

## REQUEST FOR PROPOSAL (RFP)

<b>RFQ REFERENCE NUMBER</b>	<b>RFP 02-06-2023</b>	
<b>PROJECT NAME/ DESCRIPTION OF GOODS, WORK OR SERVICES</b>	<b>APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT DEVELOPMENT OF A TRUCK STOP STRATEGY AND PLAN</b>	
<b>COMPULSORY BRIEFING SESSION DETAILS</b>	<b>DATE</b>	<b>TIME</b>
	<b>Date: 23 June 2023</b>  <b>Address: C-BRTA Head Office 350 Witch Hazel Avenue Eco-Point Office Park, Block A Centurion At Training room</b>	<b>Time: 11h00 a.m</b>
<b>RFQ CLOSING DETAILS</b>	<b>Date: 30 June 2023</b>  <b>Time: 11h00 a.m.</b>  <b>Email: <a href="mailto:Quotes@cbrta.co.za">Quotes@cbrta.co.za</a></b>	
<b>RFQ VALIDITY PERIOD</b>	60 Working days (Commencing from the official RFP closing date)	
<b>ENQUIRIES</b>	<a href="mailto:morwamoche.sekhukhune@cbrta.co.za">morwamoche.sekhukhune@cbrta.co.za</a>	

**PROSPECTIVE BIDDERS MUST REGISTER ON NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE PRIOR TO SUBMITTING BIDS.**

## SECTION A: SBD 1

### PART A: INVITATION TO BID

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:		<b>OR</b>	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
<i>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		<i>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</i>	<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)? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>					
DOES THE ENTITY HAVE A BRANCH IN THE RSA? NO <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/></span>					
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>					
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span>					
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? NO <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/></span>					
<b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.</b>					

**PART B :TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE SUBMITTED BY THE STIPULATED TIME TO THE CORRECT EMAIL ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”

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

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

DATE:

.....

## **SECTION B: TERMS OF REFERENCE**

### **1. Introduction to C-BRTA**

The Cross-Border Road Transport Agency (C-BRTA) is PFMA Schedule 3A Agency established through the Cross-Border Road Transport Act 4 of 1998 and provides advice, regulation, facilitation and law enforcement in respect of commercial cross border road transportation. The Act gives the C-BRTA mandate to licence commercial cross border road transport operators by issuing permits to operate. The provision of cross-border transport services in South Africa is subject to the provisions of the Cross-Border Road Transport Act. In terms of the Act, any person or organisation wishing to provide cross-border transport services must apply to the Cross-Border Road Transport Agency's Regulatory Committee for a Permit to conduct cross-border business.

The Cross-Border Road Transport Agency's (C-BRTA) thus exists, amongst others, to improve the flow of passengers and freight road transport in the region, introduce regulated competition in cross-border road transport, reduce operational constraints for the cross-border road transport industry, provide oversight and monitoring functions, and to improve the unimpeded transport flow by road of freight and passengers.

### **2. General rules and instructions**

- 2.1. Bidders or their agents shall not make any news releases concerning this RFQ or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, C-BRTA and its Client.
- 2.2. Any bidder who has reasons to believe that the RFQ specification is based on a specific brand must inform C-BRTA within five (5) days after the publication of the RFQ.
- 2.3. This RFB is subject to Government Procurement: General Contract Conditions – July 2011, Special Contract Conditions and any other contract conditions to be finalised during contracting.

### **3. Instructions for submitting bids**

- Bidders should submit their bid responses strictly to [Quotes@cbrta.co.za](mailto:Quotes@cbrta.co.za). Bid responses received outside this email address will NOT be considered.
- Bid responses will NOT be considered if submitted after the closing date and time.

#### **4. RFQ Returnable**

4.1. Bidders shall submit response in accordance with the response format below. Failure to do so shall result in the rejection of the bidder's RFQ response.

#### **4.2. Schedule Index:**

- Schedule 1:** Completed and signed SBD 1
- Schedule 2:** Central Supplier Database (CSD) Registration Report
- Schedule 3:** Bidder's Tax Compliance System PIN and / or valid Tax Clearance Certificate (TCC)
- Schedule 4:** Sworn Affidavit or valid B-BBBEE Certificate
- Schedule 5:** Completed and signed SBD 4 – Bidder's Disclosure
- Schedule 6:** Completed and signed SBD 6.1 – Preference Points Claim
- Schedule 7:** Pricing / Costing ( SBD 3.1)

## **SECTION C: SCOPE OF WORK/SERVICES**

### **TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT DEVELOPMENT OF A TRUCK STOP STRATEGY AND PLAN**

#### **TERMS OF REFERENCE**

**1. PROJECT TITLE**

Development of the Cross-Border Road Transport Agency's (C-BRTA or Agency) truck stop strategy and plan.

**2. BACKGROUND**

Transportation infrastructure is of key importance in the economic and social development of a country. This infrastructure is comprised of roads, railroads, airports, and shipping routes that promote the economy through the transportation of goods and people. This is important because one measure of the wealth of a nation is the value of trade across its borders. Unfortunately, the lack of a complete and efficient transportation infrastructure in many developing countries has inhibited their overall economic and social growth.

Corridors are a strategic transport infrastructure, and their development remains vital in ensuring an unimpeded flow of goods and passengers across the region.

If there are safer and more accessible, then more goods will be shipped through them seamlessly. One way to increase the drivability of these corridors is to have truck stops at main borders and at other key locations throughout major corridors. Currently, there is a limitation of truck stops. Instead, there are numerous service stations with limited facilities where drivers can stop to get fuel, and even these are limited in number.

Safe and secure parking areas for trucks are needed to ensure adequate conditions for professional drivers when taking rest. They are also needed to tackle issues such as cargo crime, traffic obstruction from trucks parking on the side of the road and unintended transportation of illegal immigrants. However, safe and secure parking places remain scarce, and the services provided by existing facilities are not always clearly identifiable.

**3. THE PURPOSE OF THE DEVELOPMENT OF TRUCK STOP STRATEGY.**

The purpose of truck stop strategy and plan is to understand the status quo regarding truck stops on different corridors in the country. For example, the number of truck stops, where they are located and what facilities are available. This lack of amenities makes Southern African corridors difficult to travel due to the long distances between urban settlements. To facilitate unimpeded flow of both passengers and goods, there needs to be sufficient and safe truck stops to:

- Identify the role that C-BRTA can play in the development and promotion of truck stops in the region (SADC)
- Efficiently plan truck stops that will better aid drivers.
- Understand current truck driver needs and behavior patterns.
- Identify services and facilities needed in a truck stop.

- Determine the profitability of the truck stop location.
- Ensure communities benefit from the opportunities that arise from a truck stop.

**4. TIMEFRAMES**

The Strategy and plan are expected to be developed for a period of not more than six months starting from July 2023- December 2023.

**5. MINIMUM REQUIREMENTS**

Service providers should be required to meet the minimum scores for each element as well as the overall minimum score (70 points), based on the average of scores awarded by the evaluation panel members.

**6. EVALUATION CRITERIA: FUNCTIONALITY**

<b>Preference Points 80/20</b>		
<b>80 points =</b>		
<b>20 points =</b>		
<b>100 points =Functionality</b>		
<i>Functionality (Take note: Supplier who fails to obtain a score of 70 points or more in the functionality phase shall not be considered for further evaluation on Presentation</i>		
<b>TERMS OF REFERENCE</b>		
<b>1. Demonstration of Understanding the Terms of Reference</b> <b>0= The requirements of the TOR not addressed at all.</b> <b>1= Requirements of the TOR partially addressed</b> <b>5 = Requirements of the TOR partially addressed but not convincing.</b> <b>10 = Requirements of the TOR addressed well.</b> <b>15 = Requirements of the TOR addressed well and convincingly</b> <b>20 = Requirements of the TOR addressed well, and additional value added</b>	<b>20</b>	
<b>2. Experience of the company</b> <b>(a.) Experience of the company (15 points – to be measured by numbers of projects and reference letters)</b>	<b>15</b>	

- Bidders must demonstrate relevant experience and track record in developing a truck stop strategy.
- They must provide details of strategy development they previously conducted and successfully completed over the last 5 years.

The information required should include client name, project scope, description and relevance to the tendered project, project cost as well as duration of project (indicate start and end date).

The following table template is to be used to indicate the details for the past performance of the organisation:

Client Name	Project Scope	Project Description	Project Cost	Duration of Project
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**POINTS ALLOCATION GUIDE:**

More than relevant 5 projects	3-4 relevant projects	1-2 relevant projects	0 relevant projects
15 points	10 points	5 points	0 points

**(b.) Experience of the project team (15 points) – to be measured through CVs of the team and number of years of experience)** 15

- Bidders must indicate the combined (Strategy development) related experience of the personnel that will be part of the C-BRTA Truck Stop Strategy development team.

The information required must include the following details:

- Personnel CVs including qualifications.
- Description of experience related to strategy development.
- Summary or Personnel skills matrix (all skills relevant for strategy development)

More than 15 years	11 to 15 Years	5 to 10 Years	Less than 5 Years
15 points	10 points	5 points	0 points

**3. Methodology and Approach (to be measured by assessment of proposal to render the service, action plans, etc.)** 40

Score Rating	Description of Standard	Allocated Points range
<b>Excellent</b>	<ul style="list-style-type: none"> <li>• Beyond meeting the “Good” rating, the bidder exceptionally demonstrated the strategic review methodology of the understanding, ability, experience, skills, resource, and quality measures required</li> </ul>	31-40



	<p>to successful provide the services deliverables in an innovative and efficient way within the required timelines.</p> <ul style="list-style-type: none"> <li>• The proposal details ways to improve the project outcomes/deliverables and the quality of the outputs.</li> <li>• The sequencing and timing of the activities are very well defined, indicating that the bidder has optimized the use of resources and the work plan/project plan that permits flexibility to accommodate risks and contingencies planned for.</li> <li>• Response identifies factors that will offer potential added value with supporting evidence relevant to the Terms of Reference or deliverables</li> </ul>			
<b>Good</b>	<ul style="list-style-type: none"> <li>• Satisfies the requirement. The methodology is specifically tailored to address all terms or reference, project objective and requirements; and is sufficiently flexible to accommodate changes that may occur during execution.</li> <li>• Bidder demonstrated the ability, understanding, experience, skills, resource, and quality measures required to provide the goods and services within the required timelines.</li> <li>• There is a fair degree of detail that facilitates understanding of the proposed terms of reference.</li> </ul>	21-30		
<b>Poor</b>	<ul style="list-style-type: none"> <li>• The proposed methodology is poor and unlikely to satisfy the project objectives or requirements. The bidder's approach to the project is mis aligned to some part of the requirements.</li> <li>• The bidder fails to address all important areas highlighted on the scope of work, and/or deliverables.</li> <li>• Methodology fails to address the requirements with little or no supporting evidence relating to the terms of reference.</li> </ul>	10-20		
<b>Unacceptable/ non-responsive</b>	<p><b>Bidder failed to:</b></p> <ul style="list-style-type: none"> <li>• Provide methodology with the submission.</li> <li>• Provided irrelevant methodology which is not aligned to the scope of</li> </ul>	0		

	<p>work with little or no supporting evidence.</p> <ul style="list-style-type: none"> <li>Information provided is insufficient to demonstrate the understanding, ability, experience, skills, resource &amp; quality measures required to provide the services.</li> </ul>		
<b>4. Skills Transfer</b>	<ul style="list-style-type: none"> <li>Plan demonstrating how the appointed service provider will involve identified officials in the process as part of on-the-job training.</li> </ul> <p><b><u>Points allocated guide:</u></b></p> <p><b>0 = No indication of skills transfer</b>  <b>1-3 = Some skill development included in proposal but not well thought through</b>  <b>4-6 = Well thought through strategy of how they would empower available staff on the evaluation</b>  <b>7-10= Interesting/innovative model for empowering staff in the evaluation</b></p>	<b>10</b>	
<b>TOTAL POINTS FOR FUNCTIONALITY</b>		<b>100</b>	

