

REQUEST FOR PROPOSALS:

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR INSURANCE SERVICES FOR THE GLOBAL FUND GRANT (01 OCTOBER 2025 – 31 MARCH 2028).

BID NUMBER: AQUITY/NDOH 03/2025-2028.

1. INTRODUCTION

AQUITY Innovations NPC (AQUITY) was appointed by the National Department of Health to serve as one of the GLOBAL FUND TB Sub-Recipients (SRs) in South Africa. The project activities are implemented in Mpumalanga (Ehlanzeni district) and Eastern Cape province (Amathole, and Buffalo City Metro districts). Amongst other objectives, the program seeks to improve TB testing at community level. The required services are for the current grant period to start as soon as possible, as it ends in March 2028.

AQUITY, through this grant, seeks to procure insurance services for its various assets throughout the three districts and the Pretoria office.

2. LEGAL FRAMEWORK

The following legislation framework applies to the terms of reference:

- a) Constitution of the Republic of South Africa Act No. 108 of 1996.
- b) Public Finance Management Act No. 1 of 1999.
- c) Treasury Regulations of 2017.
- d) Preferential Procurement Policy Framework Act No. 5 of 2000.
- e) Broad-Based Black Empowerment Act No. 53 of 2003.
- f) Occupational Health and Safety (OHS) Act No. 85 of 2003.
- g) Compensation for Occupational Injuries and Diseases Act No 130 of 1993.
- h) Promotion of Access to Information Act No 2 of 2000.
- i) Promotion of Administration Justice Act No. 3 of 2000.
- j) Disaster Management Act No. 57 of 2002.
- k) Standards Act No. 29 of 1993.
- l) Trade Metrology Act No. 9 of 2014.

3. MANDATORY REQUIREMENTS

It is the responsibility of each service provider to ensure that complete documents are submitted on or before the closing date and time.

Bidders must submit all required documents indicated hereunder:

- 3.1 SBD 1 – ANNEXURE A
- 3.2 SBD 3 – ANNEXURE B
- 3.3 SBD 4 – ANNEXURE C
- 3.4 Preference Points SBD 6.1 Updated – Proof must be provided for points claimed
- **Please refer to Annexure D below.**
- 3.5 Entity registration certificate or proof of ownership
- 3.6 The service provider must submit a profile of the entity which includes but is not limited to the following:
 - Central Supplier Database (CSD) registration with director details.
 - Business products and services which the entity is trading.
- 3.7 The service provider must submit a valid tax pin status report to confirm the following tax registrations:
 - VAT
 - Income Tax
 - PAYE
- 3.8 Signed code of conduct of suppliers. **Please refer to the link below and initialize every page:**

[corporate code of conduct for suppliers policy en.pdf \(theglobalfund.org\)](https://www.theglobalfund.org/publications/corporate-code-of-conduct-for-suppliers-policy-en.pdf)

A service provider that does not submit valid documents stipulated above will be automatically disqualified.

4. THE REQUIREMENT

Service providers are requested to quote for insurance services summarised in **Table 1**. A more detailed narration of the same assets is indicated under **Table 2**. Included in the tender response should be a premium charged on each **Asset Type**, along with required excess. Any special conditions should be appropriately disclosed. Any other important value-added service should be disclosed, along with its related cost for ease of reference.

The valuation will be based on **Section A** Product Type Insurance. **Section B** value added services that include fraud risk insurance and third-party claims are optional at this stage, but bidders are requested to indicate potential prices if possible. If it's not possible to give indicative prices, bidders should indicate reasons why they cannot provide them at this stage. They should state whether it is possible to quote on these in the future.

A detailed asset register will be provided at the briefing session to registered service providers, that will give more details to Table 2 assets. Relevant asset insurance should include fire damage cover.

SUMMARY SCHEDULE OF INSURANCE PORTFOLIO – TABLE 1				
A. PRODUCT TYPE INSURANCE				
	Asset Type	Quoted Premium	Excess Required	Special Conditions
1	Vehicles			Comprehensive Insurance (Including scratches & dents)
2	Mobile clinics			Comprehensive Insurance (Including scratches & dents)
3	Movable Containers – Clinics			
4	IT Infrastructure			
5	IT Equipment			
6	Furniture			
7	Electronic Accessories			
8	Sputum Booths and Gazebos			
B. VALUE ADDED SERVICES - OPTIONAL				
	Type of Asset	Quoted Premium	Excess Required	Special Conditions
9	Fraud risk insurance. Quote for R1 million, R5 million, and R10 million separately.			
10	Third party claims against AQUITY R5 million.			Hedge against third party claims

