

RFQ NUMBER	RFQ/MICT/05/2025
RFQ DESCRIPTION	APPOINTMENT OF A REPUTABLE AND EXPERIENCED SERVICE PROVIDER TO PROVIDE BOARD INDUCTION FACILITATION SERVICES
RFQ ISSUE DATE	04 April 2025
BRIEFING SESSION	N/A
CLOSING DATE & TIME	10 April 2025 @ 11:00 AM RFQ submitted after the stipulated closing date and time will not be considered.
LOCATION FOR SUBMISSIONS	rfqs@mict.org.za
NO: OF DOCUMENTS	1 SOFT COPY

For queries, please contact rfqs@mict.org.za **before the closing date of this RFQ.**

The MICT SETA requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above.

Late and incomplete submissions will invalidate the quote submitted.

SUPPLIER NAME: _____

NATIONAL TREASURY (CSD) SUPPLIER NUMBER: _____

POSTAL ADDRESS: _____

TELEPHONE NO: _____

E MAIL ADDRESS: _____

CONTACT PERSON: _____

CELL NO: _____

SIGNATURE OF BIDDER: _____

SUPPLIER REGISTRATION ON CSD

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

MICT SETA: CHECKLIST INFORMATION

RETURNABLE DOCUMENTS CHECKLIST

Request For 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 - Preferential Procurement Claim Form		
Certified Copy of director(s) ID(s) not older than (six) 6 months		
CIPC Document		
Shareholding Certificate		
Bidder's eligibility: Form A		

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

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.

FORM A: BIDDER'S ELIGIBILITY FORM

Name of Bidder:

RFQ Number:

We, the undersigned, offer to provide the required services in accordance with the above Request for quotation and hereby declare that our firm, persons, or its directors, including any JV/Consortium /Association members or subcontractors or suppliers for any part of the contract:

- a) is not under procurement prohibition by National Treasury, *from doing business with the public sector,*"
- b) have not declared bankruptcy, are not involved in bankruptcy or engaged in corrupt / fraudulent practices, and there is no judgment or pending legal action against them that could impair their operations in the foreseeable future;
- c) undertake not to engage in prescribed practices, including but not limited to corruption, fraud, coercion, collusion, obstruction, or any other unethical practice, with the MICT SETA or any other party, and to conduct business in a manner that averts any financial, operational, reputational or other undue risk to the MICT SETA.
- d) *We declare that all the information and statements made in this Proposal are true and we accept that any misinterpretation or misrepresentation contained in this RFQ submission may lead to elimination of our RFQ submission.*

Name: _____

Title: _____

Date: _____

Signature: _____

REQUIREMENT DESCRIPTION: APPOINTMENT OF A REPUTABLE AND EXPERIENCED SERVICE PROVIDER TO PROVIDE BOARD INDUCTION FACILITATION SERVICES

1. INTRODUCTION

The Media, Information and Communication Technologies Sector Education and Training Authority ("MICT SETA") is established in terms of section 9(1) of the Skills Development Act, 1998 (Act No. 97 of 1998), and is responsible for achieving South Africa's skills development and economic growth within the following five sub-sectors: advertising, film and electronic media, electronics, information technology and telecommunications.

2. PURPOSE

The MICT SETA Board Secretariat unit requires a service provider to conduct/ facilitate an induction for new board members.

It is of utmost importance to the MICT SETA that the new Board members are integrated as soon as possible into their new roles in order to diligently discharge their responsibilities through participation in meetings.

It will therefore be the facilitator's responsibility to ensure a seamless induction process in order to achieve these objectives.

3. BACKGROUND

The MICT SETA Board is appointed by the Minister of DHET for a five-year term commencing 01 April 2025 to 31 March 2030. In preparation for the new Board, the MICT SETA is seeking to appoint a reputable, suitably qualified and experienced service provider to render facilitation services at the upcoming Board induction.

4. SCOPE OF WORK

- 4.1. The prospective service provider is requested to facilitate an induction workshop to 15 members of the Accounting Authority, and members of senior management. The induction must also address specific provision of the Skills Development Act, MICT SETA Constitution, PFMA, Committee Terms of Reference and King IV Principles.
- 4.2. Train/workshop Board members on the mandate of the SETA, Fiduciary duties of the Members, effective and efficient Board and Committee meetings.
- 4.3. Train/workshop Board members on the SDA, PFMA, King IV Principles, Standard SETA Constitution read together with the MICT SETA Constitution, Board Charter, Committee ToRs, Code of Ethics and Delegation of Authority Framework.
- 4.4. The responsibilities of the Accounting Authority vs the responsibilities of Senior Management.
- 4.5. The Role and powers of the Chairperson vs the Accounting Authority members
- 4.6. Responsibilities of the Audit & Risk Committee and Board Committees Finance & Remuneration Committee, Governance and Strategy Committee, Executive Committee, Social and Ethics Committee and ICTCOM.
- 4.7. Best practice with respect to Board and Board Committees.
- 4.8. Train/workshop Board members to be able to distinguish between oversight role and operations.
- 4.9. Management of conflict of interest and disclosures as well as Ethical Conduct.

