in the footprints
NELSON MANDELA MUSEUM
Bhunga Building, Corner Owen Street and Nelson Mandela Drive, PO Box 5808, Mthatha, Eastern Cape.
Telephone : +27 (0) 47 501 9500
info@ nelsonmandelamuseum.org.za | www.nelsonmandelamuseum.org.za

10 November 2026

REQUEST FOR QUOTATION RFQ 32 OF 2026 APPOINTMENT OF A SUITABLY QUALIFIED SERVICE PROVIDER TO FACILITATE THE INSTITUTIONAL POLICY REVIEW, ALIGNMENT AND HARMONISATION SESSION.

1. BACKGROUND

The Nelson Mandela Museum (NMM) is a Schedule 3A Public Entity established to preserve, promote and advance the legacy of former President Nelson Mandela.

In pursuit of effective institutional governance, operational efficiency and compliance with applicable legislative and regulatory frameworks, the Museum intends to undertake a comprehensive review of its existing institutional policies.

The review seeks to ensure that the Museum's policies remain relevant, consistent, responsive to its institutional mandate and aligned with its strategic objectives, applicable legislation, governance principles and operational requirements.

The Museum therefore intends to appoint a suitably qualified and experienced service provider to facilitate a Council and Management Policy Review and Alignment Session and provide the necessary technical guidance and expertise.

2. PURPOSE OF THE ASSIGNMENT

The purpose of this assignment is to appoint a suitably qualified service provider to facilitate the Museum's institutional policy review and alignment process, assess the existing policy framework, identify gaps and recommend improvements.

The facilitator will assist the Museum in establishing a structured approach towards reviewing, updating, harmonising and strengthening its institutional policies.

3. OBJECTIVES OF THE ASSIGNMENT

The objectives are to:

1. Assess the relevance, adequacy and consistency of the Museum's existing institutional policies.
2. Identify outdated policies, policy gaps, duplication and areas requiring amendment or further consultation.
3. Ensure alignment of institutional policies with the Museum's legislative mandate, strategic objectives and operational requirements.
4. Identify policies requiring review, amendment, development, consolidation or withdrawal.
5. Facilitate discussions between Council and Management towards establishing a common understanding of the Museum's policy framework and governance requirements.

4. SCOPE OF WORK

The appointed service provider will be required to undertake the following activities:

4.1 Review of Existing Institutional Policies

- Assess the relevance and appropriateness of the Museum's existing policies.
- Examine consistency and alignment across the various institutional policies.
- Identify outdated provisions, duplication, contradictions and areas requiring improvement.

4.2 Identification of Policy Gaps and Areas Requiring Consultation

- Identify gaps within the existing policy framework.
- Highlight policies requiring further consultation with relevant internal stakeholders.
- Identify areas where new policies may be required to address institutional and governance needs.

4.3 Policy Alignment and Harmonisation

- Facilitate the alignment of institutional policies with the Museum's legislative mandate, strategic objectives and organisational requirements.
- Assess alignment with applicable legislation, regulations, public entity governance requirements and relevant best practices.
- Recommend measures to ensure consistency and harmonisation across the policy framework.

4.4 Facilitation of the Policy Review Session

- Prepare an agenda and facilitation programme for the session.
- Facilitate a one-and-a-half-day Council and Management Policy Review and Alignment Session.
- Guide structured discussions and stakeholder participation.
- Record key resolutions, recommendations, identified gaps and areas requiring further consideration.
- Facilitate agreement on priority areas and proposed next steps.

5. EXPECTED DELIVERABLES

The service provider must submit the following:

1. **Preliminary policy framework assessment:** An assessment of the Museum's existing institutional policy framework.
2. **Session preparation:** A proposed agenda, facilitation programme and supporting presentation material.
3. **Facilitated session:** Facilitation of the one-and-a-half-day Council and Management Policy Review and Alignment Session.
4. **Policy assessment report:** A consolidated assessment identifying outdated policies, gaps, duplication, inconsistencies and areas requiring amendment or further consultation.
5. **Policy review and implementation roadmap:** A prioritised roadmap identifying:

- Policies requiring review, amendment, development, consolidation or withdrawal.
- Recommended actions and priorities.
- Responsible institutional stakeholders or units.
- Proposed milestones and timeframes.

