



## South African Human Rights Commission

<b>RFQ NUMBER</b>	<b>SAHRC RFQ WC-2024</b>
<b>DESCRIPTION</b>	Appointment of a service provider for one security officer (day shift) to render security and guarding services for the South African Human Rights Commission at the Western Cape Provincial Office for a period of 36 months.
<b>RFQ BRIEFING</b>	Not applicable – any clarification can be addressed to  <a href="mailto:WCProcurement@sahrc.org.za">WCProcurement@sahrc.org.za</a>
<b>CLOSING DATE</b>	DATE: <b>24 March 2025.</b> TIME: 11H00 (GMT +2) ADDRESS: South African Human Rights Commission 1 Thibault Square 3 <sup>rd</sup> Floor, Cnr Hans Strydom & Long Street Cape Town  Submissions to be done via email to: <a href="mailto:WCprocurement@sahrc.org.za">WCprocurement@sahrc.org.za</a>

## 1. BACKGROUND

The South African Human Rights Commission (SAHRC) is a Constitutional body established in terms of the Constitution of South Africa, 1996 as well as the South African Human Rights Commission Act, 40 of 2014. The SAHRC is under the strategic leadership of Commissioners. The administration of the SAHRC is overseen by the Chief Executive Officer (CEO).

## 2. OBJECTIVE

The primary purpose of this request is to appoint a service provider to render a security guarding service in the South African Human Rights Commission, Western Cape Provincial Office from 01 May 2025 To 30 April 2028

## 3. SCOPE OF SERVICES

Ensure that SAHRC property, information and employees are protected.

Patrol the premises

Handle emergency Access control

Guarding services

Assist in any confrontation with a client/difficult client in consultation with the Provincial Manager.

Providing emergency armed response as and when required.

## 4. DELIVERABLES

Shifts

- Day shift: 07h00 to 17h00

Days

- Monday to Friday Day Shift

Total number of Security Officers.

- One Officer required per shift at the office premises. 1 Officer is required to enable compliance with the Basic Conditions of Employment Act, 75 of 1997.
- All grade C

Additional: Security escorts outside of the office space on ad hoc basis

- Make available a security officer for outside of the office to escort SAHRC employees as and when required by the Provincial Office
- All costs and disbursements to be included.
- Costs incurred will be charged to the Commission with agreed upon rates as per contractual document.

## 5. SECURITY EQUIPMENT/AIDS

1x portable hand-held radio or means of communication e.g. Cell phone. 1x Baton for the Security Officer

1x Handcuffs for the Security Officer

1x metal detectors for the Security Officer

1x Panic button linked to armed response backup.

The Security Officer shall be provided with a corporate security uniform by the company that is making the bid.

Occurrence Book (OB) Equipment registers.

Name tag

NB: Security Officer must be neat all times, conduct themselves in a professional manner and be customer orientated.

Weekly Visits by the Supervisor is not negotiable.

## 6. PROJECT TIMELINES

- 6.1 The expected project commencement date will be determined through a briefing and work planning meeting to be held with the service provider in the process of effecting the appointment.
- 6.2 It is envisaged that the project lifespan would be for a period of 36 months, subject to the project plan that would be developed by the service provider and agreed to by the Commission.

## 7. PRICING

- A detailed price breakdown structure must be included for the provincial office and the total price for the duration of the contract must be submitted.
- The Pricing schedule must be submitted with the RFQ
- All pricing must be shown inclusive of any applicable VAT.

## 8. REQUIRED EXPERTISE, TECHNICAL SKILLS, AND COMPETENCY

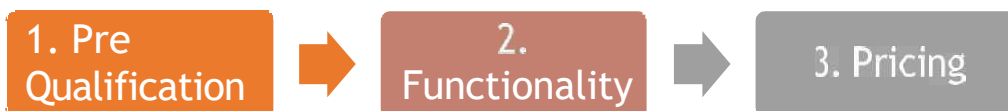
- 8.1 The Commission requires the services of a service provider in line with the functionality requirements outlined below.
- 8.2 The service provider is expected to make use of their own personnel and equipment in conducting the work required.

