



# Limpopo Legislature

## ***REQUEST FOR PROPOSAL***

**APPOINTMENT OF A SERVICE PROVIDER(S) TO RENDER FORENSIC INVESTIGATIONS SERVICES INTO NON-COMPLIANCE WITH INTERNAL CONTROLS IN THE LIMPOPO PROVINCIAL LEGISLATURE**

**RFP NUMBER: LPL 003/2025**

**CLOSING DATE: WEDNESDAY , 28 FEBRUARY 2025**

**TIME: 11:00 AM**

	<b>REQUEST FOR PROPOSAL (RFP) INVITATION</b>	<b>Section 1</b>
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**SUPPLIER/ SERVICE PROVIDER NAME:**

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**REQUEST FOR PROPOSAL (RFP LPL 003/2025)**

**APPOINTMENT OF A SERVICE PROVIDER(S) TO RENDER FORENSIC  
INVESTIGATIONS INTO NON-COMPLIANCE WITH INTERNAL CONTROLS  
IN THE LIMPOPO PROVINCIAL LEGISLATURE**

<b>Issue Date</b>	<b>14 February 2025</b>
<b>Closing Date</b>	<b>28 February 2025</b>

The request for Proposal (RFP) bundle consists of the following documents:

#	DESCRIPTION	SECTION
a)	Invitation to Proposal	1 (one)
b)	Detailed specification	2 (two)
c)	Terms and Conditions	3 (three)
d)	Declaration of Interest (SBD 4)	4 (four)
e)	Preference points claim form in terms of the preferential procurement regulations 2022 (SBD 6.1)	5 (five)

This proposals must be submitted in the appropriate format clearly marked with the Proposal Description & Proposal Reference to the **tender box** at this physical address: Limpopo Legislature, Lebowakgomo Government Complex,

**NB: All proposals must be on the company's letterhead**

Any enquiries regarding this proposal may be directed to this email address: [proposals@limpopoleg.gov.za](mailto:proposals@limpopoleg.gov.za).

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Name

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Signature

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Date

	<b>DETAILED SPECIFICATION</b>	<b>Section 2</b>
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**TERMS OF REFERENCE: APPOINTMENT OF FORENSIC INVESTIGATORS**

**1. INTRODUCTION**

In terms of section 63 of Financial Management of Parliament and Provincial Legislatures, 2009, the Accounting Officer has a responsibility to report particulars of any unauthorized, irregular or fruitless and wasteful expenditure , or the likelihood of any such expenditure, to the Executive Authority immediately upon discovery.

**2. PURPOSE**

Accordingly, the Limpopo Legislature seeks to appoint a Forensic Investigation service provider(s) (hereinafter referred to as "the Service Provider") to conduct forensic investigation services non-compliance with internal controls into all aspects of its administration for a period of 12 months. The focus of this investigation must among others look into non-compliance with internal controls and effectiveness of the system to discourage or depict any possible deficiencies and highlight any corrective measures necessary.

**3. SCOPE OF WORK**

3.1 The successful service provider(s) will render forensic investigation services required by the LIMPOPO LEGISLATURE and accordingly a full and complete scope of work and specification in respect of each investigation assignment, including all deliverables and timelines, shall be finalized with the successful service provider before the service provider could commence with the investigation.

3.2 The investigation will cover, but not limited to the following areas:

- 3.2.1 Administration,
- 3.2.2 Human Resources,
- 3.2.3 Procurement,
- 3.2.3 Contract Management,
- 3.2.4 Financial Management ,
- 3.2.5.Records Management,
- 3.2.6.Information Technology, and
- 3.2.7.Allegations of causing instability within the Institution .

3.3 The service provider shall, in respect of each assignment, identify systems and internal control deficiencies, if any, giving rise to the reported outcome.

**4. METHODOLOGY**

An appointed service provider(s) is/are expected to use various forensic techniques when conducting the investigation and provide a detailed proposal (methodology and approach).

## **5.AUTHORITY**

Appointed Service Provider(s) shall have the authority to:

- 5.1 Conduct an investigation using various forensic techniques , to which will be required;
- 5.2 Interview relevant individuals and request their cooperation in the investigation;
- 5.3 Gather evidence relating to possible fraud being investigated;
- 5.4 Determine parties involved;
- 5.5 Determine whether there is any fraudulent or unlawful conduct on the part of any official, and why such fraudulent / unlawful conduct was not detected by the internal control measures in place;
- 5.6 Report findings in a written report which may include supporting evidence; and
- 5.7 Support the LIMPOPO LEGISLATURE , as an expert witness in relation to any proceedings instituted against any person found to have committed fraud / illegal act against the Legislature.

