NATIONAL LOTTERIES COMMISSION

REQUEST FOR QUOTE: THE APPOINTMENT OF A SERVICE PROVIDER TO ASSESS AND EVALUATE THE PERFORMANCE & PORTFOLIO OF EVIDENCE FOR THE EXECUTIVE TEAM OF THE NATIONAL LOTTERIES COMMISSION (NLC)

BID PROCESS	BID REQUIREMENTS
Tender number	**RFQ2025-007-017**
Bid Advertisement Date	**24 July 2025**
Closing date and time	**29 July 2025 @11:00**
Tender validity period	**120 days *from the closing date***
Submission Instruction:	The bid document must be submitted or delivered via memory stick (**USB) USB With password will not be considered** to: National Lotteries Commission Block D Hatfield Gardens 333 Grosvenor Street Hatfield

SECTION 1: INTRODUCTION, BACKGROUND AND SCOPE OF REQUIREMENTS

1. INTRODUCTION AND BACKGROUND

1.1. The National Lotteries Commission (NLC) is a public entity established by the Lotteries Act No. 57 of 1997, as amended, to regulate the South African lotteries industry. The functions of the NLC 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. To enhance objectivity and ensure alignment with performance management best practices, the NLC requires the services of a suitably qualified and experienced service provider to assess and evaluate the Portfolio of Evidence (PoE) submitted by Executive Management for the current performance cycle.

2. PURPOSE

2.1. The NLC requires the services of a suitably qualified and experienced service provider to assess and evaluate the Portfolio of Evidence (PoE) submitted by Fifteen (15) Executive Management for the current performance cycle.

3. SCOPE OF REQUIREMENT

The appointed service provider will be expected to deliver the following:

1. Review and assess the Portfolio of Evidence submitted by each member of the NLC Executive Team.

2. Evaluate the evidence against pre-defined performance indicators and key performance areas (KPAs) as stipulated in the NLC's performance management policy and contracts.

3. Validate the authenticity and completeness of the evidence provided.

4. Provide a detailed evaluation report highlighting:
   - Performance gaps or areas needing improvement.

- Alignment of submitted evidence with individual performance targets.
- Recommendations for improving evidence collection and reporting.

4. SPECIFICATION

4.1. The scope of work for the service provider will include the following:

DELIVERABLE	TIMEFRAME
Inception Report detailing the methodology and approach.	Within 2 days of appointment
Comprehensive Final Report summarizing the performance, findings and recommendations.	Within 5 days of appointment

5. REPORTING REQUIREMENTS

5.1. The service provider will report to the Commissioner.

6. DURATION OF THE PROJECT

6.1. The expected duration of the project is 1(one) week after the receipt of the appointment letter and the purchase order.

SECTION 2: NOTICE TO BIDDERS

7. Terms and Conditions of Request for Quotation (RFQ)

7.1. This document may contain confidential information that is the property of the Commission.

7.2. No part of the contents may be used, copied, disclosed, or conveyed in whole or in partto any party in any manner whatsoever other than for preparing a proposal in responseto this RFQ without prior written permission from the Commission.

7.3. All copyright and intellectual property herein vests with the Commission.

7.4. Late and incomplete submissions will not be accepted.

7.5. No services must be rendered, or goods delivered, before an official CommissionPurchase Order form has been received.

7.6. This RFQ will be evaluated in terms of the 80/20 preference point system prescribed by the Preferential Procurement Policy Framework Act of 2000 and PPR of 2022.

7.7. Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.

7.8. Suppliers must provide their CSD registration number (and attach a CSD Summaryreport) and ensure that their tax matters are compliant.

7.9. All questions regarding this RFQ must be forwarded to maureen@nlcsa.org.za, withinthree (3) days of the closing date.

7.10. Any supplier who has reasons to believe that the RFQ specification is based on aspecific brand must inform the Commission via email.

8. General rules and instructions

8.1. News and press releases

8.1.1. Bidders or their agents shall not make any news releases concerning

this RFQ or theawarding of the same or any resulting agreement(s) without the consent of, and then only in coordination with, the Commission.

8.2. Precedence of documents

8.2.1. This RFQ consists of several 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 RFQ and the stipulations in any other document attached hereto, or the RF submitted hereto, the relevant stipulations in this RFQ shall take precedence.

8.2.2. Where this RFPQ is silent on any matter, the relevant stipulations addressing such matter, which appear in the PPPFA, shall take precedence. Bidders shall refrain from incorporating any additional stipulations in their proposal submitted in terms hereof other than in the form of a marked recommendation that the Commission 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 Commission.

8.2.3. It is acknowledged that not all stipulations in the PPPFA are equally applicable to all matters addressed in this RFQ. It, however, remains the exclusive domain and electionof the Commission 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 their enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

8.3. Preferential procurement reform

8.3.1. The commission supports B-BBEE as an essential ingredient of its business. In accordance with government policy, the commission 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.

8.4. National Industrial Participation Programme.

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

8.5. Language

8.5.1. Bids shall be submitted in English.

8.6. Gender

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

8.7. Headings

8.7.1. Headings are incorporated into this RFQ document and submitted in response thereto, for ease of reference only and shall not form part thereof for any purpose of interpretationor for any other purpose.

8.8. Occupational Injuries and Diseases Act 13 of 1993

8.8.1. The Bidder warrants that all its employees (including the employees of any subcontractor 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 RFQ and/ or subsequent agreement. Thecommission reserves the right to request the Bidder to submit documentary proof of theBidder's registration and "good standing" with the Compensation Fund, or similar proof acceptable to the commission.

8.9. Processing of the Bidder's Personal Information

8.9.1. All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFQ is collected andprocessed to assess the content of its tender proposal and awardthe bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation, including the PPPFA and NLC SCM Policy. 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 the National Treasury's Database of Restricted Suppliers.

8.9.2. All Personal Information collected will be processed in accordance with POPIA and withthe Commission's Data Privacy Policy.

8.9.3. 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's PAIA manual.

8.9.4. 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.

9. National Treasury's Central Supplier Database

9.1. Bidders are required to self-register on the 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.

9.2. The Commission may not award business to a bidder who has failed to register on the CSD.

9.3. Only foreign suppliers with no local registered entity need not register on the CSD.

9.4. The CSD can be accessed at https://secure.csd.gov.za/

10. Confidentiality

10.1. Bids submitted for this Request for Proposals will not be revealed to any other biddersand will be treated as contractually binding.

10.2. The Commission reserves all the rights afforded to it by POPIA in the processing of any ofits information as contained in Bid Proposals.

10.3. The Bidder acknowledges that it will obtain and have access to personal

information ofThe Commission and agrees that it shall only process the information disclosed by theCommission in terms of this bid award and only for the purposes as detailed in this RFQ and in accordance with any applicable law.

10.4. The Bidder shall notify the Commission in writing of any unauthorized 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.

11. Communication

11.1. Specific queries relating to this RFQ should be submitted penelope@nlcsa.org.za, **2 days** before the closing date.

11.2. In the interest of fairness and transparency, the Commission's response to such aquery may be made available to other bidders.

11.3. It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the Commission in respect of this RFQ between the closing dateand the date of the award of the business.

11.4. Bidders found to be in collusion with one another will be automatically disqualifiedand restricted from doing business with organs of state for a specified period.

12. Supplier Performance

12.1. 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 the contract for thosecontracts less than a year.

12.2. Ad-hoc performance reviews shall be conducted where non-performance is identifiedoutside the review period.

12.3. 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 managementactions.

12.4. 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

13. The Commission will evaluate all proposals in terms of the Preferential Procurement Regulation of 2022 and the Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). The followingphase evaluation criteria will be considered in evaluating the proposals, being:

Stage 1: RFQ Closing Date and Submission Instructions, and Format

13.1. **RFQ Closing Details**

The deadline for RFQ submission is **29 July 2025 @ 11:00** Standard South African Time.Any late RFQ will not be accepted.

Stage 2: Administrative Compliance

13.2. All bid respondents must submit the required documents that comply with all this request for quotation.The Administrative Compliance Evaluation will include the following:

EVALUATION CRITERIA	SUPPORTING DOCUMENT

• Signed standard bidding documents (SBD Forms). It is requiredthat the bidder must provide correct information and declarationin the SBD Forms duly signed by the authorized person	Fully Completed Standard BiddingDocuments SBD 1 and SBD 6.1
• Original signed consent form in terms of the Protection of Personal Information Act 4 of 2013 (POPIA)	POPIA Consent Form
• BBBEE Certificate/ Sworn Affidavit in terms of Codes of GoodPractice	BEE Certificate/SwornAffidavit
• Registered with the Central Supplier Database (CSD). RecentCentral Supplier Database (CSD)	Full CSD Report with SARS Tax Compliance Status
• CIPC Registrations Documents	CIPC CK Documents

Stage 3: Mandatory Requirements

13.3. Bidders are required to fully comply with the mandatory requirements as specified, and failure to meet the requirements below will result in disqualification.

TECHNICAL EVALUATION/REQUIREMENT	SUPPORTING DOCUMENT
Fully Completed Standard Bidding Document: SBD 4	Fully Completed SBD 4
Bidders are required to fully comply with the specification in paragraph 4 above. Failure to comply fully with the specification will lead to disqualification.	Fully completed pricing schedule for all requirements as per the specification.

Stage 4: Evaluation on Functionality.

13.4. Bidders are required to obtain a minimum of 70 points out of 100 points to progress to the next phase of evaluation. Bidders who have obtained less than 70 points as prescribed by above will be deemed as non-responsive.

CATEGORY & CRITERIA DESCRIPTION		POINTS	
COMPANY EXPERIENCE	**Bidder (s) are required to demonstrate relevant experience and competency of the company for all successfully completed projects with proven experience in: (a) executive performance management and evaluation; (b) Demonstrable track record in portfolio of evidence assessment; (c) Knowledge of public sector performance frameworks and applicable regulations and (d) Strong analytical and reporting capabilities.**	**15**	
CONTACTABLE REFERENCE LETTERS	Bidder must submit full details of reliable contactable duly signed reference letters where projects of evaluation of executive performance were successfully concluded.		
	The bidder must provide a maximum of (5) five reference letters from contactable existing/ recent clients (within the past 5 years) of projects successfully completed. The reference letter must be in the letterhead of the client's name, contact name, address, phone number, and duration of the contract, a brief description of the services that provided, the reference letter must be duly signed by the client.		
	Reference letter from one company is deemed as one reference		
	No appointment letters from clients will be accepted as reference letters.		
	Reference Letters	**Weight**	**Score**
	Five relevant reference letters	**5**	**15**
	Four relevant reference letters	**4**	

CATEGORY & CRITERIA DESCRIPTION		POINTS	
	Three relevant reference letters	**3**	
	Two relevant reference letters	**2**	
	One relevant reference letter	**1**	
	No relevant reference letters provider or no letters attached	**0**	
EXPERIENCE OF THE PROPOSED TEAM LEADER FOR THE EVALUATION	**The CVs and profiles should demonstrate the experience in executive performance assessment and evaluation**		
	Demonstrated expertise and experience in overseeing, implementing, and managing comprehensive projects involving executive performance assessment and evaluation.		
	5 years and more experience as the team leader evaluator	**5**	**30**
	4 years' and less than 5 years' experience as the team leader evaluator	**4**	
	3 years' and less than 4 years' experience as the team leader evaluator	**3**	
	2 years' and less than 3 years' experience as the team leader evaluator	**2**	
	1 year and less than 2 years' experience as the team leader evaluator	**1**	
	Less than 1 year experience or no experience available	**0**	
METHODOLOGY AND APPROACH	**The bidder must demonstrate knowledge of the key requirements and expectations mentioned in this document.**		

CATEGORY & CRITERIA DESCRIPTION		POINTS
	Methodology to include the following activities:	
	1. Review and assess the Portfolio of Evidence submitted by each member of the NLC Executive Team.	
	2. Evaluate the evidence against pre-defined performance indicators and key performance areas (KPAs) as stipulated in the NLC's performance management policy and contracts.	
	3. Validate the authenticity and completeness of the evidence provided.	
	4. Provide a detailed evaluation report highlighting: o *Performance gaps or areas needing improvement.* o *Alignment of submitted evidence with individual performance targets.* o *Recommendations for improving evidence collection and reporting.*	

Methodology Approach	**Weight**	**Score**
Methodology Approach with 4 activities covered in detail	**5**	**25**
Methodology Approach with 3 activities covered in detail	**4**	
Methodology Approach with 2 activities covered in detail	**3**	
Methodology Approach with 1 activity covered in detail	**2**	
Methodology Approach with 0 and or no activity covered in detail	**1**	

CATEGORY & CRITERIA DESCRIPTION		POINTS	
APPROACH AND IMPLEMENTATION PLAN			
	The bidder must provide an implementation plan which details how the service will be carried out. The plan must have deliverables and time frames as per the scope of work and the outlined deliverables.		
	Implementation Plan	**Weight**	**Score**
	Exceeds the requirement. Exceptional demonstration by the service provider of the service understanding	**5**	**15**
	Satisfies the requirement. Above average demonstration by the service provider of the relevant service required	**4**	
	Satisfies the requirement. Demonstration by the service provider of the understanding of services, with supporting evidence	**3**	
	Satisfies the requirement with minor reservations. Some minor reservations of the service provider's understanding of services	**2**	
	Satisfies the requirements with major reservations. Considerable reservations of the service provider's understanding of services, with little or no supporting evidence	**1**	
	Does not meet the requirement. Does not comply and/or provided insufficient information relating to the requirements outlined	**0**	
TOTAL WEIGHTING:		**100**	

Stage 5: Evaluation on Price and Specific Goals as Per PPR2022. The 80/20

Principle based on Price and special goals for the NLC.

13.5. The following formula to be used to calculate the points out of 80 for price inclusive of all applicable taxes.A maximum of 80 points is allocated for price on the following basis:

Price The following formula will be used to calculate the points out of 80 for price in respect of a bid with a Rand value equal to or above R30 000 and up to a Rand value of R50 million, inclusive of all applicable taxes: $Ps = 80\left(1 - \frac{Pt - Pmin}{Pmin}\right)$ Where: Ps = Score for the Bid under consideration Pt = Price of Bid under consideration Pmin = Price of lowest acceptable Bid	80
TOTAL SCORE:	80

A maximum of 20 points will be awarded to a bidder for the specific goals specified for the RFQ.

Specific Goals	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence	Number of points claimed (80/20 system) (To be completed by the tenderer)
1. Procurement from entities who are black Owned			Copies of ID's/ CIPC Report CSD Recent Report	
Tenderer who have 100% black Ownership	8	**8**		

Specific Goals	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence	Number of points claimed (80/20 system) (To be completed by the tenderer)
Tenderer who have 51% to 99% black ownership	4			
Tenderer who have less than 51% black ownership	0			
2. Procurement from entities who are women Owned			B-BBEE Certificate / B-BBEE Sworn Affidavit	
Tenderer who have 100% women ownership	4	**4**		
Tenderer who have 30% to 99% women ownership	2			
Tenderer who have less than 30% women ownership	0			
3. Black Youth Ownership			B-BBEE Certificate / B-BBEE Sworn Affidavit	
Tenderer who have 100% black youth ownership	4	**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			Letter from the Doctor confirming disability and CSD report	
Tenderer who have 20% or more owners with disability	4	**4**		
Tenderer who have less than 20% but more than 10% owners with disability	2			

Specific Goals	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence	Number of points claimed (80/20 system) (To be completed by the tenderer)
Tenderer who have less than 10% owners with disability	0			
Total points for specific goals		**20**		

Stage 6: Due Diligence

13.6. The Commission reserves the right to undertake a due diligence exercise on the preferred bidder/s as part of a material risk evaluation aimed at determining to its satisfaction the validity ofthe information provided by the Bidder.

Stage 7: Contract and Award

13.7. 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 maybe requested to provide their best and final offers based on contract negotiations.

INVITATION TO BID (SBD 1)

PART A

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS							
BID NUMBER:	**RFQ 2025-007-017**	ISSUE DATE:	**29 July 2025**	CLOSING DATE:	**01 August 2025**	CLOSING TIME:	**11H00**
DESCRIPTION	THE APPOINTMENT OF A SERVICE PROVIDER TO ASSESS AND EVALUATE THE PERFORMANCE & PORTFOLIO OF EVIDENCE FOR THE EXECUTIVE TEAM OF THE NATIONAL LOTTERIES COMMISSION (NLC)						

BID RESPONSE MUST BE SUBMITTED TO

stick (**USB) USB With password will not be considered** to:

National Lotteries Commission
Block D Hatfield Gardens
333 Grosvenor Street
Hatfield

BIDDING PROCEDURE ENQUIRIES MAY BEDIRECTED TO		**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**	
CONTACTPERSON	**Supply Chain Management**	CONTACT PERSON	**Penelope Soyingwa**
TELEPHONENUMBER	**012 432 1300**	TELEPHONE NUMBER	**012 432 1470**
FACSIMILENUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS	quotation@nlcsa.org.za	E-MAIL ADDRESS	penelope@nlcsa.org.za

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE			NUMBER	
CELL PHONENUMBER					
FACSIMILENUMBER	CODE			NUMBER	
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCESYSTEM PIN:		**OR**	CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA

B-BBEE STATUSLEVEL VERIFICATION CERTIFICATE	[TICK APPLICABLE BOX] YES ☐ NO ☐	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLEBOX] YES ☐ 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]			
1. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED?	Yes ☐ No [IF YES ENCLOSE PROOF]	2. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes ☐ No ☐ [IF YES, ANSWER 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 FORA TAX COMPLIANCE STATUS SYSTEM PINCODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 BELOW.		

PART B
TERMS AND CONDITIONS FOR BIDDING

TAX COMPLIANCE REQUIREMENTS	
I.	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
ii.	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 ANDTAX STATUS.
iii.	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THESARS WEBSITE WWW.SARS.GOV.ZA.
v.	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
iv. VI.	IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIERDATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

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

SIGNATURE OF BIDDER: ……

CAPACITY UNDER WHICH THIS BID IS SIGNED: ……

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

DATE:_____

SECTION 5: BIDDER'S DISCLOSURE (SBD 4)

1 PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2 Bidder's Declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest1 in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	**Identity Number**	**Name of State institution**

2.1.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

YES/NO

2.1.3 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 isfound 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 deliveryparticulars 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, disclosedby the bidder, directly or indirectly, to any competitor, prior to the date and there have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institutionin relation to this procurement process prior to and during the bidding processexcept to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specificationsor terms of reference for this bid.

3.5 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bidsthat 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 maybe restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of CorruptActivities 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 MANAGEMENTSYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

....

Signature Date

....

Position Name of bidder

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

SBD 6.1

SECTION 6: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIALPROCUREMENT 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

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1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included)

1.2 To be completed by the organ of state

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

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

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 points is allocated for price on the following basis:

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where

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

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that the 80/20 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 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 the 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.*(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such. Note to tenderers: The tenderer must indicate how they claim points for each preference point system.*

5. DECLARATION WITH REGARD TO COMPANY/FIRM

1. Procurement from entities who are Black Owned	**Sub - points for specific goals**	**Maximum points for specific goals**	**Number of points claimed (80/20 system) (To be completed by the tenderer)**
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 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. Youth Ownership		**4**	
Tenderer who have 100% youth ownership	4		
Tenderer who have 30% to 99% youth ownership	2		
Tenderer who have less than 30% youth ownership	0		
4.Procurement from Disabilities			
Tenderer who have 20% or more owners with disability	4	**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**	

5.1. Name of company/firm……

5.2. Company registration number: ……..

5.3 TYPE OF COMPANY/ FIRM

ϒ Partnership/Joint Venture / Consortium

- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE

BOX]

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

i) The information furnished is true and correct.

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;

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;

iv) may, in addition to any other remedy it may have –

(a) disqualify the person from the tendering process.

(b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

(c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.

(d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audialteram partem* (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution, if deemed necessary.

……..……

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: ……

DATE: ……

ADDRESS: ……

……

……

SCM:

CONSENT REQUEST FORM

REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR PROCESSING OF PERSONALINFORMATION 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: _____

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 limitedto—

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