- 4.10. Independent members in the context of the King Code of corporate governance.
- 4.11. Provide electronic Corporate Governance booklet: PFMA, SDA, SLA and King IV etc.
- 4.12. Duration/Facilitation: 2-day induction session with Accounting Authority and Senior Management at the MICT SETA Head Office
- 4.13. Compile a report from the Induction Workshop
- 4.14. The service provider must provide at minimum 5 professional references of previous work executed.
- 4.15. Preparatory information and reading: MICT SETA will provide information not limited to the following:
 - a) SDA, Standard SETA Constitution and MICT SETA Constitution
 - b) Board Charter and Committees' Terms of Reference
 - c) Delegation of Authority Framework
 - d) 2025-30 Strategic Plan
 - e) 2025/26 Annual Performance Plan
- 4.16. The facilitator and team member (s) should demonstrate the following competencies:
 - a) Board Induction Programme mapping and approach
 - b) Experience: Must provide a minimum 5 reference letters with contactable references, reflecting traceable experience in providing Board consulting and or Board facilitation services to entities in the public sector.
 - c) Expert skills in facilitation of Board induction sessions with a key focus in facilitating and implementing high level governance and Board orientation sessions;
 - d) Governance knowledge and experience in a SETA context or environment including having actively been involved in the sector at a strategic level.
 - e) Thorough knowledge and understanding of SETA Constitution, PFMA, SDA and King IV on Corporate Governance.
 - f) Demonstrate understanding of the National Skills Development Plan and its Outcomes.
 - g) Knowledge and understanding of the role of SETAs in the context of the Skills Development.
 - h) Demonstrable experience of having successfully worked or contributed to the SETA environment will be an added advantage.
- 4.17. The Preparatory work for the session will include but not limited to the following:
 - a) An initial briefing session with the Board Secretary Office for exchange of documents.
 - b) Baseline consultation with the Chairperson of the Board, CEO and the Board Secretary on the approach and the draft programme.
 - c) Development and preparation of facilitation material to be submitted to the MICT SETA before the session.
 - d) The Facilitator should be accompanied by supporting personnel, to:
 - Support the Facilitator during the session.
 - Compilation of a summary report that is to be presented as a last item on the Program - outlining key highlights, outcomes, and resolutions or decisions made for tabling at the first meeting of the Accounting Authority.

5. PRICING SCHEDULE

Name of bidder _____

RFQ number: _____

Closing date _____

RFQ 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 included. The below table is for illustration only:

Item	Requirement Description	Quantity	Unit Price (Excl. VAT)	Total Cost (Excl. VAT)
	Appointment of a reputable and experienced service provider to provide board induction facilitation services			
1.	Preparations/ reviewing all relevant documents etc.	2 days	R	R
2.	Facilitation of Board induction session (Lead Facilitator and Project Team)	2 days	R	R
3.	Electronic copy of King IV on Corporate Governance, 2018	1 copy	R	R
4.	Compilation of Board Induction Workshop Report (electronic)	1 copy	R	R
5.	Miscellaneous/ Other related costs		R	R
Sub-Total		R		
VAT@15%		R		
TOTAL PRICE (INCLUDING VAT)		R		

Complete below:

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

2. Indicate Delivery period after order receipt.....

3. Is delivery period fixed? **Yes/No**

4. Is the price(s) fixed? **Yes/No**

5. Is the quote strictly to specification? **Yes/No**

I/We, the undersigned, agree that this bidding price shall remain binding on me/us and open for acceptance for the period stipulated above.

Authorised Company Representative: _____

Capacity under which this quote is signed: _____

Signature: _____

Date: _____

6. EVALUATION CRITERIA

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.

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

6.1. 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
Bidder's Proposal/ Approach	<p>The Bidder's must submit a detailed proposal/approach detailing how the scope of work will be executed. The proposal/approach must highlight the below elements:</p> <ol style="list-style-type: none"> 1. Purpose, mandate, governance structures and processes, operations and governance practices of the Accounting Authority. 2. Applicable Legislation (s) and relevant Codes, Standard SETA Constitution, MICT SETA Constitution, Board Charter, Terms of Reference. 3. Fiduciary duties and responsibilities of the Accounting Authority Members, Chairperson and Chairpersons' of Committees. 4. Distinguishing between Oversight role of the Accounting Authority and Management (Operations). 5. Role of the Chairperson vs the role of the Accounting Authority Members. 6. Management of Conflict of Interest. 7. Principles of Ethical Conduct. <p>Points on submission of the Proposal/Approach will be allocated as follows:</p> <ul style="list-style-type: none"> • Submitted a proposal/ approach that covers all seven (07) elements = 35 points • Submitted a proposal/ approach that covers only six (06) elements = 25 points • Submitted a proposal/ approach that covers only five (05) elements = 20 points • Submitted a proposal/ approach that covers only four (04) elements = 15 points • Submitted a proposal/ approach that covers only three (03) elements = 10 points • Submitted a proposal/ approach that covers two (02) elements or less = 0 points <p>NB: All elements of the Scope of Work must be covered in detail.</p>	35
REFERENCE LETTERS	The bidder must submit five (05) contactable reference letters from different clients where they have done facilitation of Board induction session or provided similar services in the past three (03) years.	15

	<p>NB: The reference letters must be on the client's letterhead, contactable, fully signed by an authorised official, dated, indicate project description, and the period when the work was done.</p> <p>Points for provision of reference letters will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted five (05) reference letters for facilitation of Board induction session or similar work / project done in the past 3 years = 15 points • Bidder submitted four (04) reference letters for facilitation of Board induction session or similar work / project done in the past 3 years = 12 points • Bidder submitted three (03) reference letters for facilitation of Board induction session or similar work / project done in the past 3 years = 10 points • Bidder submitted two (02) reference letters for facilitation of Board induction session or similar work / project done in the past 3 years = 08 points • Bidder submitted one (01) reference letter for facilitation of Board induction session or similar work / project done in the past 3 years = 05 points • Bidder did not submit reference letters for facilitation of Board induction session or similar work / project done in the past 3 years = 0 points <p>MICT SETA reserves the right to contact and verify reference letters submitted by the Bidder.</p>	
TEAM ORGANOGRAM	<p>The bidder must submit a team organogram clearly indicating the Lead Facilitator and the Project Team with member roles, responsibilities, and level of effort.</p> <p>Points for provision of a team organogram with member roles will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted a team organogram with member roles, responsibilities and level of effort = 10 points • Bidder did not submit a team organogram with member roles, responsibilities and level of effort = 0 points 	10
LEAD FACILITATOR QUALIFICATION AND EXPERIENCE	<p>QUALIFICATION OF THE LEAD [10 Points]</p> <p>The Lead Facilitator / Project Lead of the bidder must have a minimum of a Post Graduate Degree NQF Level 9 or above in Business Administration/ Financial Management/ Strategic Management/Monitoring and Evaluation/Public Administration.</p> <p>Points for submission of Qualification/s will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted a copy of the Lead Facilitator/Project Lead Post Graduate Degree NQF Level 9 or above = 10 points • Bidder did not submit a copy of qualification or submitted certified copy of qualification that is less than NQF Level 9 = 0 points <p>EXPERIENCE OF THE LEAD FACILITATOR [10 Points]</p> <p>The bidder's Lead facilitator must have at least ten (10) years or more of experience in facilitating board inductions or similar services.</p> <p>Points for submission of CV highlighting experience will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted CV of the Lead facilitator that indicates ten (10) years of experience or more = 10 points • Bidder submitted CV of the Lead facilitator that indicate less than ten (10) years of experience = 0 points 	20

PROJECT TEAM MEMBER QUALIFICATION AND EXPERIENCE	<p>QUALIFICATION OF THE TEAM MEMBERS [10 Points]</p> <p>The Project Team Members of the bidder must have an NQF Level 7 or above in Business Administration/ Financial management/ Strategic Management/Monitoring and Evaluation/Public Administration.</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 project team member's NQF Level 7 or above = 05 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 points <p>EXPERIENCE OF THE TEAM MEMBERS [10 Points]</p> <p>The bidder's project team member must have at least five (5) years of experience in facilitating board inductions or similar services.</p> <p>Points for submission of CV highlighting experience will be allocated as follows:</p> <ul style="list-style-type: none">• Bidder submitted CV of the project team member that indicates five (05) years of experience or more = 10 points• Bidder submitted CV of the project team member that indicate less than five (05) years of experience = 0 points	20
TOTAL SCORE		100
MINIMUM SCORE		70

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.

6.2. STAGE 2: PRICE AND SPECIFIC GOALS

Only bidder/s or RFQ submissions that have met the requirements of evaluation 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. RFQ will be awarded to the bidder scoring the highest points.

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

Criteria	Points
Enterprise owned by historically disadvantaged persons.	10
Enterprise owned by historically disadvantaged women.	5
Enterprise owned by historically disadvantaged youth.	5
Total	20

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

Bidder must submit the following documents:

- Certified ID copies of the company's directors as per the CIPC documents. (Certified copies must not be older than 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:

.....

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:

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.

.....
.....

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

PREFERENCE PROCUREMENT CLAIM FORM

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

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

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

1 GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

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

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

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

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is

adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2 DEFINITIONS

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

3 FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

80/20	or	90/10
$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$	or	$Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$

Where:

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

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

3.2.1. POINTS AWARDED FOR PRICE

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

80/20	or	90/10
$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$	or	$Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$

Where:

Ps = Points scored for price of tender under consideration
 Pt = Price of tender under consideration
 Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.
Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Enterprise owned by historically disadvantaged persons.	10	
Enterprise owned by historically disadvantaged women.	05	
Enterprise 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.

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

SURNAME AND NAME:

DATE:

ADDRESS:

