SBD 1

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR THE REQUIREMENTS OF THE (MARINE LIVING RESOURCE FUND)

BID NUMBER: RFQ0001322 CLOSING DATE: 27 NOVEMBER 2026

Description: REQUEST TO APPOINT A SERVICE PROVIDER (SP) TO PROVIDE THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE) / MARINE LIVING RESOURCES FUND (MLRF) WITH THE SUPPLY AND DELIVERY OF INSPECTORS' CONSUMABLES FOR SOUTH WEST COAST REGION, NORTH EAST COAST REGION, SOUTH EAST COAST REGION, WEST COAST AND KZN REGION.

The successful bidder will be required to fill in and sign a written Contract Form (SBD 7).

BID DOCUMENTS MAY BE EMAILED TO:

MLRFQUOTATIONS@dffe.gov.za.....

.....

OR

DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)*

.....

MLRFQUOTATIONS@dffe.gov.za.....

.....

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

The bid box is generally open 24 hours a day, 7 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

THIS BID WILL BE EVALUATED AND ADJUDICATED ACCORDING TO THE FOLLOWING CRITERIA:

1. Relevant specifications
2. Value for money
3. Capability to execute the contract
4. PPPFA & associated regulations

.....

NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (see definition on SBD 4 attached)

THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF BIDDER .....

POSTAL ADDRESS .....

STREET ADDRESS .....

TELEPHONE NUMBER CODE.....NUMBER.....

CELLPHONE NUMBER .....

FACSIMILE NUMBER CODE ..... .NUMBER.....

VAT REGISTRATION NUMBER .....

HAS AN ORIGINALTAX CLEARANCE CERTIFICATE BEEN ATTACHED (MBD 2)? YES/NO

ARE YOU THE ACCREDITED REPRESENTATIVE
IN SOUTH AFRICA FOR THE GOODS/SERVICES OFFERED BY YOU? YES/NO
(IF YES ENCLOSE PROOF)

SIGNATURE OF BIDDER .....

DATE .....

CAPACITY UNDER WHICH THIS BID IS SIGNED .....

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED .....

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

SUB DIRECTORATE OF CPEP: Supply Chain Management.....

Department: Forestry, Fisheries and the Environment .....

Contact Person: Nsovo Nyalungu (NNyalungu@dffe.gov.za) .....

Tel: 071 749 5715.....

Fax: .....

ANY REQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact Person: Nsovo Nyalungu (NNyalungu@dffe.gov.za) .....

Tel: 071 749 5715 .....

Fax: .....

SBD 3.1

PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: **ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....	Bid number RFQ0001322
Closing Time 11:00	Closing date 27 November 2026

OFFER TO BE VALID FOR 60 DAYS FROM THE CLOSING DATE OF BID.

REQUEST TO APPOINT A SERVICE PROVIDER (SP) TO PROVIDE THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE) / MARINE LIVING RESOURCES FUND (MLRF) WITH THE SUPPLY AND DELIVERY OF INSPECTORS' CONSUMABLES FOR SOUTH WEST COAST REGION, NORTH EAST COAST REGION, SOUTH EAST COAST REGION, WEST COAST AND KZN REGION.

ITEM	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY

TOTAL COST:.....

PLEASE ATTACH A WRITTEN QUOTATION ON YOUR COMPANY LETTERHEAD

- Required by: .....
- At: .....
  .....
- Brand and model .....
- Country of origin .....
- Does the offer comply with the specification(s)? *YES/NO

forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

MARINE LIVING RESOURCES FUND

REQUEST FOR PRICE QUOTATIONS

The Marine Living Resources Fund (MLRF), Schedule 3A entity, is an entity within the Department of Forestry, Fisheries and the Environment, hereby request your quotation on the goods/service/works listed hereunder.

RFQ Number	**COM-536-02-26/27** [RFQ0001322]
Description	TO APPOINT A SERVICE PROVIDER (SP) TO PROVIDE THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE) / MARINE LIVING RESOURCES FUND (MLRF) FOR SUPPLY AND DELIVER INSPECTORS CONSUMABLES FOR SOUTH WEST COAST REGION, NORTH EAST COAST REGION, SOUTH EAST COAST REGION, WEST COAST AND KZN REGION.
Detailed Specification/scope of work and functionality	**Attached as Annexure A**
Local Production & Content Requirements ***(To be completed by SCM)***	N/A
Construction Industry Development Board (CIDB) **Minimum Category and level** ***(To be completed by SCM)***	N/A
Briefing Session	N/A
RFQ Publication date	18/11/2026

Initials:

Responses MUST be submitted to	MLRFQUOTATIONS@dffe.gov.za
RFQ Closing Details	27/11/2026
Delivery Address	Foretrust building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001
Quotation Validity Period	60 Days from the Closing Date
Mandatory Requirement/Pre-Qualification Criteria	Not Applicable
Evaluation Criteria	See Annexure A.

NO HAND DELIVERED RFQ RESPONSES WILL BE ACCEPTED

PROSPECTIVE BIDDERS MUST BE REGISTERED ON NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE (CSD) PRIOR TO SUBMITTING BIDS AND THEIR TAX MATTERS MUST BE IN ORDER

Initials

TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

1. Terms and conditions of Request for Quotation (RFQ)

1.1 This document may contain confidential information that is the property of the Marine Livir Resources Fund [MLRF].

1.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in part t any party in any manner whatsoever other than for preparing a proposal in response to thi RFQ without prior written permission from MLRF.

1.3 All copyright and intellectual property herein vests with MLRF.

1.4 Late and incomplete submissions will not be considered. Submissions received after closing time and date will be classified as LATE and WILL NOT be considered.

1.5 No services must be rendered, or goods delivered, before an official MLRF Purchase Order form has been issued by a duly authorised official from the MLRF and received by the bidder. Please note that this is not an instruction to proceed with the supply of any goods or service unless the quotation is approved, and a Purchase Order is supplied to you.

1.6 Please note that if you receive the Purchase Order, delivery of goods or rendering of services must be done ***within 60 days*** of receiving the Purchase Order. Failing to deliver on agreed-upon times may result in your Purchase Order being cancelled.

1.7 This RFQ will be evaluated in terms of the 80/20 preference point system if it is equal to or below R50 million.

1.8 Bidders are required to register on the Central Supplier Database (CSD) at www.csd.gov.za if they are not registered on the CSD.

1.9 All quotations must be forwarded to **MLRFQUOTATIONS@dffe.gov.za** within the prescribed closing date and time.

1.10 All questions regarding this RFQ must be forwarded **MLRFQUOTATIONS@dffe.gov.za** within 24 hours after the RFQ has been issued.

1.11 Any bidder who has reasons to believe that the RFQ specification is based on a specific brand must inform MLRF within two (2) days before the RFQ closing date.

1.12 Where quotations/proposals submitted are equal to or below R50 million, bidders are required to submit the original and valid proof for preference points claimed or certified copies thereof, to substantiate their preference points claims. SBD 6.1 must also be duly completed, signed, and submitted alongside the bid to claim preference points. Failure to do so will result in preference points being forfeited.

Initials

1.13 As per section 4(1) of the Preferential Procurement Regulations of 2022, the maximum points may be awarded based on specific goals. The 20 points will be allocated as follow

SPECIFIC GOAL	POINTS TO BE ALLOCATED
51% black owned	8 points
50% women	4 points
Youth	4 points
Disability	4 points
TOTAL POINTS	**20 points**

1.14 Bidders are required to duly complete, sign and submit the new SBD 4 together with their quotations/proposals. Failure to do so may result in your quotation/proposal **not** being accepted.

1.15 All quotations/proposals submitted must be inclusive of Value Added Tax (VAT) if you are VAT registered and must be quoted in South African Rands (ZAR) and the price must be firm.

1.16 The full costs must be disclosed as there will be no variances that will be entertained, and no price adjustment will be entertained after the Purchase Order has been issued.

1.17 These terms and conditions supersede any terms and conditions that may be issued by the service provider/supplier on their quotations or any other document similar to that.

1.18 A full and updated CSD report must be submitted with the quotation and MLRF will only contract with suppliers/service providers whose tax matters are in order.

1.19 The winning bidder must be registered on the MLRF Oracle ERP system in order for a Purchase Order to be generated. The bidder is required to complete the Oracle Registration Form and submit all relevant supporting documents **within seven (7) days** of receiving the form from MLRF. Failure to complete the registration process within the stipulated timeframe may result in the bidder's proposal being deemed non-responsive

1.20 The MLRF pays within 30 (thirty) days after receipt of a valid tax invoice and after approval of the relevant invoice and reports and does not make upfront payments or deposits.

1.21 It is the responsibility of prospective bidders to ensure that all bid documents are submitted before the closing date and time of the RFQ.

1.22 All the conditions specified in the General Conditions of Contract (GCC) will apply, and where the conditions in the Special Conditions of Contract (SCC) contradict the conditions in the General Conditions of Contract, the Special Conditions of Contract will prevail.

1.23 The winning bidder will be required to complete and sign the following

1.23.1 Vetted agreement and/or

1.23.2 An official contract form SDB7.1 for the purchase of goods/works

1.23.3 An official contract form SDB7.2 for rendering of services

1.23.4 An official contract form SDB7.3 for the sale of goods/works

1.24 The MLRF reserves the right to enter into negotiations for price and other terms and conditions of contracting for this RFQ with the bidders.

1.25 The MLRF reserves the right not to award the RFQ.

1.26 The MLRF reserves the right to cancel the RFQ under the following circumstances:

1.26.1 If there are insufficient funds,

1.26.2 If there is no longer a requirement for the items or services to be procured,

1.26.3 If no acceptable tender has been received,

1.26.4 If irregularities have occurred in the procurement process.

2. PROTECTION OF PERSONAL INFORMATION

In responding to this RFQ, MLRF acknowledges that it may obtain and have access to personal data of the respondents. MLRF agrees that is shall only process the information disclosed by bidders in their response to this RFQ for the purpose of evaluating and subsequent award of business and in accordance with any applicable law. Furthermore, MLRF will not otherwise modify, amend, or alter any personal data submitted by Respondents or disclose or permit the disclosure of any personal data to any Third Party without the prior written consent from the Respondents. Similarly, MLRF requires Respondents to process any process any personal information disclosed by MLRF in the bidding process in the same manner.

MLRF RESERVES THE RIGHT NOT TO MAKE ANY APPOINTMENT AND SHALL NOT ENTERTAIN ANY CLAIM FOR COSTS THAT MAY HAVE BEEN INCURRED IN THE PREPARATION AND THE SUBMISSION OF THIS QUOTATION/PROPOSAL

Approvals of RFQ

End User	*Requester*	Linda Mabenga	*Rank*	SAC	*Cost Centre Manager*	Ogulcia Augustus	*Rank*	Act Dir
	Signature		*Date*	21.10.2024	*Signature*		*Date*	21.10.2024
	It is hereby certified that all the information supplied in this form is correct, that the requirement may be procured and that funds are available.							
SCM Only								
Official verifier (buyer)	Name		Signature		Date		03/11/2026	
Approver as per Delegations	Name		Signature		Date		20261102	

forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

THE MARINE LIVING RESOURCES FUND, A SCHEDULE 3A PUBLIC ENTITY ESTABLISHED IN TERMS OF THE PUBLIC FINANCE MANAGEMENT ACT, 1999 (ACT NO 1 of 1999) AND THE DEPARTMENT OF FORESTRY, FISHERIES AND ENVIRONMENT ("DFFE") (IN ITS COMMITMENT TO THE PRINCIPLES ENSHRINED IN THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996) ADHERES TO THE PROVISIONS OF THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 5 OF 2000 ("PPPF") AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

TERMS OF REFERENCE

TO APPOINT A SERVICE PROVIDER (SP) TO PROVIDE THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE) / MARINE LIVING RESOURCES FUND (MLRF) FOR SUPPLY AND DELIVER INSPECTORS CONSUMABLES FOR SOUTH WEST COAST REGION, NORTH EAST COAST REGION, SOUTH EAST COAST REGION, WEST COAST AND KZN.

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1. PURPOSE

The Department of Forestry, Fisheries and the Environment ("DFFE") / MLRF requires the services of a Service Provider (SP) to supply and deliver .

2. SPECIFICATIONS

No.	Items	Quantity	Description	Delivery addresses
COMPLIANCE				
1.	- Exhibit bags (heavy duty clear plastic bags)560x860 mm - Tags White (PVC Strong) 125x75mm with slot both side - Metal seal 4,8 mmx400mm strong misty lock number – DFFE - Cable ties – 5x250mm black	15 000 10 000 10 000 5 000	As per no 1	21 Stanley Street Central Port Elizabeth 6000 Contact person: Linda Mabenge 083 239 5518

3. EVALUATION METHOD

3.1. PHASE 1: Preferential Points (80/20 system)

3.1.1. An evaluation of Price and Specific Goals Preference points on the suppliers, that successful qualified to this stage of evaluation.

3.1.2. **Calculation of points for price** - The Preferential Procurement Policy Framework Act (PPPFA) prescribes that the lowest acceptable bid will score 80 points (for tenders under R50m) or 90 points (for tenders above R50m) for price. Suppliers that quoted higher prices will score lower points for price on a pro-rata basis. Where functionality is set as criteria, only bid proposals that meets functionality requirements will be considered for evaluation on price and specific goals preference points.

3.1.3. The 80/20 as an appropriate preference point system will be used in the evaluation and adjudication of this quote. However, it must be extended that the lowest acceptable quote will be used to determine the applicable preference point system as per regulation (Section 3(2)(b) of the Preferential Procurement Regulations (PPR) 2022, which states: "If it is unclear which preference point system will be applicable, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable proposal will be used to determine the applicable preference point system". Therefore, either 80 or 90 points, depending on the rand value of the proposal, will be

awarded to the suppliers who offers the lowest price, and proportionately fewer points are awarded to those with higher prices. Either 20 or 10 points are then available as preference points for Specific Goals, as applicable. The contract will be awarded to the suppliers that scores the highest total number of adjudication points per category.

Calculating of points for Specific Goals

3.1.4. Points will be awarded to a supplier for specific goals. Bidders are required to submit the original and valid proof for preference points claimed or certified copies thereof; to substantiate their preference points claims. SBD 6.1 must also be duly completed, signed, and submitted alongside the bid to claim preference points. Failure to do so will result in Specific Goals preference points being forfeited.

3.1.5. The 80/20 as an appropriate preference point system will be used in the evaluation and adjudication of this quotation. However, it must be extended that the lowest acceptable supplier will be used to determine the applicable preference point system as per regulation (Section 3(2)(b) of the Preferential Procurement Regulations (PPR) 2022, which states: "If it is unclear which preference point system will be applicable, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable supplier will be used to determine the applicable preference point system". Therefore, either 80 or 90 points, depending on the rand value of the quotation, will be awarded to the suppliers who offers the lowest price, and proportionately fewer points are awarded to those with higher prices. Either 20 or 10 points are then available as preference points for specific goals, as applicable. The contract will be awarded to the suppliers that scores the highest total number of adjudication points per category.

3.1.6. Points will be awarded to a supplier for specific goals in accordance with the table below:

B.	**PRICE**	**80**
C.	**Specific Goal**	**Number of points (20)**
	51% black ownership	8
	50% women ownership	4
	Youth ownership	4
	Disability	4
	Non–compliant contributor	0

3.1.7. The SCM unit of the DFFE / MLRF will allocate preferential points (Specific Goals) to each company for its contribution towards empowerment of the black designated groups as prescribed in the Preferential Procurement Regulations of 2022, women, people with disabilities, youth as well as local economic development.

3.1.8. A supplier will not be disqualified from the quotation process if the suppliers does not submit supporting documents substantiating the specific goals preference points claimed or is a non-compliant contributor. Such some suppliers will score 0 for Specific Goals.

3.1.9. Suppliers will be subject to SCM conditions of the Department – MLRF and the Preferential Procurement Regulations, 2022 issued in terms of section 5 of the Preferential Procurement Policy Framework Act (Act No 5 of 2000) (PPPFA).

3.1.10. The PPPFA prescribes that the lowest acceptable bid will score 80 or 90 points for price (as explained above, depending on whether the bid prices is more or less than R50million). Suppliers that quoted higher prices will score lower points for price on a pro-rata basis. Where functionality is set as a criterion, only bid proposals that meets functionality requirements will be considered to be evaluated on price and Specific Goals.

3.1.11. The contract will be awarded to the supplier scoring the highest points subject to section 2(1) (f) of the PPPFA, 2000.

4. SUBMISSION REQUIREMENTS

4.1 Suppliers should ensure that the following submission requirements, which will be needed for evaluation purposes are included in their bid proposal and are as follows:

4.1.1 The SP must draft a table of content which will indicate where each document is located in the proposal.

4.1.2 The proposal shall consist of two parts, namely the technical bid and the pricing bid (master and copies).

4.1.3 Add documents that are required to be submitted with the bids. These documents include those included in phase one (1) and two (2) of evaluation criteria.

4.1.4 Standard bidding documents (SBD1, 2, 3.1/3.3, 4, 6.1) completed and signed.

- A valid copy of the Tax Clearance Certificate/ Tax Compliance Status Pin issued by SARS to the supplier/copy of Central Supplier Database (CSD)/ MA supplier Number must be submitted together with the bid.
- In case of bids where Consortia / Joint Ventures / Sub-contractors are involved; such must be clearly indicated and each party must submit a separate copy of a valid Tax Clearance Certificate or copy of Tax Compliance Status Pin or CSD/ MAAA supplier Number together with the bid.

- Certified copies of identity documents of directors and shareholders of the company.
- Entity registration Certificate (CK1).
- Letter of Authority to sign documents on behalf of the company.

5. SPECIAL CONDITIONS OF CONTRACT

5.1 On appointment, the performance measures for the delivery of the agreed services will be closely monitored by Department / MLRF.

5.2 The Department / MLRF will not be held responsible for any costs incurred by the SPs in the preparation, presentation and submission of the proposal.

5.3 All the conditions specified in the General Conditions of Contract (GCC) will apply and where the conditions in the special conditions of contract contradicts the conditions in the general conditions of contract, the special conditions of contract will prevail.

6. PAYMENT TERMS

6.1 The DFFE / MLRF undertakes to pay out in full or as per deliverables within 30 (thirty) days all valid claims for work done to its satisfaction upon presentation of a substantiated claim and the required reports stipulated in special conditions. No payment will be made where there is outstanding information/work not submitted by the Service Provider/s until that outstanding information is submitted.

6.2 Payment by the DFFE / MLRF shall be made by means of an electronic transfer into the SP's bank account.

6.3 Payment requirements

- The successful Service Provider shall render services to the DFFE / MLRF in accordance with the Project Plan and Project Scope.
- The amounts are inclusive of VAT and all disbursements shall be paid in South African Rands.

7. ENQUIRIES

7.1 Should you require any further information in this regard, please do not hesitate to email:

Name	Email address

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

1.1 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, 1996 (Constitution), and further expressed in the various applicable legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

1.2 If a person is 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. DECLARATION ON EMPLOYMENT BY ORGAN OF STATE

2.1 Is the bidder, or any of the directors / trustees / shareholders / members / partners of the bidder employed by an organ of state, as defined in section 239 of the Constitution? **YES/NO**

2.2 If YES, furnish particulars of the names, individual identity numbers, in the table below:

Full Name	Identity Number	Name of organ of state

---

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.

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

2.3.1 If so, furnish particulars:

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

2.4 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**

2.4.1 If so, indicate all companies registered in the CSD in the table below:

Supplier registration number (MAAA)	**Status (active/inactive/deleted)**

Failure to disclose all CSD-registered active companies linked to all Directors will lead to disqualification.

3 GENERAL DECLARATION

I, ..., the undersigned, 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 to be false.

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor.

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.

3.5 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.

3.6 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.

3.7 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, 1998 (Act No. 89 of 1998) and or may be referred to law enforcement agencies for criminal investigation and or may be restricted from conducting business with the state for a period not exceeding 10 years in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) or any other applicable legislation.

I CERTIFY THAT THE ABOVE IS CORRECT.

I ACCEPT THAT THE PROCURING INSTITUTION MAY REJECT THE BID OR TAKE APPROPRIATE ACTION AGAINST ME IF THIS DECLARATION IS FALSE.

....

Signature Date

....

Designation Name of bidder

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

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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); and
- the 90/10 system for requirements with a Rand value above 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 90/10 preference point system.

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

c) Either the 90/10 or 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 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**

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. **FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT**

3.2.1. **POINTS AWARDED FOR PRICE**

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

80/20 **or** **90/10**

$$Ps = 80\left(1 + \frac{Pt - P\,max}{P\,max}\right) \text{ or } \quad Ps = 90\left(1 + \frac{Pt - P\,max}{Pmax}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 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 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.)

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)
51% black ownership	N/A	8	N/A	
50% women ownership	N/A	4	N/A	
Youth ownership	N/A	4	N/A	
Disability	N/A	4	N/A	
Non- compliant contributor	N/A	0	N/A	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

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

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the 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;

iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

(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 *audi alteram partem* (hear the other side) rule has been applied; and

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

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SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: .....

DATE: .....

ADDRESS: .....

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