



TENDER NUMBER	RFP-HO-08-2025
DESCRIPTION	Appointment of service providers to provide project management services to support the restructuring of its Research Programme into a Monitoring, Research and Policy Development business unit.
PUBLISHED	DATE: 03 February 2026
TENDER BRIEFING	NON-COMPULSORY DATE: 06 February 2026 at 11h00 https://teams.microsoft.com/meet/35039047921419?p=VtuDbjxvvOgMiwyMcb Meeting ID: 350 390 479 214 19 Passcode: rR29VF6L Enquiries can be made in writing as follows: Administration/ Supply Chain Management: Kganki Kekana tenderoffice@sahrc.org.za Technical: Eric Mokonyama Email: emokonyama@sahrc.org.za
CLOSING DATE	DATE: 13 February 2026 TIME: 11H00 (GMT +2) Submissions to be done via email to: HOpurchase@sahrc.org.za

1. PURPOSE AND PROJECT DESCRIPTION

The South African Human Rights Commission invites qualified and experienced companies to submit proposals for the provision of project management services to support the restructuring of its Research Programme into a Monitoring, Research and Policy Development business unit. The purpose of this restructuring is to enhance the Programme's effectiveness, alignment with the mandate of the Commission and responsiveness of the Commission to emerging Human Rights challenges.

2. BACKGROUND INFORMATION

- 2.1 The South African Human Rights Commission (Commission/SAHRC) is an independent institution established in terms of the Constitution of the Republic of South Africa 1996 (Constitution) to strengthen a constitutional democracy.
- 2.2 In terms of Section 184(1) of the Constitution, the Commission is mandated to:
 - a) promote respect for human rights and a culture of human rights.
 - b) promote the protection, development and attainment of human rights; and
 - c) monitor and assess the observance of human rights in the Republic.
- 2.3 To realise the above mandate, the Commission is empowered to investigate, report on human rights, take steps to ensure redress, undertake research and provide education on human rights.
- 2.4 The above mandate and powers enjoin the Commission to undertake Research on and monitor the observance of human rights in the country.
- 2.5 Since its establishment, the SAHRC has dedicated itself to raising awareness of human rights issues; monitoring and assessing the observance of human rights; education and training on human rights; addressing human rights violations and seeking effective redress. Through its investigations, policy advocacy and monitoring of human rights conditions in the country, the SAHRC is able to realise its mandate. Therefore, the Monitoring, Research and Policy Development Programme will play a pivotal role in supporting evidence-based decision making and programme development.
- 2.6 In line with its three mandate areas, the Commission's work is currently structured according to three core programmes, namely: Promotion Programme, Protection Programme, and Monitoring, Research and Policy Development Programme. However, the current structure and operations require modernisation and optimisation to improve impact, efficiency and coordination.

3. MONITORING, RESEARCH AND POLICY DEVELOPMENT PROGRAMME: 2025/2026 KEY OUTCOMES

In terms of its Annual Performance Plan, the Commission's Monitoring, Research and Policy Development Programme has the following four outcome indicators for the 2025/2026 annual cycle:

- 3.1 Report on the State of Human Rights in South Africa.
- 3.2 Report on the implementation of recommendations of the SAHRC.
- 3.3 Report on Section 184(3) mandate completed.
- 3.4 Report on International and Regional Human Rights.

The development of these reports is based on research work on and monitoring of human rights in the country. The Commission, through its provincial offices, monitors the state of human rights, whereas the Monitoring, Research and Policy Development Programme is expected to conduct research and use the monitoring data from provinces to produce the reports, make recommendations to the development of policy in the SAHRC and legislative submissions to Parliament.

4. THE LEVELS OF FUNCTION OF THE MONITORING, RESEARCH AND POLICY DEVELOPMENT PROGRAMME

4.1 The SAHRC monitoring function exists on three levels.

4.1.2 Level 1: Commissioner's Programme:

Commissioners are responsible for the execution of the mandate of the commission. In consideration of this task, the Commission considers the content and scope of its relationships with the Executive, Parliament, the Judiciary, civil society and the media as key determining factors in the effectiveness of the institution in discharging its mandate. Key to the activities of commissioners is the coordination and sustenance of strategic engagements with key stakeholders in order to fulfil the monitoring function.

4.1.3 Level 2: National Office

The Monitoring, Research and Policy Development Programme at the Commission's National Office is carried out by the Research Programme. The Monitoring, Research and Policy Development Programme utilises various data collections approaches in supporting the Monitoring mandate of the Commission¹ The use of questionnaires, however, has historically been the main data collection methodology. The questionnaires assessed the measures taken by organs of state towards the realisation of the rights in the Bill of Rights – mainly as they concern housing, health care, food, water, social security, education and the environment. Response rates have varied over the years and have thus led to a rather irregular reporting record and failed to present a coherent and complete picture of a human rights research and monitoring outlook of the country.

4.1.4 Level 3: Provincial Offices

The Constitution enjoins the state to respect, protect, promote and fulfil the rights in the Bill of Rights. This obligation vests government at national, provincial, and local levels with a fiduciary duty of interacting directly with rights holders in the delivery of basic services such as water, refuse removal, sanitation, and electricity. Considering the indispensability of local government in the realization of human rights, the Commission has a critical role to play in providing oversight and holding government, particularly at the local sphere, accountable.

¹ The Monitoring, Research and Policy Development Programme collects data from ad hoc or occasional reports that include reports on Public Hearings, General Reports, Trends Analysis Reports, Investigative Reports, Equality Reports and also makes submissions on Legislation.

In Provincial Offices, Human Rights Officers are tasked with the responsibility of monitoring the respect and protection of human rights in the local sphere of government.

5 OBJECTIVES OF THE PROJECT

- a)** To conduct a comprehensive review of the current structure of the Monitoring, Research and Policy Development Programme/unit, its functions and workflows.
- b)** To design a revised structure with clearly defined roles and responsibilities and performance metrics for the three strategic areas of the Monitoring, Research and Policy Development Programme.
- c)** To develop and oversee an implementation plan for the restructuring process.
- d)** To design and build internal capacity for strategic monitoring, research and policy development.

6 SCOPE OF SERVICES

6.1 The selected service provider will be required to fulfil the following Key Performance Areas:

- a)** Conduct stakeholder consultations, desktop reviews, and gap analysis for the current structure and restructuring process.
- b)** Conduct a benchmark analysis of the Monitoring, Research and Policy Development Programme against other comparable institutions nationally and internationally.
- c)** Develop and present a new organogram that fosters coherence and coordination across the three levels of the Commission's monitoring function as detailed in section 4 above.
- d)** Develop a restructuring proposal including a new structure, with staffing requirements, skills mapping and workflow systems.
- e)** Facilitate workshops and validation sessions with the Commission's Executive Leadership and staff
- f)** Manage the change process and monitor implementation.

7 PROJECT DURATION TIMELINES AND KEY DELIVERABLES

- 7.1 The project duration shall be for a period of 6 months from the date of inception.
- 7.2 Commencement Report and Workplan – within two weeks of signing the contract.
- 7.3 Diagnostic Report - Month 1.
- 7.4 Restructuring Proposal and Implementation Roadmap - Month 2.
- 7.5 Draft standard operational procedures for the new structure – Month 4
- 7.6 Staff and Skills Capacity Building and Transition Report - Month 5.
- 7.7 Final Project Report - Month 6.

8 STRUCTURE: PROJECT MANAGER AND REPORTING LINES



9 KEY COMPETENCIES

- 9.1 Written and verbal communication skills
- 9.2 Ability to multi-task and manage various project elements simultaneously
- 9.3 Attention to detail
- 9.4 Managing relationships with stakeholders
- 9.5 Preparation of reports, gathering, analysing, and summarising information
- 9.6 Research and data analysis

10 REQUIRED EXPERTISE

- 10.1A minimum of 10 years' experience in project management, organisational development, or institutional reform.
- 10.2Experience in Management Consultancy, Corporate Restructuring and Organisational Redesign. With a proven track record in leading public sector projects.
- 10.3Demonstrable knowledge of inter-departmental/programme relations in the public service.
- 10.4Demonstrable knowledge and understanding of the structure and function of the Public Service, with particular reference to the role of the Department of Planning, Monitoring and Evaluation.
- 10.5Excellent facilitation, stakeholder engagement, and change management skills.
- 10.6Proven experience in the development of monitoring and evaluation tools and systems.
- 10.7Where a service provider responds to the RFP, the Project Lead must meet the requirements set out in this proposal.

11 PAYMENT SCHEDULE AND METHOD

11.1 Payment of the service provider's fee will be as per the quotation submitted.

11.2 Payment will be via electronic transfer to the service provider's bank account as per the submitted invoice and will be processed in line with the SAHRC's Supply Chain Management and Finance processes.

11.3 Please note that related project costs such as printing, data, or materials costs or related expenditure incurred using external services will not be borne by the SAHRC.

11.4 The Commission pays its service providers on a 30-day payment cycle.

12 PRICING

12.1 A detailed fee breakdown structure must be included, and

12.2 All pricing must be shown inclusive of any applicable VAT.

13 EVALUATION CRITERIA

Please note that all quotes received will be evaluated based on the following criteria:

Bids will be evaluated on 80/20 point system as outlined in the PPR of 2022. The proposals will be evaluated in three phases:



Phase 1: Pre-qualification Documents

- Proposal
- Central Supplier Database report
- Valid Tax Clearance Certificate or Tax Compliance Status (with SARS PIN CODE).
- All SBD (Standard Bidding Documents) forms must be completed fully and duly signed.
- Service must provide supporting documents used to claim points under 4.2 of SBD 6.1

Note: Bidders who fail to comply with the mandatory requirements will be regarded as submitting a non-responsive bid, disqualified and not considered for further evaluation. It is important that companies submitting their proposal which includes a technical proposal indicating an understanding of the project assignment, methodology and work plan, and detailed CV or CV;s of proposed experts with relevant references, examples of similar previous work or restructuring projects of the Project Lead, which should clearly show how he/she meets the requirements of this work package.

Phase 2: Functionality

Please note that all quotes received will be evaluated based on the following criteria: functionality criteria will be further evaluated on applicable values as outlined below:

Please note that the following evaluation criteria will be used:

Price evaluation based on the 80/20 preferential point system.

The minimum threshold for qualification by functionality is 70 points, assessed as per the criteria listed in Table 1 below:

Table 1: Functionality evaluation

Criterion	Measurement	Scoring Method	Points Weighting
Reference letters	<p>Proven track record with reference letters of public and/or private sector organisations for organisational restructure</p> <p>Scoring is to be done with the submission of reference letters that MUST contain the following:</p> <ul style="list-style-type: none"> - Letters must be on the letterhead of the company where work was carried out - Letters must be signed by the company where work was carried out - Letters must be dated at least in the last 5 years - Letters must include that it is for organisational restructure <p>Non submission or if any of the above is omitted will not be considered as a valid reference letter.</p> <p>Only 1 reference letter from 1 company will be accepted and scored on.</p>	0 No valid letters = 0 1 valid letter = 5 2 valid letters = 10 3 valid letters = 15 4 valid letters = 20	20
Proposed Methodology & Approach	Project proposal or methodology statement	Detailed methodology aligned to project scope = 20 Basic methodology with partial alignment = 10 Generic or unclear: 5 Not submitted: 0	20
Work Plan with Timelines & Deliverables	Work plan with Gantt chart or milestone schedule	Clear work plan with timelines, milestones & deliverables = 20 Partial plan = 10 Generic or unclear = 5 Not submitted = 0	20
Value-Added Services	Proposal addendum or section on additional offerings Value Added Services should outline the following: <ul style="list-style-type: none"> - change management support - Templates and tools - Training Services 	If bidder outlines all three requirements = 20 If bidder outlines only two requirements = 10 If bidder outlines only one requirement = 5 Not submitted = 0	20

Project Team leader expertise	CV of team leader	Team leader with >10 years' experience & relevant qualifications = 20 Team leader with 2–5 years' experience = 10 Team leader with <2 years' experience = 5 No CV = 0	20
100			

Bidders must obtain a minimum threshold of 70 points on Functionality to proceed to the next stages of the evaluation process. Failure to obtain a minimum of 70 points will result in your bid being considered non-responsive.

Phase 3: Price and Specific Goals evaluation

Only Bidders that have met the 70-point threshold to be considered for price and specific goals. Price and specific goals will be evaluated as follows:

In terms of regulation 6 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated on the 80/20-preference point system in terms of which points are awarded to bidders based on:

- The bid price (maximum 80 points)
- Specific Goals (maximum 20 points)

Stage 1 – Price Evaluation (80 Points)

Criteria	Points
Price Evaluation $Ps = 80 \times \frac{Pt - P_{min}}{P_{min}}$	80

The following formula will be used to calculate the points for price:

Where

- Ps = Points scored for comparative price of bid or offer under consideration.
- Pt = Comparative price of bid or offer under consideration.
- P min = Comparative price of the lowest acceptable bid or offer
- Points must be awarded to a bidder for attaining the specific status level of contribution per the table below.

Specific goals allocation

A maximum of 20 points may be allocated to a bidder for attaining their specific goals status level of contributor per the table below:

SPECIFIC GOALS	POINTS
Suppliers with ownership of 51% or more by person/s who are black person/s	10
Suppliers with ownership of 51% or more by person/s who are women	5
Suppliers with ownership of 51% or more by person/s who are youth	3
Suppliers with ownership of 51% or more by person/s with disability	2

Specific goal points may be allocated to bidders on submission of the following documentation or evidence

- A duly completed Preference Point Claim Form: Standard Bidding Document (SBD 6.1); and evidence on how points are claimed.
- maximum of 20 points may be allocated to a bidder for attaining their specific goals. Points claimed as per the SBD 6.1 shall be verified using the Central Supplier Database Report (CSD) and/or valid B-BBEE certificate/affidavit.

14 CONFIDENTIALITY, INDEPENDENCE AND OBJECTIVITY

The appointed service provider will hold all material and information produced in the course of the implementation of this project in the strictest confidence and will take all steps necessary to prevent dissemination of this information to any third party, without the prior written agreement of the SAHRC.

15 CONDITIONS OF TENDER

- 15.1 The SAHRC reserves the right not to award the tender.
- 15.2 Any conditions imposed by the service provider that is restrictive or contrary to any part of these Terms of Reference will automatically disqualify the service provider.
- 15.3 The service provider will be held liable for any damage or loss suffered by the entity, because of the provider's own or his/her employees 'negligence or intent, which originated at the site.
- 15.4 The service provider will have to pay damages or replace any stolen item damaged or stolen due to the negligence or intent of the service provider's employees.
- 15.5 The service provider must, at his/her own expenses, take out sufficient insurance against any claims, cost, loss and/or damage ensuing from his/her obligations and shall ensure that such insurance remains operative for the duration of this agreement.
- 15.6 SAHRC does not bind itself to accept the lowest quote.
- 15.7 SAHRC does not bind itself to make any selection from the proposals, or quotations received.
- 15.8 SAHRC reserves the right, at its sole discretion, to cancel this request for proposals and/or not to make any selection of the service provider/s at all.
- 15.9 All prices quoted must be VAT inclusive.
- 15.10 SAHRC will not make any upfront payments before the rendering of services.

- 15.11 The successful bidder shall provide the service required based on the set timelines and as per the schedule to be provided by SAHRC.
- 15.12 A pricing schedule with one of the specified elements omitted from the costing may be considered non- responsive.
- 15.13 The service provider will be expected to sign a contract with the SAHRC, including the General Conditions of Contract (GCC)
- 15.14 The price proposal must be valid for 120 days.

16. CONTRACT PERFORMANCE

- 16.1 If it is found that the information provided is false including the breach of the General Condition of Contract, The SAHRC reserves the right to terminate this contract with immediate effect.
- 16.2 The performance of the Service Provider shall be reviewed quarterly during the period of the signed Service Level Agreement

17. FORMAT AND SUBMISSION OF THE PROPOSAL

All the official forms (SBD) must be completed and signed in all respects by bidders. Failure to comply will invalidate a bid. For ease of reference, bids should be packaged in the following format:

- Annexure A - Signed Tender Document and Completed SBD Forms
- Annexure B - Mandatory Documents
- Annexure C - Functionality Response
- Annexure D - Company Profile
- Annexure E – Pricing Proposal

18. BRIEFING/INFORMATION SESSION AND ENQUIRIES

Non-compulsory Briefing

DATE: 06 February 2026 at 11h00

<https://teams.microsoft.com/meet/35039047921419?p=VtuDbjxvvOgMIwyMcb>

Meeting ID: 350 390 479 214 19
Passcode: rR29VF6L

18. CLOSING DATE

- 18.1 Proposals must be submitted on or before **13 February 2026 at 11h00**
- 18.2 All documentation must be emailed to: HOpurchase@sahrc.org.za
- 18.3 Submissions should be made using the RFQ number for ease of reference



SBD1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION					
BID NUMBER:	RFP-HO-08-2025	CLOSING DATE:	13 February 2026	CLOSING TIME:	11:00
DESCRIPTION	Appointment of service providers to provide project management services to support the restructuring of its Research Programme into a Monitoring, Research and Policy Development business unit.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
HOprocurement@sahrc.org.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Tender office		CONTACT PERSON	Eric Mokonyama	
TELEPHONE NUMBER	011 877 3600		TELEPHONE NUMBER	011 877 3600	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	tenderoffice@sahrc.org.za		E-MAIL ADDRESS	Emokonyama@sahrc.org.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
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSURE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO					
DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO					
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO					
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO					
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> 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, 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:



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.....
Closing Time 11:00	Closing date.....

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

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
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- 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: Firm/not firm
- Delivery basis

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



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.

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.

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.
- 3.5 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.

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



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 IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable 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**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders 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 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 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) **“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

$$P_S = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}}\right) \text{ or } P_S = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}}\right)$$

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:

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

P_{max} = 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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Suppliers with ownership of 51% or more by person/s who are black person/s		10		
Suppliers with ownership of 51% or more by person/s who are women		5		
Suppliers with ownership of 51% or more by person/s who are youth		3		
Suppliers with ownership of 51% or more by person/s with disability		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 proprietor
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

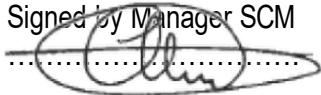
4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- 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 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:	
.....	
.....	
.....	

Signed by Manager SCM



Signed by ACOO

