involves several key stages. These stages are outlined under the Scope of Work section below.

The hackathon process can vary based on the specific goals and objectives of the events. Whether focused on software development, problem-solving, or innovation, hackathons provide a platform for collaboration and creativity within a condensed timeframe.

### **3. PURPOSE**

The purpose of this request is to invite competent and suitably experienced Service Providers to assist the MICT SETA to plan, organize and facilitate Hackathons. The appointed service provider will assist to insource and onboard SMME Service Providers to enhance, support, and maintain technology solutions designed and developed through the MICT SETA 4IR Research Chairs (Universities), as part of the MICT SETA's drive to institutionalise the Triple-Helix Model of innovation.

The appointed Service Provider will be expected to promote innovation, collaboration, and knowledge sharing among participants of the hackathons in order to successfully implement the relationship between academia, industry, and government.

### **4. OBJECTIVES**

The main objective of the project will be to foster creativity, collaboration, and innovation among participants of the hackathons. This will include the requirement to provide a platform for problem-solving, skill development, and the generation of novel ideas within a condensed timeframe. The service provider will be required to work with MICT SETA to achieve the above through:

- Organising and facilitating the entire hackathon value chain.
- Formulation of the process flow of hackathons from start to finish.

### **5. COMPETENCIES OF THE SERVICE PROVIDER**

The service provider to be appointed to run the hackathons must demonstrate the following key competencies:

- Must be able to demonstrate experience, skills, and competencies in organising and execution of hackathons having worked with experienced judges and mentors who can evaluate projects, offer guidance, and provide expertise in relevant fields.
- Established clear rules, guidelines, and a code of conduct for participants during hackathons.
- Define the criteria for judging projects, which could include innovation, functionality, presentation, and impact.
- Maintain constant communication with participants, sponsors, and mentors to provide updates, answer questions, and address concerns.
- Ensure the security and privacy of participants' data and projects.
- Implement policies and measures to protect sensitive information.

### **6. SCOPE OF WORK FOR THE HACKATHON**

In order to successfully run and execute the hackathons, the service provider will be required to perform the minimum responsibilities as articulated below:

#### **6.1. Planning and Organisation**

In order to plan and organise the hackathons, the service provider will be responsible for:

- Planning and organising a series of hackathons for specific projects, with a clear scope and timelines.
- Developing a long-term strategy for hosting hackathons using the Triple-Helix Model of innovation.
- Clearly outlining the goals and objectives of the hackathon, including defining problem statements for different projects, and articulating the problems or challenges that participants are expected to address.
- Setting a specific theme or focus for the hackathon.
- Determining the format of the hackathon, such as in-person, virtual, or a hybrid model.
- Defining the rules, judging criteria, and any specific requirements for participants.
- Arranging for necessary equipment, including Wi-Fi, and presentation tools.
- Set-up an online registration system for participants.
- Provision of support for any pre-event inquiries, technical support and guidance as needed.
- Ensuring the security and privacy of participants' data and projects. Implement policies and measures to protect sensitive information.

## **6.2. Team Formation**

The service provider shall ensure that:

- Participants from teams, usually consisting of individuals with different skills (developers, designers, domain experts, etc.).
- Collaboration among participants, mentors, and stakeholders is streamlined.

## **6.3. Panel of Judges**

The bidder will be responsible for:

- Organising a panel of competent judges which could include members academia, industry, and government.
- Guiding the judges during Q&A sessions where teams can explain their projects and answer questions.
- Developing a clear judging criteria and scoring system.
- Working with a panel of judges to evaluates the projects based on predefined criteria.
- Evaluating the outcomes of each hackathon and prepare reports.
- Ensuring compliance with all relevant legal and ethical standards.

## **6.4. Idea Generation**

The service provider shall:

- Enable participants to brainstorm and propose project ideas or select from a list of predefined challenges.
- Assist teams to discuss and choose a project idea they want to work on during the hackathon.

## **6.5. Development**

The service provider shall:

- Enable the teams to work intensively on their projects, coding, designing, and collaborating to bring their ideas to life.
- Ensure availability of mentors and experts to provide guidance and support during the hackathon process.

## **6.6. Iteration and Improvement**

The service provider shall:

- Allow Teams to iterate on their projects, refining and improving based on feedback from mentors or team members.
- Enable the process of continuous development and improvement as key aspects of the hackathon process.

