



**PART A
INVITATION TO BID/ REQUEST FOR QUOTATION (RFQ)**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE KZN DEPARTMENT OF HUMAN SETTLEMENTS

QUOTATION NUMBER: **Q78D/21** CLOSING DATE: **29/07/2022** CLOSING TIME: **11H00**

DESCRIPTION: **Procurement of a Service Provider to assist the Department with its Protection of Personal Information Act 4 of 2013 (POPIA) Readiness Assessment and Compliance**

RFQ RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE QUOTATION BOX NUMBER: 05 IN THE LIFT FOYER OF THE TWELVETH FLOOR. SITUATED AT EAGLE BUILDING, OR EMAILED TO quotations@kzndhs.gov.za. CLARITY, ADVICE MAY BE DIRECTED TO THE FOLLOWING OFFICIALS OR THE BID ADVICE CENTRE ON THE 12TH FLOOR, EAGLE BUILDING, 353-363 DR PIXELY KASEME STREET, DURBAN FROM 08H00 TO 15H00 BETWEEN MONDAY TO FRIDAY

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO TECHNICAL ENQUIRIES MAY BE DIRECTED TO:

CONTACT PERSON	Andile Nyakatha	CONTACT PERSON	Revisha Singh
TELEPHONE NUMBER	031 336 5330	TELEPHONE NUMBER	071 570 3390
FACSIMILE NUMBER	N/A	FACSIMILE NUMBER	N/A
E-MAIL ADDRESS	Andile.Nyakatha@kzndhs.gov.za	E-MAIL ADDRESS	Revisha.Singh@kzndhs.gov.za

SIGNATURE OF COMPILER:  DATE: **14/07/2022**

SUPPLIER INFORMATION (PLEASE FILL IN BLANK COLUMNS) INFORMATION

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:	OR	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

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

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 THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
---	--	--	--

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO

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.



PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID/ RFQ SUBMISSION:

- 1.1. BIDS/RFQ MUST BE DELIVERED BY OR BEFORE THE STIPULATED CLOSING DATE AND TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED – (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
- 1.3. THIS BID/RFQ IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7), IF APPLICABLE.
- 1.5. QUOTATION DOCUMENT (RFQ) MUST BE COMPLETED IN FULL WITH ACCURATE INFORMATION WHICH IS IN LINE WITH INFORMATION SUBMITTED TO CENTRAL SUPPLIERS DATABASE (CSD). ANY CONTRARY, FALSE AND INCORRECT INFORMATION IN SBD FORMS WILL DISQUALIFY THE BID. DECLARE ALL INFORMATION IN RESPECT OF COMPANIES YOU HAVE INTEREST ON AS PER SBD 4 PARAGRAPH 2 BIDDERS DECLARATION.
- 1.6. SERVICE PROVIDER TO ENSURE THAT CENTRAL SUPPLIERS DATABASE IS REGULARY UPDATED IN ORDER TO BE DEEMED COMPLIANT IN RESPECT OF TAX COMPLIANT STATUS AND OTHER RETURNABLE DOCUMENTS. FAILING TO REGULARLY UPDATE THE SAME MAY RESULT IN YOUR QUOTATION BEING PASSED OVER.
- 1.7. PROOF OF ADDRESS MUST BE SUBMITTED WITH RFQ.

2. TAX COMPLIANCE REQUIREMENTS

- 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 A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS/RFQ 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/RFQ 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 STATE."

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 sign must be submitted e.g. company resolution)

.....

DATE:

.....



PART C

PRICING SCHEDULE – FIRM PRICING

ITEM	DESCRIPTION OF GOODS/ SERVICES	UNIT PRICE	TOTAL PRICE EXCL. VAT
01	Procurement of a Service Provider to assist the Department with its Protection of Personal Information Act 4 of 2013 (POPIA) Readiness Assessment and Compliance		
Mandatory Requirements:			
*Service Provider to ensure they supply the service as per the attached Terms of Reference			

THIS QUOTATION IS SUBJECT TO THE FOLLOWING

- **SERVICE PROVIDERS TO QUOTE ON TOTAL PRICE AND NOT UNIT PRICE**
NOTE: ALL DELIVERY COSTS MUST BE INCLUDED IN THE BID PRICE, FOR DELIVERY AT THE PRESCRIBED DESTINATION
- **ONLY QUOTATIONS THAT ARE R200 000.00 AND ABOVE WILL BE OPEN IN PUBLIC**
- **QUOTATIONS SHOULD BE VALID FOR A MINIMUM PERIOD OF 60 DAYS UNLESS OTHERWISE STIPULATED**

PLEASE CIRCLE THE CORRECT ANSWER

- a) Validity of quotation 60 days unless otherwise stipulated
- b) Delivery period
- c) Are prices quoted firm? Yes/No
- d) Registration on CIDB? if applicable Yes/No
 Registration Number.....
 Registered on NHBRC? If applicable Yes/No
 Registration Number.....
- e) Applicable ONLY to equipment and machinery
 - (i) Whether spares carried in stock? Yes/No
 - (ii) Whether maintenance carried out if required? Yes/No
 - (iii) What is the period of guarantee? (COMPULSORY)
 - (iv) Make and model.....
- f) Is offer strictly accordingly to specification? Yes/No
 If no give variation.....
- g) Please NOTE: If you didn't hear from the Department within the period of 6 weeks, please consider your quote being unsuccessful.
- h) Any alteration on price must be initialed, if not the quote will not be considered.
- i) The use of correction fluid is prohibited.
- j) Please fill in the attached Declaration of Interest (SBD4) *compulsory*

CONTACT PERSON OF SUPPLIER

COMPANY STAMP

NAME:

SIGNATURE:

DATE:



TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO ASSIST THE KWAZULU-NATAL DEPARTMENT OF HUMAN SETTLEMENTS WITH ITS POPIA READINESS ASSESSMENTS AND COMPLIANCE ISSUES FLOWING FROM THE ACT

1. Objective

The purpose of appointing a service provider in rendering services to assist the KwaZulu-Natal Department of Human Settlements with its Protection of Personal Information Act 4 of 2013 ("POPIA") readiness assessments and compliance issues flowing from POPIA.

2. Scope of Work

The service provider will be required to assist the KwaZulu-Natal Department of Human Settlements with its POPIA readiness assessments and compliance issues flowing from the Act, *inter alia*, the following:

2.1 Perform POPIA readiness assessments

- 2.1.1 GAP Analysis
- 2.1.2 POPIA Risk Assessment
- 2.1.3 Security Assessment
- 2.1.4 Review of existing safe guards
- 2.1.5 Review existing relevant policies:
 - 2.1.5.1 POPIA Policy
 - 2.1.5.2 PAIA Manual
 - 2.1.5.3 Privacy Policy
 - 2.1.5.4 Retention and Destruction of Records Policy
 - 2.1.5.5 Risk Management Policy
 - 2.1.5.6 Incident Management Policy
- 2.1.6 Ensure that policies are reasonable and appropriate
- 2.1.7 Make sure that policies are enforceable
- 2.1.8 Review contracts – focusing on POPIA clauses
- 2.1.9 Ensure that the Department's website is compliant

2.2 Implement POPIA compliant PI management processes

- 2.2.1 SOP's to cover entire life cycle of information (including acquisition, processing, retention, and destruction practices)
- 2.2.2 SOP's to cover breach
- 2.2.3 Develop reasonable and appropriate measures to ensure ongoing compliance (self-assessments, health-checks, formal audits, attendance registers)

2.3 Train stakeholders about their roles in the POPIA compliance

- 2.3.1 Design training according to the required needs

2.4 POPIA culture of compliance

- 2.4.1 Ensure that POPIA compliance will be the "new normal" and work that way
- 2.4.2 Ensure ongoing monitoring of the data protection/ POPIA ecosystem – legislation, regulations, opportunities and threats
- 2.4.3 Ensure that POPIA is built into the Department's everyday operations

3. Skills transfer

The service provider will be required to ensure the transfer of skills to the Department's internal POPIA Working Committee, Information Officer and Deputy Information Officers.

