



cooperative  
governance  
Department  
Cooperative Governance  
REPUBLIC OF SOUTH AFRICA



## **MUNICIPAL INFRASTRUCTURE SUPPORT AGENT**

Letaba House, Riverside Office Park, 1303 Heuwel Avenue, Centurion, 0046  
Private Bag X105, Centurion, 0046 Tel: 012-848-5300

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**MISA/RFQ/00996/2025/26**

### **TERMS OF REFERENCE FOR THE APPOINTMENT OF SERVICE PROVIDER TO MAINTAIN AND SUPPORT A FIRE SUPPRESSION SYSTEM (FSS) AT THE MUNICIPAL INFRASTRUCTURE SUPPORT AGENT (MISA) FOR A PERIOD OF TWENTY-FOUR (24) MONTHS**

Bidders kindly refer to the information below for correspondence:

Submission of Quotes to be sent to the following Email Address: [malose.thema@misa.gov.za](mailto:malose.thema@misa.gov.za)

Closing date: 08 April 2025 @ 11:00am

For Enquiries: [malose.thema@misa.gov.za](mailto:malose.thema@misa.gov.za)/ 012 848 5300



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#### **1. PURPOSE**

The purpose of these Terms of Reference is to appoint experienced service provider/s to maintain and support a Fire Suppression System (FSS) at the Municipal Infrastructure Support Agent for a period of Twenty-Four (24) months.

#### **2. BACKGROUND**

- 2.1. MISA wants to maintain and support its FSS which is not covered by any maintenance and support service.
- 2.2. MISA had procured and installed the FSS. MISA want to have the FSS covered by periodic maintenance and support over a period of 24 months.

#### **3. PROJECT OBJECTIVES**

To ensure that MISA operates a FSS that is covered by a support and maintenance service and is capable of functioning as expected should there be fire in the server room.

**TERMS OF REFERENCE FOR THE APPOINTMENT OF SERVICE PROVIDER TO MAINTAIN AND SUPPORT A FIRE SUPPRESSION SYSTEM (FSS) AT THE MUNICIPAL INFRASTRUCTURE SUPPORT AGENT(MISA) FOR A PERIOD OF TWENTY-FOUR (24) MONTHS.**

#### **4. SCOPE OF WORK**

- 4.1. Provision of the report based on the assessment of the FSS.
- 4.2. Servicing of the FSS based on the assessment and diagnostic conducted including but not limited to the refilling of the system cylinder.
- 4.3. All replaced components remain the property of MISA.
- 4.4. Provision of maintenance and support of the FSS for a period of Twenty-Four (24) months.
- 4.5. The 24 months maintenance and support to be based on assessment, proactive and reactive basis and on regular intervals (viz quarterly).
- 4.6. The Fire Suppression System is of the following details:

| Description   | Specification |
|---------------|---------------|
| Part No       | 9450- JJ-173  |
| FM-200 Weight | 36.0 KG       |
| Tare Weight   | 48.7 KG       |
| Gross Weight  | 85.4 KG       |
| Fill Density  | 0.69 KG/L     |

- 4.7 Maintain the environment monitoring unit in the server room to issue Short Message Alerts (SMS).
- 4.8 Subscribe for two thousand (2000) bulk SMS services to be linked to MISA's six (6) officials' mobile phones.

#### **5. PROJECT OUTPUT AND OUTCOMES**

The following shall be the project output and outcome:

- Functional FSS at the Municipal Infrastructure Support Agent (MISA) which is covered by maintenance and support for a period of Twenty-Four (24) months.
- FSS to issue Short Message Alerts (SMS).

#### **6. PROJECT DURATION AND TIME FRAMES**

The duration of the project shall be Twenty-Four (24) months from the date of signing the contract.

**TERMS OF REFERENCE FOR THE APPOINTMENT OF SERVICE PROVIDER TO MAINTAIN AND SUPPORT A FIRE SUPPRESSION SYSTEM (FSS) AT THE MUNICIPAL INFRASTRUCTURE SUPPORT AGENT(MISA) FOR A PERIOD OF TWENTY-FOUR (24) MONTHS.**

## **7. MANDATORY REQUIREMENTS**

**NB: None compliance to the below mentioned requirements will lead to the disqualification of the service provider/s:**

- 7.1. Only service provider/s who have provided FSS repair, maintenance and support services will be accepted.
- 7.2. Service providers must provide at least two reference letters confirming that they have provided FSS repair, maintenance, and support services in the last Five (5) years. MISA may at its discretion verify details contained in the letters.
- 7.3. The letters must have been written and signed by the representative of the previous and or current client of the service provider confirming that the service provider has repaired, maintained and supported the FSS in the last 5 years.
- 7.4. The contact details of the client writing the letters must be contained in the letters.
- 7.5. The letters should clearly state which services were rendered by the service provider and the duration thereof.

## **8. RATIONALE OF THE MANDATORY REQUIREMENTS**

MISA intends to ensure that the successful service provider has the requisite experience to repair, maintain and support the FSS according to best practise.

## **9. PRICING SCHEDULE**

**See the attached Annexure A**

**NB: The quotation should be in the letterhead of the company**

**TERMS OF REFERENCE FOR THE APPOINTMENT OF SERVICE PROVIDER TO MAINTAIN AND SUPPORT A FIRE SUPPRESSION SYSTEM (FSS) AT THE MUNICIPAL INFRASTRUCTURE SUPPORT AGENT(MISA) FOR A PERIOD OF TWENTY-FOUR (24) MONTHS.**

**ANNEXURE A: PRICING SCHEDULE**

| <b>Item #No</b>    | <b>Service Description</b>                                                                                   | <b>Quantity</b> | <b>Unit Price</b> | <b>Total Price</b> |
|--------------------|--------------------------------------------------------------------------------------------------------------|-----------------|-------------------|--------------------|
| 1.                 | Refilling of the FSS Cylinder                                                                                | 4               | R.....            | R.....             |
| 2.                 | Activate and Upgrade Environmental monitoring system inclusive of alerting system.                           | 1               | R.....            | R.....             |
| 3                  | Subscribe for two thousands (2000) bulk SMS services to be linked to MISA's six (6) officials mobile phones. | 1               | R.....            | R.....             |
| 4.                 | Provision of maintenance and Support services over 24 months ( <b>48 Hours over 24 months</b> )              | 48 hours        | R.....            | R.....             |
| 5.                 | Miscellaneous (30 % of the Subtotal excluding VAT) to cater for repair services & components.                | 1               | R.....            | R.....             |
| <b>SUB-TOTAL</b>   |                                                                                                              |                 |                   | <b>R .....</b>     |
| <b>VAT</b>         |                                                                                                              |                 |                   | <b>R .....</b>     |
| <b>TOTAL PRICE</b> |                                                                                                              |                 |                   | <b>R .....</b>     |

The service provider will be expected to quote and provide any component that may be required to repair the system if not covered by the quotation/contract. MISA would conduct market research to ensure that prices quoted for replacement of components are within acceptable market rate. MISA may reject prices that are outside market related prices by more than 15% and procure such components elsewhere.

**TERMS OF REFERENCE FOR THE APPOINTMENT OF SERVICE PROVIDER TO MAINTAIN AND SUPPORT A FIRE SUPPRESSION SYSTEM (FSS) AT THE MUNICIPAL INFRASTRUCTURE SUPPORT AGENT(MISA) FOR A PERIOD OF TWENTY-FOUR (24) MONTHS.**

**PART A  
INVITATION TO BID**

|                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                 |               |                                                                          |                                                          |                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------|----------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| <b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (MUNICIPAL INFRASTRUCTURE SUPPORT AGENT)</b>                                                                                                                                                   |                                                                                                                                                                                                                 |               |                                                                          |                                                          |                                                                                                           |
| BID NUMBER:                                                                                                                                                                                                                                             | MISA/RFQ/996/2025/26                                                                                                                                                                                            | CLOSING DATE: | 08 April 2025                                                            | CLOSING TIME:                                            | 11am                                                                                                      |
| DESCRIPTION                                                                                                                                                                                                                                             | TERMS OF REFERENCE FOR THE APPOINTMENT OF SERVICE PROVIDER TO MAINTAIN AND SUPPORT A FIRE SUPPRESSION SYSTEM (FSS) AT THE MUNICIPAL INFRASTRUCTURE SUPPORT AGENT (MISA) FOR A PERIOD OF TWENTY-FOUR (24) MONTHS |               |                                                                          |                                                          |                                                                                                           |
| <b>BID RESPONSE DOCUMENTS MAY BE EMAILED TO THE EMAIL ADDRESS</b>                                                                                                                                                                                       |                                                                                                                                                                                                                 |               |                                                                          |                                                          |                                                                                                           |
| Malose.thema@misa.gov.za                                                                                                                                                                                                                                |                                                                                                                                                                                                                 |               |                                                                          |                                                          |                                                                                                           |
| <b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>                                                                                                                                                                                                   |                                                                                                                                                                                                                 |               | <b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>                           |                                                          |                                                                                                           |
| CONTACT PERSON                                                                                                                                                                                                                                          | Malose Thema                                                                                                                                                                                                    |               | CONTACT PERSON                                                           | Malose Thema                                             |                                                                                                           |
| TELEPHONE NUMBER                                                                                                                                                                                                                                        | 012 848 5300                                                                                                                                                                                                    |               | TELEPHONE NUMBER                                                         | 012 848 5300                                             |                                                                                                           |
| FACSIMILE NUMBER                                                                                                                                                                                                                                        |                                                                                                                                                                                                                 |               | FACSIMILE NUMBER                                                         |                                                          |                                                                                                           |
| E-MAIL ADDRESS                                                                                                                                                                                                                                          | Malose.thema@misa.gov.za                                                                                                                                                                                        |               | E-MAIL ADDRESS                                                           | Malose.thema@misa.gov.za                                 |                                                                                                           |
| <b>SUPPLIER INFORMATION</b>                                                                                                                                                                                                                             |                                                                                                                                                                                                                 |               |                                                                          |                                                          |                                                                                                           |
| NAME OF SERVICE PROVIDER                                                                                                                                                                                                                                |                                                                                                                                                                                                                 |               |                                                                          |                                                          |                                                                                                           |
| 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                                                                                                      |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE                                                                                                                                                                                                            | TICK APPLICABLE BOX]<br><br><input type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                            |               | B-BBEE STATUS LEVEL SWORN AFFIDAVIT                                      |                                                          | [TICK APPLICABLE BOX]<br><br><input type="checkbox"/> Yes <input type="checkbox"/> No                     |
| <i>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE FROM VERIFICATION AGENCIES ACCREDITED BY SANAS/ B-BBEE CERTIFICATE ISSUED BY DTI / SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</i> |                                                                                                                                                                                                                 |               |                                                                          |                                                          |                                                                                                           |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?                                                                                                                                                           | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><br>[IF YES ENCLOSE PROOF]                                                                                                                          |               | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? |                                                          | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><br>[IF YES, ANSWER THE QUESTIONNAIRE BELOW ] |
| <b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>                                                                                                                                                                                                       |                                                                                                                                                                                                                 |               |                                                                          |                                                          |                                                                                                           |
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?                                                                                                                                                                                         |                                                                                                                                                                                                                 |               |                                                                          | <input type="checkbox"/> YES <input type="checkbox"/> NO |                                                                                                           |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA?                                                                                                                                                                                                               |                                                                                                                                                                                                                 |               |                                                                          | <input type="checkbox"/> YES <input type="checkbox"/> NO |                                                                                                           |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?                                                                                                                                                                                              |                                                                                                                                                                                                                 |               |                                                                          | <input type="checkbox"/> YES <input type="checkbox"/> NO |                                                                                                           |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?                                                                                                                                                                                                   |                                                                                                                                                                                                                 |               |                                                                          | <input type="checkbox"/> YES <input type="checkbox"/> NO |                                                                                                           |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?                                                                                                                                                                                               |                                                                                                                                                                                                                 |               |                                                                          | <input type="checkbox"/> YES <input type="checkbox"/> NO |                                                                                                           |
| 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 SUBMITTED BY THE STIPULATED TIME TO THE CORRECT EMAIL 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, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL SERVICE PROVIDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

**2. TAX COMPLIANCE REQUIREMENTS**

- 2.1 SERVICE PROVIDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 SERVICE PROVIDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE [WWW.SARS.GOV.ZA](http://WWW.SARS.GOV.ZA).
- 2.4 SERVICE PROVIDERS 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 SERVICE PROVIDER 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 SERVICE PROVIDER:.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:.....

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

DATE: .....

## **SBD 4**

### **SERVICE PROVIDER'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 Service Provider 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. Service Provider's declaration.**

- 2.1 Is the Service Provider, 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.

| <b>Full Name</b> | <b>Identity Number</b> | <b>Name of State institution</b> |
|------------------|------------------------|----------------------------------|
|                  |                        |                                  |
|                  |                        |                                  |
|                  |                        |                                  |
|                  |                        |                                  |
|                  |                        |                                  |
|                  |                        |                                  |
|                  |                        |                                  |
|                  |                        |                                  |

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

2.2 Do you, or any person connected with the Service Provider, 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 Service Provider 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 Service Provider has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the Service Provider, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the Service Provider with any official of the procuring institution in relation to

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<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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 Service Provider was not involved in the drafting of the specifications or terms of reference for this bid.

- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

- (a) 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 Service Provider

## 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**

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

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

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

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

The maximum points for this tender are allocated as follows:

|                                                  | POINTS     |
|--------------------------------------------------|------------|
| <b>PRICE</b>                                     | <b>80</b>  |
| <b>SPECIFIC GOALS</b>                            | <b>20</b>  |
| <b>Total Points for Price and SPECIFIC GOALS</b> | <b>100</b> |

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

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

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

|                                                           |           |                                                           |
|-----------------------------------------------------------|-----------|-----------------------------------------------------------|
| <b>80/20</b>                                              | <b>or</b> | <b>90/10</b>                                              |
| $Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$ | or        | $Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$ |

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:

|                                                           |           |                                                           |
|-----------------------------------------------------------|-----------|-----------------------------------------------------------|
| <b>80/20</b>                                              | <b>or</b> | <b>90/10</b>                                              |
| $Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$ | or        | $Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$ |

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 bid | 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 bidder) |
|----------------------------------------------------------|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| 1                                                        | 20                                                                                |                                                                         |
| 2                                                        | 18                                                                                |                                                                         |
| 3                                                        | 14                                                                                |                                                                         |
| 4                                                        | 12                                                                                |                                                                         |
| 5                                                        | 8                                                                                 |                                                                         |
| 6                                                        | 6                                                                                 |                                                                         |
| 7                                                        | 4                                                                                 |                                                                         |
| 8                                                        | 2                                                                                 |                                                                         |
| Non-compliant contributor                                | 0                                                                                 |                                                                         |
| <b>Total scored points</b>                               | <b>20</b>                                                                         |                                                                         |

## DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One-person business/sole propriety

Close corporation

Public Company

Personal Liability Company

(Pty) Limited

Non-Profit Company

State Owned Company

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

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