MHSC
Mine Health and Safety Council

Established in terms of Section 41(1) of the Mine Health and Safety Act, 1996 (Act 29 of 1996)
Western Woods Office Park, 145 Western Service Road, B7 Maple Place, Woodmead
Tel. No. (011) 656 1797 I Fax: (011) 656 1796

# REQUEST FOR QUOTATION (RFQ)

## TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE FULL CONFERENCING SERVICES FOR THE RTF IN THE WESTERN CAPE REGION ON THE 18th FEBRAURY 2026 TO BE HELD IN THE GEORGE AREA.

**RFQ Number**: **1977**

**Closing date and time**: 26 January 2026 @11:00am

**Validity Period:** 30 Calendar days after the closing date

**ON SITE BRIEFING SESSION/SITE VISIT**

| | |
|---|---|
| **Date:** | N/A |
| **Time:** | N/A |
| **Venue:** | N/A |
| **Compulsory/Non-compulsory** | N/A |

| **BID DOCUMENTS MUST BE SUBMITTED ELECTRONICALLY TO THE FOLLOWING EMAIL ADDRESS:** |
|---|
| ebids@mhsc.org.za<br>**NB:** Only bid documents submitted via the designated email above will be accepted. |

**Enquiries:** Any clarification required by a bidder regarding the meaning or interpretation of the document or any aspect concerning the submission is to be requested in writing from: **Supply Chain Management** – MHSC: ebids@mhsc.org.za

## 1. BACKGROUND

The Mine Health and Safety Council (MHSC) is a national public entity (Schedule 3A) established in terms of the Mine Health and Safety Act, No. 29 of 1996, as amended. The MHSC continues to conduct research and development to improve health and safety in the South African Mining Industry (SAMI), with the aim to achieve its vision of seeing every mineworker returning from work unharmed every day. The MHSC's main role in the South African Mining Industry (SAMI) is to promote a culture of occupational health and safety through effective dissemination of research outcomes, promulgated guidelines and regulatory instruments through various forums and platforms such as conferences, events, seminars, and workshops, hosted by MHSC or invited by the industry. One of the MHSC's major platform for disseminating the OHS research outcomes and initiatives is the Regional Tripartite Forums.

## 2. REQUIREMENTS

The MHSC wishes to a service providers in-line with the requirements of the Public Finance Management Act (PFMA), to provide **conferencing venue package** for the Regional Tripartite Forum.

## 3. SCOPE OF WORK

The MHSC seeks to appoint a service provider to source a conferencing venue with a **full day conferencing package**, as follows:

a) Number of days: ONE
b) Date: 18 February 2026
c) Number of people: 50
d) Preferred area: George Area  Western Cape
e) Type of meeting:  Hybrid meeting

### 3.1. The service provider <u>must</u> ensure that:

a) Set-up is done prior to delegates/guests arriving
b) the conference venue has back-up power, with a quick turnaround (must be up within a few seconds of power-cut)

c) uninterrupted WiFi with fast connectivity is provided

d) there are power points close to chairs for laptops (provide cabling/power point cords where necessary)

**e) the quality of food prepared must adhere to acceptable food industry standards and must be prepared in a clean and hygienic manner in accordance with all health and safety regulations**

f) all meals and snacks accommodate vegetarians, halal, and vegans

g) proper crockery and cutlery is provided - **NO** plastic, enamel or styrofoam crockerly and cuttlery to be provided

h) receives a copy of the programme/agenda for guidance on breaks and lunch times

