NATIONAL HEALTH LABORATORY SERVICE

REQUEST FOR QUOTATION (RFQ)

RFQ NO: 0014372

DESCRIPTION: SUPPLY, DELIVER AND INSTALLATION OF TOP-LOADING LABORATORY AUTOCLAVE AT ERMELO IN MPUMALANGA GSN RE ADVERT

ISSUED BY:

SUPPLY CHAIN MANAGEMENT
NATIONAL HEALTH LABORATORY SERVICE
CSIR CAMPUS MEIRING NAUDE,
BULDING 23, GROUND FLOOR
BRUMMERIA RD
LYNWOOD PRETORIA

Quotation Queries:	**Technical Queries:**
CONTACT NAME: PROCUREMENT OFFICE	CONTACT NAME: PROCUREMENT OFFICE
E-MAIL ADDRESS: RFQ.LimpM@nhls.ac.za	E-MAIL ADDRESS:RFQ.LimpM@nhls.ac.za

NAME OF A BIDDER:.....

CLOSING DATE: 11 NOVEMBER 2026 AT 11:00
QUOTATION VALIDITY PERIOD: 90 days

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1. **PART A Invitation to Bid** **SBD 1**

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE NATIONAL HEALTH LABORATORY SERVICE (NHLS)					
BID NUMBER:	**RFQ No:0014372**	**CLOSING DATE:11 November 2026**		**CLOSING TIME:**	**11:00AM**
DESCRIPTION:	**SUPPLY, DELIVER AND INSTALLATION OF TOP-LOADING LABORATORY AUTOCLAVE AT ERMELO IN MPUMALANGA GSN RE ADVERT**				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
NHLS LIMPOPO MPUMALANGA REGION BUILDING 23, GROUND FLOOR CSIR PRETORIA CAMPUS MEIRING NAUDE ROAD, BRUMMERIA, PRETORIA					

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**	
CONTACT PERSON	**PROCUREMENT OFFICE**	CONTACT PERSON	**PROCUREMENT OFFICE**
TELEPHONE NUMBER	**012 842 7617**	TELEPHONE NUMBER	**012 842 7615**
E-MAIL ADDRESS	**RFQ.LimpM@nhls.ac.za**	E-MAIL ADDRESS	**RFQ.LimpM@nhls.ac.za**

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] Yes ☒ No ☐		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ 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]					

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS? /SERVICES /WORKS OFFERED?	☐Yes ☐No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES? /WORKS OFFERED?**	☐Yes ☐No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]

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

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

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

SIGNATURE OF BIDDER: ……

CAPACITY UNDER WHICH THIS BID IS SIGNED: ……
(Proof of authority must be submitted e.g. company resolution)

DATE: ……

2. TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

a) This document may contain confidential information that is the property of the NHLS and the Client.

b) No part of the contents may be used, copied, disclosed or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFQ, without prior written permission from NHLS and the Client.

c) All Copyright and Intellectual Property herein vests with NHLS and its Client.

d) Late and incomplete submissions will not be accepted.

e) Price (s) quoted must be within the RFQ threshold of R1 000 000.00 to be compliant and valid (Except when procuring through an established panel or transversal contract).

f) SDB 7 (form of offer) must be completed, and should the total RFQ prices differ, the one indicated on the form of offer shall be considered the correct price.

g) Bidders are required to submit a valid Tax Clearance Certificate and Tax clearance verification PIN, Failure to submit the Tax Pin and valid Tax Clearance Certificate will result in the invalidation of this RFQ.

h) It is the responsibility of the bidder to ensure that NHLS is in possession of the bidder's valid Tax Clearance certificate. The onus is on the bidder to ensure that NHLS receives a valid Tax Certificate as soon as the validity of the said certificate expires.

i) A compulsory clarification or site meeting or briefing session will be conducted: **Not applicable.**

- Respondents arriving after the allocated time of the briefing session and failing to attend the compulsory RFQ/Site briefing will be disqualified.
- The tenderer shall inspect and examine the Site and its surroundings and shall satisfy himself/herself before submitting his/her quotation. The bidder must be represented at the site inspection by a person who is suitably qualified and experiences to comprehend the implications of the work involved.
- The bidder will be responsible for final measurements.

j) Quotation procedure using the two (2) stage system will apply: **Not applicable**.

k) No services must be rendered or goods delivered before an official NHLS Purchase Order form has been received.

l) This RFQ will be evaluated in terms of the 80/20 preference point system prescribed by the Preferential Procurement Regulations, 2022.

m) All questions regarding this RFQ must be forwarded to the RFQ.LimpM@nhls.ac.za 24 hours prior the RFQ closing date.

n) The General Conditions of Contract (GCC) issued by National Treasury are applicable.

o) In case of bids where Consortia / Joint Ventures, Consortia/Joint Venture agreement signed by both parties must be submitted with bid proposal. Each JV partner must submit all their mandatory documentation.

a) Quotation must be All-Inclusive

i. The Supplier shall allow in the quotation for all deliverables as stipulated in the scope, labour, material, consumables, accessories, software, supervision, overhead costs, profit, royalties, all taxes, levies, duties, variations in exchange rates (if applicable), disbursements and everything necessary for the execution and completion of the works in accordance with the quotation documents.

ii. Value Added Tax (VAT) shall be excluded from the rates and prices and provided for as the total VAT on the cost of the Works in the Summary of Schedule of Rates and Prices.

iii. The Supplier rates and prices shall be fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract.

iv. The offer must be in ZAR currency.

v. The NHLS reserve the right to do due diligence on the quotations and to benchmark prices quoted.
vi. Quotes should be submitted on an official letterhead and duly signed.

Delays in the supplier's performance

i. Delivery of the goods and performance of services shall be made by the supplier in accordance with the time schedule prescribed
by the purchaser in the contract.
ii. If at any time during performance of the contract, the supplier or its subcontractor(s) should encounter conditions impeding timely delivery of the goods and performance of services, the supplier shall promptly notify the purchaser in writing of the fact of the delay, its likely duration, and its cause(s). As soon as practicable after receipt of the supplier's notice, the purchaser shall evaluate the situation and may at his discretion extend the supplier's time for performance, with or without the imposition of penalties, in which case the extension shall be ratified by the parties by amendment of contract.
iii. The right is reserved to procure outside of the contract small quantities or to have minor essential services executed if an emergency arises, the supplier's point of supply is not situated at or near the place where the supplies are required, or the supplier's services are not readily available.
iv. Except as provided under GCC Clause 25, a delay by the supplier in the performance of its delivery obligations shall render the supplier liable to the imposition of penalties, pursuant to GCC Clause 22, unless an extension of time is agreed upon pursuant to GCC Clause 22.2 without the application of penalties.
v. Upon any delay beyond the delivery period in the case of a supplies contract, the purchaser shall, without cancelling the contract, be entitled to purchase supplies of a similar Functionality and up to the same quantity in substitution of the goods not supplied in conformity with the contract and to return any goods delivered later at the supplier's expense and risk, or to cancel the contract and buy such goods as may be required to complete the contract and without prejudice to his other rights, be entitled to claim damages from the supplier.

Penalties

i. Subject to GCC Clause 25, if the supplier fails to deliver any or all of the goods or to perform the services within the period(s) specified in the contract, the purchaser shall, without prejudice to its other remedies under the contract, deduct from the contract price, as a penalty, a sum calculated on the delivered price of the delayed goods or unperformed services using the current prime interest rate calculated for each day of the delay until actual delivery or performance. The purchaser may also consider termination of the contract pursuant to GCC Clause 23.

	Accept	Do not accept
The Bidder accepts the above terms and conditions and the General Conditions of Contract on NHLS website as per hyperlink GCC Document or visit NHLS website https://www.nhls.ac.za/supply-chain/, click on supply chain management tab then select General Conditions of Contract		

FOR HAND DELIVERIES OF RESPONSES, PLEASE SUBMIT THE RFQ DOCUMENT TO NHLS LIMPOPO MPUMALANGA REGION BUILDING 23, GROUND FLOOR CSIR PRETORIA CAMPUS MEIRING NAUDE ROAD, BRUMMERIA, PRETORIA.

2.1 Objective Criteria has poor past performance with the NHLS projects- Preferential Procurement Regulations S21f of 2022

- According to the Preferential Procurement Policy Framework Act (PPPFA), 2000: Preferential Procurement Regulations, 2022
- The bid will be awarded subject to section 2(1)(f) of the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000). Section 2 (1)(f) of the Act states that "the contract must be awarded to the bidder who scores the highest points, unless objective criteria in addition to those contemplated in paragraph (d) and (e) justify the award to another bidder".
- **The NHLS will evaluate the past performance of the bidder and determine whether the bidder has poor past performance within the NHLS as an objective criterion.**

3. TERMS OF REFERENCE / SCOPE OF WORKS/ SPECIFICATIONS

FORM OF QUOTATION SUPPLIER NAME: _____

RFQ NO: 0014372

DESCRIPTION: SUPPLY, DELIVER AND INSTALLATION OF TOP-LOADING LABORATORY AUTOCLAVE AT ERMELO IN MPUMALANGA GSN RE ADVERT

The National Health Laboratory Service (" NHLS") is a Schedule 3A Public entity which was established in 2001 by an Act of Parliament to provide diagnostic pathology laboratory services to the National and Provincial Health Department. Further, NHLS is the largest public health laboratory service with more than 260 laboratories across nine provinces and approximately 8000 staff members.

The NHLS is requesting a service provider to render the

. **Terms of Reference/ Scope of Works/ Specifications**

Specification for Top- loading laboratory autoclave

SPECIFICATION
Temperature Range: 100°C to 140°C
Operating Pressure: 15 PSI to 30 PSI / 1.03 – 2.06bar
Chamber Material: Stainless steel for corrosion resistance against moisture and chemicals.
Air Removal System: Gravity displacement.
Essential Safety & Compliance Features
Interlocking/pressure Door lock
Pressure overload protection
Independent Monitoring: Dual temperature/pressure sensing probes and digital recording/display.
Overheat protection.
Fill water & drain water to be automatic.
Capacity: Vertical floor-standing units (45–50 litres).
Certification for use to be supplied on installation by supplier
Must have a 5-year service plan and at least a 12-month warranty.

4. PRICING SCHEDULE

PRICING SCHEDULE:

DESCRIPTION	QUANTITY	UNIT PRICE (excluding VAT)	TOTAL PRICE (excluding VAT)
SUPPLY, DELIVER AND INSTALLATION OF TOP -LOADING LABORATORY AUTOCLAVE AT ERMELO IN MPUMALANGA	1	R	R
TOTAL		R	R
VAT 15%		R	R
TOTAL incl. VAT		R	R
Delivery period			

NB: DELIVERY COST MUST BE INCLUDED

FORM OF OFFER (SBD 7)

The employer, identified in the acceptance signature block, has solicited offers/quotations for the procurement of:

The bidder, identified in the offer signature block, has examined the documents listed in the submission data and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of the RFQ.

By the representative of the bidder, deemed to be duly authorized, signing this part of this form of offer and acceptance, the bidder offers to perform all of the obligations and liabilities of the contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS:

Rand. . . . . .

. . . . . **(in words);**

R . . . . . **(in figures)**

This offer may be accepted by the employer by signing the acceptance this form of offer before the end of the period of validity stated in the submission data, whereupon the bidder becomes the party named as the contractor in the conditions of contract identified in the contract data. We further undertake that upon final acceptance of our offer; we will commence with delivery when required to do so by the Client. Moreover, we agree that until formal Contract Documents have been prepared and executed, this Form of Offer, together with a written acceptance from the Client shall constitute a binding agreement between us, governed by the terms and conditions set out in this Request for Quotation (RFQ).

