

# SACPCMP

The South African Council for the Project and Construction Management Professions

— CONSTRUCTING NEW PERSPECTIVES —

<b>YOU ARE HEREBY INVITED TO BID (PROVIDE A PROPOSAL) IN RESPECT OF PROFESSIONAL SERVICES REQUIRED BY THE SOUTH AFRICAN COUNCIL FOR THE PROJECT AND CONSTRUCTION MANAGEMENT PROFESSIONS (SACPCMP).</b>			
<b>BID DESCRIPTION</b>	Appointment of a service provider for secretarial services for SACPCMP for a period of 3 years (Re-advertised)		
<b>BID NUMBER</b>	<b>REG01/23</b>		
<b>NAME OF INSTITUTION</b>	The South African Council for the Project and Construction Management Professions (SACPCMP)		
<b>THE PLACE WHERE GOODS ARE TO BE DELIVERED/ WORKS OR SERVICES ARE REQUIRED</b>	SACPCMP Offices 446 Rigel Avenue Rigel Office Park Erasmusrand Pretoria		
<b>COMPULSORY REQUIREMENTS</b>	<ul style="list-style-type: none"> <li>- Please note that failure to submit compulsory documents may lead to disqualification.</li> <li>- Emailed submissions will be accepted.</li> </ul>		
<b>NUMBER OF COPIES REQUIRED</b>	only emailed submissions will be accepted		
<b>RFP DISTRIBUTION DATE</b>	<b>20 April 2023</b>	<b>16h00</b>	
<b>QUERIES CLOSING DATE</b>	<b>12 May 2023</b>	<b>16h00</b>	
<b>RFP CLOSING DATE</b>	<b>24 May 2023</b>	<b>16h00</b>	
<b>CONTACT DETAILS</b>	Electronic bids	Electronic bids should be submitted to Sbongile Shabalala <a href="mailto:tenders@sacpcmp.org.za">tenders@sacpcmp.org.za</a>	
	Physical address	SACPCMP Offices 446 Rigel Avenue Rigel Office Park Erasmusrand Pretoria	
	Fax	No facsimile bids will be considered	
	Email	<a href="mailto:tenders@sacpcmp.org.za">tenders@sacpcmp.org.za</a>	
	Technical Queries (only)	Ms. Tshidiso Lekgetho <a href="mailto:tshidisolek@sacpcmp.org.za">tshidisolek@sacpcmp.org.za</a>	

	Contact person	Admin Enquiries: Sbongile Shabalala <a href="mailto:JnrAccounts@sacpcmp.org.za">JnrAccounts@sacpcmp.org.za</a>
<b>CATEGORY</b>	To provide professional services as per the brief.	
<b>SECTOR</b>	Regulatory Council	
<b>REGION</b>	Gauteng Province	
<b>COMPULSORY BRIEFING SESSION/SITE VISIT</b>	Date	N/A
	Time	N/A
	Venue	N/A

## 1. BACKGROUND

The South African Council for the Project and Construction Management Professions (SACPCMP) is a juristic person established by section 2 of the Project and Construction Management Professions Act (Act No.48 of 2000) which provides for statutory professional certification, registration and regulation of Project and Construction Management Professions to protect public interest. In line with the construction industry development initiatives, the Council continues to advance and promote the science and management practice of project and construction management thereby contributing towards promotion of the construction and built environment industries.

It further regulates the Project and Construction Management Professions to protect the public by identifying the type and scope of work, registering professionals and maintaining a national register of professionals who adhere to a Code of Conduct.

It also accredits Project and Construction Management programmes at tertiary educational institutions to ensure that graduates are employable within the industry upon completion of their studies and recognises Voluntary Associations who assist in the promotion of the professions under the SACPCMP (South African Council for the Project and Construction Management Professions) umbrella.

**The SACPCMP Secretariat contract has come to end the opportunity is there for the corporate secretary to be responsible for ensuring sound corporate governance practice, to be the repository of governance knowledge and advice, and to be the source of the company's conscience ensuring corporate integrity takes precedence over short-term gain and personal benefit. The Companies Act, No. 71 of 2008 (the Act) prescribes that all public and state-owned companies are required to have a company secretary.**

## OPERATIONS

The SACPCMP operates in the Built Environment alongside the other six Councils being the South African Council for the Architectural profession (SACAP), the Engineering Council of South Africa (ECSA), The South African

Council for the Landscape Architectural Profession (SACLAP), The Council for the Quantity Surveying Profession (SACQSP) and the South African Council for the Property Valuers Profession (SACPVP). The National Minister of Public Works is the Executive Authority of the Council and communicates with the Council through the CBE, which is the overarching body that co-ordinate the activities of all the six Built Environment Councils.