**IMPORTANT NOTE FOR THIRD PARTY BIDDERS:**

**a) must state the name of the conference venue in their response and quotation**

**b) must do a site visit of the proposed venue as part of conducting due diligence**

**c) must be onsite throughout the conference and available to resolve any issue/concerns that arise.**

**d) The proposed venue should at least be of a 3 star grading**

### 3.2. SPECIFICATIONS - CONFERENCE PACKAGE TO INCLUDE:

| **Details** | | **Number/ Quantity** |
|---|---|---|
| Conference facilities | a) Conferencing room - **classroom seating style**<br>(must have stage and podium with microphone) | 50 |
| | b) Pens and notepads on tables *(if not part of the conference package)* | 50 |
| | c) Audio Visual System<br>(PA System, Audio Visual, projector, screen, relevant equipment to allow for presentations) ) Technical support for AV equipment | 1 |
| | d) Roving microphones | 1 |
| | e) Bottled water on tables (x2 per person) | 50 |
| | f) Hybrid set-up with cameras for the virtual meeting- to allow for online attendance and online presentations.<br>**Uninterrupted Internet/WiFi must be available** | N/A |
| Arrival beverages and snacks *(before 08:00 am)* | Tea, coffee, juice with a variety of sandwiches and muffins/scones | 50 |
| Tea Breaks & snacks | Tea, coffee, juice with biscuits<br>*(plus left over snacks from the morning if any)* | 50 |
| Lunch Break | ***Meat:*** grilled chicken and lamb/beef stew<br>***Starch:*** rice and dumpling<br>***Vegetables:*** spinach, pumpkin and fresh green salad | 48 |
| | Halal meals | 2 |
| | Soft drinks and Juice (Canned) – x1 per person | 50 |

**Everything should be quoted as one package and no hidden costs will be entertained.**

## 4. EVALUATION PROCESS

The evaluation process will be conducted in various stages. To move to the next stage of evaluation, the previous stage of evaluation must have been fully complied with.

### 4.1. Mandatory requirement: to be completed ONLY by 3rd party bidders:

| | |
|---|---|
| 1. Has the conference venue site visit been done? (Yes/No) | |
| 2. Name of the proposed conferencing venue: | |

## 5. RFQ EVALUATION PROCESS

### SCM COMPLIANCE REQUIREMENTS (RETURNABLE DOCUMENTS)

**5.1 THE RFQ WILL BE EVALUATED IN 2 PHASES AS MENTIONED BELOW:**

Phase 1: SCM compliance requirements.

Phase 2: Price and Specific Goals.

**Phase 1: SCM Compliance requirements**

RFQs received will be verified for completeness and correctness. MHSC reserve the right to accept or reject an RFQ based on the completeness and correctness of the documentation and information provided. **No award will be done without complete provision of returnable documents and any schedules.**

Returnable documents are categorized as follows:

| | |
|---|---|
| Invitation to Bid (SBD 1) | Fully completed and signed. |
| Bidders' Disclosure form (SBD 4) | Fully completed and signed. |
| SBD 6.1 (Preference Claim Form) | Fully completed and signed. Proof of evidence: valid certified sworn affidavit or valid certified B-BBEE certificate. Bidders should ensure the points are correctly claimed for the specific goals and information is captured correctly and information is true. |
| Pricing Schedule (SBD 3). | The bidder must submit and attach to the RFQ response fully completed pricing Schedule (SBD 3) and valid quote on company letterhead. Pricing schedules must be completed in full. Should the total bid prices differ, or calculation errors be identified, the one indicated on the pricing schedule shall be considered the correct price. |
| Proof of registration on the Central Supplier Database (CSD) of National Treasury | Please provide proof of registration on the Central Supplier Database. Only suppliers who are registered with the Central Supplier Database **(CSD)** will be considered |
| Tax Verification | Proof of Tax Verification PIN from SARS or CSD supplier number |

**NB**: MHSC only conducts business with bidders whose tax matters are in order. Failure to comply in terms of tax obligations will render your bid non-responsive and disqualified. It is the responsibility of the bidder to ensure they are tax compliant at time of submitting their response.

**Phase 2: Price and Specific Goals**

| PRICING INSTRUCTIONS | |
|---|---|
| 1. | **Applicable currency**: All prices shall be quoted in South African Rand (R). |

| | |
|---|---|
| 2. | **Completion of pricing schedule:** Bidders shall complete the pricing schedule in full, inserting all the information required therein. |
| 3. | **Price Quotation Basis:** total prices quoted must be inclusive of all applicable taxes including VAT, less all unconditional discounts, plus all costs to deliver the services and/or goods. Where imported goods/services are to be used, and pricing is subject to exchange rate fluctuations, the exchange currency against the Rand must be stipulated, as well as the exchange rate at the time of bidding. The portion of the bid price subject to exchange rate fluctuations must be stated. Price changes whether because of CPI, PPI, industry extensions or expansions will be allowed in terms of the signed contract by both parties.) |
| 4. | **Submission of pricing:** bidders must submit their pricing proposals with the technical proposal. The pricing folder must be clearly labelled as such. |

## PRICE SCHEDULE (SBD 3.1 Firm Unit Prices

Tenderers are required to complete the following schedule of prices and ensure that the total price submitted encompasses all costs necessary to fulfil the requirements outlined in the specifications/scope of work. The total price is determined by multiplying the quantity of each line item by the corresponding unit price. Tenderers must include all necessary items and associated costs in their pricing schedule, as **NO ADDITIONAL OR HIDDEN COSTS WILL BE ACCEPTED OR CONSIDERED.**

| No | Qty | Description | Unit price | TOTAL Price |
|---|---|---|---|---|
| 1. | **50** | Conferencing room - **classroom seating style** 1. *(must have stage and podium with microphone* | **R** | **R** |
| 2. | **50** | Pens and notepads on tables *(if not part of the conference package)* | | |
| 3. | **1** | Audio Visual System 2. *(PA System, Audio Visual, projector, screen, relevant equipment to allow for presentations)* | **R** | **R** |

| | | | | |
|---|---|---|---|---|
| 4. | **1** | Technical support for AV equipment | **R** | **R** |
| 5. | **1** | Roving microphones | **R** | **R** |
| 6. | **1** | Hybrid set-up with cameras for the virtual meeting, to allow for online attendance and online presentations.<br>**Uninterrupted Internet/WiFi must be available** | **R** | **R** |
| 7. | **100** | Bottled water on tables (x2 per person) | | |
| 8. | **50** | **Arrival beverages:**<br>Tea, coffee, juice with a variety of sandwiches and muffins/scones | **R** | **R** |
| 9. | **50** | **Tea break:**<br>Tea, coffee, juice with biscuits<br>*(plus left over snacks from the morning if any)* | **R** | **R** |
| 10. | **48** | **Lunch:**<br>*Meat:* grilled chicken and lamb/beef stew<br>*Starch:* rice and dumpling<br>*Vegetables:* spinach, pumpkin and fresh green salad | **R** | **R** |
| 11. | **2** | **Halaal Meals** | **R** | **R** |
| 12. | **50** | Soft drink and juice- canned (x1 per person) | **R** | **R** |
| **Sub-total** | | | | **R** |
| **VAT @ 15%** | | | | **R** |
| **Grand Total** | | | | **R** |

**GRAND TOTAL (VAT Inclusive): R**……..……

Prices quoted are fully inclusive of all costs including applicable taxes and disbursements and other overheads. (Please note that all prices quoted should be inclusive of Value Added Tax (VAT). Where applicable the price should include Supply, Delivery, Maintenance, and any other costs relating to this bid. Price changes whether because of CPI, PPI, industry extensions or expansions will be allowed in terms of the signed contract by both parties.

## 1.1. Specific goals

Bid price proposals are compared on an equal and fair basis, considering all aspects of the bid pricing requirements. Qualifying bids are ranked on price and specific goals points claimed in the following manner

i) **Price** - with the lowest priced bid receiving the highest price score as set out in the Preferential Procurement Regulations 2022.

ii) **Preference** - preference points are allocated in accordance with the Preferential Procurement Policy Framework Act (Act 5 of 2000) and its Regulations 2022 as claimed in the specific goals claim form (SBD 6.1) are added to the price ranking scores. The points for specific goals must be supported by a valid B-BBEE certificate or certified sworn affidavit.

A maximum of 80 points will be allocated for price on the following basis: **80/20**

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

Type equation here.

Where;

| | | |
|---|---|---|
| Ps | = | Points scored for price of tender under consideration |
| Pt | = | Price of tender under consideration |
| Pmin | = | Price of lowest acceptable tender |

A maximum of 20 points will be allocated for specific goals on the following basis:

- The tenderer must indicate how they claim points for each preference point system in line with the specific goals of the RFQ as outlined in SBD 6.1.