We understand that you are not bound to accept the lowest or any offer and that we must bear all costs which we have incurred in connection with preparing and submitting this tender.

Signature(s) . . . . . .

Name(s) (Print name of signatory) . . . . . .

Capacity . . . . . .

Name of the Bidder. . . . . .

4. RFQ EVALUATION PROCESS AND CRITERIA

The RFQ will be evaluated by the Cross Functional Evaluation Team (CFET) and the successful service provider will be selected based on a four-phased approach (4-Stages):

STAGE 1: ADMINISTRATIVE COMPLIANCE:
All incomplete submissions and respondents who do not meet the **minimum compliance requirements** at quotation submission will be eliminated from further evaluation.

STAGE 2: MANDATORY (TECHNICAL) REQUIREMENTS:
All incomplete submissions and respondents who do not meet the **mandatory requirements** at quotation submission will be eliminated from further evaluation.

STAGE 3: PRICE AND SPECIFIC GOALS
The final evaluation phase will be based on **Price and Specific Goals**.
Determination of Percentage for Price – 80 percentage, & Determination of level for Specific Goals – 20 percentage.

4.1 STAGE 1: ADMINISTRATIVE COMPLIANCE

- Administrative compliance/responsiveness will be tested based on returnable documents submitted and signatures on the Bid documents.
- At this stage, it must be determined what documents are required to be returned by Bidders. Returnable documents are categorized as follows:

a) Mandatory Returnable Documents (to be returned by Bidders)

(NOTE: Failure to provide the below listed documents WILL lead to disqualification)

1. The Service Providers to have to agree with all NHLS General Conditions of Bid, RFQ and Conditions of Contract (GCC)	**Comply**	**Do Not Comply**
Substantiation: The bidder must submit and attach to the bid response the signed and accepted NHLS General Conditions of Bid, RFQ and Conditions of Contract (GCC).		

2. Fully completed and signed Declaration of Interest SBD 4	**Comply**	**Do Not Comply**
Substantiation: The bidder must submit and attach to the bid response the signed Declaration of Interest SBD 4.		

3. Fully completed and signed RFQ document	**Comply**	**Do Not Comply**
Substantiation: The bidder must submit and attach to the bid response the fully completed and signed RFQ document.		

4. Bidder must complete the pricing Schedule.	**Comply**	**Do Not Comply**
Substantiation: The bidder must submit and attach to the bid response fully completed pricing Schedule.		

5. **The bidder must provide the CSD** (Central Supplier Database) **Registration number (MAAA number) / Attach the CSD Summary Report**	**Comply**	**Do Not Comply**
Substantiation: The bidder must provide the CSD (Central Supplier Database) **Registration number (MAAA number) / Attach the updated CSD Summary Report.**		

6. TAX Clearance Pin.	**Comply**	**Do Not Comply**
Substantiation: The bidder must submit and attach to the bid response a valid TAX Clearance Pin or TAX Compliance Status Letter issued by the South African Revenue Services (SARS).		

b) Essential Returnable Documents (to be returned by Bidders) Not a disqualification factor

1. B-BBEE Certificate and/or Affidavit. Fully completed and signed preferential points claim form SBD 6.1.	**Comply**	**Do Not Comply**
Substantiation: The bidder must submit and attach to the bid response a copy of B-BBEE Certificate issued by an authorised body or person, or a sworn Affidavit prescribed by the B-BBEE Codes of Good Practice.		

4.2 STAGE 2: MANDATORY (TECHNICAL) REQUIREMENTS

- Mandatory compliance/responsiveness will be tested based on returnable documents submitted.
- At this stage, it must be determined what documents are required to be returned by Bidders.

(NOTE: Failure to provide the below listed documents WILL lead to disqualification)

Key Technical Specifications:

SPECIFICATION	COMPLY	NOT COMPLY
Temperature Range: 100°C to 140°C		
Operating Pressure: 15 PSI to 30 PSI / 1.03 – 2.06bar		
Chamber Material: Stainless steel for corrosion resistance against moisture and chemicals.		
Air Removal System: Gravity displacement.		
Essential Safety & Compliance Features		
Interlocking/pressure Door lock		
Pressure overload protection		
Independent Monitoring: Dual temperature/pressure sensing probes and digital recording/display.		
Overheat protection.		
Fill water & drain water to be automatic.		
Capacity: Vertical floor-standing units (45–50 litres).		
Certification for use to be supplied on installation by supplier		
Must have a 5-year service plan and at least a 12-month warranty.		
Bidder Must attach to their bid response, data sheet of manufacturer brochure to confirm specification. Failure to do so will lead to disqualification		

4.3 STAGE 3: PRICE AND SPECIFIC GOALS CRITERIA

Bid will be evaluated on the basis of the PPPFA 80/20-point system as presented in the Preferential Procurement Regulations 2022, for this purpose, SBD 6.1 form should be scrutinized, completed and submitted together with your quotation.
The 80/20-point system will be as follows:

Price Assessment	**80 Points**
Specific Goals	**20 Points**

5. SCHEDULE OF WORK CARRIED OUT BY THE BIDDER

The bidder must indicate in the spaces provided below a complete list of similar contracts awarded, including the current contract (if any). This information shall be deemed to be material to the award of this bid.

Company Name	Nature of work	Value of the work	Contact person & contact number	Duration of the project (Start and end date)

Signature of person authorized to sign the bid:_____

Date: _____

6. SBD4 DECLARATION OF INTEREST

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

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

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

2.2.1 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 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.

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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.

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

SBD 6.1 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

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

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

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1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to quote (RFQ):

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

1.2 To be completed by the organ of state

a) The 80/20 preference point system will be applicable in this RFQ. The lowest/ highest acceptable tender will be used to determine the accurate system once bidders are received.

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

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

2. DEFINITIONS

(a) **"bid"** 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;

"The Act" means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

(e) "Historically Disadvantaged Individual (HDI)"

i. Means a South African citizen who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No. 110 of 1983)

or the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993) ("The Interim Constitution") and /or

ii. Who is a female; and/or

iii. Who has a disability

(f) **"Disability"** means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being.

(g) **"Youth"** Has the meaning assigned to it in section 1 of the National Youth Development Agency Act, 2008 (Act No. 54 of 2008)

"Specific goals" means specific goals as contemplated in section 2(1)(d) of the PPPFA which may include contracting with persons, or group of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994.

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right)^{80/20}$$

Where

Ps	=	Points scored for price of tender under consideration
Pt	=	Price of tender under consideration
Pmin	=	Price of lowest 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 bidder 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 quotations for income-generating contracts, that either the 80/20 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 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 80/20 preference point system.

Points awarded for historically disadvantaged individuals

Preference points for HDI's are calculated on their percentage shareholding in a business, provided that they are actively

$$NEP = NOP \times \frac{EP}{100}$$

involved in and exercise control over the enterprise. The following formula is prescribed

Where

NEP= Points awarded for equity ownership by an HDI

NOP= The maximum number of points awarded for equity by an HDI in that specific category

EP= The percentage of equity ownership by an HDI within the enterprise or business, determined in accordance with the definition of HDI's.

A consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification certificate for every separate tender.

Table 1: Specific goals for the RFQ 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 bidder 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 Owned (To be completed by the tenderer)**	**Number of points claimed (80/20 system) (To be completed by the tenderer)**
HDI	4	%	
Woman	4	%	
Disabled	3	%	
Youth	4	%	
Locality • Polokwane = 5 • National = 2	5		
Total Points	**20**		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm……

4.4. Company registration number: ……...

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation

- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company [TICK APPLICABLE BOX]

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

i) The information furnished is true and correct;

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;

iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

(a) disqualify the person from the tendering process;

(b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

(c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

(d) recommend that the bidder 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: ……
……
……