



RFP/2021-109

**REQUEST FOR PROPOSALS AND QUOTATION
APPOINTMENT OF A SERVICE PROVIDER TO
CONDUCT KNOWLEDGE HARVESTING PROJECT**

1.	Assignment	The National Lotteries Commission (NLC) requires a suitable service provider to conduct knowledge harvesting project for outgoing senior staff members.
2.	Name of the responsible office	Business Development Department (BDD)
3.	Address for submitting proposals & other correspondence Please submit USB drive if your document is more than 10GB	Attention: Demand and Acquisition Officer National Lotteries Commission Block D, Hatfield Gardens 333 Grosvenor Street Hatfield, Pretoria 0083 Telephone: 012-432 1470 Email: Ms M Senyatsi maureen@nlcsa.org.za
4.	Compulsory briefing session	Not applicable to this RFP
5.	Closing date & time for submission of proposals	<u>06 December 2021 @ 11:00 am</u>
6.	Assignment description:	Appointment of a service provider to conduct knowledge harvesting project RFP 2021-109

1. BACKGROUND AND CONTEXT

- 1.1. The National Lotteries Commission (NLC) is a public entity established by Lotteries Act No. 57 of 1997 as amended to regulate the South African lotteries industry. The functions of the Commission can be divided into two categories, namely “regulation of National Lottery and other Lotteries” and “administration of the National Lottery Distribution Trust Fund (NLDTF)”.
- 1.2. The Board of the NLC has a mandate to: (i) regulate all lotteries and sport pools with integrity; (ii) ensure the protection of all participants; (iii) maximise revenue for good causes in a responsible manner; and (iv) distribute funds equitably and expeditiously.
- 1.3. The Legislative mandate of the NLC includes inviting applications from registered organisations to apply for grants in support of worthy good causes. The NLC currently has three main sectors, each of which receives a pre-determined percentage of the NLDTF namely Charities (47%), Sport and Recreation (28%) and Arts, Culture, National Heritage and Environment (23%), as well as a fourth fund for Miscellaneous purposes (2%).
- 1.4. This proposed knowledge harvesting project is part of the implementation of three-year NLC KM strategy that was developed and approved in the 2020-21 financial year and Phase One implemented.
- 1.5. Loss of organisational knowledge / institutional memory is rated as one of the highest strategic risks facing the NLC. Knowledge holders are all the employees of the organisation. Hence, Human Capital Management (HCM), as the Risk Owner, has requested the assistance of Research and Development unit, to embark on a knowledge harvesting project. Since knowledge harvesting can be applied to nearly any kind of human knowledge that is procedurally actionable, existing expertise or know-how will be captured and codified so that the organization can leverage it and preserve it.

2. PURPOSE OF THE RFP

The purpose of this Request for proposals (RFP) is to appoint a suitably qualified service provider to submit proposals for Knowledge Harvesting from key knowledge holders in the organisation. The proposal should demonstrate the following:

- Understanding and expertise of processes of collecting and capturing information through knowledge management protocols and practices.
- Content development skills and expertise as the harvested information should be translated into knowledge products that can be used by future and current NLC employees.
- Previous experience of conducting a similar project.

The service provider should also submit a proposal to provide knowledge transfer, guidance and support to the Knowledge Harvesting Steering Committee on conducting knowledge harvesting, including methodologies, design of collection tools and process, preparation, implementation, and content development or creating a knowledge product.

The key knowledge holders to be interviewed in this Phase are members of the Distributing Agencies and senior Executives.

The project duration is estimated for two months and will be conducted both online and physically depending on the nature of activity. The project should be concluded by 25 March 2022.

3. METHODOLOGY

The successful service provider will demonstrate expertise and competence in conducting knowledge harvesting using a variety of methods e.g., interviews, storytelling, and shadowing; thereafter translating the collected information into knowledge products.

4. TIMING AND DELIVERABLES

The project should commence within two weeks of signing the letter of appointment.

The participants are located at Head Office in Pretoria, except for some of the Distributing Agency members who work from home.

It is expected that the service provider will provide a project plan, develop information collections tools for participants as well as create knowledge products to be stored on the NLC ICT platform.