## **6.7. Presentation Preparation**

The service provider shall:

- Prepare the participating Teams to prepare presentations or demos to showcase their projects.
- Ensure that presentations typically include an overview of the problem addressed, the solution developed, and any key features.
- Guide teams to create proposals for presentations and minimum viable products (MVPs) to the Panel of Judges.

## **6.8. Awards and Recognition**

The service provider shall:

- Organise and coordinate award sessions
- Ensure that winning teams or individuals are recognized and receive prizes or other incentives.
- Acknowledge and celebrate the efforts of all participants.

## **6.9. Post-Hackathon Activities**

The service provider shall:

- Encourage participants to share their projects and experiences.
- Collect feedback to improve future hackathons.
- Explore opportunities for further development or implementation of successful projects.
- Table reports to MICT SETA covering the process with lessons learnt and recommendations for future hackathons clearly articulated.

## **7. UNPACKING THE MODALITIES ON THE SMME INVOLVEMENT**

- The successful bidder will be contracted and licensed to enhance, support, and maintain the system, e.g., the LMS, and be contracted for the period of twelve (12) months.
- Each 4IR Research Chair will develop a business case on what would be required to support the system. This model will include running a company to accommodate proposals for innovative start-up companies.
- The successful bidder will have to establish structures to support the system according to the model as adopted and developed by the 4IR Research Chair.
- The successful bidder will be incubated for a few months to run the business. Duration of the contract will be for a period of twelve (12) months.
- The MICT SETA will be entitled to all improvements made to the source code by the contracted SMME.
- In cases of individuals, they will be required to go on their own and open businesses that will run according to the module as developed by the 4IR Research Chair and/or TVET College including capacitating it with all the necessary resources to support the system.
- An external service provider will be contracted to run hackathon process for onboarding of SMMEs (Industry actor of the Triple-Helix model of innovation) on behalf of the MICT SETA.

The process of hackathons will be followed for all systems being developed by different 4IR Research Chairs in the pipeline. This approach will assist in creating sustainability within this adopted framework.

## **8. DURATION OF APPOINTMENT**

- 5.1. Duration of the appointment of the service provider shall be for a period of twelve (12) months.
- 5.2. Bidders are required to submit written pricing proposals for evaluation for appointment.
- 5.3. The bidders are required to develop a list of activities and resources required to host a Hackathons event, which list must include the Scope of Work as articulated in Section 6 of the bid document
- 5.4. The appointed service provider will be bound by an SLA that includes but not limited to the following:
  - 5.4.1. NDA
  - 5.4.2. Oath of Secrecy
  - 5.4.3. Data Management
  - 5.4.4. Ethical Management

## 9. 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.

This pricing schedule is for illustration purposes only, bidders are to provide a detailed pricing with a detailed cost breakdown.

Item	Requirement Description	Quantity	Unit Cost	Total Cost (Incl. VAT)
	APPOINTMENT OF A COMPETENT AND SUITABLY EXPERIENCED SERVICE PROVIDER TO ORGANIZE AND FACILITATE THE MICT SETA HACKATHONS			
1.	Venue	1	R	R
2.	Infrastructure	1	R	R
3.	Technology & Tools	1	R	R
4.	Marketing & Promotion	1	R	R
5.	Food & Beverages	1	R	R
6.	Prizes & Rewards	1	R	R
7.	Speaker, Mentor & Judge Expenses	1	R	R
8.	Logistics & Miscellaneous	1	R	R
<b>Sub-Total</b>				<b>R</b>
<b>VAT@15%</b>				<b>R</b>
<b>TOTAL PRICE (INCLUDING VAT)</b>				<b>R</b>

**\*\* 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: .....



## 10. EVALUATION CRITERIA

### 10.1. EVALUATION CRITERIA

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

RFQs received will be evaluated on functional criteria and price.