## 9. EVALUATION CRITERIA

Please note that all quotes received will be evaluated based on the following criteria:

Bids will be evaluated on 80/20 point system as outlined in the PPR of 2022. The proposals will be evaluated in three phases:

### Phase 1: Pre-qualification Documents



- 9.1 RFQ proposal
- 9.2 Central Supplier Database Report.
- 9.3 SBD 1
- 9.4 SBD 3.1 and Annexure A (Failure to submit annexure A will result in disqualification)
- 9.5 SBD 4
- 9.6 SBD 6.1 (Service provider to submit supporting documents to claim points under 4.2. failure to submit will be interpreted to mean that preference points for specific goals are not claimed.)
- 9.7 Compliant/valid proof of PSIRA certificate for the company
- 9.8 Company Workmen's Compensation document
- 9.9 Valid Private Security Sector Provident Fund Confirmation Letter for the Company (PSSPFC) (Registration letter or confirmation letter that is still valid and not expired)

**Note: Bidders who fail to comply with the mandatory requirements will be regarded as submitting a non-responsive bid, disqualified and not considered for further evaluation.**

**Phase 2: Functionality**

Please note that all quotes received will be evaluated based on the following criteria: functionality criteria will be further evaluated on applicable values as outlined below:

Please note that the following evaluation criteria will be used:

Price evaluation based on the 80/20 preferential point system.

The minimum threshold for qualification by functionality is 70 points, assessed as per criteria listed in Table 1 below:

**Table 1: Functionality evaluation**

	Criteria	Points weighting
Control Room	<p>24-hour control room operation with the capacity to provide armed response back up service, supplier to display this via pictures of the control room on the submission and to provide the physical address of where the control room is situated. SAHRC reserves the right to carry out physical inspection of the control rooms submitted.</p> <p>Pictures of control room = 20 No pictures provided = 0</p>	20
Certification	<p>Proposed guards PSIRA certification</p> <p>Grade C= 20 Grade D= 15 Grade E=10</p>	20
Qualification	<p>Supervisor or site manager experience (CV to prove experience and Psira Grade B certificate).</p> <ul style="list-style-type: none"> <li>• 6 and more years = 15 points</li> <li>• 5 - 6 years = 10 points</li> <li>• 2 - 4 years = 5 points 0 - 1 year = 0 points</li> </ul>	15
Contingency Plan	<p>Detailed Contingency Plan detailing the following:</p> <ul style="list-style-type: none"> <li>✓ Strike / labour impasse</li> <li>✓ Absentism / AWOL</li> <li>✓ Illness</li> </ul> <ul style="list-style-type: none"> <li>• Compliance with all of the above = 25 points</li> <li>• Compliance 1 - 2 = 15 points</li> <li>• Compliance to non = 0 points</li> </ul>	25
Experience of service provider	<p>Proven track record with reference letters of public and private sector organizations.</p> <p>Reference letters must be submitted on the letterhead of the</p>	20

<p>company, dated, signed by the appropriate person and within the last 4 years. Failure to submit reference letters adhering to the above will invalidate a letter for consideration.</p> <p>(One reference letter from one company to be submitted)</p> <p>0 letters = 0  1 letter = 5  2 letters = 15  3 or more letters = 20</p>	<b>100</b>
<b>Total</b>	<b>100</b>

Bidders must obtain a minimum threshold of 70 points on Functionality to proceed to the next stages of the evaluation process. Failure to obtain the minimum of 70 points will result in your bid being considered non-responsive.

**Phase 3: Price and Specific Goals evaluation**

Only Bidders that have met the 70 point threshold to be considered for price and specific goals. Price and specific goals will be evaluated as follows:

In terms of regulation 6 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated on the 80/20-preference point system in terms of which points are awarded to bidders based on:

- The bid price (maximum 80 points)
- Specific Goals (maximum 20 points)

*i.*      **Stage 1 – Price Evaluation (80 Points)**  
*ii.*

Criteria	Points
<p><b>Price Evaluation</b></p> $P_s = 80 \left[ 1 - \frac{P_t - P_{min}}{P_{min}} \right]$	80

The following formula will be used to calculate the points for price:

- Where
- P<sub>s</sub> = Points scored for comparative price of bid or offer under consideration.
  - P<sub>t</sub> = Comparative price of bid or offer under consideration.
  - P<sub>min</sub> = Comparative price of lowest acceptable bid or offer
  - Points must be awarded to a bidder for attaining the specific status level of contribution in accordance with the table below

**a. Specific goals allocation**

A maximum of 20 points may be allocated to a bidder for attaining their specific goals status level of contributor in accordance with the table below:

SPECIFIC GOALS	POINTS
Suppliers with ownership of 51% or more by person/s who are black person/s	10
Suppliers with ownership of 51% or more by person/s who are women	5

Suppliers with ownership of 51% or more by person/s who are youth	3
Suppliers with ownership of 51% or more by person/s with disability	2

Specific goal points may be allocated to bidders on submission of the following documentation or evidence

- A duly completed Preference Point Claim Form: Standard Bidding Document (SBD 6.1)

**10. CONFIDENTIALITY, INDEPENDENCE AND OBJECTIVITY**

The service provider will hold all material and information exchanged in the course of the implementation of this project in the strictest confidence and will take all steps necessary to prevent dissemination of this information to any third party, without the prior written agreement of the SAHRC as the SAHRC asserts its moral authority and copyright over the report. The service provider must ensure that its staff maintains their objectives by remaining independent of the activities they execute.

**10.1 THE TOTAL COST WILL BE USED TO CALCULATE POINTS FOR PRICE CLARIFICATION**

- The SAHRC may request clarity of further information regarding any aspect of the bid. The service provider should supply the requested information within forty-eight (48) hours after the request has been made.
- The SAHRC reserves the right to conduct a security background check or screening of the service provider.
- The SAHRC reserves the right to conduct mandatory site inspection to the offices of the service provider.

**11. CONDITIONS OF RFQ**

- 11.1 The SAHRC reserves the right not to award the RFQ.
- 11.2 Any conditions imposed by the service provider that is restrictive or contrary to any part of these Terms of Reference will automatically disqualify the service provider.
- 11.3 The service provider will be held liable for any damage or loss suffered by the entity, because of the provider's own or his/her employees 'negligence or intent, which originated at the site.  
The service provider will have to pay damages or replace any stolen item damaged or stolen due to the negligence or intent of the service provider's employees.
- 11.4 The service provider must, at his/her own expenses, take out sufficient insurance against any claims, cost, loss and/or damage ensuing from his/her obligations and shall ensure that such insurance remains operative for the duration of this agreement.
- 11.5 SAHRC does not bind itself to accept the lowest quote.
- 11.6 The SAHRC reserves the right to invite bidders for presentation at bidders own cost and perform site visits on shortlisted bidders before the award of the bid, as part of the evaluation process.
- 11.7 SAHRC does not bind itself to make any selection from the proposals, or quotations received.
- 11.8 SAHRC reserves the right, at its sole discretion, to cancel this request for proposals and/or not to make any selection of the service provider/s at all.
- 11.9 All prices quoted must be VAT inclusive.
- 11.10 SAHRC will not make any upfront payments before the rendering of services.

- 11.11 The successful bidder shall provide the service required based on the set timelines and as per the schedule to be provided by SAHRC.
- 11.12 A pricing schedule with one of the specified elements omitted from the costing may be considered non-responsive.
- 11.13 The price proposal must be valid for 120 days.

## 12. CONTRACT PERFORMANCE

- 12.1 If it is found that the information provided is false including the breach of the General Condition of Contract, The SAHRC reserves the right to terminate this contract with immediate effect.
- 12.2 The performance of the Service Provider shall be reviewed quarterly during the period of the signed Service Level Agreement

## 13. FORMAT AND SUBMISSION OF THE PROPOSAL

- 13.1 All the official forms (SBD) must be completed and signed in all respects by bidders. Failure to comply will invalidate a bid.
- 13.2 For ease of reference, bids should be packaged in the following format:
- Annexure A - Signed RFQ Document and Completed SBD Forms
  - Annexure B - Mandatory Documents
  - Annexure C - Functionality Response
  - Annexure D - Company Profile
  - Annexure E – Price Proposal/Quotation

