

NATIONAL LOTTERIES COMMISSION

APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT SHE REPRESENTATIVE FUNCTIONS AND COMBINED FIRST AID LEVEL 1 & 2 TRAINING COURSES FOR THE NATIONAL LOTTERIES COMMISSION.

BID PROCESS	BID REQUIREMENTS
Tender number	RFQ/2025-009-010
Bid Advertisement Date	15 September 2025
Closing date and time	22 September 2025 @ 11:00
Tender validity period	120 days from the closing date
Submission Instruction:	<p>The bid document must be submitted or delivered via memory stick (USB)</p> <p>National Lotteries Commission Block D Hatfield Gardens 333 Grosvenor Street Hatfield</p>

SECTION 1: BACKGROUND, OVERVIEW AND RFP SCOPE OF REQUIREMENTS

1. INTRODUCTION

The National Lotteries Commission (NLC) is a public entity established by the Lotteries Act No. 57 of 1997 as amended, to regulate the National Lottery and other lotteries and to administer the National Lottery Distribution Trust Fund ("NLDTF"). In December 2014, the Lotteries Amendment Act 32 of 2013 was promulgated, and the Regulations thereof were published on 14 April 2015.

In line with the requirements of the Public Finance Management Act No. 1 of 1999 ("PFMA") and Treasury Regulations, the NLC seeks to engage the services of duly qualified service providers to the NLC seeks to engage the services of duly qualified service providers to submit a proposal to develop a total reward strategy for the National Lotteries Commission.

2. BACKGROUND

The National Lotteries Commission (NLC) seeks to appoint a qualified and experienced service provider to conduct SHE Representative Functions and Combined First Aid Level 1 & 2 Training Courses for the National Lotteries Commission.

The objective is to equip designated personnel within the National Lotteries Commission (NLC) with the essential knowledge, skills, and competencies required to effectively fulfill their roles as SHE (Safety, Health, and Environmental) Representatives and First Aiders, in compliance with the Occupational Health and Safety Act (Act 85 of 1993) and other relevant regulations.

3. OBJECTIVES

The National Lotteries Commission (NLC) invites suitably qualified and experienced service providers to submit proposals to conduct SHE Representative Functions and Combined First Aid Level 1 & 2 Training Courses.

This training aims to:

- Meet the legal requirements stipulated in South Africa's OHS legislation for the appointment and training of SHE Representatives and First Aiders in the workplace.
- Empower employees to identify, report, and mitigate health and safety risks.
- Enable a swift and competent first aid response in case of medical emergencies or workplace injuries.

- Foster a proactive safety culture within the NLC by building awareness and accountability.
- Encourage continuous safety improvement and employee involvement in SHE matters.
- Provide practical and theoretical training to enhance the confidence and capability of NLC staff in performing their designated SHE and First Aid responsibilities effectively.
- Contribute to the reduction of workplace injuries, illnesses, and incidents through effective health and safety practices and trained emergency response personnel.

4. MANDATE

The NLC Human Capital (HC) department requires potential bidders to assist with conducting SHE Representative Functions and Combined First Aid Level 1 & 2 Training Courses

4.1 SCOPE FOR CONDUCTING SHE REPRESENTATIVE FUNCTIONS AND COMBINED FIRST AID LEVEL 1 & 2 TRAINING COURSES.

4.1.1 The appointed service provider will be required to:

- Conduct accredited SHE Representative training in line with Department of Labour and OHSA requirements.
- Conduct Combined First Aid Level 1 & 2 training in accordance with Department of Labour/Health and Safety regulatory body standards.
- Provide all necessary training material, certificates, assessment tools, and equipment.
- Deliver the training across NLC offices (Head Office and Regional Offices), as determined by the NLC.
- Issue certificates of competence to all successful participants.
- Submit a training completion report including attendance registers, assessment results, and evaluation forms.

4.1.2 The selection of the service provider should be based on the following criteria:
SHE Representative Functions Training Course

- Course Duration: 2 days
- SAQA ID 259622
- Professional Body: SaioSh
- CPD Points: 5
- NQF Level: 3
- Cost-effectiveness

Combined First Aid Level 2 Training Course

- Course Duration: 3 days
- SAQA ID: SP-230802 (QCTO Skills Programme ID)
- Professional Body: SaioSh
- CPD Points: 5
- NQF Level: 3
- Cost-effectiveness

4.1.3 The scope of this assignment includes:

#	Training course	Number of delegates to be trained	Training delivery method	Location
1	SHE Representative Training Course.	9	Online (webinar / virtual classroom).	Virtual.
2	Combined First Aid Level 1 & 2 Training Course.	26	Face – to – face.	Hatfield (NLC head office).

5. REPORTING REQUIREMENTS

The service provider shall work closely with the Occupational Health and Safety (OHS) office.

6. DURATION

The expected duration of service is four (4) weeks to deliver both SHE Representative Functions and Combined First Aid Level 1 & 2 Training Courses, which will be effective on the date of appointment and receipt of purchase order or the date of signing of a service level agreement (SLA) where applicable, at the discretion and direction of the NLC, and subject to monthly progress..

SECTION 2: NOTICE TO BIDDERS

1. Terms and Conditions of Request for Quotations (RFQ)

- 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 Order

form has been received.

- 1.6 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.
- 1.7 Suppliers must provide their CSD registration number (and attach a CSD Summary report) and ensure that their tax matters are compliant.

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 without the consent of, and then only in coordination 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 the PPPFA 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
- 2.2.3 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.
- 2.2.4 It is acknowledged that all stipulations in the PPPFA are not equally applicable to all matters addressed in this RFP. It, however, 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 NLC 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

- 2.4 The NLC 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.
- 2.5 Bidders must be registered with the central supplier database (CSD) and submit CSD report reflecting tax complaints.

2.6 National Industrial Participation Programme

2.7 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).

2.8 Language

2.8.1 Bids shall be submitted in English.

2.9 Gender

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

2.10 Headings

2.10.1 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.

2.11 Occupational Injuries and Diseases Act 13 of 1993

2.11.1 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 NLC 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 NLC.

2.12 Processing of the Bidder's Personal Information

2.12.1 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 assessment and award of the bid shall be conducted in accordance with applicable legislation including the PPPFA read with the Preferential Procurement Regulations, 2022. The Bidder is advised that Bidder Personal Information may be passed on to third parties to whom the NLC is compelled by law to provide such information. For example, where appropriate, the NLC is compelled to submit information to the National Treasury's Database of Restricted Suppliers.

2.12.2 All Personal Information collected will be processed in accordance with POPIA and with the NLC Data Privacy Policy.

2.12.3 The following persons will have access to the Personal Information collected:

2.12.3.1 The NLC personnel participating in procurement/award procedures;

2.12.3.2 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

the National Treasury's e-Tender portal:

2.12.3.2.1 contract description and bid number.

2.12.3.2.2 names of the successful bidder(s) and preference points claimed.

2.12.3.2.3 the contract price(s) (if possible).

2.12.3.2.4 contract period.

2.12.3.2.5 names of directors; and

2.12.3.2.6 date of completion/award.

2.12.4 The NLC 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 specified in the NLC PAIA manual.

2.12.5 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. Formal Briefing Session

There will be no compulsory briefing session.

4. Validity Period

4.1 The NLC requires a validity period of 120 Days against this RFP. Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions. A written letter will be sent to every bidder that responded to the bid. In terms of procedural fairness, the bidders will be given an opportunity to respond, in writing, to the terms and conditions of the bid and the bid price. Such acceptance of the terms and conditions of bid and bid price becomes legally binding in the procurement process. Any bidder, that did not respond to the extension of the bid validity period, in writing, **WILL NOT** be considered further for the bid upon expiry of the initial validity period.

4.2 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.

5. National Treasury's Central Supplier Database

5.1 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.

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

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

5.4 The CSD can be accessed at <https://secure.csd.gov.za/>

6. Confidentiality

- 6.1 Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding.
- 6.2 The NLC reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.
- 6.3 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.
- 6.4 The Bidder shall notify the NLC 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.

7. Communication

- 7.1 Specific queries relating to this RFP should be submitted maureen@nlcsa.org.za, before the closing date.
- 7.2 In the interest of fairness and transparency the NLC's response to such a query may be made available to other bidders.
- 7.3 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.
- 7.4 Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of the state for a specified period.

8. Supplier Performance

- 8.1 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.
- 8.2 Ad-hoc performance reviews shall be conducted where non-performance is identified outside the review period.
- 8.3 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.
- 8.4 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

The NLC will evaluate all proposals in terms of the Preferential Procurement Regulation of 2023 and Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). The six (6) phase evaluation criteria will be considered in evaluating the proposals. The NLC will evaluate all quotations in terms of the Preferential Procurement Regulation 2022 (PPR2022) using the price quotation and the special goal stated on this specification

Stage 1: Tender Closing and Opening

1.1 Tender closing details

The deadline for Tender submission is **22 September 2025 @11:00am** Standard South African Time. **No Late bids will be accepted.**

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

Stage 2: Administrative Compliance

The Administrative Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Documents
Returnable documents (standard bidding documents) and/or schedules were completed, duly signed by the authorized person	Forms: SBD 1& SBD 6.1
Valid Certified Copy of BEE Certificate/Affidavit	BEE Certificate/ Affidavit
Bidder's tax compliance confirmation	Valid SARS Tax Pin
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).	Signed POPIA Consent Form.
Latest CSD registration report with a tax compliant tax status.	Full CSD registration report with compliant tax status

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 requirements **will be disqualified** and will not be considered for further evaluation.

Evaluation Criteria	Supporting Document
Fully completed and signed Standard Bidding Document.	SBD 4
Joint Venture agreements must be submitted in a case of a bidder being in a joint venture.	Signed Joint Venture agreements
SHE Representative Functions Training Course	Accreditation / verification certificates: SAQA ID 259622 Professional Body: SaioSh.
Combined First Aid Level 2 Training Course	Accreditation / verification certificates: SAQA ID: SP-230802 (QCTO Skills Programme ID) Professional Body: SaioSh.

Stage 4: The 80/20 Principle based on Price and Special goal as stated below.

The evaluation for Pricing and BBBEE will include the following:

Evaluation Criteria	Final Weighted Scores
<p>Price</p> <p>The following formula will be used to calculate the points out of 80 for price in respect of a tender with a Rand value equal to or above R30 000 and up to a Rand value of R50 million, inclusive of all applicable taxes:</p> $P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$ <p>Where:</p>	80

P_s = Score for the Bid under consideration P_t = Price of Bid under consideration P_{min} = Price of lowest acceptable Bid	
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Points will be awarded to a bidder as follows.

Specific Goals	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence
1. Procurement from entities who are black Owned			Copies of ID's/ CIPC Report CSD Recent Report
Tenderer who has 100% black Ownership	8	8	
Tenderer who has 51% to 99% black ownership	4		
Tenderer who has less than 51% black ownership	0		
2. Procurement from entities who are women Owned			B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who has 100% women ownership	4	4	
Tenderer who has 30% to 99% women ownership	2		
Tenderer who has less than 30% women ownership	0		
3. Youth Ownership			B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who has 100% youth ownership	4	4	
Tenderer who has 30% to 99% youth ownership	2		
Tenderer who has less than 30% youth ownership	0		
4.Procurement from Disabilities			Letter from the Doctor
Tenderer who has 20% or more owners with disability	4	4	

Specific Goals	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence
Tenderer who has less than 20% but more than 10% owners with disability	2		confirming disability and CSD report
Tenderer who has less than 10% owners with disability	0		
Total points for specific goals		20	

Stage 5: Due Diligence, Contract and Award

The NLC 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 of the information provided by the Bidder. Such exercise shall be fully documented and may include, but need not be limited to, all or any combination of the following:

Stage 6: Contract and Award

The contract and award 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 negotiations.

Annexure A – Pricing Schedule – SHE REP AND COMBINED FIRST AID L2 TRAINING

NAME OF BIDDING COMPANY: _____

ACTIVITIES	QUANTITY	UNIT/RATE	TOTAL COST
Inception Plan/Initial Engagement Plan	1	R	R
SHE Representative Training Course.	9	R	R
Combined First Aid Level 1 & 2 Training Course.	26	R	R
Other relevant overhead project cost (Travelling, Tools and Equipment, Administration Cost etc.)	1	R	R
Final Report and Certificate Presentation	1	R	R
TOTAL COSTS EXCLUDING VAT			R
15% VAT			R
TOTAL COST INCLUDING VAT			R

Signature of Bidder: _____ **Date:** _____

INVITATION TO BID (SBD 1)

PART A

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS							
BID NUMBER:	RFQ/2025-009-010	ISSUE DATE:	15 September 2025	CLOSING DATE:	22 September 2025	CLOSING TIME:	11H00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT SHE REPRESENTATIVE FUNCTIONS AND COMBINED FIRST AID LEVEL 1 & 2 TRAINING COURSES FOR THE NATIONAL LOTTERIES COMMISSION						
BID RESPONSE MUST BE SUBMITTED TO THE BELOW ADDRESS							
333 Grosvenor Street; Block D, Hatfield Gardens, Hatfield, Pretoria, 0083							
BIDDING PROCEDURE ENQUIRIES MAY BEDIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACTPERSON	Maureen Senyatsi			CONTACT PERSON	SCM		
TELEPHONENUMBER	012 432 1470			TELEPHONE NUMBER	012 432 1300		
FACSIMILENUMBER				FACSIMILE NUMBER			
E-MAIL ADDRESS	maureen@nlcsa.org.za			E-MAIL ADDRESS	quotation@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 COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA		
B-BBEE STATUSLEVEL VERIFICATION CERTIFICATE	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] Yes <input type="checkbox"/> No <input type="checkbox"/>		
[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 <input type="checkbox"/> No <input type="checkbox"/> [IF YES ENCLOSE PROOF]	2. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes <input type="checkbox"/> No <input type="checkbox"/> [IF YES, ANSWER QUESTIONNAIRE BELOW]
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION	YES <input type="checkbox"/>	NO <input type="checkbox"/>
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 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 AND TAX STATUS.
- iii. APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- iv. BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- v. IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- vi. WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

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: _____

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 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

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.

- 3.5 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, 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

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.

SECTION 6: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

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

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

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.)

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			
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. 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		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	

5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1. Name of company/firm.....

5.2. Company registration number:

5.3 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

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 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: _____

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