| | |
|---|---|
| **To:** | All participating bidders |
| **Issue Date** | **05 September 2026** |
| **SCM Contact person:** | Bathabile Nkosi |
| **Project description:** | RFQ for Learning Partner to Co-Develop Sustainability Learning Modules for Farmer Academy |
| **Closing date and time** | **09 September 2026 @ 15:00pm** |
| **Submission email** | **BNkosi@landbank.co.za** |

**RFQ issued by: Yolanda Dladla**

The Land and Agricultural Development Bank of South Africa

P O Box 375 Pretoria 0001,

First Floor Block A,

Lakefield Office Park
272 West Avenue (Corner of Lenchen Avenue and West Avenue
De Hoewes, Centurian
Webaddress: www.landbank.co.za

**Name of Bidder:** ……

**ADDRESS:** ……

**LAND LINE**: …… Cell No: ……

**EMAIL:** ……

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## A. SBD 1 - INVITATION TO BID

### PART A
### INVITATION TO BID

| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE LAND BANK | | | | | |
|---|---|---|---|---|---|
| BID NUMBER: | | CLOSING DATE: | 09 September 2026 | CLOSING TIME: | 15:00pm |
| DESCRIPTION | RFQ for Learning partner to co-develop Sustainability Learning Modules for Farmer Academy | | | | |
| **BID RESPONSE DOCUMENTS MUSY BE EMAIL AT:** | | | | | |
| **Ydladla@landbank.co.za** | | | | | |

| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO | | TECHNICAL ENQUIRIES MAY BE DIRECTED TO: | |
|---|---|---|---|
| CONTACT PERSON | **Bathabile Nkosi** | CONTACT PERSON | **Bathabile Nkosi** |
| TELEPHONE NUMBER | | TELEPHONE NUMBER | |
| FACSIMILE NUMBER | | FACSIMILE NUMBER | |
| E-MAIL ADDRESS | **BNkosi@landbank.co.za** | E-MAIL ADDRESS | **BNkosi@landbank.co.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? | ☐Yes ☐No<br>[IF YES ENCLOSE PROOF] | | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED? | ☐Yes ☐No<br>[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, 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: .....

## B. OVERVIEW OF LAND BANK

Established in 1912 to promote agricultural and rural development, the Land Bank provides production, instalment sale finance, and medium-term or mortgage loans to emerging and commercial farmers. From time to time, the Bank also administers other government programmes, such as drought relief schemes and flood assistance. The Land Bank is wholly- owned by the South African government and is in turn the sole shareholder of LBIC and LBLIC,which provide insurance products in the agricultural sector.

The Bank's objectives flow from the Land Bank Act, No. 15 of 2002, and are aligned with government policies and the country's socio-economic needs. The Bank is expected to play a pivotal role in advancing agriculture and rural development. Its broad mandate, as expressed in the Land Bank Act, covers 11 objectives:

- Equitable ownership of agricultural land, in particular increasing the ownership ofagricultural land by historically disadvantaged persons
- Agrarian reform, land redistribution or development programmes aimed at historicallydisadvantaged persons
- Land access for agricultural purposes
- Agricultural entrepreneurship
- Removal of the legacy of racial and gender discrimination in agriculture
- Enhancing productivity, profitability, investment and innovation
- Growth of the agricultural sector and better use of land
- Environmental sustainability of land and related natural resources
- Rural development and job creation
- Commercial agriculture
- Food security

Land Bank is committed to contributing to socio-economic transformation in South Africa and will therefore be contributing to the Preference System of all suppliers who are complaint to the Broad–Based Black Economic Empowerment Act no.53 of 2003 and the Preferential Procurement Policy Framework Act no.5 of 2011.

## C. SPECIFICATION

TERMS OF REFERENCE FOR THE APPOINTMENT OF SERVICE PROVIDER FOR A LEARNING PARTNER TO CO-DEVELOP SUSTAINABILITY LEARNING MODULES FOR FARMER ACADEMY

## 1. INTRODUCTION

Land Bank of South Africa is seeking quotations for a learning partner to co-develop online sustainability learning modules which will be implemented on the Bank's Farmer Academy learning platform.

## 2. SCOPE OF WORK

The bidder is required to:

- Partner with Land Bank to co-design, develop and support the implementation of sustainability-focused online learning modules for the Farmers Academy.
- Adopt a collaborative and flexible approach to module design, recognising that the detailed curriculum will be co-developed with Land Bank.
- Co-design and develop interactive, self-paced online learning modules focused on sustainability in agriculture:
    - Sustainability Foundations (~45 minutes): Topics may include, but not limited to, why sustainability affects profitability, food security, export access and access to finance; how Land Bank assesses environmental and social risk.
    - Water and Climate Risk (~45 minutes): Topics may include, but not limited to water auditing, efficient irrigation, drought planning, scheduling, abstraction compliance and water runoff reduction.
- Recommend the most appropriate sustainability topic(s) drawing on industry expertise and international best practice while ensuring relevance to the South African agricultural sector.
- Recommend the most appropriate delivery approach *(For example, develop a one 45 min module on Sustainability Foundations or consider breakdown of two or more less lengthy modules)*.
- Recommend content that is relevant across different agricultural value chains, including crop and livestock production as well as agro-processing operations.
- Ensure the proposed modules framework accommodates varying levels of farming experience and enterprise size.
- Incorporate a variety of learning methods, where applicable, which may include but not limited to:
    - Short learning videos
    - Animations and infographics
    - Interactive scenarios
    - Knowledge checks and quizzes
    - Reflection exercises

    - Real-life South African farming case studies
- Ensure the learning modules are designed for delivery through the Land Bank Farmers Academy online platform and structured for self-paced learning.
- Provide support during implementation of the module on the Farmers Academy platform.
- Ensure all learning material complies with Land Bank's corporate identity and branding guidelines. All public dissemination of materials developed under this project shall reflect Land Bank branding unless otherwise approved in writing.

All learning content, instructional materials, assessments, tools, templates, multimedia resources and any related intellectual property developed under this project shall become the exclusive property of Land Bank.

Land Bank shall retain the unrestricted right to use, reproduce, adapt, publish, distribute, modify, translate and incorporate the materials into future learning programmes.

The bidder shall not use or distribute any project outputs without the prior written approval of Land Bank and will treat all information shared during the project as confidential and not disclose such information to any third party without the prior written consent of Land Bank, except where disclosure is required by law.

**D. EVALUATION CRITERIA:**

Tenders will be evaluated in two stages

**1. Stage one - Mandatory requirements**

Bidders must comply with and meet all the mandatory requirements referred to below. Bidders who do not meet any of the mandatory requirements listed below will be **immediately disqualified.**

| Description | Evidence | Yes/No |
|---|---|---|
| Minimum of five (5) years demonstrated experience in designing, developing and supporting the implementation of sustainability-focused online learning modules. | - Min 3 Reference Letters received in the last five or more years.<br>**OR**<br>- List of completed projects in the last five or more years. | |
| Bidders must complete the pricing schedule | Pricing schedule attached in the document | |

**1.1. Non-mandatory essential returnable documents**

Bidders are requested to submit the essential returnable documents with the bid document.

- Land Bank reserves the right to request outstanding essential documents during the evaluation process, and the bidder will be expected to provide such within a limited period (not more than 5 working days).