## **6.REPORTING AND SPECIFIC DELIVERABLES EXPECTED**

6.1 Appointed service provider(s) will/shall submit a comprehensive written report to the Secretary. The report will include:

- (a) Executive Summary;
- (b) Background of investigation/assignment and the reasons for the forensic investigation;
- (c) Scope and Methodology of the investigation;
- (d) Findings of the investigation, including specific details of any irregularities, mismanagement, or breaches of contract;
- (e) Conclusions drawn from the findings; and
- (f) Recommendations for improving policies and procedures related to the area of concern.

6.2 The appointed firms will be responsible for the deliverables, including:

- (a) Project Implementation Plan;
- (b) Preparation and submission of regular progress reports to the LIMPOPO LEGISLATURE;
- (c) Skills transfer plan as part of contractual imperatives;
- (d) Submission of monthly reports to LIMPOPO LEGISLATURE for the progress made to date on pending and ongoing matters;
- (e) Submission of monthly invoices and statements for the account;
- (f) Submission of a final report to the Accounting Authority indicating pre-status, milestones achieved and future recommendations, if any; and
- (g) Submission of Project Close-out report and hand-over certificate confirming the firms has successfully discharged responsibilities as per instructions given by LIMPOPO LEGISLATURE .

## **7. TEAM REQUIREMENTS AND CAPACITY**

7.1 Capacity to deliver and attend to assignment promptly and as per reasonable timelines given by LIMPOPO LEGISLATURE is imperative. Lack of proven capacity will attract lower functionality points for the bidder.

7.2 A firm undertakes to maintain properly experienced and competent team for delivery of the legal assignments.

7.3 Any changes to the initially proposed team as per bid response, will require written approval from the LIMPOPO LEGISLATURE. The levels of teams to remain as per bid response; however, they can be improved upwards and be agreed to as such in writing.

7.4 Team members whose work requires accreditations or certain certifications; should ensure their memberships and accreditations or certifications are active and valid throughout the currency of the allocated assignment.

7.5 Team members and hourly rates charged on the assignment are to be the same as was proposed on the bid submitted on appointment.

## **8. OTHER REQUIREMENTS**

8.1 Interested parties must submit estimations based on hourly rates,

8.2 The rates quoted should not be above the pricing schedule of Auditor General South Africa (AGSA), National Treasury, and the South African Institute of Chartered Accountants (SAICA) rates per each team member and levels.

8.3 Falsified documents will result in immediate disqualification and reporting of a bidder engaging on such to relevant authorities for action.

8.4 Due diligence on recommended bidders will be performed for the recommended bidder/s.

8.5 To support the evaluation process, bidders are required to provide the following documents:

- Company profile,
- A detailed list of the proposed support team comprising of full names, position, responsibilities, and qualifications, and number years of experience.
- A detailed list of government and public entity experience with reference to Name of Project, Year started and completed, Name of client, contact person and telephone numbers

8.6. Shortlisted companies will be invited for a presentation on **7 March 2025**.

**NB: None submission of letter of good standing with the relevant accreditation body will result in a disqualification.**

## **9. PERIOD SCOPE**

9.1 Successful service provider(s) will be appointed for a period of 12 months.

9.2 The specification in respect of each investigation assignment shall indicate the period to be covered by

the investigation.

9.3 The period within which the service provider must complete a particular investigation shall be agreed by the parties in respect of each investigation request based on the complexity of the investigations.

## 10. PRICING SCHEDULE

The Legislature reserves the right to negotiate with the preferred bidders identified in the evaluation process, regarding any terms and conditions, including rationalization of the fees to ensure cost containment measures in terms of the National Treasury Guidelines prior to awarding the bid. The tariff structure / fee structure per hour (including VAT) shall be in following format:

No	Description	Quantity	Rate per hour Exc. Vat	Rate per Hour Inc. Vat
1	Project Leader	Per individual		
2	Manager / Senior Investigator			
3	Investigator			
Total rate per hour for duration of project				

**NB:** submission of an incomplete pricing schedule will lead to immediate disqualification

**NB:** The total summed up rate will be used for evaluation purposes and will not result in total contract amount.

## 11. DISBURSEMENTS

All disbursements are to be charged on an actual cost basis with no mark-ups. An Appointed firm should charge in terms of the fee structure as outlined below.

**NB:** Travel disbursements to be paid in line with LIMPOPO LEGISLATURE travel policy and subject to pre-approval.

Item	Class / Rate
Accommodation(where applicable)	As per Legislature's S&T Policy
Travel rate kilometer	As per Legislature's S&T Policy

## 12. SPECIAL TERMS AND CONDITIONS

The following are General Special Terms and Conditions applicable to this bid:

- 12.1 All information gathered during this investigation will be treated as confidential. Committee members are bound by a duty of confidentiality and will not disclose any information to unauthorized individuals or entities;
- 12.2 Successful bidder(s) shall be required to sign an SLA after being appointed; and
- 12.3 Successful bidder not cede, assign or sub-contract any part thereof to any third party unless with the prior consent of the LIMPOPO LEGISLATURE.

## 13. TERMS AND CONDITIONS OF REQUEST FOR PROPOSAL (RFP)

- 13.1 This document may contain confidential information that is the property of the LIMPOPO LEGISLATURE.
- 13.2 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 RFP without prior written

permission from the LIMPOPO LEGISLATURE .

13.3 All copyright and intellectual property herein vests with the LIMPOPO LEGISLATURE.

13.4 Late and incomplete submissions will not be accepted.

13.5 No services must be rendered, or goods delivered before an official LIMPOPO LEGISLATURE Purchase Order form has been received.

13.6 This RFP will be evaluated in terms of the 80/20 preference point system.

## 14. EVALUATION CRITERIA

### 14.1 CRITERION 1 – COMPULSORY REQUIREMENTS

Bidders will first be evaluated in terms of the minimum requirements of submission of compulsory requirements. Bidders who do not meet all the requirements will be disqualified. Bidders who meet all the requirements will be further evaluated on functionality.

### 14.2 CRITERION 2 – FUNCTIONALITY

For companies to be evaluated further on preferential points system of 80/20 they should obtain at least the minimum qualifying score of 70 points on Functionality, failure to obtain at least the minimum qualifying score, a Service Provider must be disqualified.

#### 14.2.1. Reference letters of completed projects Total : 35 points

Bidders must have specific experience and submit 6 recent (not older than 3 years) references in respect of similar work undertaken (the references must be in the form of written proof(s) on the referees' letterheads. The references must include the relevant contact person, nature of service, contract amount, and commencement date, duration of contract, telephone number, and email addresses).

Bidders must attach recent reference letters (a minimum of 6 letters per indicated area), not older than 3 years, confirming experience in area(s) of which they are bidding for.

#### Points Allocation

Submission of 6 letters or more: 35 points

Submission of 5 letters: 25 points

Submission of 4 letters: 15 points

Submission of 3 letters: 10 points

Submission of 1 to 2 letters: 5 points

#### 14.2.2. Financial Capacity : 10 points

<b>Financial capacity</b>	<b>The service provider must attach Bank rating certificate (not older than 3 months):</b>  Bank rating A = 10 points  Bank rating B = 5 points  Bank rating C = 3 points	<b>10 points</b>
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### 14.3 QUALIFICATION AND EXPERIENCE OF TEAM TOTAL : 55 POINTS

Bidders are expected to provide a proposed team for this project clearly indicating each team members role,

qualification, and experience. As a minimum to earn points, team members below should be included on the proposed team.

Concise CVs with certified copies of qualification, and proof of registration of each team members with relevant Accreditation Body(ies).

Letter of good standing and concise CVs / Biography with at least three (3) contactable references.

## **A. PROPOSED CANDIDATE'S QUALIFICATIONS : 35 points**

Bidders are required to provide certified copies of qualifications and certificates of team members to be allocated points.

### **Points Allocation:**

#### **Project Leader**

- **Qualification:** Bachelor of Laws degree (LLB) / Bachelor of Commerce – Honours degree (Bcom-Hons) / Bachelor of Accounting Science degree (Bcompt) Certificate in Theory of Accounting (CTA) or any relevant Bachelor' degree: **10 points**
- **Certificate of Accreditation:** Certified Information Systems Auditor (CISA) -issued by the Information Systems Audit and Control Association (ISACA)
- Certified Internal Auditor (CIA) – issued by the Institute of Internal Auditors
- Chartered Accountant (CA) – Issued by the South African Institute of Chartered Accountants (SAICA)
- Admitted Attorney – registered with the Legal Practices Council of South Africa
- Certified Fraud Examiner (CFE) – issued by the Association of Certified Fraud Examiners (ACFE)
- Certification by South African Academy of Forensic Sciences (SAAFS), Institute of Commercial Forensic Practitioners (ICFP) etc.
- or any relevant accreditation : **5 points**

