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 National Lotteries Commission (NLC)
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NATIONAL LOTTERIES COMMISSION

THE APPOINTMENT OF A SERVICE PROVIDER TO LEASE FLEET VEHICLE WITH FULL MAINTENANCE FOR THE NATIONAL LOTTERIES COMMISSION FOR A PERIOD OF FIVE YEARS

BID PROCESS	BID REQUIREMENTS
Tender number	NLC/2024-011
Bid Advertisement Date	29 August 2024
Closing date and time	30 September 2024
Place where bid is advertised	e-Tender portal and NLC website (ONLY)
Tender validity period	28 January 2025
Compulsory Briefing Session	13 September 2024 @ 11:00-12:00 (see page 13)
Submission instruction:	The bid document must be submitted at the below address via 1 hard copy and USB for the attention of Penelope Soyingwa (The envelope must be clearly marked with company name and contact details) Senior Manager: Supply ChainManagement National Lotteries Commission 333 Grosvenor Street Block D, HatfieldGardens Hatfield, Pretoria 0083 Enquires ONLY can be emailed to bids@nlcsa.org.za

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THE APPOINTMENT OF A SERVICE PROVIDER TO LEASE FLEET VEHICLE WITH FULL MAINTENANCE FOR THE NATIONAL LOTTERIES COMMISSION FOR A PERIOD OF FIVE YEARS

SECTION 1: BACKGROUND, OVERVIEW AND RFP SCOPE OF REQUIREMENTS

1. INTRODUCTION

The National Lotteries Commission was established in terms of the Lotteries Act No. 57 of 1997, as amended (Lotteries Act) to regulate the National Lottery as well as other lotteries and societies.

The NLC aims to ensure that funds raised through the National Lottery are distributed equitably and expeditiously across South Africa in order to advance social upliftment of communities in need with the aim of addressing poverty and reducing inequalities in line with the National Development Plan.

The Commission is required to apply principles of openness and transparency in the exercise of its functions assigned to it in terms of the Lotteries Act No 57 of 1997.

2. BACKGROUND

PFMA S(51)(1)(a) requires that "An accounting authority for a public entity must ensure that that public entity has and maintains effective, efficient and transparent systems of financial and risk management and internal control. In line with the requirements of the Public Finance Management Act No. 1 of 1999 ("PFMA") and Treasury Regulations, the NLC seeks to appoint a panel of service providers for the Provision of Fleet Management Services with full maintenance lease to NLC for a period of five (5) years.

3. OBJECTIVE

The primary objective of the service required is to successfully provide fleet management service to NLC staff that is reliable, efficient, accountable, cost effective and safe.

4. SCOPE OF WORK

Scope of work entails the following:

1.1. Provision of thirty-six (36) vehicles with the following descriptions:

Vehicle Type	Engine Capacity (Cubic centimeters)	Quantity	Additional requirements
Double cab 4X4 Bakkie Diesel	Minimum 2500cc 140-150Kw Power 400Nm – 500Nm Torque	32	• Automatic transmission • Leather interior upholstery • Tow bar • Factory fitted Navigation System • Automatic Tracking system • Immobilizer security feature • Radio with Bluetooth and USB ports

			• Cruise control • White with Canopy with tinted windows • Driver identification system • Full spare wheel • Rubberizing • Crash avoidance safety requirements: - Anti-lock Braking System (ABS), - Electronic Stability Control (ESC), - Traction Control System (TCS), - Forward Collision Warning (FCW), - Automatic Emergency Braking (AEB) • Crash Protection Safety Requirements: - Airbags - Seatbelts with pretensioners and load limiters - Head restraints - Emergency Call system
Light motor vehicles Petrol	Minimum- 1100cc direct injection 70Kw - 172kW 200Nm torque Minimum 4- speed automatic	2	• Automatic gear transmission • Leather interior • Factory fitted Navigation System • Automatic Tracking system • Cruise control • White • Driver identification system • Full spare wheel • Crash avoidance safety requirements: - Anti-lock Braking System (ABS), - Electronic Stability Control (ESC), - Traction Control System (TCS), - Forward Collision Warning (FCW), - Automatic Emergency Braking (AEB) • Crash Protection Safety Requirements: - Airbags - Seatbelts with pretensioners and load limiters - Head restraints - Emergency Call system
8-10-seater passenger carrier Diesel	Minimum 2000cc 110Kw -150Kw Power 340Nm – 450 Nw Torque 6-speed Auto	1	• Automatic gear transmission • Factory fitted Navigation System • Cruise Control • White • Driver identification system • Full spare wheel • Crash avoidance safety requirements: - Anti-lock Braking System (ABS), - Electronic Stability Control (ESC), - Traction Control System (TCS),

			- Forward Collision Warning (FCW), - Automatic Emergency Braking (AEB) Crash Protection Safety Requirements: - Airbags - Seatbelts with pretensioners and load limiters - Head restraints - Emergency Call system
Single cab 4X4 Bakkie Diesel	Minimum 2000cc 140Kw-150Kw Power 400Nm – 500Nm Torque 6-Speed Auto	1	• Automatic transmission • Factory fitted Navigation System • Automatic Tracking system • Cruise control • White with canopy • Driver identification system • Lockable Hard Tonneau Cover • Full spare wheel • Rubberizing Crash avoidance safety requirements: - Ani-lock Braking System (ABS), - Electronic Stability Control (ESC), - Traction Control System (TCS), - Forward Collision Warning (FCW), - Automatic Emergency Braking (AEB) Crash Protection Safety Requirements: - Airbags - Seatbelts with pretensioners and load limiters - Head restraints - Emergency Call system
Additional requirement	• (60x40cm) Magnetic branding stickers as per NLC standards x 80		

The vehicles must be delivered as outlined in the table below.

PROVINCIAL OFFICE	CAR TYPES	DELIVERY ADDRESS
1. Head Office	• Double Cab vehicle x4 • Light motor vehicles X2 • 8-10- passenger carrier vehicle X1 • Single cab 4X4 Bakkie X1	Block D Hatfield Gardens 333 Grosvenor Street Hatfield, Pretoria
2. KwaZulu-Natal	• Double Cab X4	2 nd floor The Marriot Grindrod Building Kingsmead Office Park Stamford Hill

		Durban
3. Mpumalanga	• Double Cab X4	29 Roodt Street Sonheuwel Dorp Nelspruit
4. Eastern Cape	• Double Cab X4	7 Rochester Road Vincent East London Eastern Cape
5. Limpopo Province	• Double Cab X4	5 Landros Mare Street Polokwane Limpopo
6. Free State	• Double Cab X3	280-282 Stateway Welkom Free State
7. Northern Cape	• Double Cab X3	11A Schmidtdrift Road Kimberley Northern Cape
8. Northwest	• Double Cab X3	12 Visser Street Golfview Mafikeng North West
9. Western Cape	• Double Cab X3	Manhattan Place 130 Bree Street Cape Town Western Cape

1.2. THE NLC REQUIRES A SERVICE OF HIGH QUALITY AND EFFICIENCY IN TERMS OF THE FOLLOWING AREAS:

1.2.1. MAINTENANCE MANAGEMENT

- The NLC shall abide by the service intervals for all vehicles as per contract, hence a clear service schedule must be provided with each vehicle.
- A comprehensive maintenance plan that covers all mechanical issues.
- All maintenance must include replacement of battery, tyres wear and tear, brake discs and pad.
- Vehicle maintenance plans must be built into the Fleet Management Lease (FML) agreement.

- The bidder must have a nationwide network of franchised dealers for the servicing of vehicles.
- The bidder must stipulate procedures for emergency repairs and servicing.

1.2.2. INSURANCE

- Breakdown service and emergency services should be provided and included in the comprehensive insurance cover.
- The NLC requires a 24-hour roadside assistance, emergency response and breakdown service.
- Roadside assistance to include overnight accommodation and take-home service for affected NLC employees where necessary.
- Comprehensive Insurance cover
- Shortfall and excess waiver.
- Dents and scratch cover/ Minor body works
- Like for like courtesy vehicle provision during repairs and damage. The vehicle must be provided for NLC business, not an individual.

1.2.3. LICENSING AND ADMINISTRATION

- The service provider shall undertake to register the vehicles and facilitate E tolls, license renewals, and deliver new licensing disks to the NLC; and
- The service provider shall undertake to manage vehicle information and include maintenance management reports in the monthly report.

1.2.4. TRACKER

- 400 driver's identity tags (DIT) to be assigned to individual employee.
- Car must only start after DIT is presented
- Data such usage reports must be readily available to NLC.
- Data must be provided to NLC after same is taken off the system by service provider.
- Installation of driver identification tagging system.

1.2.5. MANAGEMENT REPORTING

The appointed service provider will report to Facilities Management.