AQUITY INNOVATIONS NPC – SUMMARY OF ASSETS - TABLE 2

Items	Asset Name	Units	Items	Asset Name	Units
1	CAD TB Software	1	24	MHealth software	1
2	Camera	1	25	Monitor	55
3	Chair	157	26	Nebuliser	57
4	Clinical scale	10	27	Network Switch	2
5	CO2 Monitor	17	28	PC Tower CPU	2
6	Collapsible Sputum Booth	5	29	Printer	19
7	Computer	6	30	Projector	13
8	Conference camera	4	31	QURE AI NUC PC	5
9	Container X- Ray clinic	5	32	Qure AI PC Box	6
10	Cupboard	12	33	SAGE Pastel	2
11	Desktop	51	34	Samsung screen 19	2
12	Display Monitor	11	35	Scanner	4
13	ECG Machine	26	36	Solar Panel Controller	1
14	Fingerprint scanner	3	37	Sonic firewall	4
15	Gazebo	19	38	Storage Box	4
16	Generator	11	39	Table	108
17	GeneXpert 16 Module	1	40	Tablet	179
18	Hisense Refrigerator	5	41	UPS 10KVA	1
19	Laptop	100	42	UPS 3KVA	4
20	Liebher Refrigerator	1	43	Vehicle	26
21	Loud Hailer	4	44	Mobile Clinic	6
22	LTE Software (CAD)	1	45	X-Ray Machine	11
23	Mercer 3kVA UPS	5			

5. Evaluation Process (Two phases)

Phase 1: Technical Evaluation

Service provider proposals are assessed according to the technical evaluation criteria stipulated in Section 6. The service provider must achieve a minimum functionality threshold of **70%** to proceed to the next phase. Shortlisted service providers will be required to present to the tender community, and this will be scored as disclosed in the appropriate section.

Phase 2: Financial Evaluation

This will be evaluated through Pricing and Broad-Based Black Economic Empowerment (B-BBEE). The 80/20 preference points system will apply, and bidders are required to submit evidence of points claimed as outlined under section 7.1.2 in SBD 6.1. – **please refer to Annexure D**

6. TECHNICAL EVALUATION

AQUITY will assess the extent to which proposals submitted in response to these terms of reference meet the evaluation criteria below.

6.1 Previous Work Experience (25%)

Reference letters/Testimonials		
Five (5) contactable signed reference letters from present or past clients of the insurance company. The letters should only be for services provided within the past five (5) years or less and should include 1 reference letter for services provided within the past year.		
TOTAL POINTS WORK EXPERIENCE	10	
A. Evaluation Criteria - Elements and weight for work experience	5	Points Weight Allocation
5 reference letters/ testimonials and more	5	
4 reference letters/ testimonials	4	
3 reference letters/ testimonials	3	
2 reference letters/ testimonials	2	
1 reference letter/ testimonial	1	
B. Evaluation Criteria - Elements and weight for work experience presentation	5	Points Weight Allocation
Presentation is professional, clear, and fully address the mandate	5	
Presentation significantly addresses the mandate	4	
Presentation generally addresses the mandate	3	
Presentation fails significantly to address the mandate	2	
Presentation totally fails to address the mandate	1	

6.2 Technical Team (25%)

The service provider must demonstrate organizational footprint as well as provide an organogram with key staff members:

Composition of the technical team to be utilised in the execution of the contract consisting of, at a minimum; the following professionals:

- ❖ Project leader
- ❖ Key Accounts Manager

NB: Attach copies of the relevant CVs for each, clearly indicating a detailed profile of their previous work experience, with a minimum of five (5) years of relevant experience in the respective profession. Furthermore, please indicate all the roles and responsibilities of all the three positions above.

TOTAL POINTS TECHNICAL TEAM	10	
A. Evaluation Criteria - Elements and weight for technical team	5	Points Weight Allocation
All required key professionals with at least 5 years of relevant working experience in travel management	5	
All required key professionals with at least 4 years of relevant working experience in travel management	4	
All required key professionals with at least 3 years of relevant working experience in travel management	3	
All required key professionals with at least 2 years of relevant working experience in travel management	2	
All required key professionals with at least 1 year's relevant working experience in travel management	1	
B. Evaluation Criteria - Elements and weight for technical team presentation	5	Points Weight Allocation
Presentation is professional, clear, and fully address the mandate	5	
Presentation significantly addresses the mandate	4	
Presentation generally addresses the mandate	3	
Presentation fails significantly to address the mandate	2	
Presentation totally fails to address the mandate	1	

6.3 Methodology and Approach (50%)

The methodology and approach must address, at minimum, the following processes:		
<ol style="list-style-type: none"> 1. Systems 2. Process Flows 3. Turnaround time 4. Document Management 5. Excess 6. Billing 7. Premium Escalation 8. Reporting 9. Stakeholder engagement 		
A. TOTAL POINTS METHODOLOGY & APPROACH	10	
B. Evaluation Criteria - Elements and weight for technical team	5	Points Weight Allocation
Detailed technical approach and comprehensive documented methodology with time frames.	5	
Detailed technical approach and methodology provided that is aligned to the scope of work	4	
Generic technical approach and methodology provided	3	
Unrelated methodology provided	2	
No methodology provided	1	
A. Evaluation Criteria - Elements and weight for work experience presentation	5	Points Weight Allocation
Presentation is professional, clear, and fully address the mandate	5	
Presentation significantly addresses the mandate	4	
Presentation generally addresses the mandate	3	
Presentation fails significantly to address the mandate	2	
Presentation totally fails to address the mandate	1	

7. SPECIAL CONDITIONS:

- 7.1** AQUITY reserves the right to appoint or cancel the **BID NUMBER: 03/2025-2028** and the continuity of the work published is subject to the availability of funding from the funder.
- 7.2** AQUITY reserves the right to award the tender to the most suitable service provider.
- 7.3** AQUITY reserves the right to stop the contract partly or, temporarily or indefinitely, in which event neither claim nor liability whatsoever shall lie against the contractor due to non-compliance, or non-performance, by the supplier.
- 7.4** AQUITY reserves the right not to make an award.
- 7.5** AQUITY reserves the right to conduct price negotiations, where it is deemed necessary.
- 7.6** AQUITY reserves the right to implement the tender in part or in full
- 7.7** All suppliers are bound to protect the confidentiality of all data (including the protection of personal information) and information gathered and accessed through the work on the assignment. Information and data received and accessed through this project may only be used to meet the objectives outlined in these specifications.
- 7.8** AQUITY reserves the right to request any relevant documentation at any stage of implementation.
- 7.9** AQUITY reserves the right to request bidders to present their bids to the procurement committee
- 7.10** All records, data, and information relating to the Programme are owned by the contractor and remain the intellectual property of the contractor and as such must be treated as confidential by the supplier.
- 7.11** At the end of the contract period, the supplier shall make available to the contractor a record of all the data and information relating to the project to enable the new supplier to take on that data and information sufficiently and properly in a manner that would enable the new supplier to commence delivering services to the contractor.
- 7.12** AQUITY reserves the right to conduct supplier due diligence before the final award or at any time during the contract period. This may include site visits.
- 7.13** Suppliers must submit two sets (one original signed copy, one electronic copy DF on a memory stick) of bid documents according to the instructions below:
- The signed original hard copy of the bid document will serve as the legal bid document.
 - All pages in the bid submission must be initiated by the same person with black ink.
 - Where certified copies of documents are required, the person certifying such documents must not be associated with the bidder in any way.
 - The use of correction fluid is not acceptable. Any change/s must be indicated and initiated.
- 7.14** All bid documents must be submitted on or before the closing time of the bid (date and hour specified in the bidding documents).
- 7.15** Incomplete bids will be deemed non-responsive.

8. Submission and Further Enquiries

- 8.1 Both email and physical submissions will be accepted.
- 8.2 **Physical submission** should be submitted at the AQUITY office located on address number - 114 Sovereign Drive, Route 21 Office Park, Irene, Centurion, 0157 on or before the closing date and time as per 6.8 below. The sealed envelope must be clearly marked with the reference for the tender being bid as per references on point 6.5 below.
- 8.3 Emailed submissions must submit all required documents relating to this proposal by email to insurancetender@aquity.org quoting the reference of this tender bid as per 6.5 below on the email subject to allow ease of processing.
- 8.4 An email size limit of 10mb per email will apply. If the bidder needs to submit more documentation, emails should clearly be marked Email 1 of 2, Email 2 of 3 as an example. Please note that SharePoint or OneDrive, Google Drive or similar links will NOT be accepted.
- 8.5 The following referencing should be used for both physical and emailed submissions.