## 14. BRIEFING/INFORMATION SESSION AND ENQUIRIES

- 14.1 Not applicable: any inquiries can be made to [WCProcurement@sahrc.org.za](mailto:WCProcurement@sahrc.org.za)

## 15. CLOSING DATE

- 15.1 Proposals must be submitted on or before **24 March 2025** at **11h00**
- 15.2 All documentation must be emailed to: **WCProcurement@sahrc.org.za.**
- 15.3 Submissions should be made using the RFP number for ease of reference

For further information or clarification please contact Zintle Ngqamakwe at **ZNgqamakwe@sahrc.org.za.**



SBD1

**PART A INVITATION  
TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION</b>					
<b>BID NUMBER:</b>				<b>CLOSING TIME:</b>	11:00am
<b>DESCRIPTION</b>					
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT</b>					
<a href="mailto:WCProcurement@sahrc.org.za">WCProcurement@sahrc.org.za</a>					



<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>		<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>			
CONTACT PERSON		CONTACT PERSON			
TELEPHONE NUMBER		TELEPHONE NUMBER			
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS	<b>WCProcurement@sahrc.org.za</b>		E-MAIL ADDRESS		
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		<b>O R</b>	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR <b>THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
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**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.</b>	



SBD1

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	<b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4.	<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT STATE- A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6	WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7	NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE

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

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....

(Proof of authority must be submitted e.g. company resolution)

DATE: .....

.....

**PRICING SCHEDULE – FIRM PRICES (PURCHASES)**

**NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

**IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT**

Name of bidder.....	Bid number.....
Closing Time 11:00	Closing date.....

OFFER TO BE VALID FOR.....DAYSFROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
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Required by: .....

At .....

Brand and model .....

Country of origin .....

- Does the offer comply with the specification(s)? \*YES/NO
- If not to specification, indicate deviation(s) .....

Period required for delivery .....

\*Delivery: Firm/not firm  
Delivery basis .....

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

\*\* "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

\*Delete if not applicable



SBD4

## 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.

<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.

Full Name	Identity Number	Name of institution	State

2.2 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:

.....  
.....

**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 Act No 12 of 2004 or any other applicable legislation.

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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.

ICERTIFY 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 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**

*(delete whichever is not applicable for this tender)..*

a) The applicable preference point system for this tender is the 80/20 preference point system.

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

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

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
<b>PRICE</b>	80
<b>SPECIFIC GOALS</b>	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:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 P_{PPP} = 8888 \text{ } \text{R}11 - \frac{P_{PPP} - P}{P_{min}} & \text{or} & P_{PPP} = 9988 \text{ } \text{R}11 - \frac{P_{PPP} - P_{min}}{P_{min}}
 \end{array}$$

Where

- P<sub>s</sub> = Points scored for price of tender under consideration
- P<sub>t</sub> = Price of tender under consideration
- P<sub>min</sub> = 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:

$$\begin{array}{ccc}
 \mathbf{80/20} & \text{or} & \mathbf{90/10} \\
 \mathit{PPPP} = \frac{8888}{\mathit{PPPPPP}} \diamond 11 + \frac{\mathit{PPPP} - \mathit{PP}}{\mathit{PP} \mathit{PPPPPP}} \diamond & \text{or} & \mathit{PPPP} = \frac{9988}{\mathit{PPPPPP}} \diamond 11 + \frac{\mathit{PPPP} - \mathit{PP} \mathit{PPPPPP}}{\mathit{PP} \mathit{PPPPPP}} \diamond
 \end{array}$$

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

*Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)*

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Suppliers with ownership of 51% or more by person/s who are black person/s		10		
Suppliers with ownership of 51% or more by person/s who are women		5		
Suppliers with ownership of 51% or more by person/s who are youth		3		
Suppliers with ownership of 51% or more by person/s with disability		2		

**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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Approved by.....  
 SCM Manager

Approved by.....  
 Provincial Manager