4. Conditions for the service provider

- 4.1 Only service providers that list POPIA compliance as one of its services rendered in the ordinary scope of its business operations will be considered
- 4.2 The cost of the contract will be negotiated with the relevant service provider and a letter of appointment will be issued
- 4.3 Any price quoted or invoice submitted shall include VAT (only if the service provider is a registered VAT vendor)
- 4.4 The service provider will be required to sign confidentiality and indemnity agreements with the Department.



KWAZULU-NATAL PROVINCE

HUMAN SETTLEMENTS
REPUBLIC OF SOUTH AFRICA

- 4.5 The service provider is not guaranteed any work under this tender
- 4.6 The Department may, at its sole discretion, vary the mandate given to include more work
- 4.7 The service provider may not cede or assign any part of this agreement with the Department, or subcontract any part of its mandate without the prior written consent of the Department
- 4.8 All copyrights and intellectual property rights that may result as consequences of the mandate to be performed will become the property of the Department
- 4.9 Upon completion of service provider's mandate, the service provider shall hand over all documents and information in any format, including copies thereof, that it received from the Department or that it had access to during its mandate
- 4.10 The service provider shall not, without prior written consent of the Department, release any Departmental information to third parties
- 4.11 The service provider must declare any interest it has in the contract, as well as declare any possible conflict of interest with the Department in pursuance of the proposed contract
- 4.12 The contract period for this tender is one (1) year
- 4.13 Any addition to the service provider's mandate at any stage prior to the expiry of the contract will be allowed to continue until such time that the mandate is completed.

5. Reporting relationships

The service provider will report to the Director: Legal Services (KwaZulu Natal Department of Human Settlements) and will be required to provide monthly written reports on the progress made on its mandate received without charge and by no later than an agreed deadline.

6. Bid evaluation criteria

6.1 Bid evaluation

- 6.1.1 The following criteria will be used in particular as the criteria for appointment, apart from those laid down in the Preferential Procurement Act, 2000 read together with the Preferential Procurement Regulations, 2011.
- 6.1.2 Service providers who do not score 60% or more in the technical evaluation will not be appointed for this contract.

ITEM NUMBER	CRITERIA	WEIGHT
1.ABILITY • Capacity	• Human Resources to be used in completing the Project successfully (attach CV and qualifications of the team).	20
2.CAPABILITY • Experience • Competency • Track record	• Three references of similar work undertaken- List names, addresses, contact details of three organisations for which work has been accomplished and briefly describe the type of service provided for them.	20
	• Track record of the service provider.	20
3.METHODOLOGY & PROJECT PLAN	• Proposed methodology (describe the ability to meet deadlines, especially on a short-time frame, and give examples of how past tight deadlines have been met).	20
	• Management of Project/s.	20
TOTAL POINTS		100

7. Invitation requirement

- 7.1 Each proposal must include the services offered by the service provider. If the service provider has expertise in more than one service area, all relevant services must be indicated in the proposal together with demonstrated experience in that specified area.
- 7.2 Tenders in sealed envelopes must be delivered by no later than closing date and time.

Ms. O.G Anderson
Director: Legal Services

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

2.2 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

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.

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.

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 POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL
PROCUREMENT REGULATIONS 2017**

This preference form must form part of all bids/quotations invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- 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

- a) The value of this bid is estimated to ~~exceed~~/not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	50
B-BBEE STATUS LEVEL OF CONTRIBUTOR	50
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“price”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

4. POINTS AWARDED FOR PRICE

4.1 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

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{min} = Price of lowest acceptable bid

4.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME-GENERATING PROCUREMENT

4.3 POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:
80/20 or **90/10**

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

Where

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

5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 5.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

6. BID DECLARATION

- 6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

7. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 7.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

8. SUB-CONTRACTING

- 8.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

- 8.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

9. DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm:.....

9.2 VAT registration number:.....

9.3 Company registration number:.....

9.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

9.6 COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business:.....

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

WITNESSES

1.

2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....