#### 10.1.1. FUNCTIONAL 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 who meet or exceed 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 WEIGHING		
Category	Description	Maximum Points
<b>Bidder's Proposal Methodology and Approach</b>	<p>The Bidder's proposal methodology and approach comprehensively articulates how the Bidder will deliver the minimum requirements of the Bid and addresses all areas of the <b>Scope of Work</b> as summarised below:</p> <ol style="list-style-type: none"><li><b>1. Planning and organisation</b></li><li><b>2. Team formation</b></li><li><b>3. Panel of judges</b></li><li><b>4. Idea generation</b></li><li><b>5. Development</b></li><li><b>6. Iteration and improvement</b></li><li><b>7. Presentation Preparation</b></li><li><b>8. Awards and Recognition</b></li><li><b>9. Post-Hackathon Activities</b></li></ol> <p><b>Points on the Bidder's Proposal Methodology and Approach will be allocated as follows:</b></p> <ul style="list-style-type: none"><li>Solution Proposal comprehensively <b>covers all nine (09)</b> key elements / minimum scope of the Bid = <b>50 points</b></li><li>Solution Proposal <b>does not comprehensively cover all nine (09)</b> key elements / minimum scope of the Bid and lacks a comprehensive overview detailing the execution of all nine (09) elements = <b>0 points</b></li></ul> <p><b>NB: All elements of the Scope of Work must be covered in detail. Failure to do so will result in a non-responsive Bid submission.</b></p>	<b>50</b>
<b>REFERENCE LETTERS</b>	<p>The bidder must provide three contactable reference letters from different clients where they have done facilitation of Hackathons/collaborative sessions 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>	<b>15</b>

	<p><b>NB: The reference letters must be on the client's letterhead, contactable, fully signed, dated, indicate project description, and the period when the work was done.</b></p> <p><b>Points for provision of reference letters will be allocated as follows:</b></p> <ul style="list-style-type: none"> <li>Bidder submitted three (03) reference letters for facilitation of Hackathons /collaborative session or similar work / project done in the last 5 years =<b>15 points</b></li> <li>Bidder submitted two (02) reference letters for facilitation of Hackathons/collaborative session or similar work / project done in the last 5 years =<b>10 points</b></li> <li>Bidder submitted one (01) reference letters for facilitation of Hackathons/collaborative session or similar work / project done in the last 5 years = <b>05 points</b></li> <li>Bidder did not submit reference letters for facilitation of Hackathons/collaborative session or similar work / project done in the last 5 years = <b>0 points</b></li> </ul> <p><b>MICT SETA reserves the right to contact and verify reference letters submitted by the Bidder.</b></p>	
<b>APPROACH OF THE HACKATHON PROCESS</b>	<p>The bidder/service provider institution must submit a detailed plan that provides the approach of the Hackathon process.</p> <p><b>Points for submission of a detailed plan will be allocated as follows:</b></p> <ul style="list-style-type: none"> <li>Detailed plan submitted = <b>15 points</b></li> <li>No detailed plan submitted = <b>0 point</b></li> </ul>	<b>15</b>
<b>LEAD FACILITATOR QUALIFICATION AND EXPERIENCE</b>	<p><b>QUALIFICATION OF THE LEAD [10 Points]</b></p> <p>The lead Facilitator / Project Lead of the bidder must have a minimum of a Post Graduate Degree NQF Level 7 or above in Project Management / Business Management / Technology Management / Engineering or related. Copies of qualifications must be submitted.</p> <p><b>Points for submission of Qualification/s will be allocated as follows:</b></p> <ul style="list-style-type: none"> <li>Bidder submitted a copy of the lead Facilitator/Project Lead Post Graduate Degree NQF Level 7 or above = <b>10 points</b></li> <li>Bidder did not submit a copy of qualification or submitted certified copy of qualification that is less than NQF Level 7 = <b>0 points</b></li> </ul> <p><b>EXPERIENCE OF THE LEAD FACILITATOR [10 Points]</b></p> <p>CV of project lead must demonstrate expertise/ experience in leading events/ Project Management/ Technology Management or to execute a project of this nature or similar.</p> <p><b>Points for submission of Qualification will be allocated as follows:</b></p> <ul style="list-style-type: none"> <li>Bidder submitted CV of the lead facilitator that indicates more than ten (10) years of experience or more = <b>10 points</b></li> <li>Bidder submitted CV of the lead facilitator that indicate six (06) to ten (10) years of experience = <b>05 points</b></li> <li>Bidder submitted CV of the lead facilitator that indicate five (05) years of experience or less = <b>0 points</b></li> </ul>	<b>20</b>
<b>TOTAL SCORE</b>		<b>100</b>
<b>MINIMUM SCORE</b>		<b>70</b>

**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

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

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

Special Goal Criteria	Points
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 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

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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.

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
<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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)} \end{array}$$

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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

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:** .....

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