The appointed service provider will be briefed by the KM steering committee and will be provided with the following to customise data collection tools:

- NLC's KM strategy
- NLC KM Audit Report
- NLC Knowledge Harvesting Framework
- Any other required and available document

5. REPORTING REQUIREMENTS

The Service Provider will report to the NLC's Acting Senior Manager Business Development or their delegate for the duration of the appointment; regular meetings will be held to track progress.

6. EVALUATION CRITERIA

Phase 1: Pre-Qualification Criteria (Mandatory Requirements)

Bidders must submit all the requirements mentioned below. The following mandatory requirements must be met to qualify for this bid:

- Original signed standard bidding documents (SBD Forms). It is required that

the bidder must provide correct information and declaration (where possible) in the SBD Forms.

- In the event of the bidder being in a joint venture, joint venture agreement must be submitted (*where applicable*).
- Central Supplier Database (CSD) and Tax Clearance Certificate (TCC) compliance. Please submit the current CSD Summarized Report and the copy of the TCC Pin.
- BEE Certificate or Sworn Affidavit
- Original signed consent form in terms of the Protection of Personal Information Act 4 of 2013 (POPIA) (Consent Forms Attached to the Bid as part of the SBDs).

Any bid that fails to meet the above mentioned pre-qualifying criteria will be deemed unacceptable.

Phase 2: Functional/technical Evaluation

Only bidders that have met the pre-qualification criteria will be evaluated for functional evaluation. In this phase the evaluation will be based on the bidders' responses in respect of the bid proposal (evaluated on the minimum functional specifications). Prospective bidders who score a minimum of 70 points or more will be considered for the next phase 3 (Price and B-BBEE status level contributor).

Service Providers are at liberty to structure their Proposals according to any format, if it covers all areas specified in this document.

Evaluation of the Proposals will be based on the service provider's responses in respect of the RFP according to the following criteria:

Evaluation Criterion	% weight
Institution Experience	25%
The bidder must provide details of recent previous projects performed within the scope outlined in the RFP. Specific details must be given to indicate the extent to	

<p>which these previous experiences relate to the work described in the RFP. Experience will be rated using the following sub-weighting: 2 years or less = 15%; 3 – 5 years = 20%; over 5 years = 25%</p>	
Members Experience	35%
<p>A summary profile (in a matrix format) of the proposed trainers / facilitators, their qualifications, technical and professional skills, and why they are suitable to undertake the training as outlined in the RFP, should be included in the proposal. Abbreviated Curriculum Vitae (CV's) of key personnel to be involved in the implementation of project(s), not longer than one page each, shall be included in an Appendix. CVs should demonstrate qualified and experienced facilitators in the relevant field with membership of relevant associations / professional bodies where applicable (e.g., KMSA).</p>	
Project Plan / Methodology	40%
<p>Considers the responsiveness to the RFP, the level of detail in the proposal, attention to project management and innovative approaches and ideas. The proposal should also describe methodologies & approaches suitable for an online environment.</p>	
TOTAL	100%

Phase 3: The 80/20 Principle-Point System based on Price and B-BBEE status level contributor.

Only bidders that have met the 70-point threshold in phase 1 will be evaluated in phase 2 for price and BBEE. Price and BBEE will be evaluated as follows:

i) Stage 1 – Price Evaluation (80 Points)

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

Where

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid under consideration

Pmin = Comparative price of lowest acceptable bid

ii) Stage 2 – BBEE Evaluation (20 points)

a. BBEE Points allocation

Points will be awarded to a bidder for attaining the B-BBEE status level of contributor in accordance with the table below:

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

Budget

The service provider should submit a detailed budget for each phase of the project.

7. GENERAL GUIDELINES

• **Submission Instruction**

The Proposal should be e-mailed to bids@nlcsa.org.za or delivered on a USB drive in PDF. **Kindly place separate folders for technical proposal and financial proposal.**

Take note of the following:

- No costs have been prescribed for the RFQ;
- All proposals **must** be costed in South African Rand, inclusive of VAT;

- The costing must remain valid and open for evaluation for a period of at least thirty (30) days from the time of submission.

- **Costs to be borne by service providers**
 All costs and expenses incurred by the service provider in any way associated with the development, preparation and submission of responses and providing any additional information required by the NLC, will be borne entirely and exclusively by the service provider.

- **Disclaimer**
 The NLC reserves the right not to select a service provider. The NLC also reserves the right to:
 - Award the contract or any part thereof to one or more service providers
 - Reject all proposals
 - Decline to consider any proposals that do not conform to any aspect of the RFP requirements
 - Request further information from any service provider after the closing date for clarity purposes
 - Cancel this RFP or any part thereof at any time; and
 - Should any of the above occur, it will be communicated in writing to the service provider.

- **Confidentiality**
 - Proposals submitted will not be revealed to any other party and will be treated as contractually binding
 - All information pertaining to the NLC obtained by the service provider because of participation in this RFP is confidential and must not be disclosed without written authorisation from the NLC; and
 - The successful service provider will be issued with a letter of appointment outlining the requirements of the project.

- **Disqualification**
 - Any form of canvassing/lobbying/influence regarding the RFP will result in disqualification

- Any non-disclosure of any other information pertaining to this RFP will result in disqualification; and
- Non-compliance with the requirements will invalidate the proposal.
- **Price adjustments**
 - Application for price adjustments must be accompanied by documentary evidence in support of any adjustments
 - The project implementation costs to be quoted during the contract with the successful service providers.
- **Payment Terms**

The NLC undertakes to pay valid tax invoices in full within thirty (30) days from statement date for services rendered

All supporting documents for services rendered should be submitted together with the tax invoices by the twentieth (20th) of every month; and

Valid Tax Invoices for all services rendered are to be submitted to the Chief Financial Officer (CFO) at the NLC's Finance Division at the address on page 2 above or may be sent through an email to the following email address: accounts@nlb.org.za
- **Validity**

A proposal shall remain valid for sixty (60) days after the closing date of the Request for Proposals.
- **Signatories**

All responses to this RFP should be signed off by the authorised signatories of the service provider.

8. SPECIAL TERMS AND CONDITIONS

The NLC reserves the right to accept or reject any submission in full or in part, and to suspend this process and reject all proposals or part thereof, at any time prior to the awarding of the contract, without thereby incurring any liability to the affected bidders.

9. PRESENTATIONS

Shortlisted service providers may be required to do a presentation and / or question and answer session.

10. CLARIFICATIONS / ENQUIRIES

Telephonic request for clarification will not be considered. Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference or any other aspects concerning the bid is to be requested in writing (letter, facsimile or e-mail) from the below contact persons. The bid reference number should be mentioned in all correspondence.

To: Maureen Senyatsi, Demand and Acquisition Officer

E-mail: maureen@nlcsa.org.za or bids@nlcsa.org.za

Enquiries received will be responded to within two (2) working days of receiving the enquiry.

11. USE OF PERSONAL INFORMATION

The NLC is committed to protecting the bidder's privacy and recognises that it needs to comply with statutory requirements in collecting, processing, and distributing of personal information. The Constitution of the Republic of South Africa provides that everyone has the right to privacy and the Protection of Personal Information Act 4 of 2013 ("POPI") includes the right to protection against unlawful collection, retention, dissemination and use of personal information. In terms of section 18 of POPI, if personal information is collected, the NLC, as responsible party, must take reasonably practical steps to ensure that the data subject is made aware of the information being collected.

THE NLC IS NOT OBLIGED TO ACCEPT THE LOWEST OR ANY BID AND RESERVES THE RIGHT TO ACCEPT ANY BID IN WHOLE OR PART.



SCM:
CONSENT
REQUEST FORM

REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF PROCUREMENT OF GOODS AND SERVICES APPLICATION, IN LINE WITH THE NLC'S SUPPLY CHAIN MANAGEMENT POLICY, IN TERMS OF SECTION 11(1)(a) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.4 OF 2013) ("**POPIA**").

TO: _____

FROM: _____

ADDRESS: _____

Contact number: _____

Email address: _____

PART A

1. In terms of the PROTECTION OF PERSONAL INFORMATION ACT, consent for processing of personal information of a data subject (the person/entity to whom personal information relates) must be obtained for the purpose of processing of application for procurement of goods and services, in line with the NLC's supply chain management policy, and storage of your personal data by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMSs or e-mail, which is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by us (NLC). After you have indicated your wishes in Part B, you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.

2. "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—
 - 2.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
 - 2.2 dissemination by means of transmission, distribution or making available in any other form; or
 - 2.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.

3. "Personal information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—
 - 3.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well- being, disability, religion, conscience, belief, culture, language and birth of the person;
 - 3.2 information relating to the education or the medical, financial, criminal or employment history of the person;

- 3.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
- 3.4 the biometric information of the person;
- 3.5 the personal opinions, views or preferences of the person;
- 3.6 correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
- 3.7 the views or opinions of another individual about the person; and
- 3.8 the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

Full names of the designated person on behalf of the Responsible Party

Signature of Designation person

PART B

I, _____ (full names), duly authorized, hereby:
Consent to the processing of my/our personal information for the application of procurement of goods and services, in line with the NLC supply chain management policy, in terms of section 11(1)(a) of POPIA.

SPECIFY GOODS AND SERVICES (Edit/Click on services not required):

- Product Information
- Product Updates
- Industry Newsletters
- Price Changes

Method of Communication will be via: Email/Postal

Give my consent.

By Ticking the next box, I am aware that I am Digitally Signing this Consent request Form:

Full Name:

Date:

WITHDRAWAL OF CONSENT ONCE GIVEN

You may withdraw your consent at any time.

Write or email us at the address above, advising us of your consent withdrawal

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	RFP/2021-109	CLOSING DATE:	06 December 2021	CLOSING TIME:	11H00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT KNOWLEDGE HARVESTING PROJECT FOR NLC				
BID RESPONSE DOCUMENTS MAY BE SUBMITTED ELECTRONICALLY AS FOLLOWS:					
Only electronically submission will be accepted as follows: By submitting -USB at 333 Grosvenor Street, Block D Hatfield Gardens, Hatfield, 0075 - maureen@nlcsa.org.za OR bids@nlcsa.org.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Maureen Senyatsi		CONTACT PERSON	Bojane Mosima	
TELEPHONE NUMBER	012 432 1300 / 012 432 1470		TELEPHONE NUMBER	012 432 1300 / 012 432 1470	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	maureen@nlcsa.org.za		E-MAIL ADDRESS	bojane@nlcsa.org.za	
SUPPLIER 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)?				<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	
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 SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED 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 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.	THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
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 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 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 must be submitted e.g. company resolution)

DATE:

SBD 4

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative:
.....

2.2 Identity Number:
.....

2.3 Position occupied in the Company (director, trustee, shareholder²):
.....

2.4 Company Registration Number:
.....

2.5 Tax Reference Number:
.....

2.6 VAT Registration Number:
.....





2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹“State” means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

.....

Name of state institution at which you or the person connected to the bidder is employed :

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

.....

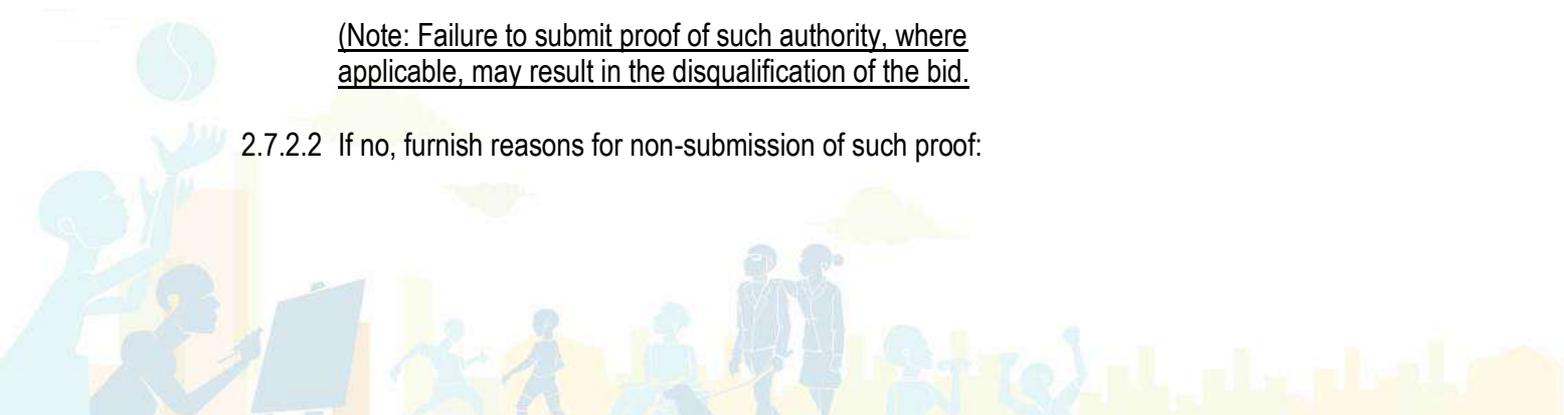
.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attached proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:





.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.

.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? **YES/NO**

2.10.1 If so, furnish particulars.

.....

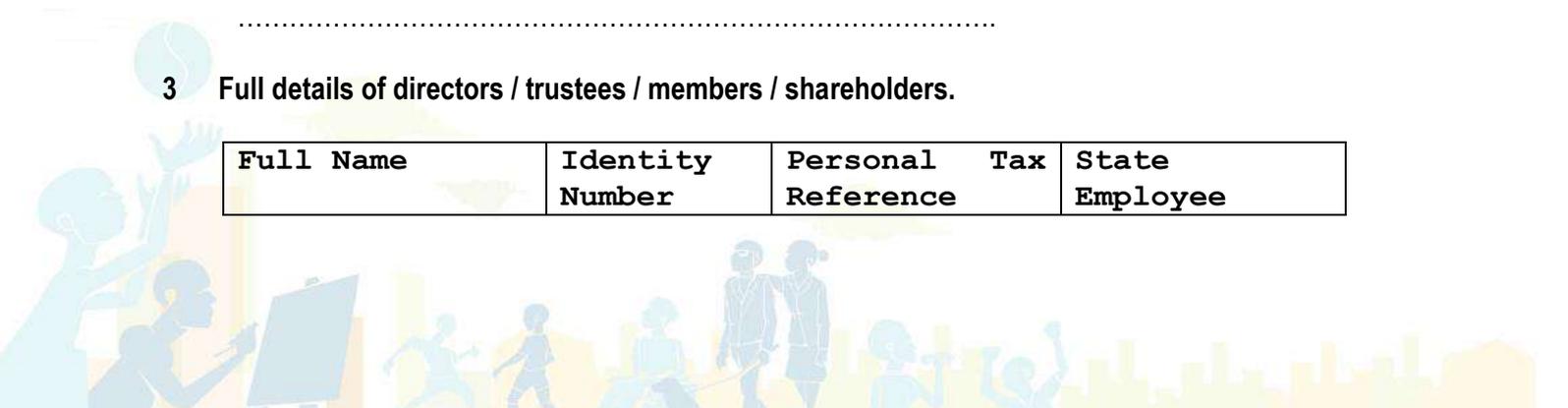
2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? **YES/NO**

2.11.1 If so, furnish particulars:

.....

3 Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Tax Reference	State Employee
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**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL
 PROCUREMENT REGULATIONS 2017**

This preference form must form part of all bids 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 The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore 80/20 preference point system shall be applicable.

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	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
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.

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

5. BID DECLARATION

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

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

6.1 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.

7. SUB-CONTRACTING

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

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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7.1.1 If yes, indicate:

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

(Tick applicable box)

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

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		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

8.8 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
.....
.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		

4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?  NATIONAL LOTTERIES COMMISSION	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars: a member of the dtic group 		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME).....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION
FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION
PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js365bW

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.



CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and

- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder



SBD 9

6. 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 consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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 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.

SBD 9

10. 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.



.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js914w 2