



provincial treasury

Department:
Provincial Treasury
North West Provincial Government
REPUBLIC OF SOUTH AFRICA

TERMS OF REFERENCE

APPOINTMENT OF A SERVICE PROVIDER TO UNDERTAKE A FINANCIAL VIABILITY ASSESSMENT OF MMABANA, ARTS, CULTURE AND SPORTS FOUNDATION AND DEVELOP SPECIFIC INITIATIVES TO IMPROVE FINANCIAL HEALTH AND TO MAINTAIN FINANCIAL SUSTAINABILITY

1. PROJECT DESCRIPTION AND BACKGROUND

Appointment of a suitable qualified service provider to undertake a Financial Viability assessment and develop specific initiatives to improve financial health and to maintain Financial Sustainability for Mmabana, Arts, Culture and Sports Foundation (MACSF).

The governance, liquidity and financial challenges as well as under collection of own revenue faced by most Public Entities is a concern, and simultaneously the reporting on the non-financial performance of the entities needs to be improved.

Mmabana, Arts, Culture and Sports Foundation (MACSF) is a 3C schedule entity, meaning that the entities are typically extension of a provincial government departments established to fulfill specific economic or social responsibilities. This entity is funded by the provincial government, either directly or through taxes and levies, and are accountable to the provincial legislature. It is funded through a combination of sources including provincial government grant, own revenue, independent funding institutions and project specific funds from donor communities.

As a Founding Act (Mmabana Arts, Culture and Sports Foundation Act 07 of 2000), Mmabana, Arts, Culture and Sports Foundation (MACSF) is charged with the responsibility of developing the artistic and sporting talents of the people of the North West province, to assist in the development, fostering and promotion of culture through development of individuals and groups of people interested in the arts, culture and sporting activities.

The failure to adequately collect revenue created a burden on government to sustain the operations and results in the entities having serious financial difficulties. With the current financial fiscal constraints faced by government, Public Entities must explore new sources of revenue to boost growth and sustainability.

The Auditor General continues to raise issues of Financial Viability of Public Entities in its audit findings over the years. Section 18(2)(e) and (i) of the PFMA states that the Provincial Treasury may assist provincial departments and provincial public entities in building their capacity for efficient, effective and transparent financial management; and (i) may do anything further that is necessary to fulfil its responsibilities effectively.

2. SCOPE OF WORK

- Develop specific initiatives to improve financial health and to maintain financial sustainability.
- Conduct a thorough review of the financial statements, including income statements, balance sheets and cash flow statements for the past 5 years;
- Examine allocative efficiency in all programmes' against priorities and functionality;
- Review of the organisational structure and conduct skills audit;
- Examine the property portfolio, investment strategies and risk management practices;
- Assess the efficiency and effectiveness of financial management and internal controls;
- Develop a Funding Model that is sustainable;
- Evaluate the impact of external factors (economic, regulatory, etc.) on financial stability;
- Analyse income streams, other revenue sources including online platforms;
- Advice on debt recovery initiatives;
- Assess the alignment of activities, corporate governance structure with its mandate and mission;
- Assess and evaluate the Governance Structures inclusive of sub-committees and its functionality;
- Develop Revenue Enhancement Strategy, optimization of current revenue sources and identify new revenue streams;
- Provide initiatives on how to secure additional capital through a mix of own revenue generation, public, private partnerships and community-based financing; and
- Develop appropriate institutional arrangements that will ensure operational efficiencies and the achievement of the mandate.

APPROACH, METHODOLOGY AND TIMELINES

- Describe the approach and methodologies to be employed, including data collection methods, financial modelling best practices, and benchmarking. (The financial model used must be provided to North West Provincial Treasury).
- Specify the timeframe for the assessment.

3. DELIVERABLES

- Comprehensive assessment report including:
 - *Financial Viability Assessment*
 - *Assessment of financial, physical Assets and liabilities*
 - *Revenue enhancement strategies and new revenue streams*
 - *Clear and actionable recommendations*
 - *Governance and operational structure assessments*
 - Skills audit
 - Debt Recovery Strategy

- Comprehensive financial model in MS Excel including:
 - *User-friendly and interactive*
 - *Capable of modeling various scenarios*
 - *Incorporating economic variables, cost inputs and funding products*
- Sustainable Funding Model including:
 - *New sources of revenue*
 - *Best practice Models from similar institutions*
 - *Revenue Enhancement Strategy*
- Executive comprehensive presentation to all stakeholders

4. RESOURCE REQUIREMENTS

The following skills and expertise to manage the various tasks as highlighted above are required.

- **Experience and Qualification of the resources (personnel) supplied by the bidder**

The resources supplied by the prospective bidder should have experience in conducting the financial viability assessments in a public/private sector organization and detailed CVs of personnel involved. CVs must be submitted to demonstrate the level of expertise and qualifications

- **Skills and Knowledge**

The prospective bidder must have an understanding and knowledge of the Public sector experience. It is important that the bidder has skills to initiate process and to monitor and manage various activities as part of the project. References of such work to be included as part of the supporting documents.

5. PRICING AND PAYMENT TERMS

Provincial Treasury will pay for official travelling, subsistence and accommodation costs of the Bidder incurred during the performance of their duties in terms of this project in line with PFMA cost containment measures applicable at the time of award. Cost Containment Measures related to travel and subsistence and timeline as indicated will be detailed in the SLA.

Provincial Treasury further undertakes to pay out in full, within thirty (30) days, all valid claims for work done to its satisfaction upon submission of a substantiated claim. The successful bidder will be paid on the actual number of assessments completed and paid per milestone basis. Payment will be effected in line with conditions of SLA, subject to submission of a valid claim with the relevant supporting documents.

6. MANDATORY REQUIREMENTS

Bidders must submit the following information.

- All bidders must submit detailed CVs of both the Project / Team Leader and 1 key personnel.
- All academic qualifications for Project / Team Leader and 1 key personnel must be supported by copies of actual qualifications certificates. **These need not be certified.** In respect of all foreign qualifications evidence of endorsement by the South African Qualifications Authority (SAQA) must be provided/ submitted with the bid. **(Provincial Treasury will verify qualifications for the recommended bidder)**
- Standard Bidding document 4 – Bidders declaration of interest must be fully completed and signed. Failure to do so will result in the bidder being disqualified
- Standard Bidding document 6.1 – Specific goals declaration in terms of PPR 2022 fully complete and signed. Failure to do so will result in the bidder being disqualified
- Standard bidding document 1 - Invitation to bid
- Proof of CSD registration with the supplier number

Failure to submit the above documents will lead to the bid being disqualified. All documents must be submitted with the bid.

7. EVALUATION CRITERIA

Phase I: Initial screening process

- The process would verify if the required documents as stated on the mandatory requirements have been submitted.

Phase II: Technical Evaluation

- Bidders will be evaluated strictly according to the evaluation criteria stipulated in the Terms of Reference.
- Bidders must, as part of their application documents, submit supporting documentation for all technical requirements as indicated hereunder.
- All bidders must submit detailed CV together with copies of academic qualifications and SAQA accreditation in respect of foreign qualifications.

Technical / functional Requirements	Details	Points allocated	Maximum Points
SUB-COMPONENT 1: COMPANY EXPERIENCE			30
The prospective bidder should have completed financial viability assessments in a public/private sector. Reference letters for the company for each project to be submitted.	5 or more completed assessments	30	
	3 - 4 completed assessments	20	
	1 – 2 completed assessments	10	

Technical / functional Requirements	Details	Points allocated	Maximum Points
SUB-COMPONENT 2: EXPERIENCE OF PERSONNEL - PROJECT / TEAM LEADER			20
Detailed CV of the Project Leader demonstrating experience for completed financial viability assessments in a public/private sector. Contactable references for each completed assessment must be submitted.	5 or more completed assessments	20	
	3 - 4 completed assessments	10	
	1 – 2 completed assessments	5	
SUB-COMPONENT 3: QUALIFICATION OF PERSONNEL - PROJECT / TEAM LEADER			15
One (1) Project / Team Leader with a Qualification in any of the following fields: - Financial Management/ Accounting / Economics - Public Administration - Business Management - Property management - Legal - Investment management	Post Graduate Degree (NQF Level 8 or above)	15	
	Bachelor's Degree / Advanced Diploma or (NQF7)	10	
	On the fields as described on the technical/functional requirements		
SUB-COMPONENT 4 : EXPERIENCE OF KEY PERSONNEL			20
Key Personnel Experience detailed CV for completed financial viability assessments of a public/private sector. Contactable references for each completed assessment must be submitted.	5 or more completed assessments	20	
	3 - 4 completed assessments	10	
	1 - 2 completed assessments	5	

Technical / functional Requirements	Details	Points allocated	Maximum Points
SUB-COMPONENT 5: QUALIFICATION OF KEY PERSONNEL			15
Key Personnel with a Qualification in any/most of the following fields: - Financial Management/ Accounting / Economics - Public Administration - Business Management - Property management - Legal - Investment management	Bachelor's Degree / Advanced Diploma (NQF7 or higher)	15	
	National Diploma (NQF 6)	10	
TOTAL POINTS			100

NB:

Bidders who obtain 70% or more for technical evaluation criteria will be appointed .

CONDITIONS OF THE SERVICE PROVIDER

Successful bidders will be required to submit quotations as and when services are required.

Evaluation will be concluded in line with phase 3 of the evaluation process (as outlined below) and selection will be made based on the departmental supply chain management processes. For transparency and fairness, all bidders will be invited to quote for services required.

- Describe the approach and methodologies to be employed, including data collection methods, financial modelling best practices, and benchmarking. (The financial model used must be provided to North West Provincial Treasury).
- Specify the timeframe for the assessment.

Phase III: Price and Specific goals

- Bids will be evaluated in terms of the approved 80/20, (as indicated below) point system in accordance with the Preferential Procurement Regulation 2022.
- A maximum of 80 points is allocated for price and 20 points for specific goals using the following formula.

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

Where

7

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

This tender will be evaluated on the 80/20 Preference points system where 80 is for price and 20 points for specific goals. Only qualifying bidders (who obtained a minimum of 60% threshold in Phase 2 functionality / technical requirement) will be evaluated in Phase IV for pricing and specific goals.

NB: In order to claim preference points, bidders must use the SBD 6.1 attached to this document and not any other SBD 6.1 form will be accepted as the goals differ per institution.

The specific goals for the preference points are as follows:

Specific Goals in terms of PPR 2022	Procurement Transactions
Persons historically disadvantaged on the basis of race.	Maximum of 10 points for black ownership
	• 100% black ownership = 10 • 75% - 99% black ownership = 8 • 60% - 74% black ownership = 6 • 51% - 59% black ownership = 3 • 1% - 50% black ownership = 2 • 0% black ownership = 0 BBBEE Certificate must be attached
Enterprises located in North West	Maximum 4 points

Specific Goals in terms of PPR 2022	Procurement Transactions
- Rural / Township / Village Area - Local Municipality	- Rural / Township / Village Area in North West= 04 points - Local Municipality in North West = 02 points Proof of residence must be attached as per any of the following: - A municipal rates invoice in the name of the company / any of the directors submitting the quotation that has been issued within the last three months. - An affidavit or equivalent from an authorised traditional leaders or local councillor in regions where municipal rates invoices are not available, showing the township name and ERF number or physical address. - A valid lease with a property owner located in that municipality/township (NWPT may request a recent statement from the landlord) or confirmation letter from the landlord. - A utilities rates statement (examples, Eskom or Telkom fixed line service, etc) showing the physical address and in company or director name; or - A bank statement showing the company name and address.
Enterprises owned by :	Maximum 6 points
- Enterprise owned by black women. - Enterprise owned by black youth. - EMEs or QSEs	2 Points 2 Points 2 Points

8. TENDER VALIDITY PERIOD

The tender will be valid for a period of one hundred and twenty (120) days.

9. SPECIAL CONDITIONS

- **Intellectual Property**

The Provincial Treasury will remain the intellectual property owner of everything developed during this engagement, including systems, methodologies, software. The Provincial Treasury also retain copyright and other intellectual rights in all reports, written advice or other material provided by the service provider on this project.

- **Service Level Agreement.**

Successful service provider must be prepared to enter into a contract and service level agreement with the Provincial Treasury.

- **Approved / Identified Resources**

The identified resources should be deployed and available until the completion of the project. No change of resources will be allowed without the prior approval of the Provincial Treasury and only based upon uncontrollable circumstances, and if approved, the change must be on a like for like basis.

- **Variation of Scope.**

In the case of a need for a change of scope, the Provincial Treasury and the successful bidder will enter into a change of scope agreement, which is initiated by the department, and this change of scope agreement will form part of the contract.

10. DURATION OF CONTRACT

The time frame for the envisaged assignment is 4 months from the date of awarding the contract.

11. CONDITIONS OF BID

- Late applications / bids will not be considered. Please note that the applications / bids are late if they are received at the address given in the bid document after the bid closing date and time.
- Where applicable, all the relevant forms attached to this bid document must be completed and signed in ink by the applicant.
- The successful bidder must be in a position to commence work within five (5) calendar days of the awarding of an assignment contract.

- General Conditions of Contract (GCC) are also applicable to this tender.
- Misrepresentation of facts and criminal records will render your bid unsuccessful.

12. CANCELLATION OF BID

- Provincial Treasury reserves the right to cancel the contract if the bidder fails to adhere to the conditions of the contract.
- On termination of the contract for whatever reason, the bidder shall on demand deliver, without the right to retention, all documents and information gained in terms of this agreement.

13. ENQUIRIES

For more information please contact the following:

Contact Person 1 : Mr. Tom MKhize (SCM Related Issues)
Acting Director: Supply Chain Management
Tel: 018 388 4060
Email: TMkhize@nwpg.gov.za

Contact Person 2 : Mr. Ndinga Sidumo (**Technical Issues**)
Chief Director: Sustainable Resource Management
Tel: 018 388 - 2227
Email: NSidumo@nwpg.gov.za

RECOMMENDED / ~~NOT RECOMMENDED~~

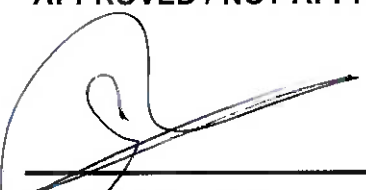


MR. N. SIDUMO
CHIEF DIRECTOR
BUDGET AND PUBLIC FINANCE



DATE

APPROVED / NOT APPROVED



MR. N.I. KUNENE
HEAD OF DEPARTMENT



DATE

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

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

- 2.2.1 If so, furnish particulars:

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

-

 2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

- 2.3.1 If so, furnish particulars:

3 DECLARATION

I, _____ the _____ undersigned,
 (name)..... in
 submitting the accompanying bid, do hereby make the following
 statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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.

- 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.

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

SPECIFIC GOALS DECLARATION IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

TENDERS

This specific goals form must form part of all quotations. It contains general information required by legislation and serves as the declaration for the specific goals claimed by the bidder.

NB: IN COMPLETING THIS FORM, BIDDERS MUST BE AWARE OF THE CONDITIONS OF TENDER, GENERAL CONDITIONS OF CONTRACT, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 AND THE BROAD-BASED BLACK ECONOMIC EMPOWERMENT ACT AND CODES OF GOODS PRACTICE.

1. GENERAL CONDITIONS

- 1.1 The following point systems are applicable to all quotations:
 - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included).
- 1.2 Points for this bid shall be awarded for:
 - 1.2.1 Price; and
 - 1.2.2 Specific goals.
- 1.3 The points for price and the points for specific goals will be added and subject to section 2(1)(f) of the PPPFA, the award will be to the bidder that scores the highest points.
- 1.4 Failure on the part of a bidder to declare or submit proof when requested, will be interpreted to mean that points for specific goals are not claimed.
- 1.5 NWPT reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the NWPT.

2. DEFINITIONS

- 2.1.1 **"Acceptable quotation"** means a quotation which in all respects complies with the specifications and Conditions of Tender as set out in the tender document.
- 2.1.2 **"Black people"** means Africans, Coloureds and Indians (refer to the B-BBEE Act for more details)
- 2.1.3 **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.1.4 **"Central Supplier Database"** means the database managed by National Treasury at www.csd.gov.za.
- 2.1.5 **"Disabled person"** means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being AND is in possession of a proof of disability.
- 2.1.6 **"EME"** means an Exempted Micro Enterprise in terms of the relevant code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

- 2.1.7 **"Locality"** means that the enterprise has either its head office or an operational office located in that location AND they are in possession of proof of locality.
- 2.1.8 **"Military Veteran"** has the meaning assigned to it in Section 1 of the Military Veterans Act, 2011 (Act No. 18 of 2011).
- 2.1.9 **"Proof of Disability"** means:
 - 2.1.9.1 A completed SARS "Confirmation of Diagnosis of Disability" form endorsed by a duly registered medical practitioner which will remain valid for 10 years where the disability is of a permanent nature;
 - 2.1.9.2 A medical report and functional assessment report confirming the disability; or
- 2.1.10 **"Proof of Locality"** means:
 - 2.1.10.1 A municipal rates invoice in the name of the company submitting the quotation that has been issued within the last six months;
 - 2.1.10.2 An affidavit or equivalent from an authorised traditional leaders or local councillor in regions where municipal rates invoices are not available, showing the township name and ERF number or physical address issued within the last six months
 - 2.1.10.3 A signed lease with a property owner located in that municipality/township (NWPT may request a recent statement from the landlord); Confirmation letter from the landlord issued within the last six months.
 - 2.1.10.4 Valid Tax pin letter issued by SARS
 - 2.1.10.5 Certified CIPC Registration certificate within the last six months
 - 2.1.10.6 A utilities rates statement (examples, Eskom or Telkom fixed line service) showing the physical address and the company issued within the last six months; or
 - 2.1.10.7 A bank statement showing the company name and address issued within the last six months.
 - 2.1.10.8 All of the above documents may be in Company Director name where applicable
- 2.1.11 **"Proof of Ownership"** means:
 - 2.1.11.1 The % ownership indicated on the Central Supplier Database. The CSD integrates with the systems at Home Affairs (demographic information); Companies and Intellectual Property Commission (CIPC) (for company information such as shareholding); and other databases (such as the banks).
- 2.1.12 **"Proof of B-BBEE status level of contributor"** means:
 - 2.1.12.1 B-BBEE Status level certificate issued by an authorized body or person (such as a SANAS verification agent);
 - 2.1.12.2 A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 2.1.12.3 A CIPC B-BBEE certificate; or
 - 2.1.12.4 Any other requirement prescribed in terms of the B-BBEE Act.

- 2.1.13 **"Proof of Military Veteran"** means a:
- 2.1.13.1 Military veteran certificate as issued by the Department of Military Veterans in the name of the individual; or
 - 2.1.13.2 Military veteran certificate as issued by the Department of Military Veterans in the name of the company.
- 2.1.14 **"price"** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- 2.1.15 **"QSE"** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- 2.1.16 **"Rand value"** means the total estimated value of a contract in Rand inclusive of value added tax (VAT), calculated at the time of the tender invitation.
- 2.1.17 **"Specific Goals"** means those goals as contemplated in section 2(1)(d) of the PPPFA which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994.
- 2.1.18 **"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
- 2.1.19 **"Youth"** means persons between the ages of 18 and 35.

3. PRICE FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1 POINTS AWARDED FOR PRICE - THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

Ps = Points scored for price of the quotation or bid under consideration

Pt = Price of the quotation or bid under consideration

Pmin = Price of lowest acceptable quotation or bid

3.2 PRICE FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME-GENERATING CONTRACTS

3.3 POINTS AWARDED FOR PRICE

A maximum of 80

80/20

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

- Ps = Points scored for price of the quotation or bid under consideration
 Pt = Price of the quotation or bid under consideration
 Pmax = Price of highest acceptable quotation or bid

4. POINTS AWARDED FOR SPECIFIC GOALS FOR THIS QUOTATION

4.1 The following Specific Goals and points apply to this tender:

Specific Goals in terms of PPR2022	Points out of 20 for the 80/20 system	Points Claimed (Tick Only one box)
Persons historically disadvantaged on the basis of race.	Maximum of 10 points for black ownership	10 Max
	• 100% black ownership = 10	
	• 75% - 99% black ownership = 8	
	• 60% - 74% black ownership = 6	
	• 51% - 59% black ownership = 3	
	• 1% - 50% black ownership = 2	
	• 0% black ownership = 0	
BBBEE Certificate must be attached		
Enterprises located in ~~South~~ NORTH WEST		4 Max
• Rural / Township / Village Area	• Rural / Township / Village Area = 04 points	
• Local Municipality	• Local Municipality = 02 points	
Proof of residence must be attached		
Enterprises owned by		6 Max
• Enterprise owned by black women.	2 Points	
• Enterprise owned by black youth.	2 Points	
• EMEs or QSEs	2 Points	
TOTAL:		20 max

4.1.2 Bidders must attach a valid BBBEE certificate or a sworn affidavit certified by a Commissioner of Oaths.

4.1.3 The BBBEE certificate must be issued by SANAS accredited verification agency or Companies and Intellectual Property Commission (CIPC).

4.2 Where reference is made to Locality, the following location and points apply:

Specific Goal	Location (if applicable)	Max Points	Points Claimed (Tick Only one box)
Rural / Township / Village	Anywhere in RSA	4	
Local Municipality	Anywhere in RSA	2	

4.2.1 Bidders must choose only one of the above (only one proof to be attached for location, either a rural/ township/ village, Local Municipality or Any area within a District Municipality)

4.2.2 Locality. The points claimed for locality will be the maximum points if the bidder declares that they have Proof of Locality at the time of the declaration. If no proof of locality for the location described exists, then zero points must be claimed.

4.2.2.1 Note that if NWPT requests proof of location, and the proof can either not be provided OR if the proof is dated after the declaration date, this will be deemed to be misrepresentation and NWPT will begin the remedy outlined below.

5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1. Name of company/firm.....

5.2. Company registration number:

5.3. CSD Number: MAAA.....

5.4. TYPE OF COMPANY/ FIRM

☐ Partnership/Joint Venture / Consortium	☐ Personal Liability Company
☐ One-person business/sole propriety	☐ (Pty) Limited
☐ Close corporation	☐ Non-Profit Company
☐ Public Company	☐ State Owned Company
[TICK APPLICABLE BOX]	

6. I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, declare the points claimed and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The points claimed are in accordance with the General Conditions as indicated in paragraph 1, 2 and 5 of this declaration;
- iii) In the event of a contract being awarded as a result of points claimed and any other information at the disposal of the NWPT, the bidder may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the points claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

.....
SIGNATURE(S) OF BIDDER(S)

SURNAME AND NAME:

DATE:

ADDRESS

.....

.....