



# REQUEST FOR QUOTATION

YOU ARE HEREBY INVITED TO SUBMIT A QUOTATION FOR THE CULTURE, ARTS, TOURISM, HOSPITALITY AND SPORT SECTOR EDUCATION AND TRAINING AUTHORITY (CATHSSETA)

SBD 1

<b>Description</b>	<b>Appointment of a research institution/organisation to conduct a sector analysis on the Arts, Culture and Heritage (ACH) and the Sports, Recreation and Fitness (SRF) sub-sectors.</b>
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<b>Date issued</b>	23 August 2021	<b>RFQ number</b>	
<b>Closing Date:</b>	03 September 2021	<b>Closing Time:</b>	15:00pm
<b><u>CSD</u> Registration number</b>			

## SUBMISSION

The successful bidder will be required to fill in and sign a written Contract Form

(SBD 7)

Proposal documents to be emailed before the closing date and time to: [supplychain@cathsseta.org.za](mailto:supplychain@cathsseta.org.za)

The following particulars must be furnished;  
(failure to do so may result in your bid being disqualified):

Name of bidder

270 George Road, Noordwyk, Midrand, 1687

Tel No.: 0860 100 221 | 011 217 0600 | Email: [supplychain@cathsseta.org.za](mailto:supplychain@cathsseta.org.za)

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Postal Address

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Street Address

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Telephone Number

Code:

Number:

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Cellphone Number

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Facsimile Number

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Email Address

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VAT Registration Number

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Has an original and valid tax clearance certificate been submitted? (SBD 2)

Yes

No

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Has a B-BBEE Status Level Verification Certificate been submitted? (SBD 6.1)

Yes

No

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If yes, who was the certificate issued by? [tick applicable box]

<input type="checkbox"/>	An accounting officer as contemplated in the Close Corporation Act (CCA)
<input type="checkbox"/>	A verification agency accredited by the South African Accreditation System (SANAS)
<input type="checkbox"/>	A registered auditor

NOTE: a B-BBEE Status Level Verification Certificate must be submitted in order to qualify for preference points for B-BBEE

Are you an accredited representative in South Africa for the goods / services / work offered?

Yes

No

[If yes, please enclose proof]

**Total Bid Price:**

**Total number of items offered:**

**Signature of bidder** .....

**Capacity under which this bid is signed** .....

**Date** .....

## **1. BACKGROUND TO CATHSSETA**

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The Skills Development Act No. 97 of 1998 as amended (SDA) makes provision for the establishment of Sector Education and Training Authorities (SETAs) for each national economic sector and thereby aims to develop the skills of the South African workforce by increasing the investment in education and training in the labour market; and encouraging employers to play a meaningful role in developing employees, particularly the previously disadvantaged. The Culture, Arts, Tourism, Hospitality and Sport Sector Education and Training Authority (CATHSSETA) was established through the SDA, to research and establish a nationally recognised Sector Skills Plan (SSP) supported by skills development programmes serving the interests of the following sectors:

- Culture, Arts and Heritage;
- Tourism and Travel Services;
- Hospitality;
- Gaming and Lotteries;
- Conservation; and
- Sport, Recreation and Fitness.

These sectors are diverse and unique, and they play a significant role not only in the economy, but also in the broader quest for social cohesion and formulation of a unique South African national identity. CATHSSETA's critical success factors are described as key processes that deliver services to its beneficiaries, i.e., learners and employers. These processes are based on the three critical components of the CATHSSETA service delivery value chain:

- Facilitation of Learning Interventions: Involves facilitation of all skills development initiatives.
- Quality Assurance of Skills Development: Involves accreditation of skills development providers, verification of learners, and development of occupational qualifications.
- Employer engagements: Involves the receipt of levies and payments of grants.

## **2. SCOPE OF THE PROJECT**

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CATHSSETA is inviting a qualified research institution/organisation to provide it with the support and capacity to conduct a sector analysis study in the Arts, Culture and Heritage (ACH) as well as the Sports, Recreation and Fitness (SRF) sub-sectors. Results from this study will be used to update the 2020/21 – 2024/25 CATHSSETA SSP for the 2023/24 update and improve the quality of data on the ACH and SRF sub-sectors.

### **2.1 Objectives of Service Delivery**

The objective of this RFQ is to appoint a suitably qualified research institution/organisation to conduct an analysis of the ACH and SRF sub-sectors to assess the economic performance and labour market profiles of the sub-sectors in line with the requirements of the DHET SSP Framework and Guidelines. The study should further address how each sub-sector contributes to the larger economy at both micro and macro-economic level and identify the related implications for skills development. The main objectives of the study are to:

- Provide an in-depth analysis of the ACH and SRF sub-sector contribution to the economy;
- Conduct an in-depth needs analysis to assess the extent and nature of needs in the ACH and SRF sub-sectors;
- Analyse the economic and labour market outlook for the ACH and SRF sub-sectors;
- Identify emerging trends and related skills and occupational patterns in the ACH and SRF sub-sectors;
- Analyse factors affecting skills demand and supply in the ACH and SRF sub-sectors;
- Appraisal of the CATHSSETA key skills change drivers identified in chapter two (2) of the SSP update;
- Examine the employer profile of the ACH and SRF sub-sectors;
- Examine the employee profile (demographics, skills and educational levels) of the ACH and SRF sub-sectors in line with the Organising Framework for Occupations (OFO);
- Identify and provide analysis on the extent of key-role player participation in the ACH and SRF sub-sectors;
- Update the stakeholder database for the ACH and SRF sub-sectors.

Each annual update of the SSP needs to be representative of all six (6) CATHSSETA sub-sectors. However, CATHSSETA recognises that there is a need to strengthen efforts to solicit data for

underrepresented sub-sectors such as Arts, Culture and Heritage (ACH) and the Sports, Recreation and Fitness (SRF) sub-sectors (amongst others). It is against this backdrop that the SETA is commissioning a sector analysis on of the ACH and SRF sub-sectors.

## 2.2 Detailed Scope of Services

The scope of CATHSSETA and its sub-sectors is based on the standard industrial classification (SIC) codes as defined by the South African Revenue Services (SARS). The table below provides a scope of the activities related to the ACH and SRF sub-sectors:

<b>ARTS, CULTURE AND HERITAGE</b>	
<b>9003</b>	Production of craft art
<b>9004</b>	Production of traditional art
<b>9005</b>	Production of designer goods
<b>9006</b>	Production of functional wares
<b>9007</b>	Production of souvenirs
<b>96140</b>	Dramatic arts, music and other arts activities
<b>96141</b>	Activities of artists and entertainers
<b>96142</b>	Activities of theatre and entertainment technicians
<b>96143</b>	Production of 'live' theatrical and artistic events
<b>96144</b>	Activities of arts councils and other related institutions
<b>96190</b>	Other entertainment activities N.E.C.
<b>96320</b>	Museum activities and preservation of historical sites
<b>96322</b>	Provision for management and operation of monuments, historical sites and buildings
<b>96323</b>	Management and operation of museum, cultural and heritage activities
<b>96492</b>	The activities of casting for motion pictures, television and theatre productions
<b>SPORT, RECREATION AND FITNESS</b>	
<b>93195</b>	Operation and management of health and well-being centres, including, but not limited to, hydros, spas, fitness centres
<b>96000</b>	Recreational, cultural and sporting activities

<b>96002</b>	Recreational, leisure and outdoor adventure activities, including the management and operation of facilities, government departments
<b>96196</b>	Amusement parks
<b>96410</b>	Sporting activities
<b>96411</b>	Operation and management of sporting facilities and clubs
<b>96412</b>	Operation and management of sports academies
<b>96413</b>	Promotion and management of sporting events and activities
<b>96415</b>	Management and operation of non-motorised sporting activities
<b>96417</b>	Sporting activities, including, but not limited to, sports federations
<b>96418</b>	Management and operation of motorised sporting activities
<b>96491</b>	The operation and management of recreation parks and beaches, fairs and shows of a recreational nature and recreational transport activities

The aim of this study is to conduct an analysis of the ACH and SRF sub-sectors to assess the economic performance and labour market profile of the sub-sectors in line with the requirements of the DHET SSP Framework and Guidelines.

The sector skills analysis should encompass both national and international data on the ACH and SRF sub-sectors. In line with the SSP Framework and Guidelines the focus areas of the study will be as follows:

<b>Scope of Coverage</b>	What is the national and international coverage of the ACH sub-sector and the SRF sub-sector respectively? What are the emerging trends and related occupational patterns and skills in the ACH and SRF sub-sectors?
<b>Key Role Players</b>	Who are the main role players in both sectors? What is role of government departments, public institutions, and other governmental regulatory institutions? What is the role of Community Education and Training (CETs), Technical Vocational Education and Training (TVETs) and universities in the ACH and SRF sub-sectors? What is the role of employer interest groups and labour unions in the ACH sub-sector and SRF sub-sector respectively? What are the active labour unions and employer interest groups in both sub-sectors? What role do role players have in relation to the National Skills Development Strategy? What collaborative projects can the SETA explore with key role players?

<p><b>Economic Performance</b></p>	<p>What is the ACH and SRF sub-sectors' contribution to the economy? How does this compare to the rest of the economy? How are both sectors performing currently? What is the future outlook? What are the emerging trends? How competitive is the ACH and SRF sub-sectors?</p>
<p><b>Employer Profile</b></p>	<p>How many employers are represented within each sub-sector? What is the size of the employers? What is the status of SMMEs and cooperatives in the sub-sectors? Where are employers geographically based? How have they been performing in terms of start-ups and closures?</p>
<p><b>Labour Market Profile</b></p>	<p>How many people are employed within each sub-sector? What are the demographics (race, gender, age and disability characteristics) in the ACH and SRF sub-sectors? Where are employees geographically based? How has employment in the sector evolved at provincial and sub-sector levels? Have there been any measurable trends occurring? What broad occupational groups within the sector do employees belong to? What skills and educational levels do employees have in both the ACH and SRF sub-sectors?</p>
<p><b>Factors affecting skills demand supply</b></p>	<p>What are the key factors driving disruption in the ACH and SRF sub-sectors and how have these factors been identified? How does each factor impact the demand and supply of skills in the sub-sectors? What are the emerging skills and occupation in the sub-sectors? What is the state of technology, technological infrastructure, and innovation in the sub-sectors? What is the state of investment in technology and e-learning in the sub-sector, if at all available?</p>

And the following:

- An appraisal of the current CATHSSETA SSP and all relevant policy documents;
- The identification of gaps between CATHSSETA SSP and its data on the ACH and SRF sub-sectors and recommend how this gap can be closed.

### Research Design and Methodology

It is expected that the bidder will identify and justify preferred research methodology in the research proposal, which should include the following:

- Analysis of all relevant document, including a detailed literature review at the domestic, regional, and global level;
- Development of research tools and instruments (e.g., survey questionnaires);
- Sampling strategy and sectoral profile of targeted respondents; and
- Other sources of data that may provide insight into the research outcomes.



### **3. EXPECTED OUTPUTS/DELIVERABLES**

This study is expected to provide the following deliverables:

- 3.1 An inception report following discussion with CATHSSETA, including a detailed research project plan;
- 3.2 Monthly progress reports;
- 3.3 Detailed literature review prior to development of research instruments;
- 3.4 All research instruments and tools to be signed off by CATHSSETA;
- 3.5 Draft report for review;
- 3.6 Power-point presentations to accompany all reports submitted to CATHSSETA;
- 3.7 Presentation to the CATHSSETA Management and Governance structures;
- 3.8 All completed instruments, transcripts, field work reports, datasets, etc.; and
- 3.9 A final report of the study in hard copy and electronic formats. There will be two versions of the report, namely a five (5)-page executive summary of the whole report and a full report with a maximum of 60 pages).

### **4. SERVICE PROVIDER REQUIREMENTS/COMPETENCIES**

As part of the proposal to be submitted to CATHSSETA, the research institution/organisation must provide work plan, budget and personnel to be allocated to the project. The following competencies and skills sets are required:

- 4.1 Strong understanding and knowledge of the Post School Education and Training sector;
- 4.2 Demonstrate understanding of the CATHSSETA operating environment and the six (6) sub-sectors;
- 4.3 Ability to lead and manage a research project of this nature should be demonstrated by providing a list of similar projects completed in the past five years with contactable references;
- 4.4 Lead researcher with a minimum of a Master's degree in Social Sciences/Economics/Statistics or any related disciplines and ten (10) years research experience;
- 4.5 Good knowledge and understanding of research methodologies and experience in applying them;
- 4.6 Ability to systematically gather, analyse, synthesize relevant evidence and data from a range of sources, identify relevant materials and assess quality and identify gaps;

- 4.7 Ability to write concise and focused reports that are credible, useful, and actionable, address key research questions and show the evidence, analysis, synthesis, and recommendations;
- 4.8 Demonstrate strong project management skills, including field coordination and implementation where necessary;
- 4.9 Strong management of resources to deliver high quality research and results on time and to appropriate standards;
- 4.10 Provide a detailed organogram of project team with roles and responsibilities (please submit CV of proposed key members of the project team with certified copies of qualifications). Qualifications that are not certified will result in non-scoring.

## 5. PERIOD OF PERFORMANCE

The appointed service provider will enter into a contractual agreement with CATHSSETA for a period of six (6) months commencing from 13 September 2021 ending 15 February 2022. The specific deliverables and milestones are outlined below:

Date	Activity
23 August 2021	Send out request for quotes
03 September 2021	Closing date for submission of quotes at 3pm
13 September 2021	Appointment of preferred provider
15 September 2021	Inception meeting between CATHSSETA and provider
10 January 2022	Provider to submit first draft sector analysis report CATHSSETA
14 February 2022	Provider to submit final sector analysis report to CATHSSETA

## 6. CONDITIONS

- 6.1 All quoted prices accepted from the successful service provider/s will remain fixed and firm from date of acceptance until the 15 February 2022, the service provider/s must take this into consideration.
- 6.2 The RFQ should be submitted with a detailed proposal of service.
- 6.3 Proposal must be submitted with a detailed cost breakdown and total amounts must be inclusive of VAT.
- 6.4 A Service Level Agreement shall be signed with the preferred service provider.
- 6.5 The CATHSSETA reserves the right to invite short listed service providers to present their proposals for final decision

## 7. EVALUATION CRITERIA

Responses will be evaluated in accordance with the following functionality criteria:

1. Evaluation Criteria for Functionality		Weight/ Points
1.	Content of the Proposal and Proposed Methodology	30
2.	Content of the Project plan/ Implementation Plan	25
3.	Track Record and Experience of the Bidding Institution	25
4.	Human Resources Capacity	20
	Total	100
Technical Evaluation criteria		
Description	Evaluation category	Points per criteria
The bidder must provide a detailed response to the following six (6) elements: <ol style="list-style-type: none"> <li>1. Understanding of the research/study and the ToR (background to the research, rationale, purpose, objectives);</li> <li>2. Approach, design and methodology for the research study</li> <li>3. Quality management plan (demonstrate methodology to ensure high quality product</li> </ol>	Proposal provides all six elements on the approach and methodology that will be used in examining the impact of Covid-19 on CATHSSETA sub-sectors as elaborated on in the ToRs	30
	Proposal provides four to five elements on the approach and methodology that will be used in examining the impact of Covid-19 on CATHSSETA sub-sectors as elaborated on in the ToRs	25

<p>and services)</p> <p>4. Research policy nexus (indicate how the research findings can be engaged with to promote utilization by CATHSSETA and the sector;</p> <p>5. Reporting;</p> <p>6. Risks/mitigation measures;</p>	<p>Proposal provides three elements on the approach and methodology that will be used in examining the impact of Covid-19 on CATHSSETA sub-sectors as elaborated on in the ToRs</p>	20
	<p>Proposal provides less than three elements on the approach and methodology that will be used in examining the impact of Covid-19 on CATHSSETA sub-sectors as elaborated on in the ToRs</p>	0
<p>Detailed project plan for the service to be provided according to the following five elements:</p> <p>1. Scope of work;</p> <p>2. Project objectives;</p> <p>3. Activity-based plan (including number of person days per activity and time frame linked to activities);</p> <p>4. Budget allocation (in South African Rand, including VAT);</p> <p>5. Outcomes, milestones and deliverable;</p>	<p>The project plan provides all five elements covering services to be provided as outlined in ToRs;</p>	25
	<p>The project plan provides three to four elements covering services to be provided as outlined in ToRs;</p>	20
	<p>The project plan provides two elements covering services to be provided as outlined in ToRs</p>	15
	<p>The project plan provides less than two elements covering services to be provided as outlined in ToRs;</p>	0
<p>The experience of the bidder/bidding institution is illustrated in the areas listed under the detailed scope of services.</p> <p>Illustrated instances of comparative or similar projects in terms of the scope of service and ToRs by submitting contactable reference letters and research reports related to similar work/project.</p>	<p>Submitted five or more contactable reference letters and three research reports relating to similar work / project done in the last 5 years</p>	25
	<p>Submitted three to four contactable reference letters and two research reports relating to similar work / project done in the last 5 years</p>	20
	<p>Submitted two contactable reference letters and one research report relating to similar work / project done in the last 5 years</p>	15
	<p>Submitted less than two contactable reference letters and no research report relating to similar work / project done in the last 5 years</p>	0
<p>The lead researcher/ Project Lead of the bidding institution must have a minimum of a Master's degree and demonstrate experience in leading a team to execute a project of this nature or similar.</p>	<p>Submitted CVs and certified copies of qualifications and expertise of Project Lead/ Lead researcher with a Doctoral (PhD) Degree and 10 years' experience in the field of research.</p>	20
	<p>Submitted CVs and certified copies of qualifications and expertise of Project Lead/ Lead researcher with a Master's Degree and 10 years' experience in the field of research.</p>	15
	<p>Non submission of all CVs and certified copies of qualifications and expertise of Project Lead/ Lead researcher with a minimum of Master's Degree and 10 years' experience in the field of research.</p>	0

**Bidders must score a minimum qualifying score for functionality**

**70 points out of 100**

## 8. PREFERENCE POINT SYSTEM

The RFQ will be evaluated on the 80/20 (Price and BBBEE points) preference point system in terms of the PPPFA Act and its regulations 2017. The contract will be awarded to the service provider that scored the highest total number of points. All Responses that achieve the minimum qualifying score **70** for functionality, will be evaluated further in terms of the price and preference point system as follows

Criteria	Points
Price	80
B-BBEE	20
<b>Total</b>	<b>100 points</b>

NOTE: the failure to attach proof of valid BBBEE will result in the forfeiture of preference points

## 9. SUBMISSION OF QUOTES

The following documents are mandatory; failure to submit the below documents will disqualify your bid:

- Government Procurement: General Conditions of Contracts are obtainable from <http://www.cathsseta.org.za> conditions of contracts;
- Original, and Valid Tax Clearance Certificate;
- SBD 4, 8 and 9 (Completed and signed)
- BBBEE certificate (optional)
- The proposal must be valid for 60 days from the closing date of bid.

## 10. CONTACT DETAILS AND DISCLAIMER

All enquiries must be directed by e-mail to [supplychain@cathsseta.org.za](mailto:supplychain@cathsseta.org.za) before the closing date. CASTSSETA reserves the right to engage with more than one service provider, and to apply and follow CASTSSETA Supply Chain Management guidelines. **All costs incurred in drafting the quotation are those of the service provider.**

## 11. CLOSING DATE

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The quotations must be submitted by no later than, **03 September 2021 at 15:00pm.**

## 12. TAX CLEARANCE CERTIFICATE REQUIREMENTS

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

- In order to meet these requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit Bids.
- SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
- The original Tax Clearance Certificate must be submitted together with the bid.
- In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
- Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch Office nationally or on the website [www.sars.gov.za](http://www.sars.gov.za).
- Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, Taxpayers will need to register with SARS as eFilers through the website [www.sars.gov.za](http://www.sars.gov.za).



## DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

2.1 Full Name of bidder or his or her representative: .....

2.2 Identity Number:.....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>, member):  
.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:  
.....

2.5 Tax Reference Number: .....

2.6 VAT Registration Number: .....

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in paragraph 3 below.

2.7 Are you or any person connected with the bidder **YES / NO**  
presently employed by the state?

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member: .....

presently employed by the state?

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member: .....

Name of state institution at which you or the person connected to the bidder is employed : .....

Position occupied in the state institution: .....

Any other particulars:

.....  
 .....  
 .....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attach proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....  
 .....  
 .....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

.....  
 .....  
 .....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.

.....  
 .....  
 .....



Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

**YES/NO**

1 If so, furnish particulars.

.....  
 .....  
 .....

Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

**YES/NO**

1 If so, furnish particulars:

.....  
 .....  
 .....

**Full details of directors / trustees / members / shareholders**

<b>Full Name</b>	<b>Identity Number</b>	<b>Personal Income Tax Reference Number</b>	<b>State Employee Number / Persal Number</b>

<sup>1</sup>"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

<sup>2</sup>"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.



**4 DECLARATION**

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.  
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS  
DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

November 2011

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL  
PROCUREMENT REGULATIONS 2017**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

**1. GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to all bids:

- 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

- a) The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the **.....** preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	.....
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	.....
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser 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 purchaser.

**2. DEFINITIONS**

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity 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;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro 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;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“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;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

**3. POINTS AWARDED FOR PRICE**

**3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS**

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

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

Where

- P<sub>s</sub> = Points scored for price of bid under consideration
- P<sub>t</sub> = Price of bid under consideration
- P<sub>min</sub> = Price of lowest acceptable bid

**4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR**

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

**5. BID DECLARATION**

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

**6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

6.1 B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)  
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME	QSE
Black people	√	√
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		

Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

**8.4 TYPE OF COMPANY/ FIRM**

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....  
 .....  
 .....  
 .....

**8.6 COMPANY CLASSIFICATION**

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been 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.

<p>WITNESSES</p> <p>1. ....</p> <p>2. ....</p>
--

<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p>
<p>DATE: .....</p> <p>ADDRESS .....</p> <p>.....</p> <p>.....</p>

**DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
  - a. abused the institution’s supply chain management system;
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury’s Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?  <b>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</b></p> <p>The Database of Restricted Suppliers now resides on the National Treasury’s website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?  <b>The Register for Tender Defaulters can be accessed on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		



4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

**SBD 8**

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME).....  
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION  
FORM IS TRUE AND CORRECT.**

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

Js365bW



## CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

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

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Institution)

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

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

1. 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<sup>3</sup> will not be construed as collusive bidding.
2. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
3. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
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.

<sup>3</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.

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

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

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