- Failure to provide any outstanding information within the required timeframe will lead to a proposal being deemed non-responsive.

| NO | DESCRIPTION |
|---|---|
| 1 | A proof that the bidder is in good standing with SARS. Such information will be verified through Central Supply Database (CSD) or using SARS e-filing pin in National Treasury compliance with instruction note 9 of 2017/2018 prior to the award of the bid. |
| 2 | A proof of registration as a vendor on the National Treasury Central Supply Database (CSD), which can be found at https://secure.csd.gov.za/ in compliance with National Treasury compliance paragraph 4.2 with instruction note 4a of 2016/2017 |
| 3 | SBD 4 - A fully completed and duly signed disclosure form. Must a conflict of interest be declared or identified, the bid would be declared non-responsive. NB Bidder must ensure all pages are complete and all questions answered, and to indicate not applicable (N/A) where appropriate. |
| 4 | SBD 6.1 - fully completed Preference points claim form in terms of the preferential. procurement regulations 2022 |

## 2. Technical Evaluation Criteria

| Category | Sub criteria | Score | Total score | Form of Evidence |
|---|---|---|---|---|
| Company Profile | Comprehensive company profile submitted demonstrating more than 5 years of operation, organisational structure, core business activities and client portfolio | 25 | 25 | - Company Profile<br>- Company Brochure<br>- List of projects completed |
| | Comprehensive company profile submitted demonstrating between 3 to 4 years of operation, organisational structure, core business activities and client portfolio | | 15 | |
| | Company profile submitted demonstrating less | | 10 | |

| | | | | |
|---|---|---|---|---|
| | than 3 years of operation, organisational structure, core business activities and client portfolio | | | |
| Experience | 8 years or more of relevant experience delivering similar intervention | 25 | 25 | - Portfolio of Evidence demonstrating previous in designing, developing and supporting the implementation of sustainability-focused online learning modules. |
| | Between 6–7 years of relevant experience delivering similar intervention | | 15 | |
| | 5 years of relevant experience delivering similar intervention | | 10 | |
| Methodology and Approach | Comprehensive methodology and approach to module design, development and implementation support of sustainability-focused modules. | 35 | 35 | - Detailed approach to module design including delivery plan/project plan.<br>- Preliminary assessment of the most appropriate sustainability topic(s).<br>- Preliminary assessment of the most appropriate |
| | Methodology and approach somewhat addressing addresses module design, development and implementation support of sustainability-focused modules. | | 25 | |

| | | | | |
|---|---|---|---|---|
| | Methodology does not adequately address the module design, development and implementation support of sustainability-focused modules. | | 15 | delivery approach |
| Client References and Track Record | Three or more positive references | 15 | 15 | - Bidders must submit contactable reference letters from clients for whom similar services have been rendered. |
| | Less than three positive references | | 10 | |
| | No References | | 0 | |
| | | 100 | | |

**Minimum technical threshold to move on to the next phase of evaluation: 70**

## 1.2 Stage Two - Price and specific goals

### 1.2.1 Price schedule (Compulsory to complete)

| # | Service Category | Quantity | Unit cost | Total price excluding VAT |
|---|---|---|---|---|
| **1** | Co-develop online sustainability learning modules which will be implemented on the Land Bank Farmer Academy learning platform | 1 | R | R |
| | **All rates must be inclusive of labour, material, transport and etc**. | | | |
| | | | **Subtotal** | R |
| | | | **VAT** | R |
| | | | **Total including VAT** | R |

**1.2.2 Price instructions**

- Bidder must price and submit their quotations;
- All prices quoted will remain firm for the duration of the contract.
- Prices quoted must be valid for 120 days and must be for the duration of contract including provision for price increase;
- All pricing shown must EXCLUDE VAT, with the VAT components being as shown separately on all costed/priced items/services.
- All pricing assumptions, excluded costs and estimated costs must be clearly documented. Land Bank will not entertain any price adjustments because the assumption is that the pricing document is complete and covers all costs associated with these services
- In order for the bidder to claim specific goals, the bidder must indicate how they claim points for each preference point system in the SBD 6,1 form, and attached a BBBEE Certificate/Sworn Affidavit.
- **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.**

## E. CONDITIONS TO BID

**1. Confidentiality**

The bidder will be required to sign a confidentiality agreement to ensure that the Bank data and information is managed confidentially.