6. **Final session report:** A report recording the proceedings, key discussions, recommendations, resolutions and agreed way forward.

All reports and deliverables must be submitted electronically in editable Microsoft Word and/or Excel format, where applicable, and in PDF format.

6. DURATION OF THE ASSIGNMENT

The assignment will comprise:

- Preparatory work and review of the existing institutional policies.
- Facilitation of a one-and-a-half-day Policy Review and Alignment Session.
- Compilation and submission of the final session report and implementation roadmap.

The specific commencement and completion dates will be communicated by the Museum.

The service provider must indicate its proposed turnaround time from appointment to final submission.

7. REQUIRED QUALIFICATIONS AND EXPERIENCE

The service provider must demonstrate the following:

1. A relevant postgraduate qualification in Public Administration, Governance, Law, Public Management, Policy Development or a related field.
2. Demonstrable experience in institutional policy development, review and harmonisation.
3. Proven experience facilitating policy review processes within public entities or government institutions.

4. Sound knowledge of the Public Finance Management Act (PFMA), Treasury Regulations, applicable public sector legislation and governance frameworks.
5. Understanding of public entity governance, institutional accountability and policy implementation.
6. Strong facilitation, analytical, report-writing and stakeholder engagement skills.

Experience working with Schedule 3A public entities will be an added advantage.

8. FUNCTIONALITY EVALUATION

All quotations received will first be assessed for compliance with the stipulated submission requirements. Quotations meeting the administrative requirements will be evaluated on functionality.

Only service providers who achieve the minimum qualifying threshold of **70 out of 100 points** will proceed to the evaluation of price and specific goals.

No.	Evaluation criteria	Detailed scoring guidelines	Maximum points
1	Qualifications of the proposed facilitator	Relevant Master's degree or higher: 20 points. Relevant Honours degree or postgraduate diploma:15 points. Relevant Bachelor's degree: 10 points. No relevant qualification: 0 points.	**20**
2	Relevant institutional policy review and development experience	More than 10 years: 30 points. 7–10 years: 25 points. 4–6 years: 20 points. 2–3 years: 10 points.	**30**

		Less than 2 years or no evidence: 0 points.	
3	Experience facilitating policy review processes in public entities or government institutions	Five or more completed relevant assignments: 20 points. Three to four assignments: 15 points. One to two assignments: 10 points. No relevant evidence: 0 points.	**20**
4	Proposed approach and methodology	Comprehensive methodology covering preparation, policy assessment, stakeholder engagement, facilitation, reporting and implementation roadmap: 20 points. Good methodology addressing most activities: 15 points. Basic methodology with limited detail: 10 points. Inadequate methodology: 5 points. No methodology submitted: 0 points.	**20**
5	Understanding of public sector governance and legislative frameworks	Comprehensive understanding of the PFMA, Treasury Regulations, public entity governance and relevant legislative frameworks: 10 points.	**10**

		Good understanding of most relevant frameworks: 7 points. Limited understanding: 4 points. No demonstrated understanding: 0 points.	
	TOTAL FUNCTIONALITY POINTS		**100**

Supporting documentation required for functionality evaluation

Bidders must submit the following evidence to substantiate their functionality claims:

1. Certified copies of the proposed facilitator's relevant qualifications and detailed CV.
2. Company profile outlining relevant institutional policy review and development experience.
3. Appointment letters, completion certificates, reference letters or client confirmations demonstrating previous relevant assignments.
4. A proposed methodology explaining how the assignment will be undertaken, including preparation, facilitation, assessment and reporting.
5. Evidence in the CV and methodology demonstrating knowledge of public sector legislation and governance frameworks.

9. EVALUATION OF PRICE AND SPECIFIC GOALS

Only service providers who achieve the minimum functionality threshold of 70 points will proceed to the evaluation of price and specific goals.

Points for this shall be awarded for:

(a) Price; and

(b) Specific Goals.

(c) Where 80 points will be allocated for price and 20 points allocated for specific goals

Category	Sub-categories	Specific goals points	Verification documents

Local Supplier	**5**	**O.R Tambo Suppliers**	**5**	**CIPC Registration Certificate (CK) or Proof of residence**
		Eastern Cape Supplier	**4**	
		Anywhere in South Africa	**3**	
		Non-South African	**0**	
Women-owned supplier	**4**	**Black African Women**	**4**	**CIPC Registration Certificate (CK) and CSD Report**
		Non-Black African Women	**2**	
Youth Owned Supplier	**4**	**Youth Owned (< 35-year-old persons)**	**4**	**CIPC Registration Certificate (CK) and CSD Report**
		Non-Youth Ownership (> 35-year-old persons)	**2**	
People living with disabilities	**3**	**People living with disabilities**	**3**	**CSD Report**
Small Micro, Medium & Enterprises	**4**	**SME – Owned by people with disability**	**4**	**Sworn Affidavit (BBBEE Affidavit)**
		SME – Black owned	**3**	**CSD Report**
		SME – Other	**2**	

10. COMPULSORY SUBMISSION REQUIREMENTS

Interested service providers must submit the following documents:

1. Completed and signed SBD 1 – Invitation to Bid.
2. Completed and signed SBD 3.3 – Include a pricing schedule for professional services
3. Completed and signed SBD 4 – Declaration of Interest.
4. Completed and signed SBD 6.1 – Preference Points Claim Form, where applicable.
5. Completed and signed SBD 8 – Declaration of Bidder's Past Supply Chain Management Practices.
6. Completed and signed SBD 9 – Certificate of Independent Bid Determination.

7. Valid CSD registration report
8. Company profile outlining relevant experience.
9. Detailed CV of the proposed facilitator.
10. Certified copies of relevant qualifications.
11. Evidence of previous relevant assignments and facilitation experience.
12. Proposed approach and methodology.
13. Quotation indicating the total cost of the assignment, inclusive of applicable taxes and all associated costs.
14. Confirmation of VAT registration status, where applicable.

Failure to submit mandatory administrative documents may result in the quotation being declared non-responsive, subject to the Museum's SCM Policy and applicable procurement requirements.

11. QUOTATION REQUIREMENTS

The quotation must clearly indicate:

- Professional facilitation fees.
- Preparatory work and policy assessment fees.
- Facilitation fees for the one-and-a-half-day session.
- Report compilation and implementation roadmap fees.
- Travel, accommodation and subsistence costs, where applicable.
- Any other associated costs.
- Applicable VAT, where registered.

The quotation must reflect the total all-inclusive cost payable by the Museum.

12. QUOTATION VALIDITY PERIOD

Quotations must remain valid for a period of **30 calendar days** from the closing date.

13. REPORTING AND ACCOUNTABILITY

The appointed service provider will report to the Nelson Mandela Museum through the designated institutional representative.

All deliverables must be submitted to the Museum for consideration and acceptance.

The Museum reserves the right to request reasonable clarification from the service provider in relation to its quotation, provided that such clarification does not permit the alteration of the substance of the submitted quotation.

14. SUBMISSION OF QUOTATIONS

Quotations must be submitted to:

Email: supplychain@nelsonmandelamuseum.org.za

Closing date: 19 November 2026

Closing time: 12:00

The RFQ number and description must be clearly indicated in the subject line of the submission email.

Late quotations will not be considered

15. ENQUIRIES

All communications and enquiries/requests for clarification relating to this proposal should be directed to the contact person:

Ms. Akhona Mashologu
Tel: 047 501 9504
Email: akhona@nelsonmandelamuseum.org.za
Supply Chain Specialist
Technical Enquiries:
Mr. Mandisi Msongelwa
Tel: 047 501 9507
Email: mandisi@nelsonmandelamuseum.org.za

16. GENERAL CONDITIONS

1. The Museum reserves the right not to accept the lowest or any quotation.
2. The Museum reserves the right to cancel or withdraw the RFQ before award, where justified and in accordance with applicable procurement requirements.
3. The service provider must disclose any actual, potential or perceived conflict of interest.
4. The appointed service provider will be required to maintain confidentiality regarding all institutional information and documentation.
5. All information and documents supplied by the Museum shall remain the property of the Museum.
6. The service provider may not subcontract any part of the assignment without prior written approval from the Museum.

7. The service provider must comply with all applicable legislation, regulations and the Museum's SCM Policy.
8. The Museum reserves the right to verify information and supporting documents submitted by bidders.