## **2. SCOPE OF WORK**

- Provide Corporate Governance
- Support at Council meetings
- Provide directors with guidance in their duties, responsibilities and powers and make directors aware of all laws and regulations relevant to the company. This should include advice on business ethics and good governance. Remain abreast of developments in corporate governance and is pivotal to ensuring that the directors adhere to the highest governance standards as detailed in the second King Report ("King IV").
- Reviewing and updating Council and Council Committees' charters and terms of reference
- Review of Council and Committee Structures
- Corporate Compliance Matters.
- Provide guidance to Council, Committees and Executive on their responsibilities and duties and how such responsibilities and duties should be properly discharged in the best interests of SACPCMP.
- Monitor international developments on corporate governance and bring these to the Council's attention where they would add value.
- Ensure that the Council's policies and instructions are communicated to the relevant persons in the company and that pertinent issues from management are referred back to the Council where appropriate.
- Ensuring a process in place that the entity and employees comply with the laws, regulations, codes, standards and ethical practices applicable.
- King IV recommends that the Council must on an annual basis review its Charter and Committee's terms of reference.
- Ensure that the Council and Committee work plans include such governance requirements. In this regard, our first point of engagement we review the Council Charter and Committee terms of reference to ensure that these are aligned to King IV.
- Review and provide recommendations on the Council governance structure. Ensuring that the Social and Ethics framework is aligned with the Companies Act and King IV requirements.
- Council charter and committee terms of reference are reviewed annually and ensure that are aligned to the relevant legislations.
- Maintain our independence by not involving ourselves in the day to day running of the organization, however, keep management updated on any corporate governance
- Process to be implemented or followed to report any non-compliance to the Risk Committee and Chairperson.

- Advisory role and provide guidance to all Council members including senior management.
- Ensuring a process in place that the entity and employees comply with the laws, regulations, codes, standards and ethical practices applicable. Among others, the following prescripts:
- Provide the Council, collectively and individually, with guidance as to their duties, responsibilities and powers.
- Ensure that the Council is aware of any law and regulations relevant to or affecting SACPCMP.
- Ensure that minutes of all meetings, Council meetings and the meetings of any committee of Council, are signed and pasted in the relevant books.
- Obtain and maintain Council Members' Declarations of Interests, personal address and contact information.
- Certification on the Annual Financial Statements
- Delegation of Authority
- Governance Risk Management
- Participate in the preparation of the annual financial statement and prepare a write up on the governance section for the organization.
- Participate in the proofreading process of the annual financial statement and annual reports.
- Ensure that all necessary returns are filled timeously and certify accordingly in the annual financial statements.
- Assist management with the review of DoA to ensure there is alignment with the Companies Act and King IV.
- Assist management with the review of the Governance Risk Register and Framework.
- Administrative and Meeting Attendance, Drafting of Minutes
- Assist with annual drafting of the year planner to ensure synergy between the Council, Executive Management as well as all Committees.
- Draft agendas in liaison with Chairpersons and CEO for input and expansion. We further monitor action items to ensure that items which are carried forward are included in the next agenda.
- Ensure that agendas are aligned to the approved work plans.
- Electronic packs compilations and circulation
- Ensure that minutes are signed by the Chairperson on approval.
- Round Robin Resolutions

#### **OTHER AD HOC SERVICES**

- Action log/matters arising drafted and circulated within 24 hours.
- Assist management to follow up on actions items to update the schedule for reporting at the next meeting.
- Ensure that resolution taken by the committee are implemented by management. Approved minutes are pasted in the minute books and copy is kept with secretariat. Secretariat will avail themselves during audit period and provide necessary copies to the auditors.
- Draft the Council or committee round robin resolutions and facilitate signature thereof by all members.

- Ensure that signed round robin resolutions are tabled at the next meeting for ratification.
- Ensure that signed resolutions are pasted in the relevant resolution books.
- Public Officer appointment (preparation of all documentation required by SARS)
- Change of financial year end Completing form CoR25, preparing resolution, notice, lodging forms with the CIPC, notice to the South African Revenue Services and updating records
- Change of registered address Completing form CoR21.1, preparing resolution of directors, mandate, notice, lodging documents with the CIPC, notification to the South African Revenue Services and updating records
- Board Evaluation
- Directors Training and Induction
- Board Health Check
- Governance and Statutory Audit

### **3. MANDATORY REQUIREMENTS**

3.1. Proposals will be disqualified or excluded under the following conditions:

3.1.1. Submission after the deadline.

3.1.2. Proposals submitted at incorrect location.

3.1.3. Proposals submitted via email or fax.

3.1.4. Service Providers whose tax matters are not in order at the time when SACPCMP makes an appointment.

3.1.5. Failure to submit 4 x copies and an original bid document.

3.1.6. Not attending the mandatory briefing session where such is required. It should be noted that the person attending the briefing session should sign the correct legal name of the bidder.

3.1.7. Not including a valid original tax clearance certificate as well as BBBEE Original Certificate/ Sworn Affidavits.

### **4. EVALUATION CRITERIA**

The SACPCMP will do the evaluation and adjudication after the proposal submission deadline. The selection criteria will include the following:

- 4.1. Experience of your firm in relation to the scope of service required for an organ of the state.

- 4.2. A list of organisations where your firm conducted similar projects as the one that the SACPCMP requires.
- 4.3. Your staff assignments and availability to complete the project timeously.
  - 4.3.1. Participation of the partner or manager assigned to the project.
  - 4.3.2. Depth of Technical Resources (CV of the assigned manager).
- 4.4. Your staff stability history - what assurances can you provide regarding the assignment of your permanent personnel to the engagement.
- 4.5. Proposed fee for the engagement including a schedule for additional services that may be necessary beyond the scope of engagement.
- 4.6. Detailed project plan / methodology including your project approach.
- 4.7. Estimated number of hours to complete the project by classification of your employees i.e. partners, manager, assistant manager, trainees etc,
- 4.8. Planned project activities linked to a project calendar detailing the activities to be undertaken and the hours that will be required to execute the planned activities.

## **5. MINIMUM FUNCTIONAL REQUIREMENTS**

The service provider should meet the following minimum requirements:

- 5.1. Registration and good standing status of firm and team with:
- 5.2. A professional qualification from the Institute of Chartered Secretaries and Administrators SA (ICSA) is an added advantage.
- 5.3. At least 6 years track record as a firm providing Secretariat consulting work.
- 5.4. Experience gained in similar environment as the SACPCMP will be advantageous.
- 5.5. This position requires someone with strong management and administrative skills and in-depth knowledge of Corporate Governance Principles, relevant Codes and Legislation, particularly the Companies Act, Public Finance Management Act and King III.
- 5.6. Quality Management and Presentation are viewed as critical in this role.

- 5.7. The firm, partner, manager and team should be free of any conflicts of interest related to the provision the required services.
- 5.8. At least three recent (not older than 3 years] written and contactable references from clients that you provided Secretariat consulting services to.
- 5.9. A brief Profile of the Service Provider in terms of composition of the team and its experience.
- 5.10. The Service Provider must develop a Project Plan showing the Methodology and Approach in executing the Project.
- 5.11. The Project should be carried out
- 5.12. The Service Provider should consider organisational trends and benchmark the approach.
- 5.13. The Resource Plan: Proposed Team, Qualifications, Experience of Team and Proposed days to deal with each milestone.

## **6. SPECIAL CONDITIONS**

- 6.1. All enquiries must be made in writing to [jnraccounts@sacpcmp.org.za](mailto:jnraccounts@sacpcmp.org.za), during office hours between 09h00 and 16h30. Please note that responses will be communicated to all bidders and it is therefore the responsibility of the bidder or their representative to ensure that they provide correct email addresses on their documents.
- 6.2. SACPCMP reserves the right not to consider any proposal not fully completed.
- 6.3. By accepting to take part in the proposal process, you agree to keep in confidence all information imparted to you in relation with the proposal process, not to disclose it to third parties and not to use it for other purpose than the proposal.
- 6.4. The Respondent is responsible for all costs incurred in the preparation and submission of the proposal.
- 6.5. A copy/s of any affiliations, memberships and/or accreditations that support your submission must be included in the proposal.

6.6. Kindly note that SACPCMP is entitled to:

- 6.6.1. Amend any RFP conditions, validity period, specifications, or extend the closing date and/or time of RFP's before the closing date. All Respondents, to whom the RFP documents have been issued, will be advised in writing of such amendments in good time.
- 6.6.2. Verify any information contained in a proposal.
- 6.6.3. Not appoint any bidder.
- 6.6.4. Vary, alter, and/or amend the terms of this RFP, at any time prior to the finalisation of its adjudication hereof.
- 6.6.5. Disqualify proposals that contain an omission of disclosure of material information, that is factually inaccurate, and/or contains a misrepresentation.
- 6.6.6. Not accept the lowest proposal or any proposal in part or in whole. The SACPCMP normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose proposal is technically acceptable and/or financially advantageous to the SACPCMP.
- 6.6.7. Appointment as a successful contractor shall be subject to the parties agreeing to mutually acceptable contractual terms and conditions. In the event of the parties failing to reach such agreement within 30 (thirty) days from the appointment date, the SACPCMP shall be entitled to appoint the contractor who was rated 2nd (second), and so on.
- 6.6.8. Cancel or withdraw from this RFP as a whole or in part without furnishing reasons and without attracting any liability.
- 6.6.9. This proposal and its acceptance shall be subject to the terms and conditions contained in this RFP document.

## **7. PROPOSAL**

- 7.1. Bids shall include all relevant information about the bidder as indicated in the advertisement, which will enable the SACPCMP to assess the service provider's competence.



7.2. Responding firms will be evaluated on the quality of the written proposals as well as oral presentations to Management Committee.

7.3. Email proposals should be submitted by **16h00 on 24 May 2023** to the following email address: [tenders@sacpcmp.org.za](mailto:tenders@sacpcmp.org.za)

## **8. PROPOSALS SHOULD ADDRESS:**

### **8.1. Understanding of the Request for Proposal**

- a) Detailed proposal to include the firms understanding of the requirements in respect of the request for proposal as set out in section 2,
- b) The proposal must set out the firm's approach and end to end methodology in respect of the scope (including its Quality assurance and resolution processes) and any other value-added services to be provided to SACPCMP.

### **8.2. Functional minimum requirements**

- a) The firm must provide full detail in its proposal in respect of the functional minimum requirements set out in section 3.
- b) Describe briefly the firms Secretariat methodology/approach and the technology to be used.
- c) Curriculum Vitae of the lead partner, manager and core team members must be included in the proposal.
- d) Describe the firm's quality control system and demonstrate briefly that the firm has established adequate quality control policies and procedures

## **9. BID EVALUATION:**

### **9.1. First Evaluation process**

The following functionality evaluation criteria will be used.

Area of Review	Score	Maximum Points
<b>1. Project team: Qualifications of the proposed team</b>		
<p>Experience and Qualifications of the board secretariat project team</p> <p>Qualifications: Bidders must attach relevant certified copies of highest qualifications/professional certificate. Certification may not be older than 3 months prior to submission and preferably an LLB. Uncertified qualification/professional certificates will not be accepted as authentic. Foreign qualifications are required to be accompanied by a SAQA evaluation certificate.</p> <p>Relevant Postgraduate qualification = 10 points</p> <p>Relevant degree = 5 points</p> <p>Relevant professional certification =5 points</p> <p>No or irrelevant qualifications/professional certificates = 0 points</p> <p><b><i>Non submission of the CVs will result in no points being awarded.</i></b></p>	0.20	10
<b>2. Technical Approach (Methodology)</b>		
<p>Proposal on methodology and project approach indicating a practical framework to demonstrate adequate understanding of Board Secretariat services.</p>	0.40	40
<b>3. Experience in undertaking Secreta projects</b>		
<b>3.1. Assessment of the Firm</b>		
<p><b>Experience:</b> The Secretariat must submit a company profile highlighting experience in Secretariat services.</p> <p><b>7 years relevant experience or more = 15 points</b></p> <p><b>5-6 years relevant experience = 10 points</b></p> <p><b>3-4 years relevant experience = 5 points</b></p> <p><b>Less than 3 years relevant experience = 0 points</b></p>	0.05	15
<p>Service Provider's Secretariat benchmarking experience in the public sector – indicating the total number of years. Firms must provide a schedule of the Secretariat work benchmarking performed and proof of projects completed in a form of letters of acknowledgement and confirmation letters from clients.</p>	0.05	5

<p><b>5 = More than 10 years Secretariat experience in public sector,</b></p> <p><b>4 = 10 years Secretariat experience in public sector,</b></p> <p><b>3 = 8 to 9 years Secretariat experience in public sector,</b></p> <p><b>2= 5 to 7 years Secretariat experience in public sector,</b></p> <p><b>1 = 2 to 4 years Secretariat experience in public sector, and</b></p> <p><b>0 = less than 2 years OD experience in public sector.</b></p>		
Submission of the senior consultant's valid professional registration with a professional qualification from the Institute of Chartered Secretaries and Administrators SA (ICSA) is an added advantage	0.05	5
<b>3.2. Assessment of the Engagement Partner</b>		
<p>Engagement partner / manager – confirmation of experience in the public sector, this should be verified in terms of a CV supplied.</p> <p><b>5 = more than 15 years' experience,</b></p> <p><b>4 = more than 10 years but less than 15 years.</b></p> <p><b>3 = more than 5 years but less than 10 years.</b></p> <p><b>2 = more than 1 year and less than 5 years.</b></p> <p><b>1 = less than 1 years' experience; and</b></p> <p><b>0 = no CV included</b></p>	0.05	5
<p>Engagement partner / manager – confirmation of experience in the private sector, this should be verified in terms of a CV supplied.</p> <p><b>5 = more than 15 years' experience,</b></p> <p><b>4 = more than 10 years but less than 15 years.</b></p> <p><b>3 = more than 5 years but less than 10 years.</b></p> <p><b>2 = more than 1 year and less than 5 years.</b></p> <p><b>1 = less than 1 years' experience; and</b></p> <p><b>0 = no CV included</b></p>	0.05	5
Submission of the manager's valid professional registration with a professional qualification from the Institute of Chartered Secretaries and Administrators SA (ICSA) is an added advantage	0.05	5
<b>4. Track Record</b>		

<p><b>List of contactable applicable references for similar work undertaken.</b></p> <p>i. 5- Written reference received 5</p> <p>ii. 4- Written reference received 4</p> <p>iii. 3- Written reference received 3</p> <p>iv. 2- Written reference received 2</p> <p>v. 2- Written reference received 2</p> <p>vi. No applicable reference received (0)</p> <p>✓ <b>Must not be older than 3 years</b></p> <p>✓ <b>Must be contactable and verifiable</b></p>	0.10	5
<b>Total/Maximum points</b>	<b>100%</b>	
<b>Total points required to move to next level</b>		<b>70%</b>

## 10. SCORING RULES

Unless otherwise specified above, scoring will be done as per below table.

SCORE	DESCRIPTION
5	Excellent - significantly exceed the acceptable level
4	Very good -exceeds acceptable standards
3	Satisfactory - acceptable standards
2	Poor -less than acceptable standards
1	Unsatisfactory -much less than acceptable standards
0	Unacceptable of no evidence

***For a bidder to be considered for the 2nd stage of evaluation they must attain a minimum threshold of not less than 70 points on functionality***

### 10.1. Second Phase Evaluation

Second and final phase will be evaluated as follows:

<b>Evaluation criteria</b>	<b>Points</b>
Price	80%
BBBEE	20%
<b>Maximum Points</b>	<b>100%</b>

## **11. Quotation Price**

These requirements are only minimum requirements. It is required that Service provider familiarise himself/herself with the details of the services/ supplies to be able for him/her to quote accordingly. The quoted price must be in South African Rands and be inclusive of 15% Vat, if VAT registered vendor.

### **11.1. Pricing Schedule**

<b>PROJECT STRUCTURE (please include delivery costs, if any)</b>			
<b>ITEM NO</b>	<b>ITEM DESCRIPTION</b>	<b>UNIT PRICE</b>	<b>PRICING</b>
1			

**NB: Validity period for this RFP should be at least 3 Months from the date of submission.**

## **12. Period of Contract**

The contract shall be for a period of 3 years. Work will only commence upon the signing of the contract which will be followed with various purchase order/s for specific items as may be needed.

