

REQUEST FOR QUOTATION	
RFQ NUMBER	RFQ 103/85010/2024
DESCRIPTION	Appointment of a service provider for Auctioneering Services to dispose movable and immovable property for a period of 3 years
CLOSING DATE AND TIME	15 April 2024, @ 11h00am
CSD No.	_____
SUBMISSION DETAILS	<p>Hand Delivery: Ithala Development Finance Corporation Limited, Ithala Trade Centre, groundfloor reception, 29 Canal Quay, Point, Durban (Document must be inserted into the <u>Quotation Box</u>) or</p> <p>Email Submission: quotes@ithala.co.za</p> <p><i>Late submissions will not be accepted</i></p>
SCM ENQUIRIES	<p>Contact: Buyile Bonga</p> <p>Tel / Email : 037 907 8808/ bbonga@ithala.co.za</p>
TECHNICAL ENQUIRIES	<p>Contact : Zamuxolo Mavundla</p> <p>Tel / Email : 031 372 1285/ zmavundla@ithala.co.za</p>

NAME OF BIDDER:.....

PART A - INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF ITHALA DEVELOPMENT FINANCE CORPORATION

BID NUMBER:	103/85010/2024	CLOSING DATE:	15 April 2024	CLOSING TIME:	11:00am
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DESCRIPTION Appointment of a service provider for Auctioneering Services to dispose movable and immovable property for a period of 3 years

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:

Ithala Trade Centre

29 Canal Quay Road

Point Water Front

Durban

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO	TECHNICAL ENQUIRIES MAY BE DIRECTED TO:
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CONTACT PERSON	Supply Chain Management	CONTACT PERSON	Zamuxolo Mavundla
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TELEPHONE NUMBER	031 907 8674	TELEPHONE NUMBER	031 372 1285
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E-MAIL ADDRESS	MGNdlovu@ithala.co.za	E-MAIL ADDRESS	zmavundla@ithala.co.za
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SUPPLIER INFORMATION

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

TELEPHONE NUMBER	CODE	NUMBER
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CELLPHONE NUMBER

FACSIMILE NUMBER	CODE	NUMBER
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E-MAIL ADDRESS

VAT REGISTRATION NUMBER

SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:	OR	CENTRAL SUPPLIER DATABASE No:	MAAA
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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, 2022, 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
- 2.4 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.5 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.6 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."

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

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

DATE:.....

**All bidders must furnish the following particulars and include it in their submission
(Failure to do so may result in your quotation being disqualified)**

Name of bidder:

Trading Name

VAT registration

Tax clearance status/pin submitted

Postal address:

Street address:

Telephone number: Code Number

Cellular number:

Facsimile number: Code Number

e-Mail address:

In case of a consortium/joint venture, full details on consortium/joint venture members:

Entity name	VAT registration number	Tax Clearance Status/Pin submitted	YES / NO
.....
Entity name	VAT registration number	Tax Clearance Status/Pin submitted	YES / NO
.....
Entity name	VAT registration number	Tax Clearance Status/Pin submitted	YES / NO
.....

Name of contracting entity in case of a consortium/joint venture

Entity name:

Postal address:

Street address:

Contact details of responsible person who will act on behalf of the entity/consortium/joint venture for this bid

Contact details of alternative

Name and Surname _____

Telephone number: Code _____ Number _____

Cellular number: _____

Facsimile number: Code _____ Number _____

e-Mail address: _____

Responsible person who will act on behalf of the person above should he/she not be available

Name and Surname _____

Telephone number: Code _____ Number _____

Cellular number: _____

Facsimile number: Code _____ Number _____

e-Mail address: _____

Confirmation

the accredited representative in South Africa for the services offered by you:

Declaration

I/We have examined the information provided in your bid documents and offer to undertake the work prescribed in accordance with the requirements as set out in the bid document. The prices quoted in this bid are valid for the stipulated period. I/We confirm the availability of the proposed team members. We confirm that this bid will remain binding upon us and may be accepted by you at any time before the expiry date

