



TERMS OF REFERENCE: REQUEST FOR QUOTATION FOR THE APPOINTMENT OF SERVICE PROVIDER FOR PROVISION HOSTED EXCHANGE SERVER AND THE RENEWAL OF MIMECAST ADVANCED SECURITY LICENSES, MAINTENANCE AND SUPPORT SERVICES FOR A PERIOD OF TWO (2) YEARS FOR GAUTENG TOURISM AUTHORITY (GTA)

REFERENCE NUMBER: GTA/RFQ/2023/27

Released: 15 June 2023

Submissions Close: 22 June 2023

BEFORE 17H00

Queries be directed to:

Ms. Magugu Mlangeni
Supply Chain Management
Bids@gauteng.net

Submissions must be e-mailed to:

Ms. Magugu Mlangeni
Supply Chain Management
Bids@gauteng.net

TERMS OF REFERENCE: CONFERENCE VENUE AND CATERING FOR MANAGEMENT BUSINESS REVIEW SESSION

1. INVITATION

- 1.1 Gauteng Tourism Authority (GTA) hereby invite a suitable service provider to submit formal Quotations for the Hosting of the Exchange Server and the Renewal of Mimecast Advanced Security Licenses, Maintenance, and Support Services, for **100 users for a period of 2 years**.

2. FORMAL PRICE QUOTATION

- 2.1 The formal all-inclusive quotation (Inclusive of VAT) should indicate the total costs that will be charged for the execution of the project.

2.2 Summary

100 Users

Large file send 3GB for 10 users

Level of support- Bronze

User mailbox size- 2GB

CFO and CEO mailbox sizes- 3GB

Number of user - 100 Users

MC_Mimecast_S1 - Enhanced security and full protection from targeted threats such as spear-phishing and whaling, plus basic data leak protection.

MC_Mimecast_A1 - Journal only archiving with no gateway services.

MC_LFS - Add On - Large File Send - A secure file sending service for select users. Allows specific individuals to send files up to 2GB in size with attachment controls, access keys and custom expiration of shared data.

Basic Support - Included with subscription, provides an online Support Portal, the Mimecast Customer Community, Knowledgebase and Administration Console access.

3. DELIVERABLES / SCOPE OF WORK

Deliverables – Hosted Exchange Server and the Renewal of Mimecast Advanced Security Licenses, Maintenance and Support Services.

NB: Maintenance and Support Services for a period of two (2) years.

3.1 Hosted Exchange server and Mimecast Advanced Security (S1) or equivalent

Hosted Exchange Server

Hosted Exchange to enable to apply Mimecast Signatures to internal users, at no extra cost.

Hosted Exchange running Exchange 2016.

Hosted Exchange must be Highly Available with minimal downtime.

Hosted Exchange must allow for the Administrator to manage the platform.

FUNCTIONS	GLANCE TO KEY CAPABILITIES
Item No	Description
Mimecast Targeted Threat Protection (TTP).	Inspection of inbound, outbound and internal emails to help detect and fight phishing, ransomware, impersonation attempts, malicious URLs and attachments. TTP includes URL Protect, Attachment Protect, Impersonation Protect and Internal Email Protect.
Email Archiving: Improved compliance, e-discovery and productivity	Seamless migration of live and archived email data to the cloud environment. Users empowerment via an Outlook add-in, Mac App and mobile apps for iPhone, iPad, Android, Windows phone and blackberry devices.
Mailbox Continuity	Constant monitoring of inbound and outbound email flow to alert server issues. Streamlines and reduces the risk of email disruption during migration to cloud email services like Office 365.
Content Control and Data Leak Prevention (DLP).	Protection against the loss of intellectual property, customer data and other sensitive information. Email content and secure communication policies can be created and applied to inbound, outbound and internal traffic in real-time.
Spam and Virus protection.	Stops infected email from reaching the network and impacting user productivity. Mimecast offers 100 percent anti-virus and 99 percent anti-spam service levels – removing threats in the cloud before they reach your network.
Always-on security	Anti-spam and anti-virus protection, data leak prevention, URL re-writing, impersonation protection, malware blocking, internal monitoring, and graymail control for email are all delivered as part of a single unified solution.
Large file send: Overcome message and attachment size limits to easily send large files securely	Protects productivity by enabling employees to send and receive large files directly from Outlook. Overcomes email system attachment size limitations for both the sender and recipient.
Advanced threat protection	<p>Mimecast’s massively scalable email security services are built on the proprietary MimeOS cloud platform. Email related threats such as malware, spam, spear-phishing attacks, and other attacks are stopped before they reach your email system. This reduces risk to your employees and improves the performance of your email system.</p> <p>Mimecast’s Targeted Threat Protection addresses the risk of spear-phishing and targeted attacks in email. Every URL in all inbound emails are re-written to point to Mimecast’s threat intelligence cloud, so users clicking on malicious or spear-phishing sites are prevented from accessing damaging content or malware delivery sites.</p> <p>Email attachments can be preemptively scanned in a secure sandbox as well as converted to threatless file formats, in order to protect</p>

	<p>against weaponized attachments, macro threats and malicious content.</p> <p>End users are equally protected from social engineering and email impersonation attacks, with a sophisticated set of security checks that protect against spoofing and fraudulent requests. End users can be alerted to suspicious emails to prevent data loss.</p>
End-user self-service	<p>Should the occasional good message be quarantined, end user self-service facilitated from within Outlook and mobile apps makes retrieving messages simple, thus minimizing help desk calls.</p> <p>Self-learning technology and personal block and permit lists ensure that similar messages are handled appropriately in the future.</p>

3.2 Support services will include but not limited to the following;

- Ensure that solution is hosted on behalf of Gauteng Tourism Authority in accordance with South African legislation and prescripts (e.g. POPI, MISS etc).
- Ensure that GTA users have uninterrupted access to Mimecast cyber Resilience (M2A) and where required provide support.
- Provide detailed enterprise architecture documentation.
- Ensure that the existing infrastructure is appropriately configured in accordance with Mimecast Cyber Resilience (M2A).
- Ensure that the solution is kept up to date with the releases and appropriately configured to suite the changing landscape.
- Skills transfer on Mimecast Cyber resilience (M2A) to the internal staff.
- The service provider will assist with the re-design and implementation as and when required.
- Assist in developing roadmap architecture in relation to expansion requirements or upgrades in so far as arising user requirements.
- Assist in re-implementation of Mimecast (M2A)
- Regular quality of service meetings with Gauteng tourism authority ICT team on the status of the contract and the service.

3.3 Key benefits of the solution.

- Defends against risk of spear-phishing and advanced threats in email.
- Blocks spam & viruses.
- Protects employees against social engineering and impersonation attacks.
- Neutralizes threats from malware attachments and poisoned URLs.
- Removes the graymail burden for end users.
- Enables automated email encryption and secure message delivery.
- Microsoft Outlook tab eases user experience.

- Helps to improve users' security awareness.
- Eliminates need to manage email security software and hardware.
- Detects and blocks attacks from both external and internal threat actors.
- Leveraging the cloud, immediate availability of the most current email security protections

3.4 With regards to the maintenance services, the service provider will be required to effectively and efficiently maintain the system for GTA to ensure that the users have access to the following:

- 24/7 x 365 access to emails irrespective of location or device.
- User account information and emails hosted in Mimecast Cyber Resilience (M2A) are protected and kept safe from authorised access.
- Implementation of the highest levels of security in relation to emails is adhered to.
- Regularly monitor and report and report on system performance including but not limited to the number of emails successfully syncing activities with Mimecast (M2A).
- Ensure that the required security activities are performed including contingency planning, system audits and continuation of end user support through training and documentation.
- Ensure continued provision of Mimecast Cyber Resilience (M2A) solution Targeted Threat Protection (TTP).
- Inspection of inbound, outbound and internal emails to help detect and fight phishing, ransomware, impersonation attempts, malicious URL's and attachments. TTP includes URL protect, attachment protect, impersonation protect, and internal email protect.
- Provide for archived power tools.
- Provide license management.

3.5 Ensure that the solution continues to retail the following advanced searching and reporting functionality:

- Email performance reporting, inbound and outbound emails, audit trails of emails by users, date and subject.
- Customisable reports.
- Searching capabilities.

3.6 The solution must have at least the following security features:

- The solution must provide spam and antivirus filtering.
- The solution must be able to encrypt all emails and prevent data leaks.
- The solution must integrate with Active Directory and import security policies.
- The solution must have different levels of administrator right.

3.7 Supplier Performance Reporting

- The service provider must supply Gauteng Tourism Authority with the monthly SLA performance reports.

3.8 Certification, expertise and qualification.

3.8.1 The supplier represents that;

- It has the necessary expertise, skill, qualification and ability to undertake the work required in terms of the statement of work or service definition and;
- It is committed to provide the products or services and
- Perform all the obligations detailed herein without any interruption to the customer.
- The supplier must perform the services in the most cost-effective manner consistent with the level of quality and performance as defined in statement of work or service definition.
- Partner status must be Elite.

3.10 Objectives

3.10.1 For email continuity and email archiving purposes. Gauteng Tourism Authority would like to provide service continuity concerning emails whereby it's users can access current versions of the emails from any device, any location at any time.

3.10.2 The solution must provide assurance that user emails are backed up and archived in accordance with best practices. Gauteng Tourism Authority needs a continuity solution that delivers always on, seamless availability of emails through automatic failover in real-time during an email outage.

3.11 Technical and Solution requirement overview

- Provide highest level of security including email encryption and spam filtering.
- Ensure automatic seamless availability of emails through automatic service failover and failback in real-time.
- Uninterrupted email services.
- Perform initial migration of the current mailboxes to Mimecast.
- Ensure that the system is managed from a single administration console. And with no additional on-premises hardware required.
- Ensure that Mimecast (M2A) integrates with both MS Exchange 2012/2016 and active directory 2012/2016
- Provide system performance reporting.
- Ensure that there is a scalable storage facility available offsite.
- Ensure that the functionalities such as full email and attachment scanning to control, or block sensing sensitive information are operational.
- Ensure that the Mimecast Cyber Resilience (M2A) plug-in for Outlook and apps is available for IOS, Android, Windows phone and Blackberry mobile device.

- Oversee and ensure Legacy Archive Data Management: Make legacy email, mailbox and PST data rapidly searchable in a single integrated cloud archive.

4. PROPOSAL SUBMISSION

4.1 Formal Quotation detailed (**inclusive of VAT**) should be accompanied by the following documents:

MANDATORY ADMINISTRATIVE COMPLIANCE DOCUMENTS (NB: FAILURE TO SUBMIT THE FOLLOWING DOCUMENTS WILL RESULT IN DISQUALIFICATION)

- SBD 4 - Declaration of Interest Form (**Bidder's Disclosure**)

NON - MANDATORY ADMINISTRATIVE COMPLIANCE DOCUMENTS (NB: FAILURE TO SUBMIT THE FOLLOWING DOCUMENTS WILL NOT RESULT IN DISQUALIFICATION)

- SBD 1 – Invitation to Bid
- SBD 6.1 - Preferential Procurement Regulations 2022
- SARS PIN
- BBBEE Certificate / Affidavit signed by the deponent and stamped by the Commissioner of oath.
- CSD Report
- Business Profile

5. INVOICES

- a. Payments will be made against the delivered goods / services.
- b. Invoices must indicate the task and/or output and should include a short description of goods delivered.
- c. The GTA pays for work completed to the satisfaction of the agency. No upfront payments are made for work not yet done.
- d. All invoices must be addressed to Tebogo@gauteng.net

6. CRITERIA FOR EVALUATION OF PROPOSALS

6.1 Criteria for evaluation are as follows:

- a) The service provider will be appointed in terms of the Preferential Procurement Regulations (2022).
- b) The proposal will be evaluated using the 80/20 preferential system wherein 80 represents price and 20 for specific goals.

SPECIFIC GOAL/S	EVIDENCE REQUIRED TO EARN POINTS	TOTAL POINTS ALLOCATION
SMME (QSE / EME)	Valid B-BBEE certificate / sworn affidavit / CSD Report	20
TOTAL POINTS =		20

- c) **FAILURE ON THE PART OF A TENDERER TO SUBMIT SBD 6.1 AND 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.**
- d) This RFQ is subject to the National Treasury General Conditions of Contract.

7. RULES OF BIDDING

7.1 The rules of bidding for this assignment are as follows:

- a) The GTA reserves the right to withdraw or amend these terms of reference by notice in writing to all parties who have received the terms of reference before the closing date.
- b) The GTA reserves the right to negotiate prices with the preferred / recommended bidder.
- c) The GTA reserves the right not to appoint any service provider if the received proposals do not match its requirements.
- d) Service providers may ask for clarification via email on these terms of reference or any of its annexures up to 48 hours before the deadline for the submission of the bids.
- e) Any request for clarification must be submitted by email at Bids@gauteng.net and answers will be emailed to all service providers that require any clarity.
- f) The GTA reserves the right **NOT** to make an appointment for this project.
- g) The cost of preparing and submitting bids by prospective suppliers will be at the cost of the prospective supplier.
- h) The validity of the received bids shall be ninety (90) days.

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	GTA/RFQ/2023/27	CLOSING DATE:	22 JUNE 2023	CLOSING TIME:	17H00 NOON
DESCRIPTION	REQUEST FOR QUOTATION - APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF HOSTED EXCHANGE SERVER AND RENEWAL OF MIMICAST ADVANCED SECURITY LICENSES, MAINTENANCE AND SUPPORT SERVICES FOR 100 USERS FOR A PERIOD OF TWO (2) YEARS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Submissions must be emailed to Bids@gauteng.net					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Magugu Mlangeni		CONTACT PERSON	Magugu Mlangeni	
TELEPHONE NUMBER	011 085 2523		TELEPHONE NUMBER	011 085 2523	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	Bids@gauteng.net		E-MAIL ADDRESS	Bids@gauteng.net	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

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

DATE:

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 State 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:

.....
.....

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 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**

2.3.1 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

.....
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

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

- a) 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 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:

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

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:

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

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—
- 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
 - 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 (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
SMME (QSE / EME)	20	
TOTAL POINTS =	20	

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.

..... SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:
DATE:
ADDRESS:

