



TERMS OF REFERENCE FOR: REQUEST FOR QUOTATION FOR THE APPOINTMENT OF A SERVICE PROVIDER TO RENDER B-BBEE VERIFICATION SERVICES FOR GAUTENG TOURISM AUTHORITY (GTA) FOR THE 2025/26 FINANCIAL YEAR.

REFERENCE NUMBER: GTA/RFQ/2026/80

Released: 20 MARCH 2026

Submissions Close: 27 MARCH 2026

CLOSING TIME: 16H00 pm

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

1. INVITATION

- 1.1 This Request for Quotation from Gauteng Tourism Authority (GTA) hereby invite the service providers with suitable skills and experience to submit Formal Quotations to render B-BBEE Verification Services for GTA for the 2025/26 Financial Year.

2. BACKGROUND

- 2.1 In terms of the B-BBEE Act, organs of state must undergo B-BBEE verification and publish the outcomes of the process on the Annual Report.
- 2.2 It is the intention of GTA to appoint a verification agency, which must be accredited by South African National Accreditation System (SANAS), that will conduct its B-BBEE verifications and give them a B-BBEE rating. The B-BBEE rating of GTA will also be reflected in its annual report as prescribed in the B-BBEE Act and be submitted to the B-BBEE Commissioner for monitoring and evaluation, as prescribed in the B-BBEE Act (Section 13G).

3. OBJECTIVES OF A B-BBEE VERIFICATION

- 3.1 The main objective of a B-BBEE verification is to demonstrate that the public institution is complying with the B-BBEE Policy and has some performance rating which was done by an accredited verification agency using the specialised scorecard of the Codes of Good Practice (the Codes).
- 3.2 All public institutions are evaluated on four elements, which are Management Control, Skills Development, Enterprise and Supplier Development and Socio-Economic Development. The points for each element will be added together to determine an overall score that will determine the B-BBEE rating. A public institution can be a Level 1, 2, 3, 4, 5, 6, 7, 8 and non-compliant depending on the total points achieved out of more than 100 points available.
- 3.3 The verification agency would then compile a report that will indicate how the public institution should improve its rating if the performance is not satisfactory. This report would be very critical since it will assist the public institution in developing a plan for the following financial year that will be implemented to improve its B-BBEE rating.

3.4 B-BBEE Elements - Management Control

- 3.4.1 The objective of this element is to use Management Control scorecard to include black people in management of public institutions. The verification agency uses the scorecard for this element to verify the implementation of this element by the measured public entity and give points based on the information provided in the evidence file.
- 3.4.2 The target for this element is further divided into specific criteria according to the different race sub-groups within the definition of black in accordance with the Employment Equity Act on equitable representation and weighted accordingly.
- 3.4.3 The measured public entity receives points by meeting the targets for participation of black people and black women at Board, Executive Management, Senior Management, Middle Management, Junior Management Levels, and black employees with disabilities. A measured public entity will use the current payroll data for the calculation of its score under Management Control scorecard.

3.4.4 The total points allocated to this element is 20 and the evaluation by the verification agent would determine the actual score achieved by a measured public entity based on the evidence provided.

3.5 Skills Development

3.5.1 The objective for this element is to determine how the measured public entity is implementing the skills development requirements as prescribed in the specialised scorecard for public entities. The compliance target for the Skills Development scorecard is based on the overall demographic representation of black people as defined in the Regulations of the Employment Equity Act, and Commission of Employment Equity Report as amended from time to time.

The following criteria must be fulfilled for the measured public entity to receive points on the Skills Development element scorecard:

- Workplace skills plan, and annual training report and pivotal report which are SETA approved.
- Implementation of Priority Skills programme generally, and more specifically for black people.
- The 6% compliance target, which includes external training expenditure for unemployed black people.
- A trainee tracking tool has to be developed in order for the measured entity to score under 6% budget spend.
- If less than 100% of the trainees are absorbed, a percentage achieved or observed will be recognised.
- The total points allocated to this element is 25 points and they will be allocated based on the performance on the prescribed criteria and evidence provided. The learning Programme Matrix will provide guidance for different training that can be provided under this element.