## 7. PRESENTATION

A short-list will be drawn up of Service Providers that meet the minimum requirements and successful candidates will be invited to the C-BRTA head office to present the project scope to the bid evaluation committee. Points will be allocated as follows:

Key Areas	Allocation	Description
<b>Presentation</b>		
<b>Content</b>	60 points	The presentation should cover and expand on the important areas highlighted in the scope of work.
<b>Experience</b>	40 points	Candidates must demonstrate relevant experience and a track record in undertaking projects of a similar nature

Bidders who met minimum points of 60 will be evaluated further on Price and Specific Goals

## **7.2. EVALUATION IN LINE WITH SCM GUIDELINES**

If there are significant deficiencies regarding responsiveness to the requirements of this ToR, an offer may be deemed “non-responsive” and thereby disqualified from consideration. The C-BRTA reserves the right to waive immaterial deficiencies at its discretion.

Best-offer quotations are requested. It is anticipated that award will be made solely based on these original quotations. However, the C-BRTA reserves the right to conduct any of the following:

- Minimum requirement: Service providers should be required to meet the minimum scores for each element as well as the overall minimum score (70 points), based on the average of scores awarded by the evaluation panel members.
- Proposals should clearly address the project description and the functional evaluation criteria mentioned above.
- The C-BRTA may conduct negotiations with and/or request clarifications from any offeror prior to award.
- While preference will be given to offerors who can address the full technical requirements of this ToR, the C-BRTA may issue a partial award or split the award among various suppliers, if in the best interest of the project.
- The C-BRTA may cancel this ToR at any time.

## **PRICING SCHEDULE**

As per attached template

## SECTION D: STANDARD BIDDING DOCUMENTS

### BIDDER'S DISCLOSURE

**SBD4**

#### 1. PURPOSE OF THE FORM

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

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

#### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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:

.....  
.....

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<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

**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 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

## 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 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 The maximum points for this tender are allocated as follows:

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

1.5 Points for specific goals for this tender will be allocated on the basis B-BBEE Status Level as shown in Table 1 below.

1.6 In order to claim points for specific goals, bidders must submit B-BBEE Certificate and/or sworn affidavit, as the case may be.

1.7 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.

1.8 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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right) & \mathbf{or} & P_s = 90 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right) \end{array}$$

Where

P<sub>s</sub> = Points scored for price of tender under consideration

P<sub>t</sub> = Price of tender under consideration

P<sub>min</sub> = 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:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) & \text{or} & P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)
 \end{array}$$

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 tenderers: The tenderer must indicate how they claim points for each preference point system. Thus, tenderers are required to indicate number of points in line with their B-BBEE Status Level and Ownership**



No	The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Means of verification	Number of points claimed (80/20 system) (To be completed by the tenderer)
A	BBBEE Level 1 - 4	10	BBBEE or Sworn affidavit submitted with the bid	
B	Women owned Enterprises	5	Central Supplier Database	
C	Enterprises owned by Disable people	5	Medical report	
<b>D</b>	<b>Total point claimed</b>	<b>D= A + B + C</b>		

## 5. SUBMISSIONS BY CONSORTIUMS AND JOINT VENTURES

5.1 If a submission is made by a consortium or Joint Venture, the points claimed for ownership must be detailed separately on an attachment showing the following:

- The percentage (%) of the contract allocated to each JV member or consortium member. This should also be included in an agreement to be made available on request by C-BRTA
- The percentage ownership by race category of each JV member or consortium member in each of the specific goals relevant to this bid.
- The total points claimed will be the sum of the percentage contract allocation for each partner multiplied by the percentage weighting for the race category, multiplied by the percentage ownership in the relevant specific goal.

## 6. DECLARATION WITH REGARD TO COMPANY/FIRM

6.1. Name of company/firm.....

6.2. Company registration number: .....

6.3. 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]

6.4. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

- (a) disqualify the person from the tendering process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

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