Bided office	Bidding Reference
INSURANCE	BIDER NAME_AQUITY 03/2025-2028_ INSURANCE

Bidders to replace bidder name with own name. Example: XYZ PTY_AQUITY03/2025/2028_ INSURANCE.

- 8.6 All pages in the bid submission must be initialled by the same person with black ink.
- 8.7 Where certified copies of documents are required, the person certifying such documents must not be associated with the bidder in any way.
- 8.8 The use of correction fluid is not acceptable. Any change/s must be clearly indicated and initialled.
- 8.9 All bid documents must be submitted on or before the closing time of the bid, 10 February 2026. Due to load shedding and other potential delays, the onus for prompt submission rests with the bidders. No late submissions will be accepted.
- 8.10 Incomplete bids will be deemed non-responsive and rejected at bid opening.
- 8.11 All questions relating to this tender must be addressed to insurancetender@aquity.org before the 19th January 2026. Responses to the questions will be posted on the AQUITY website (www.aquity.org) post the compulsory briefing session as well.
- 8.12 A non-compulsory virtual briefing session will be held on the 23rd of January 2026. Bidders who wish to attend must send an email to insurancetender@aquity.org by 16 January 2026 in order to receive an invite link. The link will be available to registered participants.
- 8.13 It is the responsibility of each supplier to ensure that complete documents are submitted on or before the closing date and time.

9. Closing Date for Submission:

The closing date for the submission of the bids is 10 February 2026 at 16:00hrs SAST.

NB: No late submissions will be considered, and only selected and shortlisted applicants will be contacted and/or advised of the outcome.

ANNEXURE A – SBD 1

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON				CONTACT PERSON	
TELEPHONE NUMBER				TELEPHONE NUMBER	
FACSIMILE NUMBER				FACSIMILE NUMBER	
E-MAIL ADDRESS				E-MAIL ADDRESS	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER		CODE		NUMBER	
CELLPHONE NUMBER					
FACSIMILE NUMBER		CODE		NUMBER	
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS		TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE		TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT [TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					



<p>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]</p>	<p>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]</p>
--	--	--	---

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

**PART B
TERMS AND CONDITIONS FOR BIDDING**

<p>1. BID SUBMISSION:</p> <p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</p>
<p>2. TAX COMPLIANCE REQUIREMENTS</p> <p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”</p>

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

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

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

DATE:

.....

ANNEXURE B – SBD 3

SBD 3.1

**PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....	Bid number: DBE178
Closing Time: 11:00	Closing date: 05 September 2022

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
		Appointment of service provider or a consortium of service providers for printing, warehousing packaging and distribution of Teacher Toolkits to schools in two districts in the Mpumalanga Province	R
		Pricing must be in line with paragraph 8 (d) page 7 of the Terms of Reference.	

- Required by:
- At:
- Brand and model
- Country of origin
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery
- Delivery basis *Delivery: Firm/not firm

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

** "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

*Delete if not applicable

ANNEXURE C – SBD 4

SBD4

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

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.



SBD4

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

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

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.



SBD4

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

- 3.6 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

ANNEXURE D – PREFERENTIAL POINTS

ANNEXURE D - SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS, AND DIRECTIVES APPLICABLE WITH RESPECT TO THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems apply to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

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

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

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

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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim regarding preferences, in any manner required by the organ of state.
- 1.7 The company must submit ID copies of Directors and or shareholders with their bid document or quotation to substantiate points claimed. The share certificate reflecting the number of shares held by each member or director of the company to qualify for the points claimed must be submitted. The department also uses the Central Supplier Database report for further verification. In case of claiming points for disability, the company must submit a registered Doctor's note or document as evidence of the disability.

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

80/20 or 90/10

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right) \text{ or } Ps = 90 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

- Ps = Points scored for price of tender under consideration
 Pt = Price of tender under consideration
 Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME-GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$\frac{80/20}{\left(\frac{Pt - Pmax}{Pmax} \right)} \text{ or } \frac{90/10}{Ps = 80 \left(1 + \frac{Pt - Pmax}{Pmax} \right)}$$

Where

- Ps = Points scored for price of tender under consideration
 Pt = Price of tender under consideration
 Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in Table 1 below as may be supported by proof/documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Percentage ownership equity (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Historical Disadvantaged Individuals	10		
Female	8		
People with disability (provide proof)	2		

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company _____ registration _____ number: _____

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses, or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favorable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders, and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

 SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME:
DATE:
ADDRESS:

