



MICT SETA Head Office
Supply Chain Management
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RFQ NUMBER	RFQ/MICT/12/2024
RFQ DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER FOR PROVISION OF SERVICES IN DEVELOPING THE MICT SETA 2025-2030 SECTOR SKILLS PLAN
RFQ ISSUE DATE	30 April 2024
BRIEFING SESSION	N/A
CLOSING DATE & TIME	08 May 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 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

The Media, Information and Communication Technology Sector Education and Training Authority ("MICT SETA") is a pivotal statutory body, established under the mandate of the Skills Development Act of 1998 section 10(1)(a). It plays a crucial role in fostering skills development within the Advertising, Film and Electronic Media, Electronics, Information Technology, and Telecommunications sub-sectors.

Aligned with the Skills Development Act 1998 Section 10(1)(a), the MICT SETA is obligated to craft a comprehensive Sector Skills Plan (SSP) within the overarching framework of the National Skills Development Plan (NSDP). The SSP's development is grounded in the belief that the research undertaken serves as a national document, intended for utilization by stakeholders, policy makers, and the SETA staff alike. This document stands as a critical resource, integral for informing skills planning and strategic decision-making within the MICT SETA and the broader sector.

Emphasising on the dedication to addressing the sector's skills development priorities, the MICT SETA is committed to advancing skills and nurturing the formation of a skilled and capable workforce. In line with this commitment, the organization is in the process of formulating a new five-year cycle Strategic Plan and Annual Performance Plan, aligning closely with the dynamic changes in the sector. The SETA is actively seeking a proficient and experienced service provider to collaborate on the development of a comprehensive Sector Skills Plan (SSP).

2. OVERALL OBJECTIVE OF THE PROJECT

The main purpose of this project is to:

- Develop a comprehensive Sector Skills Plan (SSP) that aligns with and addresses the sector's specific skills development priorities within the MICT industry.
- Develop Provincial Sector Skills Plans that will feed to some sections of the main Sector Skills Plans and also facilitation provincial specific labour intelligence data.