#### **Manager / Senior Investigator**

- **Qualification:** Bachelor of Laws degree (LLB) / Bachelor of Commerce – Honours degree (Bcom-Hons) / Bachelor of Accounting Science degree (Bcompt) ,Certificate in Theory of Accounting (CTA), Diploma or any relevant Bachelor' degree : **5 points**
- **Certificate of Accreditation:** Certified Information Systems Auditor (CISA) -issued by the Information Systems Audit and Control Association (ISACA)
- Certified Internal Auditor issued (CIA) – issued by the Institute of Internal Auditors
- Chartered Accountant (CA) – Issued by the South African Institute of Chartered Accountants (SAICA)
- Admitted Attorney – registered with the Legal Practices Council of South Africa;



- Certified Fraud Examiner (CFE) – issued by the Association of Certified Fraud Examiners (ACFE)
- Certification by South African Academy of Forensic Sciences (SAAFS), Institute of Commercial Forensic Practitioners (ICFP) etc.
- or any relevant accreditation: **5 points**

#### **Investigator**

- **Qualification:** Any relevant Bachelor's degree / Diploma: **5 points**
- **Certificate of Accreditation:** Registration with relevant professional body: **5 points**

#### **B. PROPOSED CANDIDATE'S EXPERIENCE: 20 points**

Bidders are required to provide a detailed CV and or details of the proposed team experience applicable to this project.

#### **Chief / Senior / Investigator**

- 15 years or more investigation experience: **20 points**
- 10 years to 14 years investigation experience: **15 points**
- 5 years to 9 years investigation experience: **10 points**
- Less than 5 years investigation experience: **5 points**

**14.4 PREFERENCE SPECIFIC GOALS FOR THIS BID AND POINTS CLAIMED ARE INDICATED PER THE TABLE BELOW. POINTS ALLOCATION: 20 POINTS**

<b>Specific goals to be allocated in terms of the tender</b>	<b>Number of Points to be allocated</b>	<b>Means of Verification</b>
<b>Total Points</b>	<b>20 Points</b>	
<b>HDI's and Specific Goals</b>		
Black Ownership >50%	4	Any Person who meets the definition of black in terms of the Constitution. The CSD report will be used as means of verification. The shareholding percentages of black ownership must be 50% or more on the CSD report for the bidder to be allocated the maximum points.
Woman Ownership >50%	4	The CSD will be used as means of verification for woman ownership. The shareholding percentages of the woman ownership must be 50% or more on the CSD report for the bidder to be allocated the maximum points.
Youth >50%	3	Any person in terms of the constitution below the age of 35 years. The CSD will be used as means of verification for youth ownership. The shareholding percentages of youth ownership must be 50% or more on the CSD report for the bidder to be allocated the maximum points.
Person with disability >50%	3	A bidder must attach the medical certificate from the Doctor as means of verification to substantiate the points to be claimed. The CSD report will not be used as the means of the verification for proof of disability. The shareholding percentage of the person with disability must be more 50% or more on the CSD.
Enterprise Located in Limpopo	3	A service provider must attach municipal rates for the company/proof of residence from traditional authority /ward councilor for company/lease agreement in the case where the company is renting the property.
Small, Medium and Micro Enterprises (SMMEs)	3	A Service Provider must attach valid Sworn affidavit/BEE certificate for the points to be claimed. The CSD report will be used as a means of verification for proof of SMMEs.

	<b>Terms and conditions</b>	<b>Section 3</b>
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## **1. Objective**

- 1.1 To solicit proposals from a forensic investigation firm(s) to conduct a thorough and impartial investigation(s) competent service providers who provide quality services.
- 1.2 To focus investigation among others look into internal controls and effectiveness of the system to discourage or depict any possible deficiencies and highlight any corrective measures where necessary

## **2. The Role of Limpopo Provincial Legislature(LPL)**

- 2.1 Appoint supplier and/or service provider for forensic investigations required.
- 2.2 To ensure that a service provider renders the services as per specifications provided.
- 2.3 Conduct forensic investigations using forensic techniques.

## **3. The Role of Service Provider**

- 3.1 Deliver goods and/or render services required as per specifications and or terms of reference contained in this document.
- 3.2 Allow LPL to conduct supplier and /or service provider performance assessment on goods delivered and or rendered.

## **4. SPECIAL INSTRUCTIONS**

- 4.1 LPL reserves the right to conduct security clearance and /or vetting of suppliers or service provider before award of business.
- 4.2 LPL reserves the right not to award business to same forensic investigation firm or service provider for more than one investigation project.

## **5. KEY ASSUMPTIONS**

- 5.1 The suppliers and/or service provider responding to Limpopo Provincial Legislature with a proposal, for this RFP (Request for Proposal) is in the financial position to render the service required.
- 5.2 The service provider and/or supplier has the required skills and competencies to undertake this project.
- 5.3 The service provider will prioritize the project and deliver required goods and/or render required services at the dates agreed upon.
- 5.4 No supplier and/or service provider will accept the appointment of work and later indicate to the Limpopo Provincial Legislature that due to lack of funds, unavailability of stock or

any items, he or she will not be in the position to continue with the business awarded and provide the goods and/or services required.

- 5.5 Once Limpopo Provincial Legislature awards the business to any supplier and/or service provider, the service provider accepts the business awarded, the suppliers and/or service provider is bound to deliver the required goods and /or render required services as per specifications and required delivery date.
- 5.6 All prices proposals must be on firm pricing.
- 5.7 The service provider and/or supplier acknowledges general and special conditions pertaining to this assignment by responding to the LPL's request for quote/proposal.

## 6. PERIOD OF THE ASSIGNMENT

- 6.1 An appointed service provider will be appointed for a period of 12 months.

## 7. EVALUATION CRITERIA

- 7.1 The evaluation criteria are weighted to reflect the importance of project requirements noted in all specifications: All proposals submitted shall be evaluated based on the following criteria:

- ❖ Evaluation Stage One: Compliance checklist
- ❖ Evaluation Stage two : 80/20 preference point system

## COMPLIANCE CHECKLIST AND FUNCTIONALITY

This is the evaluation criteria that measures compliance of service providers with the administrative requirements of this request and mandatory functional requirements as listed in the specifications. Service providers who fail to meet all requirements will be disqualified from further evaluation.

COMPLIANCE CHECKLIST			
Item	Description	Yes	No
1	Invitation to RFP: Completed & Signed		
2	Declaration of Interest Form (SBD 4): Completed & Signed		
3	Preference points claim form in terms of the preferential procurement regulations 2022 (SBD 6.1): Completed & Signed		
4	Recent Central Supplier Database (CSD) report provided		
5	Submit copies of full Company Profile		
6	Price proposals (VAT inclusive), quoted in accordance/compliance with required specifications		

Service Providers must ensure that a price proposal is in accordance or compliant with the required specifications. Limpopo Provincial Legislature reserves the right to reject price proposals that are not complaint with specifications.

## SBD 4

## DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
  - the bidder is employed by the state; and/or
  - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
  - 2.1 Full Name of bidder or his or her representative: .....
  - 2.2 Identity Number:.....
  - 2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>, member):  
.....
  - 2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:  
.....
  - 2.5 Tax Reference Number: .....
  - 2.6 VAT Registration Number: .....
  - 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in paragraph 3 below.

<sup>1</sup>"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

<sup>2</sup>"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? YES / NO

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member: .....

Name of state institution at which you or the person connected to the bidder is employed : .....

Position occupied in the state institution: .....

Any other particulars:

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

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES / NO

2.7.2.1 If yes, did you attach proof of such authority to the bid document? YES / NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

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

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? YES / NO

2.8.1 If so, furnish particulars:

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

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? YES / NO

2.9.1 If so, furnish particulars.

.....



**4 DECLARATION**

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.  
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS  
DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

November 2011



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

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

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) Either the 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
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

- 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:

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 \\
 P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right) & \mathbf{or} & P_s = 90 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)
 \end{array}$$

Where

- $P_s$  = Points scored for price of tender under consideration
- $P_t$  = Price of tender under consideration
- $P_{min}$  = 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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ Ps = 80 \left( 1 + \frac{Pt - Pmax}{Pmax} \right) & \mathbf{or} & Ps = 90 \left( 1 + \frac{Pt - Pmax}{Pmax} \right) \end{array}$$

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>Total points</b>	<b>20</b>	
<b>HDI's</b>		
Black Ownership	4	
woman ownership	4	
Person with disability	3	
<b>Specific goals</b>		
Youth	3	
Small, medium and micro enterprises (SMMEs)	3	
Enterprises located in Limpopo province	3	

**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.

..... <b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	