Signed by:Mandisi Msongelwa CA(SA)
Signed at:2026-11-11 17:57:05 +02:00
Reason:Witnessing Mandisi Msongelwa C



Mr. Mandisi Msongelwa CA(SA)
Acting Chief Executive Officer

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (*NAME OF DEPARTMENT/ PUBLIC ENTITY*)					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (*STREET ADDRESS*)					

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:	
CONTACT PERSON		CONTACT PERSON	
TELEPHONE NUMBER		TELEPHONE NUMBER	
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS		E-MAIL ADDRESS	

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?	☐Yes ☐No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?	☐Yes ☐No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ 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 THE BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....
(Proof of authority must be submitted e.g. company resolution)

DATE: .....

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER: .....BID NO.: .....

CLOSING TIME CLOSING DATE.....

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

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)

1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project. R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION	HOURLY RATE	DAILY RATE
----------	R----------	----------
----------	R----------	----------
----------	R----------	----------
----------	R----------	----------
----------	R----------	----------

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

----------	R----------	---------- days
----------	R----------	---------- days
----------	R----------	---------- days
----------	R----------	---------- days

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
----------	.....	.....	R.....
----------	.....	.....	R.....
----------	.....	.....	R.....
----------	.....	.....	R.....

TOTAL: R.....

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance contributions and skills development levies.

Bid No.: .....

Name of Bidder: .....

5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
----------	.....	.....	R.....
----------	.....	.....	R.....
----------	.....	.....	R.....
----------	.....	.....	R.....

TOTAL: R.....

6. Period required for commencement with project after acceptance of bid .....

7. Estimated man-days for completion of project .....

8. Are the rates quoted firm for the full period of contract? *YES/NO

9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index. .....

.....

.....

.....

*[DELETE IF NOT APPLICABLE]

Any enquiries regarding bidding procedures may be directed to the –

(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:

Or for technical information –

(INSERT NAME OF CONTACT PERSON)

Tel:

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[1] 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

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.

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[2] 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.

3.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the

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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.

contract.

3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act 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 ENHANCING COMPLIANCE, TRANSPARENCY AND ACCOUNTABILITY IN SUPPLY CHAIN MANAGEMENT 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

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1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

(*delete whichever is not applicable for this tender*).

a) The applicable preference point system for this tender is the 90/10 preference point system.

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

c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

(a) Price; and

(b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS	
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

(a) **"tender"** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

(b) **"price"** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;

(c) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

(d) **"tender for income-generating contracts"** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **"the Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1. **POINTS AWARDED FOR PRICE**

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)

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: .....

.....

.....

.....

DECLARATION OF TENDER'S SUPPLY CHAIN MANAGEMENT PRACTISES(SBD8)

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1 This State Bidding Document must form part of all bids invited.

2 It serves as a declaration to be used by state entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3 The bid of any bidder may be rejected if that bidder, or any of its directors have:

a. abused the state entity's supply chain management system or committed any improper conduct in relation to such system;

b. been convicted for fraud or corruption during the past five years;

c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or

d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).

4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the *audi alteram partem* rule was applied). **The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.**	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		

4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? **The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.**	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		

Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

4.5	Was any contract between the bidder any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.7.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME) .....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS

DECLARATION FORM TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME. SHOULD THIS DECLARATION PROVE TO BE FALSE.

....

Signature Date

....

Position Name of Bidder

CERTIFICATE OF INDEPENDENT TENDER DETERMINATION(SBD9)

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This State Bidding Document (SBD) must form part of all bids[1] invited.

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).[2] Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

3 National Treasury Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:

a. take all reasonable steps to prevent such abuse;

b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the organ of the state or has committed any improper conduct in relation to such system; and

c. cancels a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

[1] Includes price quotations, advertised competitive bids, limited bids and proposals.

[2] Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____

(Bid Number and Description)

in response to the invitation for the bid made by:

_____

(Name of State Entity)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that.:

(Name of Bidder)

1 I have read and understand the contents of this Certificate.
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect.
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

    (a) has been requested to submit a bid in response to this bid invitation.
    (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
    (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. 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[3] will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
   (a) prices;
   (b) geographical area where product or service will be rendered (market allocation)
   (c) methods, factors or formulas used to calculate prices;
   (d) the intention or decision to submit or not to submit, a bid;
   (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
   (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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] 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.

10. 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.

....

Signature

....

Date

.....

Position

.....

Name of Bidder