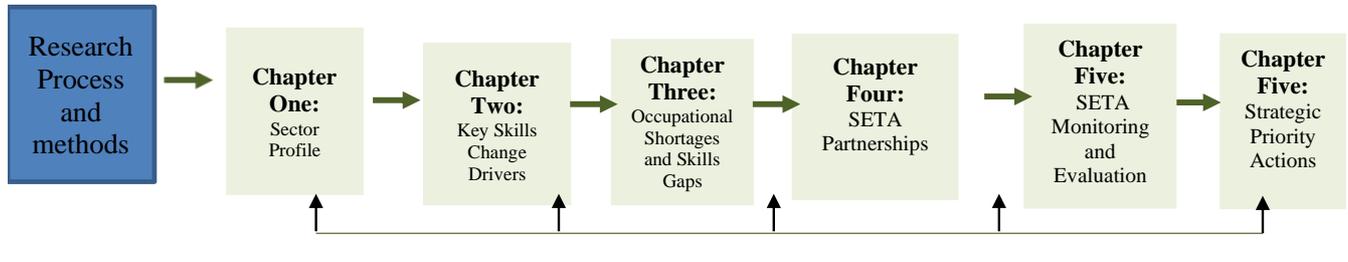
3. SCOPE OF WORK

3.1 Sector Skills Plan

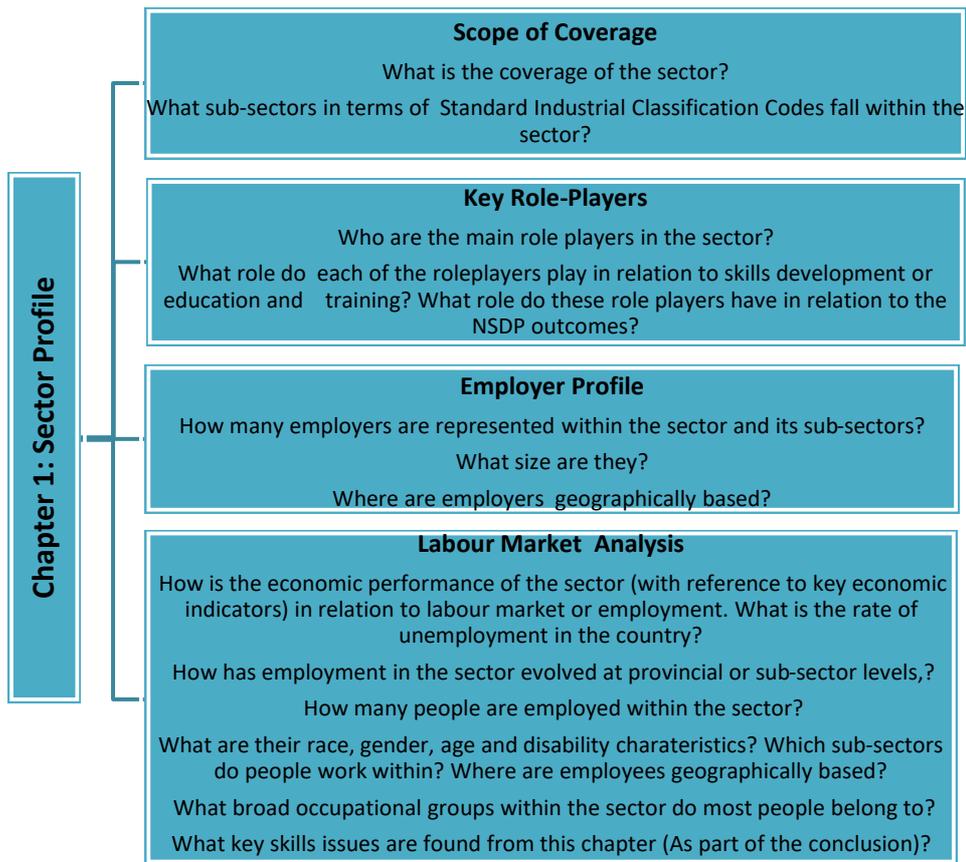
The successful service provider will commence with the project on **late May 2024** and work with the MICT SETA's SSP researcher on a 60/40 basis. The service provider will research and prepare the SSP in line with the Department of Higher Education and Training (DHET) 2025 – 2030

framework. Most of the desktop work- would have been conducted the SETA, this will be a project takeover. Research focus areas include (but not limited to) the following:

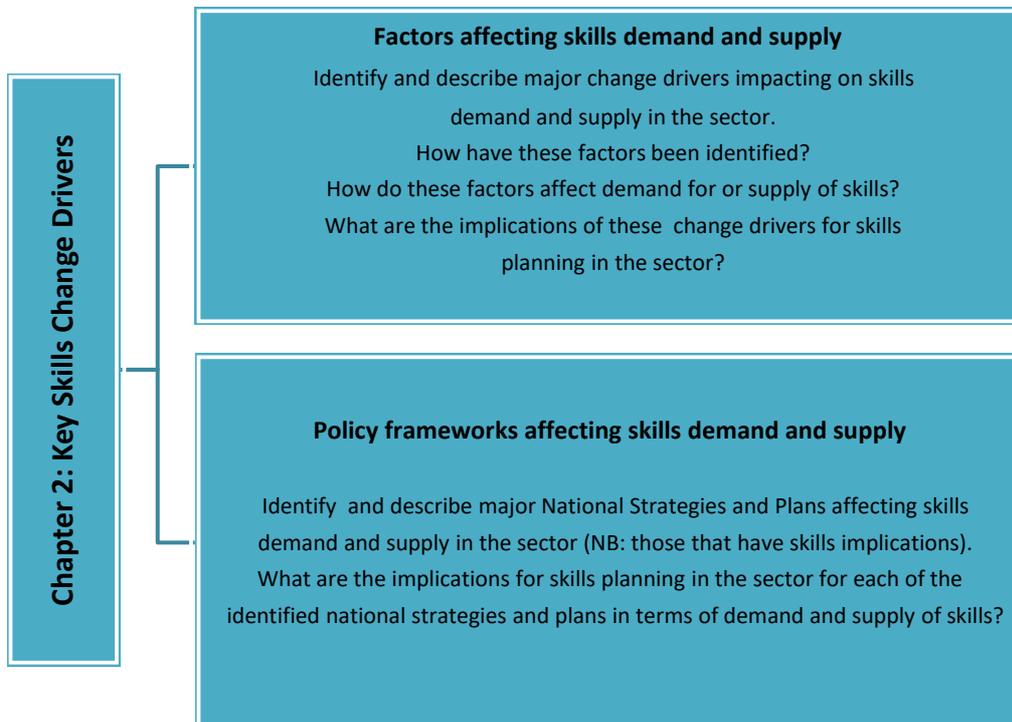
Structure of SSP



Chapter 1: Sector Profile



Chapter 2: Key Skills Change Drivers



Chapter 3: Sectoral Skills demand and supply analysis

Chapter 3: Sectoral Skills Demand and Supply Analysis

Occupational shortages and skills gaps

What occupations are Hard-To-Fill Vacancies? (It takes longer than 12 months to fill the position)

How many of these occupations are HTFVs?

Why are these occupations hard-to-fill? Reasons (are they skills-related HTFVs or non-skills related HTFVs?)

What are the skills gaps in your sector at major and occupational levels?

What are the emerging occupations in the sector, if there are any? Please rationale to each in terms of whether it is as a result of digitization or if it emanates from National Strategies and Plans or from any other factor that is a skills change driver in the sector.

Supply-side analysis

What is the state of education and training provision in relation to enrollments and throughput from various supply pipelines?

What supply side challenges are there in the sector including the supply problems employers are experiencing?

What interventions are planned to address supply side challenges? (Infrastructure; lecturer development, SMME support, career development support, qualification development)

Methods and processes followed in compiling priority lists

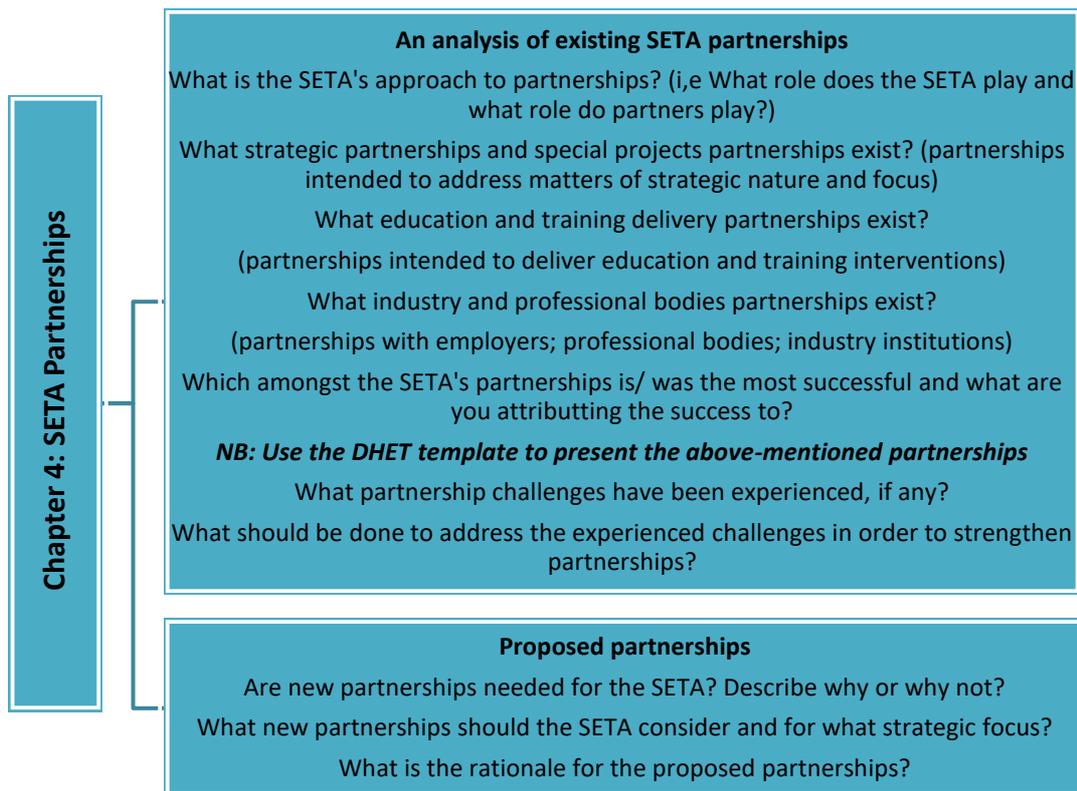
What methods (including consultative process) did the SETA employ in identifying occupations in the Sectoral Priority Occupations and Interventions list?

What process was followed to identify Emerging Occupations?

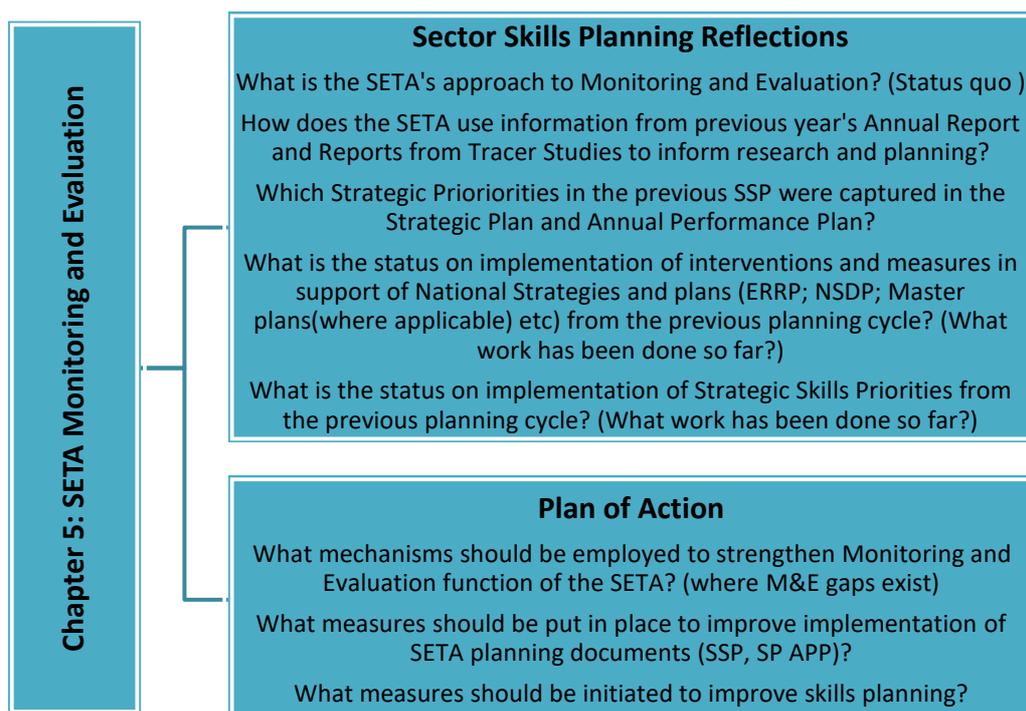
What informed the interventions and quantities (to be supported by the SETA) indicated in the SETA Sectoral Priority Occupations list?

What informed the interventions and quantities (to be supported by the SETA) indicated in the List of Emerging Occupations

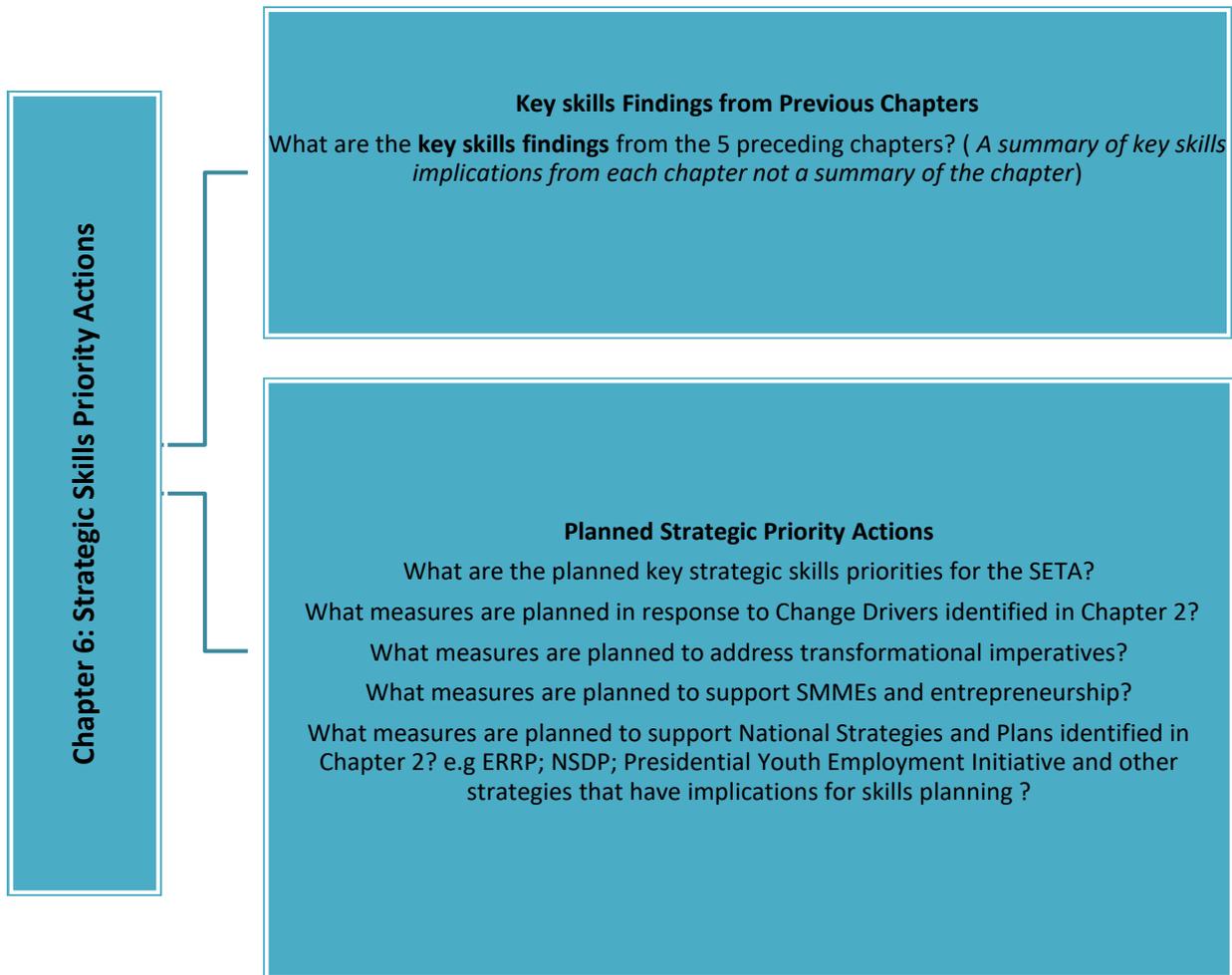
Chapter 4: SETA Partnerships



Chapter 5: SETA Monitoring and Evaluation



Chapter 6: SETA Strategic Skills Priority Actions



Furthermore, the successful service provider will also be expected to conduct Provincial Sector Skills Plans (PSSPs) focusing on provinces, the SETA will decide which provinces will be of focus. The PSSPs will form an integral part of MICT SETA skills planning and strategic planning process aiming to align national skills development priorities with the specific needs and challenges faced by different provinces within South Africa. Provincial Sector Skills Plans should follow the following format:

Chapter 1 - Sector Profile: PSSPs should provide a comprehensive analysis of the provincial labour market profile, identifying current and future skills needs, employment trends (employment profile in terms of gender and race) and emerging industries. This analysis should be able to help MICT SETA understand the specific challenges and opportunities within each province. PSSPs should include equity profile and inclusivity in skills development and provide insight into women, youth,

people with disabilities, and rural communities degree of access to training and employment opportunities.

Chapter 2 – Occupational shortages and skills gaps: Based on the labour market analysis, PSSPs should identify specific skills gaps and shortages within the province. This assessment should consider factors such as technological advancements, demographic changes, and industry growth projections.

Chapter 3 – SETA partnerships: PSSPs should provide a count of sector partnerships being implemented in provinces following guidelines provided on SSP framework. The partnership section should highlight the extent to what extent those partnerships have been able to successfully support beneficiaries. And lastly, this section outlines what challenges have been encountered in the implementation of partnerships.

NB: In addition, to the above, the successful service provider will be an expected to produce mini research reports covering the 5 MICT SETA sub-sectors. This should cover the sector overview, analysis of skills needs, emerging trends, training development programmes offered and their effectiveness in addressing skill gaps and meeting industry demands. Moreover, assess analyse employment trends, job growth, and demand for skills within each sub-sector.

4. METHODOLOGY

For the development of the SSP, the service provider will be expected to design and apply tools which will produce analysis of valid and reliable data. This will include, but not limited to; literature reviews, surveys, interviews with key stakeholders and focus groups. Furthermore, the service provider is expected to propose a methodological approach that is applicable to the research questions in the latest SSP update.

5. DELIVERABLES

The successful service provider is expected to provide:

Sector Skills Plan:

- An SSP document, which should be no longer than 65 pages to meet the DHET's 2025-2030 SSP framework requirements.
- A summary power point presentation of the draft and final SSP

- A portfolio of evidence (PoE) for each chapter. Such evidence will include full quantitative data sets and interview transcripts, together with synthesis reports.

NB: Furthermore, the successful service provider will be expected to provide a provincial Sector Skills Plans (PSSPs) and mini sub-sector reports.

6. TIMELINES OF THE PROJECT

The contract is scheduled to commence from May 2024 to September 2025. Specific deadlines for each project component will be communicated by the SETA upon confirmation of the service provider's appointment.

PRICING SCHEDULE

Name of bidder _____

RFQ number: _____

Closing date _____

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

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

Item	Requirement Description	Quantity	Unit Cost Incl. VAT	Total Cost Incl. VAT
	APPOINTMENT OF A SERVICE PROVIDER TO DEVELO THE MICT SETA 2025-2030 SECTOR SKILLS PLAN			
1.	THE APPOINTMENT OF A SERVICE PROVIDER TO DEVELOP THE MICT SETA 2025 – 2030 SECTOR SKILLS PLAN (SSP)	1	R	R
TOTAL AMOUNT (Excl. VAT)				
VAT @ 15%				
TOTAL AMOUNT (Incl. VAT)				

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

Complete below:

1. Delivery Address: **MICT SETA Head office**
Level 3 West wing, Gallagher House
19 Richards Drive, Halfway House
Midrand
2. Indicate Delivery period after order receipt.....
3. Is delivery period fixed? **Yes/No**
4. Is the price(s) fixed? **Yes/No**
5. Is the quote strictly to specification? **Yes/No**

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

Authorised Company Representative:

Capacity under which this quote is signed.....

Signature:

Date:

EVALUATION CRITERIA

EVALUATION CRITERIA

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.

RFQ's received will be evaluated on functionality criteria and Price & specific goals.

STAGE 1: FUNCTIONAL CRITERIA

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

Only bidders that have met or exceeded the qualification threshold on technical functionality of 70 points will qualify for further evaluation on price and specific goals.

NOTE: All bidders achieving less than the set threshold will be declared non-responsive. Assessment of evaluation of the functional/ technical criteria will be based on the table below:

FUNCTIONAL CRITERIA WEIGHING		
CATEGORY	DESCRIPTION	POINTS
CONTENT OF THE PROPOSAL	<p>Bidder must submit a detailed proposal demonstrating the below aspects:</p> <ol style="list-style-type: none">1. A comprehensive view scope of work, project objectives as outlined in the ToR.2. Methodology for the whole project must cover:<ul style="list-style-type: none">• Understanding of the research project in line with the DHET SSP framework as per the TORs.• Approach that is applicable to the research questions in the latest SSP update.• Approach to data collection, analysis, and interpretation.3. Project risks and mitigation measures. <p>Points on provision of detailed proposal will be allocated as follows:</p> <ul style="list-style-type: none">• Bidder submitted detailed proposal that demonstrate all the three (03) aspects = 30 points	30

	<ul style="list-style-type: none"> • Bidder submitted detailed proposal that demonstrate less than three (03) aspects = 0 points • Non-compliance with the minimum requirement = 0 points 	
CONTENT OF THE PROJECT PLAN/ IMPLEMENTATION PLAN	<p>Detailed proposed project plan/ Implementation plan for the services to be provided according to the following four 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); <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 four (04) elements = 25 points • Bidder submitted project plan that contains comprehensive information and cover three (03) elements = 20 points • Bidder submitted project plan that contains comprehensive information and cover only two (02) elements = 15 points • Bidder submitted project plan that contains comprehensive information and cover less only one (01) element = 10 points • Non-compliance with the minimum requirement = 0 points 	25
TRACK RECORD	<p>The bidder must submit a detailed outline track record which indicates expertise in comparative/similar projects.</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 sector skills plan or similar projects = 15 points • Execution of four (04) sector skills plan or similar projects = 12 points. • Execution of three (3) sector skills plan or similar projects = 09 points • Execution of three (2) sector skills plan or similar projects = 06 points • Execution of one (1) sector skills plan or similar project = 03 points. 	15

	<ul style="list-style-type: none"> • Non submission/ irrelevant experience/list of projects which does not demonstrate comparative/ similar projects = 0 point 	
REFERENCE LETTERS	<p>The bidder must provide three (03) contactable reference letters from different clients where they have developed sector skills plan or provided similar services in the past five years. NB: The reference letters must correspond to the track record list provided in section above.</p> <p>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.</p> <p>Points for provision of reference letters will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted three (03) reference letters for developing sector skills plan or similar work / project done in the last 5 years = 15 points • Bidder submitted two (02) reference letters for developing sector skills plan or similar work / project done in the last 5 years = 10 points • Bidder submitted one (01) reference letters for developing sector skills plan or similar work / project done in the last 5 years = 05 points • Non-compliance with the minimum requirement = 0 points <p>Important: In the event of sub-contracting, the bidder must furnish the above reference letters of the main bidder.</p> <p>MICT reserves the right to contact the references.</p>	15
TEAM ORGANOGRAM	<p>The bidder/service provider institution must provide the team organogram with member roles, responsibilities, and level of effort.</p> <p>Points on provision of team organogram will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted team organogram provided with member roles and level of effort of each = 05 points • Bidder did not submit team organogram or submitted team organogram without member roles and level of effort of each = 0 points 	05
PROJECT LEAD QUALIFICATION AND EXPERIENCE	<p>QUALIFICATION OF THE PROJECT LEAD</p> <p>The Project Lead of the bidding/ service provider institution must have a minimum of a Post Graduate Degree NQF Level</p>	10

	<p>8 or above in Social Sciences/ Business Administration/Strategic Management/Monitoring and Evaluation/Public Administration or Management.</p> <p>Bidders must clearly indicate the proposed project lead allocated to this project. Points will not be awarded to bidder who did not indicate.</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 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 certified copy of qualification that is less than NQF Level 7 = 0 point <p>EXPERIENCE OF THE PROJECT LEAD</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 CV of the project lead that indicate five (05) years of experience or more = 05 points • Bidder submitted CV of the project lead that indicate three (03) to four (04) years of experience = 03 points • Bidder submitted CV of the project lead will less than three (03) years of experience or does not have experience in project of this nature or similar = 0 point 	
TOTAL SCORE		100
MINIMUM THRESHOLD		70

STAGE 2: 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
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 (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 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:

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

Where:

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

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

3.2.1. POINTS AWARDED FOR PRICE

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

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

Where:

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

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Enterprises which are at least 51% owned by historically disadvantaged persons.	10	
Enterprises which are at least 51% owned by historically disadvantaged women.	5	
Enterprises which are at least 51% owned by historically disadvantaged youth.	5	

DECLARATION WITH REGARD TO COMPANY/FIRM

- 4.3. Name of company/firm.....
- 4.4. Company registration number:

- 4.5. TYPE OF COMPANY/ FIRM
- Partnership/Joint Venture / Consortium
 - One-person business/sole propriety
 - Close corporation
 - Public Company
 - Personal Liability Company
 - (Pty) Limited
 - Non-Profit Company
 - State Owned Company
- [TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

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