**2. Miscellaneous**

The Bank reserves the right, in its sole and absolute discretion, to amend these terms of reference as required from time to time.

**3. Preference and Financial Evaluation**

**3.1. Price and Specific Goals**

This phase is the final stage in the evaluation process and only successful bidders that have passed stage one will be considered. In this phase only price and specific goals will be considered. To qualify for specific, a valid B-BBEE certificate needs to be submitted with this bid.

Land Bank will evaluate all tenders in terms of Preferential Procurement Policy Framework regulation of 2022 (PPPFA). The scoring methodology will apply. A copy of the PPPFA regulations can be downloaded from www.treasury.gov.za

**Either 80/20 preference point system will be utilised for this tender**

**Bidders are required to complete Annexure I SBD 6.1 in full to ensure all BBBEE and sub-contracting information are submitted at the time of the bid closing**

**4. GENERAL CONDITIONS**

4.1. All tenderers responding to this request for Proposals must provide the following statutory compliance documentation in order to be considered:

a) Completed Vendor Accreditation Form
b) Proof of registration to the Central Supplier Database (CSD)
c) Cancelled cheque and/or stamped letter from the Bank
d) All Supplier information and disclosure forms must be properly completed, signed and stamped by a Commissioner of Oaths
e) Any false declaration of information will result in the exclusion of the proposal from consideration
f) Bidders to submit a tax compliance status (TCS) pin issued by SARS along with a valid tax clearance certificate
g) A BEE certificate from a SANAS accredited rating agency or Affidavit substantiating the bidders B-BBEE rating
h) Certified copy of Identity Documents of Shareholders/Directors

## 5. OBJECTIVE CRITERIA & RISK ANALYSIS

5.1. In addition to the financial offer and preference evaluation, the Tenderers having the highest ranking / number of points, will additionally be reviewed against the following points listed in order to ascertain suitability for award.

a) If having passed Qualifying Criteria, the tenderer will again be checked in terms of having a Compliant Tax Status at time of recommendation to confirm that the status has not changed, based on an active and Tax Complaint Pin issued by the South African Revenue Services
b) Fully compliant and registered with the National Treasury Central Supplier Database
c) No misrepresentation in the tender information submitted
d) Any non-performance on Land Bank projects
e) The tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; and
f) The tenderer has declared that there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the employer or potentially compromise the tender process and persons in the employ of the state are permitted to submit tenders or participate in the contract
g) Convicted by a court of law for fraud and corruption
h) Removed from a contract between them and any organ of state on account of failure to perform on or comply with the contract
i) Unduly high or unduly low Tendered rates in the Tender offer. In this regard, a financial risk analysis will be performed to verify that the costs are reasonable and balanced. Tenders may be disqualified if tendered rates are found to be distorted.
j) In terms of unduly high Tendered fees in the Tender offer, refer to the PPR2022.

6. Land Bank may perform a due diligence exercise on the preferred tenderer to determine its risk- profile. The outcome of the due diligence exercise may be considered as an objective criterion. A due diligence exercise may include, but is not limited to, the following factors;

## 7. Financial Analysis of Tenderers Financial Statements.

Financial health of the bidder may be assessed if deemed necessary, to ensure that the service provider will be able to operate as per required deliverables (Ratios: Accounts Receivable & Payable Turnover, Liquidity & Solvency). In the case of an unincorporated JV or a SPV, each partner of the entity must submit their financial statements and it will be consolidated to determine their capability to execute the applicable contract.

## 8. Judgements and criminal convictions.

Land Bank may consider previous civil judgements against the preferred tenderer as part of its risk assessment. Land Bank may also consider whether the preferred tenderer or any of its directors have been-convicted of a serious offence.

**9. Pending litigation**

Land Bank may consider any pending litigation in a court of law or administrative tribunal as part of its risk assessment.

**10. Performance**

Land Bank may consider the Service Provider having a history of poor performance on any task orders/purchase orders or contracts, including poor performance in respect of compliance with policies or procedures regarding safety, health, quality control or environment, or having committed a serious and gross breach of contract.

**11. Reputational-harm**

If Land Bank is likely to suffer substantial reputational harm as a result of doing business with the preferred service provider, it may take this into account as part of its risk assessment.

The above set out other objective criteria may be clarified during the evaluation and correction of any non-compliance may be negotiated with the highest scoring tenderer, if possible. However, should the tenderer not comply with these requirements by the close of negotiations, Land Bank reserves have the right to award to the next ranked tenderer.

**12. FICA AND COMPLIANCE CHECKS**

Land Bank, in its capacity as an accountable institution, has a duty to verify the identity of all its clients in compliance with the Financial Intelligence Centre Act No 38 of 2001 (FICA).

The Land Bank shall thus conduct a comprehensive PEP screening on the successful bidder and therefore requests all bidders to submit the Know Your Customer (KYC) documents as listed in Annexure D of this RFP document.

13. **PROTECTION OF PERSONAL INFORMATION**

In submitting any information or documentation requested above or any other information that may be requested pursuant to this RFP, you are consenting to the processing by Land Bank or its stakeholders of your personal information and all other personal information contained therein, as contemplated in the Protection of Personal Information Act, No.4 of 2013 and Regulations promulgated thereunder ("POPI Act"). You also consent that any information, either written or verbal, may be made available to third parties strictly for the purpose of oversight to this tenders' appointment. Further, you declare that you have obtained all consents required by the POPI Act or any other law applicable. Thus, you hereby indemnify Land Bank against any civil or criminal action, administrative fine or other penalty or loss that may arise because of the processing of any personal information that you submit.

**F. BIDDER'S DISCLOSURE**

**1. PURPOSE OF THE FORM**

1.1 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, 1996 (Constitution), and further expressed in the various applicable legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

1.2 If a person is 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. DECLARATION ON EMPLOYMENT BY ORGAN OF STATE**

2.1 Is the bidder, or any of the directors / trustees / shareholders / members / partners of the bidder employed by an organ of state, as defined in section 239 of the Constitution? **YES/NO**

2.2 If YES, furnish particulars of the names, individual identity numbers, in the table below:

| **Full Name** | **Identity Number** | **Name of organ of state** |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

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

2.3.1 If so, furnish particulars:

……
……

……

2.4 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**

2.4.1 If so, indicate all companies registered in the CSD in the table below:

| **Supplier registration number (MAAA)** | **Status (active/inactive/deleted)** |
|---|---|
| | |
| | |
| | |
| | |
| | |

Failure to disclose all CSD-registered active companies linked to all Directors will lead to disqualification.

## 3 GENERAL DECLARATION

I, ……., the undersigned, 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 to be false.

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor.

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.

3.6 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.

3.7 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, 1998 (Act No. 89 of 1998) and or may be referred to law enforcement agencies for criminal investigation and or may be restricted from conducting business with the state for a period not exceeding 10 years in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) or any other applicable legislation.

I CERTIFY THAT THE ABOVE IS CORRECT.

I ACCEPT THAT THE PROCURING INSTITUTION MAY REJECT THE BID OR TAKE

APPROPRIATE ACTION AGAINST ME IF THIS DECLARATION IS FALSE.

| | |
|---|---|
| …… | …… |
| Signature | Date |
| …… | ……... |
| Designation | Name of bidder |

## G. 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**

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### 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);

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

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 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 PREFERENCE POINT SYSTEMS

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

80/20

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

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 points is allocated for price on the following basis:

80/20

$$Ps = 80\left(1 + \frac{Pt - P\,max}{P\,max}\right)$$ or

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 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) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|---|---|
| B-BBEE level 1 | 20 | |
| B-BBEE level 2 | 15 | |
| B-BBEE level 3 | 10 | |
| B-BBEE level 4 | 5 | |

**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 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**: .....

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