The detail of the reports will be discussed with the NLC but would generally comprise of the following:

- Fleet operating costs.
- Driver behavioural patterns.
- Variance reports.
- Fleet management tracking system updates.
- Maintenance reports.
- Monthly, quarterly and annual reports will be required, however, the NLC will confirm upon appointment what should be contained in reports to be submitted at specific periods.

1.2.6. CREDIT FACILITY

The service provider to provide a credit facility of R500 000.00 to cover the following:

- Fuel
- Lubricants
- Tolls
- Car wash
- User Access to the self-service portal/ system

5. Duration of the Project

The duration of the project is five (5) years after the signing of a service level agreement (SLA) The service provider is expected to replace a vehicle which may be written off or which has completed its contracted kilometres, and the period has not been exceeded

SECTION 2: NOTICE TO BIDDERS

1. Terms and conditions of Request for Proposals (RFP)

- 1.1 This document may contain confidential information that is the property of the NLC.
- 1.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFP without prior written permission from the NLC.
- 1.3 All copyright and intellectual property herein vests with the NLC.
- 1.4 Late and incomplete submissions will not be accepted.
- 1.5 No services must be rendered, or goods delivered before an official NLC Purchase Orderform has been received.
- 1.6 This RFP will be evaluated in terms of the 80/20 preference point system.
- 1.7 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.
- 1.8 Suppliers must provide their CSD registration number (and attach a CSD Registration report)and ensure that their tax matters are compliant.
- 1.9 All questions regarding this RFP must be forwarded to bids@nlcsa.org.za cc penelope@nlcsa.org.za

2. General rules and instructions

2.1 News and press releases

- 2.1.1 Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, the NLC.

2.2 Precedence of documents

- 2.2.1 This RFP consists of a number of sections. Where there is a contradiction in terms between the clauses, phrases, words, stipulations, or terms and herein referred to generally as stipulations in this RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this RFP shall take precedence.
- 2.2.2 Where this RFP is silent on any matter, the relevant stipulations addressing such matter, and which appear in section 217 of the constitution of the republic shall take precedence. Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that the NLC may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by the NLC.

It remains the exclusive domain and election of the NLC as to which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of the commission in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the Bidder(s). The Bidder(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

2.3 Preferential procurement reform

- 2.3.1 The commission supports B-BBEE as an essential ingredient of its business. In accordance with government policy, the NLC insists that the private sector demonstrates its commitment and track record to B-BBEE in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices (SMME Development) etc.

2.4 National Industrial Participation Programme

- 2.4.1 The Industrial Participation policy, which was endorsed by Cabinet on 30 April 1997, is applicable to contracts that have an imported content. The NIP is obligatory and therefore must be complied with. Bidders are required to sign and submit the Standard Bidding Document (SBD).

2.5 Language

- 2.5.1 Bids shall be submitted in English.

2.6 Gender

- 2.6.1 Any word implying any gender shall be interpreted to imply all other genders.

2.7 Headings

- 2.7.1 Headings are incorporated into this RFP document and submitted in response thereto, for ease of reference only and shall not form part thereof for any purpose of interpretation or for any other

purpose.

2.8 Occupational Injuries and Diseases Act 13 of 1993

- 2.8.1 The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFP and/ or subsequent agreement. The commission reserves the right to request the Bidder to submit documentary proof of the Bidder's registration and "good standing" with the Compensation Fund, or similar proof acceptable to the commission.

2.9 Processing of the Bidder's Personal Information

- 2.9.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFP is collected and processed for the purpose of assessing the content of its tender proposal and awarding the bid. The Bidder is advised that Bidder Personal Information may be passed on to third parties to whom the commission is compelled by law to provide such information. For example, where appropriate, the commission is compelled to submit information to National Treasury's Database of Restricted Suppliers.
- 2.9.2 All Personal Information collected will be processed in accordance with POPIA and with the commission Data Privacy Policy.
- 2.9.3 The following persons will have access to the Personal Information collected:
 - 2.9.3.1 The commission personnel participating in procurement/award procedures; and
 - 2.9.3.2 Members of the public: within seven working days from the time the bid is awarded, the following information will have to be made available on National Treasury's e-Tender portal:
 - 2.9.3.3 contract description and bid number.
 - 2.9.3.4 names of the successful bidder(s) and preference points claimed.
 - 2.9.3.5 the contract price(s) (if possible).
 - 2.9.3.6 contract period.
 - 2.9.3.7 names of directors; and
 - 2.9.3.8 date of completion/award.
- 2.9.4 The commission will ensure that the rights of the Bidder and of its employees and representatives (i.e., the right of access and the right to rectify) are effectively guaranteed in accordance with the procedures as specified in the commission PAIA manual.
- 2.9.5 In signing this document, the Bidder consents to the use of its Personal Information for the purposes as specified in section 2.9.1 above.

3. Validity Period

- 3.1 The Commission requires a validity period of **120 Business Days** [from closing date] against this RFP.
- 3.2 Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions, if the internal evaluation process is not finalized within the validity period.

4. National Treasury's Central Supplier Database

- 4.1 Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.
- 4.2 The Commission may not award business to a bidder who has failed to register on the CSD.
- 4.3 Only foreign suppliers with no local registered entity need not register on the CSD.
- 4.4 The CSD can be accessed at <https://secure.csd.gov.za/>

5. Confidentiality

- 5.1 Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding;
- 5.2 The Commission reserves all the rights afforded to it by POPIA in the processing of any of its information as contained in Bid Proposals.
- 5.3 The Bidder acknowledges that it will obtain and have access to personal information of The NLC and agrees that it shall only process the information disclosed by the NLC in terms of this bid award and only for the purposes as detailed in this RFP and in accordance with any applicable law.
- 5.4 The Bidder shall notify the NLC in writing of any unauthorised access to personal information and the information of a third party, through cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such.

6. Communication

- 6.1 Specific queries relating to this RFP should be submitted to penelope@nlcsa.org.za, before the closing date.
- 6.2 In the interest of fairness and transparency the NLC's response to such a query may be made available to other bidders.
- 6.3 It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the NLC in respect of this RFP between the closing date and the date of the award of the business.
- 6.4 Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

7. Supplier Performance

- 7.1 The National Lotteries Commission conducts regular performance reviews in accordance with the requirements for the classification of the contract and or stakeholder by making use of supplier evaluation forms. The evaluation is conducted against the deliverables or scope of the contract with a minimum of an annual review done for contracts longer than a year and a review at completion of contract for those contracts less than a year.
- 7.2 Ad-hoc performance reviews shall be conducted where non-performance is identified outside the

- review period.
- 7.3 Non-performance will be addressed with at least a formal letter advising specific non-performing areas and stating remedial action/s required within specific time frames. Non-adherence to remedial actions shall lead to escalating performance management actions.
- 7.4 Any party to this agreement may request to participate in a joint performance review where appropriate and seek continuous improvement opportunities.

SECTION 3: EVALUATION CRITERIA

Stage 1: Tender Closing and Opening

1.1 Compulsory Briefing Session

Bidders required to attend a Compulsory briefing session on **13 September 2024** at 11:00 at below address: **(bidders who do not attend will not be considered)**

National Lotteries Commission
333 Grosvenor Street
Block D, Hatfield Gardens
Hatfield, Pretoria

1.2 Tender closing details

The deadline for Tender submission is Standard South African Time. Any late tenders will not be accepted. Tenders are to be submitted to the NLC's tender box at the following physical address:

National Lotteries Commission
333 Grosvenor Street
Block D, Hatfield
Gardens Hatfield,
Pretoria
0083

1.2 Bid Formats

Bid submissions must be submitted in a PDF format that is protected from any modifications, deletions, or additions.

Financial/pricing information must be presented in a separate folder from the Technical/Functional Response information. The onus is on the Bidder to ensure that all mandatory and required documents are included in the electronic submission.

Submissions must be prominently marked with the full details of the tender namely Bidder's Name, Tender No and Tender Title.

Tender submissions received after submission date and time will be declared late and will not be accepted for consideration by the NLC.

The NLC will not be responsible for any failure or delay in the submission or receipt of the bid including but not limited to:

- Traffic.
- Struggling to find parking.
- Courier arriving late.

Stage 2: Administrative Compliance

All bid respondents must submit the relevant documents that comply with administrative compliance, which will include the following:

Evaluation Criteria	Supporting Document
• Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time	Bid Proposal
• BBBEE affidavit	Valid copy of BBBEE affidavit
• Proof of registration with Central Supplier Database	CSD Report
• Whether the Bid contains a priced offer	Pricing schedule
• Whether Bidders have failed to register on the CSD. Only foreign suppliers with no local registered entity need not register on the CSD	Proof of Central Supplier Database (CSD)

Stage 3: Mandatory Compliance

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the **mandatory/compulsory** requirements will be disqualified and will not be considered for further evaluation. The Mandatory Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Document
1. In the event of the bidder being in a joint venture (JV), a signed JV agreement must be submitted (where applicable)	JV Agreement

2. Bidders must submit a fully complete declaration of interest form (failure to declare honestly will lead to bidder being disqualified)	SBD 4
3. Proof of accreditation with Southern African Vehicle Rental and Leasing Association	Copy of valid certificate

STAGE 4: TECHNICAL EVALUATION

3.1 The evaluation for the Technical and Functional threshold will be based on a Rating Scale of 0 – 5. Applicants are requested ensure that the proposal clearly designates who the proposed project/contract manager will be for scoring purposes below.

Category & Criteria Description	Weightings (%)	Scoring Matrix(0 to 5)
1. Company Experience	40%	
1.1. Reference Letters Provide five (5) written reference letters for previously performed from contactable existing / recent clients within the past five (5) years. Reference should be presented in a form of a written letter on an official letterhead from clients where services (Full Fleet Management services.) have been provided, the date on the letters must not be older than five (5) years and must be signed and be dated. Letters must include the company name, contact name, address, phone number, duration of contract, value of the contract, a brief description of the services that you provided. Letters from the same client will be regarded as one (1) letter. Appointment letters and purchase orders will not be considered, and no	20%	• Irrelevant or No reference letters = 0 • 1 x reference letter for services = 1 Point • 2 x reference letters for services = 2 Points • 3 x reference letters for services = 3 Points • 4x reference letters for services = 4 Points • 5x reference letters for services = 5 Points

points will be allocated. The commission reserves the right to validate the information provided with individual client organizations.		
1.2. Company Project Experience The bidder must show the number of completed projects in the last 10 years of similar field. Evidence: Reference letter including name of project, Value, Nature Duration Reference and contact number. Use Annexure A to complete.	20%	• No project Completed = 0 Points • 1 - 2 Projects Completed = 1 Point • 2 - 3 Projects Completed = 2 Points • 3 - 4 Projects Completed = 3 Points • 4 - 5 Projects Completed = 4 Points • 5 or more Projects Completed = 5 Points
2. Capacity and ability of Key Personnel.	20%	
2.1 Experience of Project/Contract Manager. The Bidder must be able to demonstrate the experience of no less than 3 years' experience for the key Project/Contract Manager. The bidder is required to demonstrate their bidder's suitability with respect to its capacity/ ability to execute and deliver on the project, based on same/similar (previous) work having been undertaken within the scope and scale of this work. The bidder profile must also provide a staff organogram, as well as CVS of core staff, their experience and achievements. The commission reserves the right to validate the information provided with individual client organizations.		• Less than 3 years' experience = 0 • Relevant experience between 3 – 5 years = 1 • Relevant experience between 5 - 7 years = 2 • Relevant experience between 7- 9 years = 3 • Relevant experience between 9 – 11 years = 4 • Relevant experience above 11 years = 5
3. Project Plan and Methodology	40%	
The project plan and methodology must clearly articulate how the following five elements will be implemented.		• Implementation of all five elements clearly articulated = 5 points

i. Detailed acquisition and deployment plan. ii. Maintenance and repair program. ii. Fleet Monitoring and reporting system. v. Risk management and compliance plan. v. Client communication and support plan. NB: Restating the elements without unpacking how they will be implemented will result in Zero score being assigned.		• Implementation of four elements clearly articulated = 4 points • Implementation of three elements clearly articulated = 3 points • Implementation of four elements clearly articulated = 2 points • Implementation of four elements clearly articulated = 1 Point • Restating the elements without unpacking, no elements at all or no project plan and methodology = 0 point
Total Points	100	

Stage 4: Pricing and Special goal

Pricing Schedule: Please refer to Annexure B

Note that only bidders who obtain the minimum qualifying score of **75** will be evaluated further on 80/20 and specific goals. The bidders will be awarded highest scoring bidders on price and specific goal.

The evaluation for Pricing and Special goals will include the following:

1. Procurement from entities who æBlack Owned	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence
Tenderer who have 100% black Ownership	8	8	CSD report /B-BBEE Certificate / B-BBEE SwornAffidavit
Tenderer who have 51% to 99% black ownership	4		
Tenderer who have less than 51% black ownership	0		
2. Procurement from entities who are Black women Owned		4	CSD report /B-BBEE Certificate / B-BBEE SwornAffidavit
Tenderer who have 100% women Ownership	4		
Tenderer who have 30% to 99% women ownership	2		
Tenderer who have less than 30% women ownership	0		
3. Black Youth Ownership		4	CSD report /B-BBEE Certificate / B-BBEE SwornAffidavit
Tenderer who have 100% black youth ownership	4		
Tenderer who have 30% to 99% black youth ownership	2		
Tenderer who have less than 30% black youth ownership	0	4	Letter from the Doctor confirming disability or CSDreport
4.Procurement from Disabilities			
Tenderer who have 20% or more owners with disability	4		
Tenderer who have less than 20% but more than 10% owners withdisability	2		
Tenderer who have less than 10%owners with disability	0		
Total points for specific goals		20	

Stage 5: Due Diligence

NLC reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period. This may include site visits and requests for additional information.

Stage 6: Contract and Award

The stage is for negotiation after receipt of formal tenders and before the conclusion of contracts with suppliers/contractors submitting the lowest acceptable tender with a view to obtaining an improvement in price, delivery or content, in circumstances which do not put other tenderers at a disadvantage or affect adversely their confidence or trust in the competitive system. Bidders may be requested to provide their best and final offers based on contract negotiation.



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

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 (SBD 1)

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	NLC/2024-011	CLOSING DATE:	30 September 2024	CLOSING TIME:	11:00
DESCRIPTION	THE APPOINTMENT OF A SERVICE PROVIDER TO LEASE FLEET VEHICLE WITH FULL MAINTENANCE FOR THE NATIONAL LOTTERIES COMMISSION FOR A PERIOD OF FIVE YEARS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
NATIONAL LOTTERIES COMMISSION OFFICE					
The bid document must be submitted at the below address via 1 hard copy and USB for the attention of Penelope Soyingwa (The envelope must be clearly marked with company name and contact details)					
333 GROSVENOR STREET,					
BLOCK D HATFIELD GARDENS,					
HATFIELD,					
PRETORIA					
0083					
Bidders must complete bid submission register on submission					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Penelope Soyingwa		CONTACT PERSON	Penelope Soyingwa	
TELEPHONE NUMBER	(012) 432 1414		TELEPHONE NUMBER	(012) 432 1414	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	penelope@nlcsa.org.za		E-MAIL ADDRESS	penelope@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:	☐	CENTRAL SUPPLIER DATABASE No:	☐	☐
<i>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?</i>	Yes No		<i>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?</i>	Yes No	
	[IF YES ENCLOSE PROOF]			[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.

RT 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, 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:

.....

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

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/shaving the deciding vote or power to influence or to direct the course and decisions of the enterprise.

Do you, or any person connected with the bidder, have a relationship with any person

who is employed by the procuring institution? **YES/NO**

2.1.2 If so, furnish particulars:

.....

.....

2.2 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**

2.2.1 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.

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.

- 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.

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

SBD 6.1

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 000000 (all applicable taxes included); and

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** preferencepoint system.

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

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

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

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

The maximum points for this tender are allocated as follows:

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

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

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in

regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

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

Where

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

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOMEGENERATINGPROCUREMENT

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 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 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 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 80/20 preference point system

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

1. Procurement from entities who are Black Owned	Sub - points	Maximum points for specific goals	To be completed by supplier
Tenderer who have 100% black Ownership	8	8	
Tenderer who have 51% to 99% black ownership	4		
Tenderer who have less than 51% black ownership	0		
2. Procurement from entities who are Black women Owned		4	
Tenderer who have 100% women Ownership	4		
Tenderer who have 30% to 99% women ownership	2		
Tenderer who have less than 30% women ownership	0		
3. Black Youth Ownership		4	
Tenderer who have 100% black youth ownership	4		
Tenderer who have 30% to 99% black youth ownership	2		
Tenderer who have less than 30% black youth ownership	0		
4. Procurement from Disabilities		4	
Tenderer who have 20% or more owners with disability	4		
Tenderer who have less than 20% but more than 10% owners with disability	2		
Tenderer who have less than 10% owners with disability	0		

Total points for specific goals		20	
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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 / ConsortiumOne-
- ☐ 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 specificgoals 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 GeneralConditions as indicated inparagraph1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed asshown 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 –

4.7 disqualify the person from the tendering process;

- (a) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (b) 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;
- (c) 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*
- (d) *alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

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Signature

.....

Date

-

.....

Position

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Name of bidder