3.6 Enterprise and Supplier Development

3.6.1 The objective for this element is to determine how the measured public entity is performing in terms of implementing this element to empower and support black enterprises. This element has sub-elements which are preferential procurement, supplier development and skills development. There are key principles that are used in measuring this element and they are prescribed in the specialised scorecard for public institutions.

3.6.2 The enterprise that is implementing this element properly, has a database of suppliers that are aligned to what the public institution is procuring in that specific financial year. Enterprises that are on the database of the public institution, are being empowered using the supplier development budget to better service the institution. These suppliers should be the best in terms of servicing the measured public entity hence they are being preferred. This doesn't exclude enterprises that are not on the database for the measured public entity.

3.6.3 Enterprise Development budget is used for enterprises that are not on the database for the measured public entity but are in the database of other entities, public or private. These entities are supported for broader objectives of the B-BBEE policy and province, which include job creation, economic growth, increasing the tax base for government, etc.

3.7 Socio Economic Development

- 3.7.1 The objective for this element is to measure the Socio-Economic Development and Sector specific contribution by the measured public entity. The scorecard prescribes the principles that need to be applied in measuring this element and allocating points. The budget for this element is a percentage of the allocation to the public institution.
- 3.7.2 The total points allocated to this element is five points which are measured based on the prescribed scorecard.

3.8 B-BBEE Rating

- 3.8.1 The B-BBEE rating consist of the total points achieved in each element, which consist of allocated and bonus points. It's possible for the measured public entity to score more than hundred points due to bonus points allocated in some elements. The score of 100 and above qualifies the measured public entity to be rated as a Level 1 and a total score of less than forty points qualifies the measured entity to be given a non-compliance rating. The acceptable rating for a public entity is Level 1 to 4. Any rating that is less then Level four, it's not acceptable for the public entity.

4. SCOPE OF WORK/ DELIVERABLES

- 4.1 The appointed verification agency would be required to prepare a list of evidence that need to be prepared by a measured public entity, covering all the elements in the specialised scorecard. The time that will be required by the measured public entity to prepare the required evidence files as prescribed by the verification agency would determine when the actual B-BBEE verification will start.
- 4.2 The verification agency upon receiving a formal letter from the measured public entity that evidence files have been prepared and are ready, they should propose a date to start the actual verification where they will go through files and do calculations based on the information provided.
- 4.3 The verification agency would evaluate each element of the four elements of the specialised scorecard, Management Control, Skills Development, Enterprise and Supplier Development and Socio-Economic Development. Each element would be allocated a rating based on the evaluation and evidence provided.
- 4.4 If there would be additional information that will be needed, a request would be made by a verification agency to the measured public entity and the information would be provided within agreed time frames.
- 4.5 The verification agency would then produce a B-BBEE verification certificate which will indicate the score achieved by the measured public entity for each element and the consolidated score for all the elements which will give a B-BBEE rating. The verification agency would also prepare a report which will indicate how the measured public entity should improve their scores in the next financial year.

5. COMPULSORY PROJECT REQUIREMENTS

- 5.1 The service provider (verification agency) that will be appointed MUST have a B-BBEE verification accreditation from SANAS. (Evidence to this effect must be submitted by the verification agency).

- 5.2 All analysts that will verify different elements should have attended and passed the MDP course for B-BBEE, (Evidence to this effect must be submitted by the verification agency. (NB: Only recently certified copies of the qualifications will be considered).
- 5.3 The person who is going to sign the B-BBEE certificate should be a person who has gone through the process of accreditation and approved by SANAS. (Evidence to this effect must be submitted by the verification agency).

6. EXPECTED DELIVERABLES

The proposals from respondents are expected to cover a multiple of the following requirements:

- 6.1 Evidence list for each element that needs to be prepared by a measured public entity.
- 6.2 Methodology that will be followed in conducting a B-BBEE verification for public entities.
- 6.3 B-BBEE Certificate consisting of a rating for each element and consolidated rating for the public entity.
- 6.4 Improvement report for the measured entity.

7. ADDITIONAL REQUIREMENTS

The following requirements are applicable in conducting B-BBEE verification:

- 7.1 Interested professional consultants should have a thorough knowledge and experience in the field of B-BBEE verification.
- 7.2 The respondents to the TOR are expected to demonstrate professionalism, have the required skills, experience and capacity.
- 7.3 Be accredited with South African National Accreditation System.

N.B: Bidder must furnish the GTA with a detailed quotation / financial proposal inclusive of all costs against the above-mentioned deliverables. Failure to provide a quotation as required above may result in the disqualification of the bid.

8. PROJECT RESPONSIBILITY

- 8.1 This project is the initiative of the GTA, and it will be managed by the office of the Chief Financial Officer of GTA.
- 8.2 In submitting a BID, respondents shall agree that information received through the RFP exercise may be used or modified for the use by the GTA in drawing up the documentation for the subsequent competitive bidding exercise for the Project.
- 8.3 The GTA will under no circumstances be liable to any respondent for any fees, costs, expenses, loss or damage whatsoever arising out of or about the RFP process.
- 8.4 This invitation is NOT a pre-qualification exercise to shortlist or pre-qualify any potential bidders for the Project.

9. TIME FRAMES

- 9.1 The duration for the completion of the set work is estimated to not exceed 4 weeks, after the measured public entity has compiled the evidence file and informed the appointed verification agency accordingly.

10. FORMAL PRICE QUOTATION

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

11. PROPOSAL SUBMISSION

- 11.1 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 (**Bidder's Disclosure**) completed and signed.
- The service provider (verification agency) that will be appointed **MUST** have a **B-BBEE verification accreditation from SANAS**. (Evidence to this effect must be submitted by the verification agency).
- **All** analysts that will verify different elements should have attended and passed the MDP course for B-BBEE, (Evidence to this effect must be submitted by the verification agency. (NB: Only recently **certified** copies of the qualifications will be considered).
- The person who is going to sign the B-BBEE certificate should be a person who has gone through the process of accreditation and approved by SANAS. (Evidence to this effect must be submitted by the verification agency).

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
- BBEE Certificate / Affidavit signed by the deponent and stamped by the Commissioner of oath.
- CSD Report
- Business Profile
- Identity document

12. 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. Please note that the payment can only be processed upon receipt of the following document:
 - Invoice
 - Statement reflecting the outstanding amount.

- Proof of bank confirmation letter
- e. All the required documents for payment and queries should be directed to the Finance central invoice email to GTA.Invoices@gauteng.net

13. CRITERIA FOR EVALUATION OF PROPOSALS

13.1 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 goals for this RFQ and points claimed are indicated per the table below;

SPECIFIC GOAL/S	EVIDENCE REQUIRED TO EARN POINTS	TOTAL POINTS ALLOCATION
Historically Disadvantaged individuals: • Women	Identity document / Valid B-BBEE certificate / CSD Report	10
Historically Disadvantaged individuals: • Youth	Identity document / Valid B-BBEE certificate / CSD Report	10
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.

14. RULES OF BIDDING

14.1 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.
 i) **No late submission will be considered after closing date and time.**
 j) The recommended bidder must be registered on the National Treasury Central Supplier Database before appointment.
 k) **For Brand name items specified in bid/quotation specification document, the bidders can quote on similar / Equivalent items.**

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	GTA/RFQ/2026/80	CLOSING DATE:	27 MARCH 2026	CLOSING TIME:	16H00 pm
DESCRIPTION	REQUEST FOR QUOTATION FOR THE APPOINTMENT OF A SERVICE PROVIDER TO RENDER B-BBEE VERIFICATION SERVICES FOR GAUTENG TOURISM AUTHORITY (GTA) FOR THE 2025/26 FINANCIAL YEAR.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Submissions must be emailed to Bids@gauteng.net					
No late submission will be considered after closing date and time.					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Magugu Mlangeni		CONTACT PERSON	Mthetheleli Dlomo	
TELEPHONE NUMBER	011 085 2523		TELEPHONE NUMBER	011 085 2523	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	Bids@gauteng.net		E-MAIL ADDRESS	Mthetheleli@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? NO				<input type="checkbox"/> YES <input type="checkbox"/>	
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</p>
2. TAX COMPLIANCE REQUIREMENTS
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."</p>

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**

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.

2.2.1 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 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:

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

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.

SNote 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)
Women	10	
Youth	10	
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: