



**TERMS OF REFERENCE FOR:**

**THE APPOINTMENT OF A STRATEGIC PLANNING CONSULTANT**

**REFERENCE NUMBER: GTA/RFQ/2023/24**

**Released: 14 June 2023**

**Submissions Close: 21 June 2023**

**BEFORE 12H00PM**

**Queries be directed to:**  
Supply Chain Management  
[Bids@gauteng.net](mailto:Bids@gauteng.net)

**Submissions must be e-mailed to:**  
Supply Chain Management  
[Bids@gauteng.net](mailto:Bids@gauteng.net)

## **1. INVITATION**

1.1 Appointment of a strategic planning consultant

### **1.2 The Aim of appointing strategic planning consultancy services**

1.2.1 Obtain advisory services for

1.2.1.1 Strategy formulation that will assist GTA in articulating a clear strategy that can be flowed to the business;

1.2.2.2 Strategic alignment that will ensure that GTA plans its initiatives and processes are aligned with strategic business objectives; and

1.2.2.3 Drafting of GTA Strategic Planning Documents, these include,

1.2.2.4 Strategic Plan 2025-2030, Annual Performance Plan 2024/25, Annual Operational Plan 2024/25

### **1.3 The Objective of strategic planning consultation**

1.3.1 To develop a roadmap that outlines the planning process and methodology that will be deployed; and

1.3.2 Align the above to regulatory and legislative frameworks and guidelines which will be utilized during the different stages of the planning process.

## **2. Rationale**

2.1 The Gauteng Tourism Act (No. 10 of 2001), Section 3 provides for the establishment of the Gauteng Tourism Authority (GTA). Section 4 of the same Act provides for powers and duties of the Authority. The Act aims to provide for the promotion and sustainable development of tourism in Gauteng. The Authority derived its legislative mandate from the Gauteng Tourism Act, as amended by Act No. 3 of 2006. The rationale for revising this Act is to reflect the specific marketing role of the GTA, which was a newly adopted mandate, to include other developments, such as the implications of the National Tourism Act, No. 3 of 2014.

2.2 GTA is an implementing agency of the Gauteng Department of Economic Development (GDED). GDED approves the mandate and provides clarity on the roles and responsibilities of GTA. The Authority operates within the parameters of certain regulations. The declaration of government policies is derived from the Constitution of the country. The Constitution of the Republic of South Africa (Act No. 108 of 1996) outlines the roles and responsibilities of national, provincial and local governments, providing the basis on which these are regulated in all spheres of activities. GTA was established in terms of the Gauteng Tourism Act, No. 18 of 1998. The Act aims to provide for the promotion and sustainable

development of tourism in Gauteng. Thus, the Authority derived its legislative mandate from the Act above.

- 2.3 Government legislative framework on strategic planning, monitoring and evaluation provides guidelines for government planning reporting and programme evaluation processes.

### 3. Problem Statement

- 3.1 GTA’s Tourism programmes are outward looking, where the Authority implements projects in support of the sector for Inclusive and Sustainable Tourism Growth. The objectives of GTA’s core programmes are to develop and promote, co-ordinate and facilitate responsible and sustainable tourism in Gauteng and other related functions.

- 3.2 The Authority implements projects in line with the government-wide priorities, i.e., reduction of unemployment, inclusive growth, establishment of effective partnerships across society, shapes South Africa’s foreign policies through diplomatic and economic implementation of effective tourism programmes at national, regional, and continental platforms, and becoming central to global economic competition for tourism market share.

- 3.3 Gauteng Tourism measures are aligned to government-wide models and even the world is taking into consideration South Africa’s affiliation to the UNDP on SDGs which are a central focus of the UNWTO.

- 3.4 Gauteng Tourism Authority is constituted by the following budget programmes, which in form the packaging of this Annual Performance Plan:

PROGRAMME	PROGRAMME PURPOSE
Programme 1	Strategic Support Provide strategic support for effective implementation of the Gauteng Tourism Authority’s mandate and increasing public value and trust through improved governance and accountability.
Programme 2	Destination Marketing To stimulate demand for destination Gauteng tourism and Business Events offerings and increased brand awareness in both domestic and international markets.

Programme 3	<p>Destination Management and Development</p> <p>To facilitate effective planning, development and management of sustainable, and thriving tourism sector in Gauteng.</p>
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3.5 In terms of the statutory compliance requirements for planning purposes outlined in the PFMA including its Treasury Regulations, and the DPME Revised Framework for Strategic Plans and Annual Performance Plans including its Guidelines, Gauteng Tourism Authority is required to prepare, document, and implement informed strategic and performance plans aligned to its mandate and guided by its founding legislation relating to its establishment. In accordance with these requirements, these plans must be supported by an appropriate budget proposal.

#### 4. DELIVERABLES/SPECIFICATION

4.1 The appointed services provider will be required to do the following:

The business requirement, spanning the period June 2023 to March 2024, is as follows:

BUSINESS REQUIREMENT	DELIVERABLE
Development of a <b>roadmap that outlines the planning process and methodology that will be deployed</b> to ensure the delivery of the drafting of the Five-Year Strategic Plan 2024-2029, the FY24/25 Annual Performance Plan and Annual Operational Plan FY24/25.	Roadmap that outlines the planning process and methodology that will be deployed
The planning roadmap, planning methodology, timelines and templates must be aligned to <b>regulatory and legislative frameworks and guidelines</b> which will be utilised during the different stages of the planning process.	Templates for the Strategic Plan, Annual Performance Plan and Divisional Operational Plan
Facilitate the review and planning of the Five-year Strategic Plan This will result in <b>the planning of the Five-Year Strategic Plan</b> .	Five-Year Strategic Plan
Facilitate the annual planning process to produce the <b>first draft and final FY24/25 Annual Performance Plan</b> which is due in October 2023 and February 2024.	Drafting FY24/25 Annual Performance Plan
Facilitate the annual operational planning process that results in <b>Divisional Operational Plans</b> in support of the FY24/25 APP. The output in this regard will be business unit level operational plans that support delivery of the FY24/25 APP but that follows a coordinated approach across the business units in the organisation to avoid planning in silos.	Divisional Operational Plans for each of the business units

BUSINESS REQUIREMENT	DELIVERABLE
Divisional operational planning sessions will thus be required.	
<p>The above requirements will include the <b>planning for and hosting of a number of planning sessions</b> at various levels of management including but not limited to the Board Lekgotla, Exco Lekgotla, and the Management Planning Session. At least one of each session will be required, however, there may be additional sessions required at each level. <b>Engagement</b> with the Board through the Board Chairperson and the organisation through the CEO will be key in delivering the above.</p> <p>This may require several engagements with the Board Chairperson, the CEO and if required, the Board Members and Members of the Gauteng Tourism Authority Senior Management team. The process will also include a number of presentations of the key planning documents to the Board, the Exco and the organisation. It will also include facilitation of a number of meetings / workshops / sessions to ensure delivery of the planning documents.</p>	<p>Preparation for each planning session including development of agenda, facilitation of each session and production of report for each session.</p> <p>Presentation of plans, in various stages, to the Board, Exco and the organisation at large.</p>

#### 4.2 Important Considerations in giving effect to the Business Requirements

4.2.1 Gauteng Tourism Authority has developed various strategies which will have to be operationalized and elevated as part of the organizational Annual Performance plan which forms basis of the Shareholder agreement between the Board and MEC. The service provide would have to consider the strategies in assisting the Gauteng Tourism Authority crafting KPIs to measure the implementation thereof. The approved strategies are as follows:

- Integrated Destination Marketing Strategy
- Gauteng Brand Strategy
- Tourism Institutional Framework (Stakeholder engagement)
- Gauteng Tourism Authority Financial Sustainability Strategy
- Visitor Services Strategy
- Gauteng Events (Bidding and Hosting) Strategy

4.2.2 The Gauteng Tourism Authority held various stakeholder engagement session with the Gauteng Tourism Value Chain to understand the requirements of the sector and the role of the entity in unlocking Gauteng Tourism Growth.

## 5. PROPOSAL SUBMISSION

5.1 Formal quotations (**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

**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 / Sworn Affidavit signed by the deponent and stamped by the Commissioner of oath
- CSD Report
- Business Profile
- Identity Document

6. **FUNCTIONALITY CRITERIA**

<b>FUNCTIONALITY CRITERIA</b>	<b>TOTAL POINTS</b>
<p>Important notes to the bidder:</p> <ul style="list-style-type: none"> <li>• The proposal will be evaluated in three (3) sections.</li> <li>• Each of the three sections has an individual score.</li> <li>• The three sections give a total of 100.</li> <li>• The three sections are as follows:               <ul style="list-style-type: none"> <li>○ Section 1: Bidders relevant experience to the assignment specifically demonstrating capacity pertaining to public service Strategic Planning process. Section 1 with the total of 10.</li> <li>○ Section 2: Knowledge and experience in the Tourism Industry, strategic planning, monitoring and evaluation, and business process management. Section 2 with a total score of 40</li> <li>○ Section 3: Methodology with a total score of 50</li> </ul> </li> </ul>	
<p><b>SECTION 1: BIDDERS RELEVANT EXPERIENCE TO THE ASSIGNMENT SPECIFICALLY DEMONSTRATING CAPACITY PERTAINING TO PUBLIC SERVICE STRATEGIC PLANNING PROCESS</b></p>	
<p>Important notes to the bidder:</p> <ul style="list-style-type: none"> <li>• Public sector experience must be aligned to similar work, which have been successfully concluded in the last six years.</li> <li>• A section in the proposal must outline the public sector experience, including the date and the scope of work that was conducted, as well as the entity/ client for which the work was undertaken. (Failure to outline this will result in no points being awarded).</li> <li>• The maximum points a bidder can score in this section is 10 points and the lowest score a bidder can score in this section is zero points.</li> </ul>	10
<p>Public sector experience</p> <ul style="list-style-type: none"> <li>○ 1- 3 years' experience is 3 points</li> <li>○ 4 – 5 years' experience is 5 points</li> <li>○ &gt; 6 years' experience is 10 points</li> </ul>	10

<b>SECTION 2: KEY PERSONNEL EXPERIENCE</b>		
<p>Important notes to the bidder:</p> <p>This section will be scored as follows:</p> <p>For the project team, the points in the section will be scored as follows:</p> <ul style="list-style-type: none"> <li>• A section in the proposal must outline the area of expertise of the project team within the field of Project Management, Knowledge and experience in the Tourism Industry, strategic planning, monitoring and evaluation, and business process management. This must be clearly outlined in the proposal.</li> <li>• Number of years in the fields identified above must be clearly indicated.</li> <li>• The maximum points a bidder can score in this section is 40 points</li> </ul>	40	40
<p>Project Management</p> <ul style="list-style-type: none"> <li>○ &gt;3&lt; 6 years' experience, is 5 points</li> <li>○ &gt; 7 &lt; 10 years' experience, is 6 points</li> <li>○ &gt; 10 years' experience, is 10 points</li> </ul>	10	
<p>Knowledge and experience in the Tourism Industry</p> <ul style="list-style-type: none"> <li>○ &gt;3&lt; 6 years' experience, is 5 points</li> <li>○ &gt; 7 &lt; 10 years' experience, is 10 points</li> <li>○ &gt; 10 years' experience, is 15 points</li> </ul>	15	
<p>Strategic planning, monitoring and evaluation, and business process management and relevant models or management tools.</p> <ul style="list-style-type: none"> <li>○ &gt;3&lt; 6 years' experience, is 5 points</li> <li>○ &gt; 7 &lt; 10 years' experience, is 10 points</li> <li>○ &gt; 10 years' experience, is 15 points</li> </ul>	15	
<b>SECTION 3 : METHODOLOGY</b>		
<p>Important notes to the bidder:</p> <ol style="list-style-type: none"> <li>1. This sub-section will focus on how the bidder will approach the scope of work, that is, who will do what by when? How will the proposed methodology achieve the scope of work and the expected deliverables and outputs?</li> <li>2. The bid submission must include a clear and detailed methodology that presents:</li> </ol>	50	50



<p>a. Well-defined chronological sequence of methodology techniques and their activities involved in executing the scope of work outlined in this TORs document.</p> <p>b. All these activities must have completion dates demonstrating the relationship between 2.1. above and 2.2. below.</p> <p>c. These activities must translate to the detailed required deliverables.</p> <p>3. This aspect of the methodology carries a total of 50 points. If a bidder meets all three requirements as set out in the bullet points above (2.1. – 2.3) a full score will be given. 2.1. worth 35 points, 2.2. worth 5 points, and 2.3 worth 10 points.</p> <p>4. The maximum points a bidder can score in this sub-section is 50 points</p>		
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## 6.2 Expected Scores

6.2.1 A bidder that fails to obtain **at least 75 points** will not be considered for further evaluation in stage 2 (Price and Specific Goals).

## 7. FORMAL PRICE QUOTATION

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

## 8. 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 [Alecia@gauteng.net](mailto:Alecia@gauteng.net)

## 9. CRITERIA FOR EVALUATION OF PROPOSALS

9.1 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
Historically Disadvantaged individuals: <ul style="list-style-type: none"> <li>• Women = 5 points</li> <li>• Youth = 5 points</li> </ul>	Identity document / Valid B-BBEE certificate / CSD Report	10
SMME (QSE / EME)	Valid B-BBEE certificate / sworn affidavit / CSD Report	10
<b>TOTAL POINTS =</b>		<b>20</b>

- 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.

## 10. RULES OF BIDDING

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

- 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.
- The GTA reserves the right to negotiate prices with the preferred / recommended bidder.
- The GTA reserves the right not to appoint any service provider if the received proposals do not match its requirements.
- 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.
- Any request for clarification must be submitted by email at [Bids@gauteng.net](mailto:Bids@gauteng.net) and answers will be emailed to all service providers that require any clarity.
- The GTA reserves the right **NOT** to make an appointment for this project.
- The cost of preparing and submitting bids by prospective suppliers will be at the cost of the prospective supplier.
- The validity of the received bids shall be ninety (90) days.

**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	GTA/RFQ/2023/24	CLOSING DATE:	21-JUNE-23	CLOSING TIME:	12H00PM
DESCRIPTION	STRATEGIC PLANNING CONSULTANT				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<a href="mailto:bids@gauteng.net">bids@gauteng.net</a>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	PHAKAMA		CONTACT PERSON	PHAKAMA	
TELEPHONE NUMBER	011 085 2138		TELEPHONE NUMBER	011 085 2138	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	bids@gauteng.net		E-MAIL ADDRESS	bids@gauteng.net	
<b>SUPPLIER INFORMATION</b>					
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:		<b>OR</b>	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]	
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
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		
<b>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.</b>					

**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](http://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 interest<sup>1</sup> 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

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<sup>1</sup> 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.

2.2 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:

.....  
.....

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 consortium<sup>2</sup> 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.

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<sup>2</sup> 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.

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.

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:

	<b>POINTS</b>
<b>PRICE</b>	<b>80</b>
<b>SPECIFIC GOALS</b>	<b>20</b>
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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—
- (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 (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Historically Disadvantaged individuals: <ul style="list-style-type: none"> <li>• Women = 5 points</li> <li>• Youth = 5 points</li> </ul>	10	
SMME (QSE / EME)	10	
<b>TOTAL POINTS =</b>	<b>20</b>	

**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.

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

