



**APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISIONING OF CLOUD-BASED BACKUP AND DISASTER RECOVERY (DR) TEMPORARY SERVICES FOR A PERIOD OF SIX (6) MONTHS**

**RFP NO.:** NHBRC RFQ 07/2024

**CLOSING DATE:** 15 NOVEMBER 2024

**TIME:** 11:00

**PART A  
INVITATION TO BID**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE NATIONAL HOME BUILDERS REGISTRATION COUNCIL (NHBC)**

BID NUMBER:	<b>NHBRC RFQ 05/2024</b>	CLOSING DATE:	<b>15/11/2024</b>	CLOSING TIME:	<b>11H00</b>
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DESCRIPTION	<b>REQUEST FOR QUOTATION: APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISIONING OF CLOUD-BASED BACKUP AND DISASTER RECOVERY (DR) TEMPORARY SERVICES FOR A PERIOD OF SIX (6) MONTHS</b>
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**BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)**

**27 Leeuwkop Road**

**Sunninghill**

**Sandton**

**Gauteng**

**SUPPLIER INFORMATION**

NAME OF BIDDER			
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POSTAL ADDRESS			
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STREET ADDRESS			
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TELEPHONE NUMBER	CODE		NUMBER	
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CELLPHONE NUMBER			
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FACSIMILE NUMBER	CODE		NUMBER	
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E-MAIL ADDRESS			
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VAT REGISTRATION NUMBER			
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	TCS PIN:		<b>OR</b>	CSD No:	
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CENTRAL SUPPLIER DATABASE REPORT OR MAAA NUMBER [TICK APPLICABLE BOX]	Yes No	COMPANY REGISTRATION DOCUMENTS	Yes No
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IF YES, WHO WAS THE CERTIFICATE ISSUED BY?	
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**A MAXIMUM POINTS OF 20 MAY BE AWARDED TO A BIDDER FOR PREFERENCE POINTS SPECIFIED IN THE TENDER AND CSD REPORT WILL BE USED TO VERIFY THE OWNERSHIP AND CALCULATION OF POINTS.**

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes No [IF YES ANSWER PART B:3 BELOW ]
<b>SIGNATURE OF BIDDER</b> .....	<b>DATE</b>		
<b>CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)</b>			

<b>TOTAL NUMBER OF ITEMS OFFERED</b>	N/A	<b>TOTAL BID PRICE FOR A PERIOD OF TWELVE (12) MONTHS (ALL INCLUSIVE)</b>	
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
DEPARTMENT/ PUBLIC ENTITY	NHBCR	CONTACT PERSON	
CONTACT PERSON	Mr. Kabelo Phalane and Dr. Godfrey Khoza	TELEPHONE NUMBER	
TELEPHONE NUMBER	011317 0114/0115	FACSIMILE NUMBER	
FACSIMILE NUMBER	N/A	E-MAIL ADDRESS	
E-MAIL ADDRESS	<a href="mailto:scmrequests@nhbrc.org.za">scmrequests@nhbrc.org.za</a> <a href="mailto:godfreyk@nhbrc.org.za">godfreyk@nhbrc.org.za</a> <a href="mailto:kabelo@nhbrc.org.za">kabelo@nhbrc.org.za</a>		

**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 ONLINE**
- 1.3. **BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY:(BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). A MAXIMUM POINTS OF 20 MAY BE AWARDED TO A BIDDER FOR PREFERENCE POINTS SPECIFIED IN THE TENDER AND CSD REPORT WILL BE USED TO VERIFY THE OWNERSHIP AND CALCULATION OF POINTS..**
- 1.4. **WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. CSD REPORT FOR PREFERENCE POINTS AND COMPANY REGISTRATION DOCUMENTS MAY BE SUBMITTED TO BIDDING INSTITUTION.**
- 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

**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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3. APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4. BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID. 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

**3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO

3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? YES NO

3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO

3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

## SCOPE OF WORK:

# APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISIONING OF CLOUD-BASED BACKUP AND DISASTER RECOVERY (DR) TEMPORARY SERVICES FOR A PERIOD OF SIX (6) MONTHS

## 1. BACKGROUND

The NHBRC seeks a qualified service provider with over five (5) years of expertise in cloud and backup solutions to deliver a comprehensive Cloud Disaster Recovery (DR) and Backup Solution. This service will support NHBRC's offsite backups and business continuity for a six (6)-month period. The solution must ensure the availability of services in the event of a disaster impacting NHBRC's on-premises data centre and enable efficient data restoration with remote access to a cloud-based secondary data centre.

## 2. VIRTUAL NON-COMPULSORY BRIEFING SESSION

A virtual, non-compulsory briefing session is scheduled for November 4, 2024, at 11 AM. During this session, the NHBRC will share information and provide clarifications on issues related to this RFQ, which will be included in the Bid and responses.

Link: [Virtual Non-Compulsory Briefing: Back-Up and Disaster Recovery Services](#)

## 3. CURRENT INFRASTRUCTURE

The selected service provider is expected to accommodate NHBRC's existing server infrastructure requirements for disaster recovery replication and data backup. The key infrastructure components hosted on BCX One Cloud require specific resource allocations for both storage and processing.

- **17 Hyper-V Virtual Machines:** Hosted in BCX One Cloud (detailed specifications in Annexure A).
- 1 Domain Controller
- **Backup Schedule:** Daily incremental backups are stored in BCX One Cloud and Weekly full backups are stored in BCX One Cloud.

## 4. SCOPE OF WORK

The primary objectives for the Cloud-Based Backup and DR Service are as follows:

- Analyze and understand NHBRC's current on-premises and cloud environment.
- **Establish DRaaS:** Configure and deploy a Disaster Recovery as a Service (DRaaS) environment with appropriate toolsets.
- Ensure DR capabilities that provide data restoration up to 24 hours before a disaster event (Recovery Point Objective - RPO) with a 6-hour restoration time (Restore Time Objective - RTO).
- **Location Compliance:** Host data centres locally in South Africa.
- **Uptime Guarantee:** Ensure 99.9% service uptime.
- **Backup & Restore Solution:** Implement a simple and efficient solution covering all data types.
- **Failover Capabilities:** Set up an alternative backup data centre to handle technical issues with the primary site and enable rapid rerouting.
- **Remote Access:** Provide efficient remote access to the secondary data centre.
- **Synchronization Flexibility:** Allow data synchronization to the DR site at customizable dates and times.
- **Bandwidth Provisioning:** Offer high bandwidth for optimal remote access.
- **DR Drills:** Conduct two DR drills during the contract period to validate failover processes.

### 3.1. PROVISION OF DRAAS

- **High Availability Support:** Provide a DR site for all business-critical systems, capable of serving as a production site if needed.
- **Redundant Connectivity:** Ensure DR site network connectivity is resilient, redundant, and capable of handling NHBRC's demands.
- **Data Integrity and Security:** Secure data archiving, and outline processes for managing physical and logical access to the DR site.
- **Monitoring Access:** Enable NHBRC to remotely monitor environments and conduct facility inspections and audits as needed.

### 3.2. NETWORK, BANDWIDTH & CONNECTIVITY

- **Reliable Network Links:** Include network bandwidth costs within the DRaaS proposal, covering NHBRC's peak demand and ensuring fail-safe circuits.
- **Scalability:** Ensure network circuits and connectivity can scale to meet NHBRC's resource growth.
- **Configuration Adjustments:** Describe methods for implementing configuration changes post-DRaaS provisioning.
- **Monitoring & Alerts:** Provide real-time monitoring and alert systems for managing bandwidth, connectivity, and circuit status.

### 3.3. ICT BACKUP, RESTORE, REPLICATION AND STORAGE

- **Daily Incremental Backups:** Between 6 PM and 6 AM, with a 12-hour window.
- **Weekly Full Backups:** Scheduled over weekends.
- **Monthly Archiving:** Archive data monthly on the last weekend.
- **Growth Flexibility:** Accommodate a 10% increase in the virtual environment; pricing to be on a pay-as-you-use model.

## 4. SITE VISIT REQUIREMENTS

The NHBRC will conduct a mandatory DR site visit to assess the provider's compliance with these criteria:

- **Data Center Facilities:** Essential infrastructure, including air conditioning, fire suppression, smoke detectors, and security.
- **Backup/Failover Site:** Ensure secondary power supplies and a backup/failover site for continuity.
- **Security Measures:** Tight access controls, surveillance, secured cabinets, and network monitoring.
- **Monitoring Solution:** A robust system monitoring solution with real-time alerts for infrastructure, environmental, and security issues.

## 5. SERVICES REQUIREMENTS

- **DR Health Reports:** Monthly DR health reporting throughout the contract.
- **Documentation & Guidelines:** Provide comprehensive Backup and DR documentation with annotated diagrams for day-to-day and emergency use.
- **Backup Optimization:** Minimize backup process time, storage space, and impact on production environments.

- **Final Report:** At contract end, provide a summary of DR health, with recommendations for ongoing safekeeping of NHBRC's ICT environment.

## 6. TECHNICAL EVALUATION CRITERIA

The Bidder must supply the following documentation:

No	Documents	Mandatory
1	Proof of ownership or a lease agreement for the Disaster Recovery Centre/Site. <b>(DR Site inspection will be conducted)</b>  If the Bidder does not own the building, a <b>Memorandum of Understanding (MOU)</b> between the service provider and the lessee must be submitted.	Yes
2	Data Centre Tier 4 Uptime Institute Certification.	Yes
3	South African location for primary and secondary data centres, minimum 50km apart (attach evidence).	Yes
4	Microsoft Partner accreditation or OEM accreditation.	Yes

## 7. FUNCTIONAL EVALUATION

No	Documents	Points
1	Project Plan and methodology to deliver the services required.	10
2	The Service Provider must submit a minimum of three (3) CVs for Key Personnel, along with their relevant qualifications and/or certifications.  Each individual must have a minimum of five years of experience in managed hosting infrastructure services, including business continuity, disaster recovery, and support. CVs that do not demonstrate the required experience will not be considered for evaluation points. NHBRC reserves the right to verify qualifications and certifications.	40
3	5 years or more of experience in cloud and backup solutions with IT infrastructure expertise.	10
4	3 years or more of experience in networking, storage management, and failover cluster management.	10
5	5 years or more in server management.	10

## 8. PART 2: SITE VISIT SCORING CRITERIA

Criteria	Description	Points
<b>Building Security</b>	Check access controls: <b>keycard access, biometric security</b> or <b>security door</b> .	1
	Verify <b>security camera</b> coverage and functionality.	1
	Ensure physical <b>security staff</b> and <b>monitoring systems</b> are in place 24/7.	2
<b>Power and Utilities</b>	2 or more Backup Generators	2
	Power Redundancy: dual power feed	1
	Uninterruptible Power Supply ( <b>UPS</b> ): <b>Test UPS failover functionality</b>	3
<b>Environmental Controls</b>	<b>Verify</b> fire suppression systems are functional (e.g., sprinklers, fire extinguishers, gas systems).	1
	Inspect HVAC (Heating, Ventilation, and Air Conditioning) systems for consistent temperature and humidity control.	2
<b>Redundant Network Connections</b>	<b>Demonstrate failover functionality</b> between primary and secondary network links. Provide a <b>high-level document</b> .	3
<b>Firewall and Security Systems</b>	Verify that <b>firewalls</b> , intrusion detection/prevention systems (IDS/IPS), and other security appliances are operational.	2
<b>Server Health</b>	Provide a server <b>maintenance Agreement</b>	2
<b>Subtotal</b>		<b>20</b>



## 9. ANNEXURE A: SERVER INFRASTRUCTURE SPECIFICATIONS

**Table 1 Server Infrastructure Specifications**

<b>Detail</b>	<b>Disk Space (GB)</b>	<b>Memory (GB)</b>	<b>Processor (GHz)</b>
SAP Solution Manager	2350	64	8
SAP Governance, Risk and Compliance 10	2400	32	4
SAP Customer Relationship Management (Central Instance)	4000	80	8
SAP Enterprise Resource Planning (Central Instance)	8000	80	8
SAP Portal	1100	80	8
SAP Business Objects	1000	64	8
SAP Business Warehouse	3000	64	8
SAP Process Integration/Orchestration	1500	64	8
SAP Mobility	1500	80	8
SAP Web Dispatcher (Installed in DMZ)	500	16	4
System Landscape Directory	1000	24	4
TREX	600	32	4
Open Text Archive Server	4100	32	4
Open Text Content Server Back-End Server	1000	16	6
Open Text Content Server Front-End Server	1000	16	6
Open Text Web Server	500	8	4
Open Text SEA Server	320	8	2



**BIDDER’S DISCLOSURE**

**1. PURPOSE OF THE FORM**

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

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

**2. Bidder’s declaration**

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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

2.2.1 If so, furnish particulars:

.....  
.....

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



**SBD 4**

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....  
.....

**3 DECLARATION**

I, the undersigned, (name)... .. in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where

so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, <sup>1</sup> and 3 ABOVE



**SBD 4**

IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature Date

..... Position  
Name of bidder

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<sup>1</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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

**PRICE QUOTATION PROCESS (UP TO R 1 MILLION)**

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

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) 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:

	<b>POINTS</b>
<b>PRICE</b>	80
<b>SPECIFIC GOALS</b>	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.

1.7 Bidders who wish to claim points in terms of table 4.2 below need to provide proof for each point claimed as guided below:

- Who is female- **attach certified copy of identity document (ID) and company registration document / CSD report to show/ substantiate percentage ownership equity.**
- Who is youth - **attach certified copy of identity document (ID) and company registration document / CSD report to show/ substantiate percentage ownership equity.**
- Who has a disability – **attach doctor’s letter confirming the disability**

## 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:

$$Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmin} \right) \quad \text{or} \quad Ps = 90 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

80/20                                  or                                  90/10

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

**3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT**

**3.2.1. POINTS AWARDED FOR PRICE**

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left( 1 + \frac{Pt - Pmax}{Pmax} \right) \text{ or } Ps = 90 \left( 1 + \frac{Pt - Pmax}{Pmax} \right)$$

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 organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.***

***Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)***

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Percentage ownership equity (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
I. Women owned companies	12		
II. Youth owned companies	5		
III. People living with disabilities owned companies	1.5		
V. Military Veterans owned companies	1.5		

The following formula will be applied to calculate the number of points for preference points:

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

Where

NEP = Points awarded for equity ownership Preference Points

NOP= The maximum number of points awarded for Preference Points

EP = The percentage of equity ownership

**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:** .....

.....

.....

.....

**SBD 7.2**

**CONTRACT FORM - RENDERING OF SERVICES**

**THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.**

**PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)**

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
  
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Pricing schedule(s);
    - Filled in task directive/proposal;
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2017;
    - Declaration of interest;
    - Declaration of Bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
  
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
  
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
  
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
  
6. I confirm that I am duly authorised to sign this contract.

<b>WITNESSES</b>	
1	.....
2	.....
DATE:	.....

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

SBD 7.2

**CONTRACT FORM - RENDERING OF SERVICES**

**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

- I..... in my capacity as..... accept your bid under reference number .....dated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s). 2. An official order indicating service delivery instructions is forthcoming.
- I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION

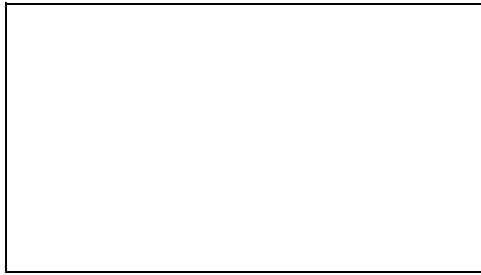
- I confirm that I am duly authorised to sign this contract.

SIGNED AT ..... ON .....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP



WITNESSES

1 .....

2 .....

DATE: .....