Signature of bidder: _____

Date: _____

Are you duly authorised to commit the bidder: YES / NO

Capacity under which this bid is signed _____

A. TERMS AND CONDITIONS

1.DESCRPTION	Yes	No	Noted	If no,indicate deviation
1.1 Quotations must be delivered by the stipulated time to the correct address. Late quotations will not be accepted for consideration				
1.2 All quotations must be submitted on the official forms provided- (not to be re-typed) or online				
1.3 Quotations above R30 000 will be evaluated on the basis of functionality (where applicable)				
1.4 This quotation is subject to the Preferential Procurement Policy Framework Act 2000 and, the General Conditions of Contract (GCC) and, if applicable, any other legislation or special conditions of contract				
1.5 Ithala reserves the right to enter into negotiations with a prospective contractor regarding any terms and conditions, including price(s), of a proposed contract.				
1.6 Ithala shall not be obliged to accept the lowest or any financial offer or proposal.				
1.7 Ithala will disregard the bid of any bidder if that bidder or any of its directors have abused the institutions supply chain management system and or committed fraud or any other improper conduct in relation to such system.				
1.8 Ithala will list bidders / directors in the list of restricted suppliers and they will not conduct any business with an organ of state				
<p>1.9 Tax Compliance Requirements:</p> <p>1.9.1 Bidders must ensure compliance with their tax obligations. Bidders are required to submit their unique personal identification number (pin) issued by sars to enable the organ of state to view the taxpayer's profile and tax status.</p> <p>1.9.2 Application for tax compliance status (tcs) or pin may also be made via e-filing. In order to use this provision, taxpayers will need to register with sars as e-filers through the website www.sars.gov.za.</p> <p>1.9.3 In quotations where consortia / joint ventures / sub-contractors are involved, each party must submit a separate proof of tcs / pin / csd number.</p> <p>1.9.4 Where no tax compliance status (tcs) or pin is available but the bidder is registered on the Central Supplier Database (CSD), a csd number must be provided.</p>				

<p>1.10 Ithala's business of conduct and ethics:</p> <p>1.10.1 Relationships with customers and suppliers - In order to ensure that they remain objective, employees should not accept any bribes offered by any customer or supplier of Ithala, should report such offers to management and refrain from having any vested interest, financial or otherwise, with any customer or supplier.</p> <p>1.10.2 Customer complaints - For any complaints regarding our supply chain management abuses please contact Ithala Customer Services at <u>031 907 8911</u> or email complaints@ithala.co.za</p> <p>1.10.3 For fraud and corruption you can lodge an anonymous complaints at our toll-free hotline number 0800 004 823</p>				
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B. ADMINISTRATIVE COMPLIANCE

	Yes	No	Noted	If no,indicate deviation
2. <u>STAGE ONE: ADMINISTRATION COMPLIANCE</u>				
<p><i>All quotations duly lodged will be examined to determine compliance with bidding requirements and conditions. Quotations with obvious deviations from the requirements/conditions, will be eliminated from further adjudication.</i></p> <p>2.1 Mandatory</p> <p>Quotations will be considered compliant if the following documents have been submitted or condition met (whichever is applicable)</p> <p>2.1.1 The bidder must be registered as a vendor on the National Treasury Central Supply Database (CSD), which can be found at https://secure.csd.gov.za/ in compliance with National Treasury compliance paragraph 4.2 with instruction note 4a of 2016/2017</p> <p>2.1.2 The bidder must be in good standing with SARS and such information will be verified through Central Supply Database sing SARS e filing pin in National Treasury compliance (CSD) or u with instruction note 9 of 2017/2018 prior to the award of the bid;</p> <p>2.1.3 SBD 1 - A completed and duly signed Invitation to bid- A resolution letter MUST be attached as per the requirement of SBD 1.</p> <p>2.1.4 SBD 4 - A completed and duly signed declaration of Interest. Should a conflict of interest be declared or identified, the bid would be declared non- responsive. NB Bidder must ensure all pages are complete and all questions answered, you are to indicate not applicable (N/A) where appropriate.</p> <p>Failure to provide any mandatory information as requested above will result in the submission being deemed non-responsive.</p>				
3. <u>STAGE TWO: FUNCTIONALITY ASSESSMENT</u>				
3.1 Responsive bids will be evaluated according to the criteria indicated on page 30				
4. <u>STAGE TWO: PRICE AND PREFERENTIAL/SPECIFIC GOALS</u> - 10 or 20 points for preference are allocated on the basis of specific goals in line with the framework set out in the PPPFA. This bid will be evaluated using the 80/20 preference point system. 80 for price and 20 for preferential/specific goals.				

<p>4.1 Price and Preferential/Specific goals evaluation will be carried out on bidders who qualified in stage Stage 1 of the evaluation (Mandatory requirements)</p>				
<p>4.2 In line with Preferential Procurement Regulations 2022 and Ithala Supply Chain Management Policy, A bidder will qualify for preference points (where applicable). Bidders are required to submit the following documentation to claim points for specific goals in terms Historically Disadvantaged Individuals:</p> <ul style="list-style-type: none"> a) ≥51%Black Ownership- CIPC Certificate- 5 points b) 51%Women Ownership-CIPC Certificate – 5 points c) ≥51Youth Ownership- CIPC Certificate – 5 points d) ≥51%People living with disability Ownership-Doctors Medical certificate/proof of disability letter – 5 points <p>NB:Only certified copies by the commissioner of oaths of the above mentioned documentation will be accepted.</p>				
<p>5. ADJUDICATION OF BID</p>				
<p>5.1. The quotation shall be awarded at the sole and absolute discretion of Ithala. Ithala hereby represents that it is not obliged to award this quotation to any bidder. Ithala is entitled to retract this quotation at any time as from the date of issue. Ithala is not obliged to award this quotation to the bidder that quotes the lowest.</p>				
<p>5.2. A bidder shall be disqualified from bidding if any attempt is made either directly to solicit and/or canvass any information from any employee or agent of Ithala regarding this quotation from the date the x sizeer is submitted until the date of award of the quotation.</p>				
<p>6 Awarding of contract</p>				
<p>6.1 The Ithala Service Level Agreement will be the only contract signed by both parties and will form the basis of this contract. Ithala’s standard terms and conditions will not be negotiated.</p>				
<p>6.2 Ithala reserves the right to award this quotation in full or part</p>				

1. PURPOSE

The purpose of this request for proposal (RFP) is to solicit proposals from registered professional service provider(s) to provide auctioneering services to dispose of moveable and immovable property for a period of 3 years

2. BACKGROUND

2.1 IDFC is tasked with the collection of unpaid debt using numerous methods in the collection of the debt. Once the voluntary efforts to collect these debts have been exhausted, IDFC performs an investigation to identify any assets that may be seized to satisfy the debt. Once such has been identified, the appointed service provider will be required to urgently seize the asset or move it to the storage facility pending the resolution of the debt which may require auction of the asset.

3. REQUIRED SERVICES

3.1 Where an immovable asset is seized to satisfy a delinquent debt, every effort must be made to secure the contents at the place of business, where it is not possible, the appointed service provider will have to arrange to have the business contents moved to their storage facility.

3.2 The appointed service provider is required to plan, keep or store, organize, market and advertise, stage and close out auction events, either singly or in groups, at predetermined dates and locations. The purpose of this will be to sell to qualifying buyers.

3.3 Moveable Property is defined as any or all of the following and/or similar items: -

- Motor vehicles
- Trucks
- Earthmoving
- Plant
- Machinery
- Equipment (office, mechanical, other)
- Furniture
- Any other items as defined by IDFC

4. PROJECT OBJECTIVES

4.1 The objective of this bid is to ensure the following:

- That assets are disposed or auctioned in a fair and transparent manner
- Compliance with applicable legislation and IDFC policies
- Maximise recoveries and reduce the risk
- Minimise cost associated with the seizing, storage and auction of assets

- Proper recordkeeping, reporting and inventory methods in tracking assets and reporting sales information;
- Quick turnaround time - upliftment and auction of assets

5. SCOPE OF SERVICES

5.1 The appointed service provider will be required to conduct public auction for IDFC's movable and immovable assets as and when instructed at the Auctioneers own premises and/or premises sourced by the auctioneer within the regions and in some exceptional cases outside the province

5.2 The appointed service provider will be responsible for advertising the public auction of the assets in terms of the engagement plan for release for auction as agreed with IDFC

5.3 The appointed service is required to keep information relating to the bids received at the auction. IDFC reserves the right to refuse any or all bids if it determines, in its sole judgment, the bids received are unacceptable

5.4 When multiple assets are seized from the same registered or titled owner, they are to be auctioned as both a lot and individually. The award of the auction will be based on the highest grand total for the assets (movable and immovable)

5.5 At the conclusion of the auction day, any storage fees accrued from the time of acceptance of the winning bid are the responsibility of the appointed service provider

5.6 The appointed service provider assumes responsibility for the assets stored in their facility from receipt until such time that the asset is returned or sold at auction

5.7 The appointed service provider must at all times determine market and forced sales values on assets based on current trends and allowing for informed decision relating to the auction

5.8 The appointed service provider will be required to uplift and store repossessed assets from various locations within the province and outside the province. While assets are in possession of the appointed service provider: -

- i. IDFC may require access to the appointed service provider's facility during normal business hours to return the assets to the owner or authorized representative if necessary
- ii. The appointed service provider must not allow access to the assets to any person other than authorized representatives from the Auction services or duly authorised IDFC representative
- iii. The appointed service provider must conduct periodic checks on assets and undertake desktop opinion on the current value of the assets based on market trends and ensure ITHALA secures the best price for the seized assets
- iv. The appointed service provider must own or lease for the term of the contract, a secure storage facility. Storage will be provided at no cost to IDFC.
- v. The appointed service provider must arrange for the collection, dismantling of any asset (equipment or machinery) and deliver to storage facility.
- vi. The appointed service provider may be expected to provide additional service such as conditional report, appraisal of auction report etc.

6. RESPONSIBILITY OF THE APPOINTED SERVICE PROVIDER

- 6.1 The appointed service provider may be required to provide additional services to prepare the assets for auction including but not limited to replacement keys, dismantling of equipment, change or replace battery, inflate tyres etc.
- 6.2 The appointed service provider is required to file information relating to the bids received at the auction for a period of 5 years after the sale. In the event that the winning auction bidder (buyer) does not complete the purchase, IDFC reserves the right to move to the next auction bidder or reject all offers
- 6.3 If the appointed service provider accepts a deposit at the time of Auction and does not complete the transaction with the winning auction bidder (buyer), such deposit is non-refundable and shall be remitted in full to IDFC
- 6.4 In the event that the winning auction bidder (buyer) completes the purchase, the appointed service provider is required to inform IDFC and ensure payment is transferred to Ithala within 21 days from date of payment.

7. FEES

- 7.1 The appointed service provider will be entitled to percentage commission inclusive of VAT, which includes:
- Preparation of assets for the auction;
 - Cost associated with placement of adverts;
 - Preparation of conditions of sale;
 - Storage of assets;
 - Valuation of assets; and
 - Necessary information required for auction
- 7.2 The percentage commission does not include the cost of dismantling, rigging and transportation and such shall be payable to the appointed service provider or 3rd party upon receipt and approval of the quotation submitted to IDFC prior to commencement of work
- 7.3 IDFC reserves the right to negotiate all rates mentioned in 7.1 and 7.2 above

FUNCTIONALITY EVALUATION CRITERIA				
CRITERION	SUB CRITERION	Weight	Scores	Evidence
Bidders Key Resource	The bidder is requested to provide a CV demonstrating relevant experience for the bidder's key resource i.e. Certified or Professional Auctioneer	40	-	<p>The bidder is requested to provide a concise CV demonstrating <u>only</u> relevant experience for the bidder's key resource i.e. Certified or Professional Auctioneer</p> <p>The cv should clearly indicate:</p> <ul style="list-style-type: none"> • Years of experience • Name of Company/Organization • Any relevant qualification • Any relevant certifications • Any other relevant information/highlights
	More than 10 years relevant experience		40	
	Between 5 and 10 years relevant experience		30	
	Between 3 and 5 years relevant experience		20	
	Less than 3 years relevant experience		0	
Company Experience and current/ previous projects	Client references and company experience in auctioneering services	30	-	<p>Positive client reference letters for auctioneering services from Public or Private companies/Entities</p> <p><i>Less than three (03) letters will be allocated 0 points, IDFC reserves the right to authenticate all references</i></p>
	Five (05) positive client reference letters		30	
	Four (04) positive client reference letters		25	
	Three (03) positive client reference letters		20	
Company Resources	Bidders Auction premises/storage facility located within a 30KM radius of Ithala Trade Centre	30	-	<p>Please provide the physical address details of the nearest Auction premises/storage facility to the Ithala Trade Centre located at 29 Canal Quay Road, Point Waterfront, Durban</p> <p><i>Google MAPs will be utilized to measure the actual distance to determine the allocation of points</i></p>
	Less than a 20km radius		30	
	Between 20km to 30km radius		20	
	Between 30 and 100km radius		10	
	More than 100km radius		0	
Total		100		
Bidders are required to obtain a minimum of 65 points to be considered for stage 3 of the evaluation process				

PROPOSED FEES

NAME OF BIDDER:

DESCRIPTION	AMOUNT
Percentage Commission	_____ %

Special conditions: 1. The bidder is required to structure their percentage commission as per conditions indicated in 7.1 to 7.3 on page 25

2. The commission is inclusive of VAT
3. IDFC reserves the right to negotiate all rates

Tenderer's signature...

SBD 4-BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1.If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

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

2.2.1. If so, furnish particulars:

.....
.....

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

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.

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.
- 3.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act 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

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.

C.9

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**

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

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

- (a) Price; and
- (b) Specific Goals.

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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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

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

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ

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

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = 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:

$$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) \quad \text{or} \quad P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{max} = 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)
≥51%Black Ownership -	5	
≥51%Women Ownership	5	
≥51Youth Ownership	5	
≥51%People living with disability Ownership	5	
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.

C10. TAX CLEARANCE REQUIREMENTS

It is a condition of a bid that the taxes of the successful bidder **must** be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

1. the bidder must be in good standing with SARS and such information will be verified through Central Supplier Database (CSD)
2. In bids where Consortia/Joint Ventures/Sub-Suppliers/Partners are involved, each party must submit a separate valid Tax Clearance Certificate for their organization.
3. Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za