



REQUEST FOR QUOTATION

APPOINTMENT OF A QUALIFIED, EXPERIENCED AND ACCREDITED SERVICE PROVIDER TO CONDUCT MODERATION ON UNIT STANDARD 115759: CONDUCT MODERATION OF OUTCOME-BASED ASSESSMENT FOR LECTURERS (30 DELEGATES).

QUOTATION NO: WTC (MOD/HR) 60/2024

Prospective suppliers who are interested in participating in afore-mentioned quotation are invited to submit their quotes in full compliance to the requirement of this quotation document. The completed document with all attachments must, be signed, and submitted in a clearly labelled sealed envelope and deposited in the tender box at the following address.

**RECEPTION DESK
WESTERN TVET COLLEGE
42 JOHNSTONE STREET
HECTORTON
RANDFONTEIN
(33°55'36.27" S 18°51'22.28" E)**

Ref:(SCM)

Enquiries: email: kjobeta@westcol.co.za

| | |
|---------------------------------------|---|
| Quotation Number | WTC (MOD/HR) 60/2024 |
| Date issued | 17 September 2024 |
| Closing date | 25 September 2024 |
| Time | 11h00 |
| Quotation can be downloaded at | www.westcol.co.za |

| | | |
|------------------------|--------------------|--------|
| Company Name | | |
| Address | | |
| Contact person | Mr/Mrs/Ms/Dr/Prof. | |
| Contact numbers | (w) | (cell) |
| Email address | | |

1. Bidding Conditions

- All suppliers of goods and services are encouraged to register in the National Treasury's web-based Central Suppliers Database from July 1, 2016, at www.csd.gov.za.
- According to National Treasury Instruction No.4 A of the 2016/2017 National Treasury Supplier Database, states must guarantee that suppliers awarded business with the State are registered on the CSD before issuing an award letter/purchase order/signed contract.
- Each Supplier submitting a Quotation agrees to do so on the terms and conditions set out in this RFQ.
- A person fully authorized to commit to the terms must sign the Quotation and conditions set out in this quotation. Westcol is entitled to assume that there is full authority in the signatory of the person.
- If an error has been made on the pricing schedule, it shall be crossed out in ink and accompanied by initials at each and every change.
- Completed and Signed Schedule of Pricing as issued in the document failure to do so will lead to disqualification.
- No electronic initials and signature and will be accepted in the bidding document
- Tippex is not allowed on quotation documents.
- Each page to be initialed as indicated in the document failure to do so will lead to disqualification.
- E-mailed quotations will not be accepted.
- Quotations must be completed in black ink and handwritten. Quotation must not be retyped
- The validity period for this quotation is sixty (60) days.
- Westcol reserves the right, exercisable at its sole discretion, to review, evaluate and dispose of any quotation as it sees fit. Nothing stated in this request (whether express or implied) binds or obligates Westcol, or any other member of Westcol to accept the lowest of any price contained in RFQ document or to accept any quotation. Suppliers or their representatives can expect to discuss the details of their quotation during the evaluation process. Westcol reserves the right to negotiate specific terms with the preferred suppliers prior to the award of a final contract (if any).
- Quotation documents may be downloaded from www.westcol.gov.za

2. Pricing and invoices

- All quotation prices must be inclusive of 15% VAT for all registered VAT vendors.
- Thirty (30) days after receipt of the invoice should be allowed for payments to be made by the Finance Department.

3. Mandatory documents. If not provided the bidder will immediately be disqualified.

- Tax Compliance Status
- BBB-EE Certificate or Sworn affidavit (**Not copy of a certified copy**)
- Central Supplier database report not older than three (3) months
- Certified ID copy of director/s not older than three (3) months (**Not copy of a certified copy**)
- **The bidding entity** must submit a municipal account or valid signed lease agreement which is in the name of the business and;
- **The director(s)** of the bidding entity must submit a municipal account or valid signed lease agreement which is in the name of the director(s)
- If the bidding entity operates from parents' place / director's place or any other place and is not responsible for Municipal account / Services.
- ❖ The bidder must submit the property owner's Municipal account and Sworn Affidavit of the property owner with the original stamp from the Commissioner of Oaths. **Not copy of a certified copy**

NB: Proof of residence for municipal / ward council will not be accepted

Fully completed and signed standard bidding documents (Compulsory)

- SDB 1: Invitation to bid
- SDB 4: Bidder’s Disclosure
- SDB 6.1: Preference Points claim form in terms of the Preferential Procurement Regulations 2022

| Contact Person | |
|-----------------------|--|
| Name & Surname | Thato Mokoto |
| Telephone number | 011 692 4004 Ext 1057 |
| E-mail address | thatom@westcol.co.za |

1. TERMS OF REFERENCE (TOR) / SPECIFICATIONS

FOR THE APPOINTMENT OF A QUALIFIED, EXPERIENCED AND ACCREDITED SERVICE PROVIDER TO CONDUCT MODERATION ON UNIT STANDARD 115759: CONDUCT MODERATION OF OUTCOME-BASED ASSESSMENT FOR LECTURERS (30 DELEGATES).

Requirements

1. **Name of Programme:** Conduct Moderation of Outcome-based assessment
Target Audience: Lecturers (30 Delegates)

Minimum Requirements:

- Unit Standard: 115759
- NQF Level 6
- Minimum of 10 Credits
- In-house training (Westcol Venue)
- Learning material to be provided
- Training duration: Minimum of three (3) days
- Anticipated training dates: (To be confirmed)
- Statements of Results from relevant SETA

Training Content:

Modules:

- Demonstrate understanding of moderation within the context of an outcomes-based assessment system.
- Explained Moderation in terms of its contribution to quality assured assessment and recognition systems within the context of principles and regulations concerning the NQF.
- Describe moderation methods and compare in terms of strengths, weaknesses and applications.
- Described Key principles of assessment in terms of their importance and effect on the assessment and the application of the assessment results.

Plan and prepare for moderation.

- Planning and preparing activities aligned with moderation system requirements.
- The scope of the moderation is confirmed with relevant parties.
- Clarify the contexts of the assessments with the assessors or assessment agency, and special needs are taken into consideration in the moderation planning.
- Moderation methods and processes are sufficient to deal with all common forms of evidence for the assessments to be moderated, including evidence gathered for recognition of prior learning.
- The documentation is prepared in line with the moderation system requirements and in such a way as to ensure moderation decisions are clearly documented.

Conduct moderation.

- The moderation is conducted in accordance with the moderation plan.
- Moderation confirms that special needs of candidates have been provided for but without compromising the requirements specified in the relevant outcome statements.
- Appeals against assessment decisions are handled in accordance with organisational appeal procedures.
- The moderation decision is consistent with the quality assurance body's requirements for fairness, validity and reliability of assessments to be achieved.

Advise and support assessors.

- The nature and quality of advice facilitates a common understanding of the relevant outcomes and criteria, and issues related to their assessment by assessors.
- The nature and quality of advice promotes assessment in accordance with good assessment principles and enhances the development and maintenance of quality management systems in line with ETQA requirements.
- All communications are conducted in accordance with relevant confidentiality requirements.

Report, record and administer moderation.

- Report moderation findings to designated role-players within agreed time-frames and according to the quality assurance body's requirements for format and content.
- Maintain records in accordance with organisational quality assurance and ETQA requirements.

Review moderation systems and processes.

- Identify Strength and weaknesses of moderation in terms of their manageability and effectiveness in facilitating judgements on the quality and validity of assessment decisions.

The successful training service provider is expected to have the following verifiable / demonstrable experience and expertise:

- Accreditation with relevant Seta and learning programme approval certificate (Accreditation Certificate and Notification of Accreditation Approval letter)
- Thorough knowledge and expertise in the facilitation of application the identified compliance training interventions.

2. Points for specific goals

All quotations received will be evaluated on an 80/20-point scoring basis. The 80 points will be for Price, 20 points for specific goals to promote transformation and economic development in accordance with the table below:

Preferential Procurement Policy Framework Act

- 80 Points for Price
- 20 Points for specific goals

| The specific goals allocated points in terms of this quotation | Number of points allocated (80/20 system) |
|---|--|
| Price | 80 |
| Local Based: Gauteng Province | 10 |
| Youth owned enterprises | 05 |
| Race: Black | 05 |

3. Functionality Evaluation Criteria

- The below mentioned criteria regarding Functionality is required for responsiveness and therefore eligibility for the next stage of evaluation. This is done to determine the ability of each bidder to successfully execute the contract according to specifications.
- Non-compliant bidders will be rejected after this phase and not continue to price scoring.
- These criteria shall only determine whether a quotation will further be evaluated and will not influence the points scored on Price.
- If any total minimum score for any criteria is zero rated, the quotation will be rejected, even if the required 09 out of 15 points are achieved.

| No. | Criteria | Weight | Minimum Score |
|--------------|---|--------|---------------|
| 1. | Training institution / training provider to provide relevant proof of accreditation with Council for Higher Education or relevant Sector Education and Training Authority (Accreditation Certificate and Notification of Accreditation Approval letter) Accreditation Status with the Relevant SETA. | 5 | 5 |
| 2. | <p>The potential service provider's track record in relation to terms of reference Service provider track record must be relevant to the project scope.</p> <ul style="list-style-type: none"> • 2-3 clients = 4 points • 4-5 clients = 6 points • 6 clients and above = 10 points <p>Contactable Reference Letters (signed and dated) on client's letterhead confirming successful completion of projects to be attached. (Complete SBD 6.1, 5 fully)</p> | 10 | 4 |
| TOTAL | | 15 | 9 |

PART A

INVITATION TO BID

SBD 1

| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF WESTOL TVET COLLEGE | | | | | |
|---|--|---------------|----------------------------------|---------------|--------------|
| BID NUMBER: | WTC (MOD/HR) 60/2024 | CLOSING DATE: | 25 SEPTEMBER 2024 | CLOSING TIME: | 11:00 |
| DESCRIPTION | APPOINTMENT OF A QUALIFIED, EXPERIENCED AND ACCREDITED SERVICE PROVIDER TO CONDUCT MODERATION ON UNIT STANDARD 115759: CONDUCT MODERATION OF OUTCOME-BASED ASSESSMENT FOR LECTURERS (30 DELEGATES). | | | | |
| THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7). | | | | | |

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

| |
|----------------------------------|
| WESTERN TVET COLLEGE |
| 42 JOHNSTONE STREET, 1760 |
| HECTORTON, HOMELAKE |
| RANDFONTEIN |
| 1760 |

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 | | | | | |
| TAX COMPLIANCE STATUS | TCS PIN: | | OR | CSD No: | |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX] | Yes <input type="checkbox"/> No | | B-BBEE STATUS LEVEL SWORN AFFIDAVIT | <input type="checkbox"/> Yes <input type="checkbox"/> No | |

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

| | | | |
|--|--|---|--|
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF] | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3] |
| TOTAL NUMBER OF ITEMS OFFERED | | TOTAL BID PRICE | |
| SIGNATURE OF BIDDER | | DATE | |
| CAPACITY UNDER WHICH THIS BID IS SIGNED | | | |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO: | | TECHNICAL CLARIFICATION QUERIES MAY BE DIRECTED TO: | |
| DEPARTMENT/ DIVISION | Supply Chain Management Unit | CONTACT PERSON | Thato Mokoto |
| CONTACT PERSON | Kefilwe Jobeta | TELEPHONE NUMBER | 011 692 4004 / 1057 |
| TELEPHONE NUMBER | 011 692 4004 /1080 | FACSIMILE NUMBER | 011 692 3404 |
| FACSIMILE NUMBER | 011 692 3404 | E-MAIL ADDRESS | thatom@westcol.co.za |
| E-MAIL ADDRESS | kjobeta@westcol.co.za | | |

**PART B
TERMS AND CONDITIONS FOR BIDDING**

| |
|---|
| 1. BID SUBMISSION: |
| <p>1.1 BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>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.</p> <p>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.</p> |
| 2. TAX COMPLIANCE REQUIREMENTS |
| <p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>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.</p> <p>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."</p> |
| 3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS |
| <p>3.1 IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.2 DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.4 DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.5 DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.6 IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>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.</p> |

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:

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

| Full Name | Identity Number | Name of institution |
|-----------|-----------------|---------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

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**

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

2.3.1 If so, furnish particulars:

.....
.....
.....

3 DECLARATION

I, the undersigned, (name).....in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and 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.

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.

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

.....
Bidding entity

WESTERN TVET COLLEGE

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); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

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

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 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 request 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.
- “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).
- (f) **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration.
- (g) **“consortium or joint venture”** means an association of person for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.
- (h) **“contact”** means the agreement that results from the acceptance of a bid by an organ of state.
- (i) **“EME”** means an Exempted Micro Enterprise as defined by Codes of Good Practice issued in terms of section 9 (1) of the Broad Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (j) **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, the execution of the contract;
- (k) **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, considering, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder.
- (l) **“non-firm prices”** means all prices other than “firm” prices; (m) **“person”** includes a juristic person.
- (n) **“QSE”** means a Qualifying Small Enterprise as defined by Codes of Good Practice issued in terms of section 9 (1) of the Broad- Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003)
- (o) **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of the bid invitations, and includes all applicable taxes and excise duties.
- (p) **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to] support such primary contractor in the execution of part of a project in terms of the contract
- (q) **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9 (1) of the Broad-Based Economic Empowerment Act and promulgated in the Government Gazzetted on 9 February 2007.
- (r) **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person.

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES POINTS AWARDED FOR PRICE

THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

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 either the 80/20 or 90/10 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 or 90/10 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 both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated in the table below.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

| The specific goals allocated points in terms of this tender | Number of points allocated (90/10 system) (To be completed by the organ of state) | Number of points allocated (80/20 system) (To be completed by the organ of state) | Number of points claimed. (90/10 system) (To be completed by the tenderer) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|---|---|--|---|
| Price | X | 80 | X | |
| Local Based: Gauteng Province | X | 10 | X | |
| Youth owned enterprise | X | 05 | X | |
| Race: Black Owned | X | 05 | X | |

4. DECLARATION WITH REGARD TO COMPANY/FIRM

4.1 Name of company/firm.....

4.2 VAT registration number.....

4.3 Company registration number.....

4.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited
- [TICK APPLICABLE BOX]

DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....
.....

4.6 COMPANY CLASSIFICATION

- Manufacturer
 - Supplier
 - Professional service provider
 - Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

4.7 MUNICIPAL INFORMATION

Municipality where business is situated.....

Registered Account Number:

Stand Number.....

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

4.9 I/we, the undersigned, who is / are duly authorized to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information provided 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 paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.
- iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

disqualify the person from the bidding process.

- (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct.
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.
- (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

5. Previous experience

Provide the following information on relevant previous experience (indicate specifically projects of similar or larger size and/or which is similar with regard to type of work).

| Description | Value (R, Vat excluded) | Year(s) executed | Reference | | |
|-------------|-------------------------|------------------|-----------|--------------|--------|
| | | | Name | Organization | Tel no |
| | | | | | |
| | | | | | |
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| | | | | | |
| | | | | | |

6. Staffing Profile

Provide information on key staff you intend utilizing on this contract, should it be awarded to you.

| Name | Position in your organization | Qualifications | Experience |
|------|-------------------------------|----------------|------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

7. Infrastructure and resources available to execute this contract

7.1 Physical facilities

| Description | Address | Area (m ²) |
|-------------|---------|------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

7.2 Plant and equipment

| Description: Plant and equipment owned (or to be rented) | Number of units |
|--|-----------------|
| | |
| | |
| | |
| | |
| | |

7.3 List of shareholders by Name, Position, Identity number, Citizenship, HDI status and ownership as relevant.

| Name | Date/Position Occupied in Enterprise | ID Number (please attach certified copies of ID's) | Date RSA Citizenship obtained. | HDI | Women | Disabled | Youth (person not older than 35 years of age) | % of business/ enterprise owned |
|------|--------------------------------------|--|--------------------------------|-----|-------|----------|---|---------------------------------|
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

7.4 List of shareholders by Name, percentage (%) of business/enterprise owned, residential address.

| Full Name | Identity (ID) number (Please find attached certified copies of ID's) | % of business / enterprise owned | Residential Address |
|-----------|--|----------------------------------|---------------------|
| | | | |
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AUTHORITY FOR SIGNATORY

Please note that sole proprietors or "one person business" are not required to submit an official and duly signed authority of signatory.

Signatories for close corporations and companies shall confirm their authority by sign on behalf of the company/firm **by attaching to this page** a duly signed and dated copy of the relevant resolution of their members or their board of directors, as the case may be.

An example for a company is shown below:

Printed on company letterhead:

"By resolution of the board of directors passed on _____ 20 _____

Mr _____

has been duly authorized to sign all documents in connection with the bid for

Tender _____ No _____ and any Contract, which may arise there from on behalf of

SIGNED ON BEHALF OF THE COMPANY _____

IN HIS CAPACITY AS _____ CAPACITY AS _____

DATE: _____

SIGNATURE OF SIGNATORY: _____

AS WITNESSES: 1 _____

2 _____

9. I/we, the undersigned, who is / are duly authorized to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:
- (i) The information furnished is true and correct.
 - (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
 - (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.
 - (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process.
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct.
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.
 - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution

| |
|---|
| <p>SIGNATURE(S) OF TENDERER(S)</p> <p>SURNAME AND NAME:</p> <p>DATE:</p> <p>ADDRESS:</p> <p>.....</p> <p>.....</p> |
|---|