



Limpopo Legislature

REQUEST FOR PROPOSAL

APPOINTMENT OF A PANEL OF LEGAL SERVICE PROVIDERS

RFP NUMBER: LPL 009/2025

CLOSING DATE: THURSDAY, 27 MARCH 2025

TIME: 11:00 AM

	REQUEST FOR PROPOSAL (RFP) INVITATION	Section 1
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SUPPLIER/ SERVICE PROVIDER NAME:

.....

REQUEST FOR PROPOSAL (RFP LPL 009/2025)

ADVERTISEMENT: APPOINTMENT OF A PANEL OF LEGAL SERVICE PROVIDERS

Issue Date	14 March 2025
Closing Date	27 March 2025

The request for Quote (RFQ) bundle consists of the following documents:

#	DESCRIPTION	SECTION
a)	Invitation to Quote	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 proposal must be on the company’s letterhead

Any enquiries regarding this proposal may be directed to this email address: proposals@limpopoleg.gov.za.

Name

Signature

Date

	DETAILED SPECIFICATION	Section 2
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TERMS OF REFERENCE: APPOINTMENT OF PANEL OF LEGAL SERVICE PROVIDERS**APPOINTMENT OF A PANEL OF LEGAL SERVICE PROVIDERS****1. INTRODUCTION**

The Limpopo Legislature is an autonomous institution, established in terms Chapter 6 of the Constitution of the Republic of South Africa, 1996, with a specific mandate as reflected in sections 114 to 124. The Limpopo Legislature is a representative and consultative body, a vanguard of people's aspirations and interests towards a democratic, non-sexist, non-racial, united and prosperous society and as such seeks to appoint a panel of legal service providers to assist it in fulfilling its constitutional mandate.

2. PURPOSE

The LIMPOPO LEGISLATURE calls for bids from credible, experienced, and reputable professional legal firms (admitted and enrolled as such in terms of Section 24 and 30 of the Legal Practice Act, 2014) to be appointed to the LIMPOPO LEGISLATURE Panel of Legal service providers to handle (amongst others) matters relating to:

2.1 Employment law & Labour relations matters,

2.2 Legal advisory on LIMPOPO LEGISLATURE 's legal administrative matters,

2.3 Contract management,

2.4 Claims and litigations,

2.5 Forensic Investigations

2.6 Any relevant public sector legislative matter.

3. SCOPE OF WORK

The successful legal practices will, as and when required by the LIMPOPO LEGISLATURE render legal services on a wide range of areas, including but not limited the listed below:

3.1 Handling litigations and claims on behalf of the LIMPOPO LEGISLATURE in the Magistrate Court, High Court, Labour Court and CCMA, and any court of law proceedings (including allocation of relevant legal representatives where applicable such as briefing of legal councils and advocates).

3.2 Provide comprehensive legal advisory and administrative support to the LIMPOPO LEGISLATURE Legal unit and its personnel.

3.3 Provide labour related legal support and advisory, including handling labour related matters as per LIMPOPO LEGISLATURE instructions.

3.4 Provide legal opinion on certain LIMPOPO LEGISLATURE processes' compliance with relevant laws, regulations, Acts, and government guidelines and based on jurisprudence.

3.5 Handle the LIMPOPO LEGISLATURE 's general legal issues as per instructions given for such; including liaising with relevant institutions on behalf of the LIMPOPO LEGISLATURE where required to do so for matters assigned.

3.6 Debt Collection / Debt Recovery.

3.7 Conduct Legal Due Diligence, where instructed by the LIMPOPO LEGISLATURE.

3.7 Review and draft policies and / or legislation and provide Training on various pieces of legislation and any other related legal issues.

3.8 Assist the LIMPOPO LEGISLATURE with some of its contract management functions and administration, where required.

3.9 Assist the LIMPOPO LEGISLATURE 's audit process, including provision of legal confirmations and any other reporting as and when required.

3.10 Provide legal opinions and advise as and when requested by the LIMPOPO LEGISLATURE on any other field of law that is relevant to the working environment of the LIMPOPO LEGISLATURE, and

3.11 Any other legal related matter as may be required by LIMPOPO LEGISLATURE from time to time.

Bidders to indicate which categories of the Panel they are bidding towards, and points will be allocated according to the number of categories offered by bidders.

Indicate legal service area of specialization in categories below:

CATERGORY	YES/ NO
a) Provision of advice / opinions on specific legal issues b) Review and draft policies and/or legislation. c) High Court & Magistrate Court, Labour Court Litigation d) Procurement Law, Administrative Law and Constitutional Law e) Commercial Law, Contract Law, Intellectual Property Law, and Construction Law f) Conveyancing and Property Law g) Corporate communication that may need legal inputs (including media communication), h) Advising Management on matters of corporate governance and changes to legislation i) Dealing with objections to awards made in terms of the Supply Chain Management Procedures j) The drafting and vetting of specific contracts. k) Employment Law and Labour Relations Matters including CCMA representation. l) General Legal Matters m) Debt Collection/Debt Recovery	

4.SPECIFIC DELIVERABLES EXPECTED

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

- 4.1 Project Implementation Plan and Project charters,
- 4.2 Preparation and submission of regular progress reports to the LIMPOPO LEGISLATURE manager designated,
- 4.3 Skills transfer plan as part of contractual imperatives,
- 4.4 Submission of monthly reports to LIMPOPO LEGISLATURE for the progress made to date on pending and ongoing matters,
- 4.5 Submission of monthly invoices and statements for the account,
- 4.6 Submission of a final LEGAL report to the Accounting Authority indicating pre-status, milestones achieved and future recommendations, if any,
- 4.7 Submission of the Project Close-out report and hand-over certificate confirming legal firms has successfully discharged responsibilities as per instructions given by LIMPOPO LEGISLATURE.

5 TEAM REQUIREMENTS AND CAPACITY

- 5.1 Capacity to deliver and deal with matters promptly and as per reasonable timelines given by LIMPOPO LEGISLATURE is imperative. Lack of proven capacity will attract lower functionality points for the bidder.
- 5.2 The firm undertakes to maintain properly experienced and competent team for delivery of the LIMPOPO LEGISLATURE legal assignments.
- 5.3 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.
- 5.4 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.
- 5.5 Team members and hourly rates charged on the assignment are to be the same as was proposed on the bid submitted on appointment.

6.OTHER REQUIREMENTS

- 6.1 Interested parties must submit estimations based on hourly rates. A panel will be appointed for providing effective assist in and competent legal services as and when instructed by the LIMPOPO LEGISLATURE.
- 6.2 Appointment to the panel does not in any way guarantee that a legal firm will receive instructions and/or that it is due a portion of any instructions.
- 6.3 The legal services will be allocated on a rotational basis and at the discretion of the LIMPOPO LEGISLATURE, based on the requirements and expertise required by the assignment. The rates quoted should not be above the applicable DPSA rates for financial year per each team member and levels.

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

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

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

6.6.1 Company profile,

6.6.2 A detailed list of the proposed team to support t to support the Legislature, comprising of full names, position, responsibilities, whether legal practitioner or not, qualifications, and number years of experience.

6.6.3 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.

NB: None submission of letter of good standing with legal practice council for each legal practitioners will result in a disqualification.

7 PROJECT DURATION

The panel of Legal Panel services will be appointed for period not exceeding three (3) years from the official date of appointment. The Legislature reserved the right to appoint any service outside the panel of appointed services at their sole discretion.

8 PRICING SCHEDULE

The Legislature reserves the right to negotiate with the preferred bidders identified in the evaluation process, regarding any terms and conditions, including rationalisation of the fees to ensure cost containment measures in terms of the National Treasury Guidelines prior to awarding the bid.

No	Description	Quantity individual	per	Rate per hour Exc. Vat	Rate per Hour Inc. Vat
1	Directors / Partners				
2	Associate Director / Partner				
3	Senior Associate				
4	Associate / Professional Assistant				
5	Junior Associate				
6	Candidate Attorney				
Total rate per hour for duration of project					

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

NB: The rates quoted should not be above the applicable DPSA rates for the financial year per each team member and levels.

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

9 DISBURSEMENTS

All disbursements are to be charged on an actual cost basis with no mark-ups. The appointed legal practitioner should charge in terms of the fee structure as outlined below. The rate shall be adjusted annually as the prevailing CPI at the anniversary of the contract.

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

Item	Class / Rate
Travel rate kilometre	As per Legislature's S&T Policy
Accommodation	Per applicable hourly rate

10. EVALUATION CRITERIA

10.1 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.

10.2 CRITERION 2 – FUNCTIONALITY

Functionality is worth 100 points. The minimum threshold is 70 points. Applicants who score less than 70 points on functionality will therefore be disqualified. Those who score 70 points or more will be further evaluated on presentations. The functionality evaluation is broken down as follows:

10.2.1 Reference letters of completed projects Total – 30 points

Bidders must have specific experience and submit 10 recent (not older than 5 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).

Points Allocation:

- Submission of 10 or more - 30 points
- Submission of 6 to 9 letters - 20 points
- Submission of 5 to 8 letters - 10 points
- Submission of 2 – 4 letters - 5 points

10.2.2 QUALIFICATION AND EXPERIENCE OF TEAM TOTAL – 70 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, the 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 Legal Practice Council and valid Admission certificates.

Attorneys must submit proof of admission with the high court and registration with the LPC for areas needing such accreditation –

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

10.2.2.1 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:

Director/Partner/Associate Partner, Senior Attorney, Attorney

- Qualification at a minimum – Law Degree (LLB) / NQF 8 – **10 points**
- Master's degree in the area of specialization - **10 points**
- Postgraduate diploma 5 points – **5 points**
- Admission as a legal practitioner – **10 points**

10.2.2.2 PROPOSED CANDIDATE'S EXPERIENCE – 35 points.

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

Director/Partner/Associate Partner / Senior Attorney, Attorney, Candidate Attorney

- More than 20 years of legal service experience – **35 points**
- 10 -20 years legal service experience – **20 points**
- 5-9 years legal service experience – **10 points**
- 2 - 4 years legal service experience – **5 points**

CRITERION 3 – Price and Preference

- Bidders who score 70 points or more on functionality, will be further evaluated in terms of Price and Preference points (B-BBEE status level of contributor). As per the table below, price will be evaluated over 80 points and preference points over 20.

PREFERENCE SPECIFIC GOALS FOR THIS BID AND POINTS CLAIMED ARE INDICATED PER THE TABLE BELOW.

Specific goals to be allocated in terms of the proposal	Number of Points to be allocated	Means of Verification
Total Points	20 Points	
HDI's and Specific Goals		
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	The 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	The 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 enterprise (SMMEs)	3	The 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.

11. SPECIAL TERMS AND CONDITIONS

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

11.1 Each successful bidder shall be required to sign an SLA after being appointed.

11.2 Upon the issuing of an instruction by the LIMPOPO LEGISLATURE , the legal practitioner will respond within the time set out in the instruction with a proposal outlining their proposed approach and methodology to the legal matter, the resources they will dedicate to it as well as their total estimated fee. The LIMPOPO LEGISLATURE may, in its sole discretion, instruct a matter or any part thereof to more than one Legal Practitioner.

11.3 The service provider (service provider) assigned any work may not cede, assign or sub-contract any part thereof to any third party unless with the prior consent of the LIMPOPO LEGISLATURE.

12. TERMS AND CONDITIONS OF REQUEST FOR PROPOSALS (RFP)

12.1 This document may contain confidential information that is the property of the LIMPOPO LEGISLATURE.

12.2 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.

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

12.4 Late submissions will not be accepted.

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

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

12.7. Service Providers must also submit the memory stick of tender documents and with all other attachments.

EVALUATION CRITERIA

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: Administrative Compliance and Functionality

Evaluation Stage two: 80/20 preference point system.

ADMINISTRATIVE COMPLIANCE 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.

ADMINISTRATIVE COMPLIANCE

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 Quotations (VAT inclusive), quoted in accordance/compliance with required specifications		

Service provider's

Name :

Completed :

Signature :

SBD 4

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, 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, shareholder², 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.

¹"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.

²"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

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

- 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
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:

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

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)
Total points	20	
HDI's		
Black Ownership	4	
woman ownership	4	
Person with disability	3	
Specific goals		
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.

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