## **13. General Conditions of Contract**

General Conditions of Contract (GCC) as per National Treasury will apply. Service providers must familiarise themselves with these conditions as they will be applicable throughout the duration of the contract period.

## **14. Evaluation Criteria**

Proposals received will be evaluated according to the prescriptions of the Preferential Procurement Policy Framework Act no 5 of 2000, the Procurement Regulations of 2017 pertaining to the Act and SACPCMP Procurement Policy determined within the framework of the Act. The 80/20 preference point system will apply. For you to go the next phase of evaluation points of 80% must have been achieved.

## **15. Contract Management**

The Service Provider will be required to sign a Standard Contract based for the duration and value of services.

---

---

—  
**Authorised Bidder's Signature**

**Date**

### **PLEASE NOTE**

1. Any quotation submitted after the closing date and time shall **NOT** be considered.
2. Ensure that your proposal/ quotation clearly covers **ALL** the above aspects of

the RFQ.

3. **DO NOT** include insurance to your quote as SACPCMP provides its own insurance.
4. **ALL QUOTATIONS and ENQUIRIES** are to be addressed to the respective person stipulated on the Request for Proposal **in Supply Chain Management Department**.
5. The SACPCMP reserves the right to cancel the procurement process at any time without notice, and not issue the order.
6. Conditional quotations will be subject to SACPCMP acceptance and approval processes.
7. It is no longer compulsory for bidders to submit SBD 4, 8 & 9 together with this RFQ on the stipulated closing date.
8. The SACPCMP shall request the preferred bidder / service provider to complete and submit SBD 4, 8 & 9 before any awards are finalised. The SBD form shall be valid for a period of twelve (12) months from the date submitted. The onus will rest with the service provider who has been awarded the services to inform SACPCMP of any changes to the information provided on such SBD forms. Failure to do so will result in misrepresentation of facts/ information and may result in SACPCMP terminating the service or contract.
9. Payment terms: compliant invoices will be processed within 30 days after receipt.

---

**FOR OFFICE USE ONLY**

RECEIVED BY: \_\_\_\_\_

COMPANY STAMP

## SBD 6.1

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

This preference form must form part of all bids/ proposals submitted. 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/ POTENTIAL SERVICE PROVIDERS 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/ proposals:
- the 80/20 system for requirements with a Rand value of above R30,000 and up to R50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2 The value of this bid cannot exceed an estimated amount of R50 000 000 (including all applicable taxes) and therefore the 80/20 preferential procurement point system shall be applicable.
- 1.3 Preference points for this bid shall be awarded for:
- (a) Price; and
  - (b) B-BBEE Status Level of Contribution.



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

DESCRIPTION	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTION	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.6 Failure on the part of a bidder/ service provider to submit proof of B-BBEE Status level of contribution together with the bid, will be interpreted 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 deemed fit 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:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 \\
 \square \square \frac{Pt - P_{min}}{P_{min}} \square & & \square \square \frac{Ps - 90 \square 1 - Pt - P_{min}}{P_{min}} \square \\
 \\
 \frac{Ps - 80 \square 1}{\square} \frac{\square}{P_{min}} \square & \mathbf{or} & \frac{\square}{\square} \frac{\square}{P_{min}} \square \\
 \square & & \square
 \end{array}$$

Where-

Ps	=	Points scored for price of bid under
Pt	=	Price of bid under consideration
Pmin	=	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>B-BBEE Status Level of Contributor</b>	<b>Number of points (90/10 system)</b>	<b>Number of points (80/20 system)</b>
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*)

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

7.1.1. If yes, please 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***)
- YE  NO
- v)Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME</b> √	<b>QSE</b> √
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 name  
firm.....
- 8.2 VAT registration  
number.....
- 8.3 Company registration  
number.....
- 8.4 TYPE OF COMPANY/ FIRM [TICK APPLICABLE BOX]
- Partnership/Joint Venture / Consortium
  - One-person business/sole propriety
  - Close corporation
  - Company
  - (Pty) Limited

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION [TICK APPLICABLE BOX]

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

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.

WITNESSES

1.....

2.....

.....

SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS: .....

**Addendum A;**  
B-BBEE Level of Contribution certificate – original or certified copy.

**Addendum B;**  
Valid Tax Clearance Certificate.