## 5. PRICE NEGOTIATIONS

The award of this RFQ may be subject to price negotiations where there are opportunities where prices are not market related. Under no circumstances will negotiation with any Bidders, constitute an award or promise/ undertaking to award the contract.

### 5.1. PROTECTION OF PERSONAL INFORMATION ACT, 4 of 2013 (POPIA)

MHSC adheres to the Protection of Personal Information Act, 4 of 2013 (POPIA) requirements regarding personal information which came into effect 1 July 2021. As MHSC, we are committed to protecting your privacy and ensuring that personal information collected is used properly, lawfully, and transparently.

## 7. OCCUPATIONAL HEALTH AND SAFETY

The service provider acknowledges that he is fully aware of the provisions of the OHS Act 85 of 1993 and that he is an employer in his own right with duties and responsibilities as prescribed in the Act.

### a. IMPORTANT NOTICE TO BIDDERS

***Bidders are to be aware of scammers who pose as MHSC employees selling bid documents or offering monetary gratuity in exchange for information or awarding of bids. MHSC is in no way selling the bid document, all documents shall be found on the MHSC website and National Treasury eTender Portal and awarded bids are notified through the website and MHSC shall never ask any bidder for monetary gratuity in exchange for information or manipulating outcome of bids*.**

## GENERAL CONDITIONS OF CONTRACT (GCC)

In accordance with the Framework for Supply Chain Management [Section 76 (4) (c) of the PFMA] that was promulgated in Government Gazette Number 25767 on 5 December 2003 as Treasury Regulations, National Treasury is required to issue general conditions of contract and bid documentation for supply chain management. This Request for Quotation and any contract emanating from this Request for Quotation are subject to the General Conditions of Contract (GCC) which were revised in July 2010. The General Conditions of Contract (GCC) revised and issued by National Treasury in July 2010 are available on the website of National Treasury.
*http://ocpo.treasury.gov.za/Resource_Centre/Legislation/General%20Conditions%20of%20Contract-%20Inclusion%20of%20par%2034%20CIBD.pdf*

The SBD 7 contract form will be required, where applicable, from the recommended bidder upon award.

## STANDARD CONDITIONS OF RFQ

- A submission submitted in response to this RFQ will constitute a binding offer which will remain binding and irrevocable for a period of thirty (30) days from the date of submission to the MHSC. Bidders may not modify their initial pricing offer whilst the bid validity period is still in force.
- No service will be rendered, or goods delivered before an official MHSC Purchase Order has been issued.
- It is the responsibility of the bidder to ensure that its response reaches MHSC on or before the closing date and time of the bid.
- Bidders may not make any alterations or additions to the content of this bid document, except to comply with the instructions issued by the MHSC.
- There shall be no discussions with any enterprise until evaluation of the proposal has been complete.
- RFQ's received after closing time and date will be classified as LATE and will not be considered.
- MHSC reserves the right to cancel this RFQ due to the following reasons:

  a) Due to changed circumstances, there is no longer a need for the services specified in this RFQ.
  b) Funds are no longer available to cover the total envisaged expenditure for the project.
  c) No RFQ meets the required specifications.
  d) There is a material irregularity in the RFQ process.
  e) Bidder fails to deliver in accordance with the requirements of the RFQ. The MHSC reserves the right to terminate the contract/PO during the first week after work has commenced should the appointed service provider have misrepresented themselves and/or their product and will not be able to fulfil the requirements as contained in the contract.
  f) Payment will be made in accordance with section 38(1)(f) and 76(4)(b) of the PFMA and Treasury Regulations 15.10.1.and 8.2.3 (within 30 days from receipt of invoice after completion of deliverables).

## DUE DILIGENCE

The MHSC reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period. This may include site visits, reference checks and requests for additional information. The MHSC may where applicable request samples from the bidder/s to confirm capability.

## RFQ AWARD

Awarding of RFQ's will not be published on the National Treasury e-tender portal or MHSC' website. No regret letters will be sent out. An RFQ is considered awarded when an official purchase order as signed by the delegated authority of the MSC is issued to the service provider. Goods may be delivered, or services may be rendered only with an official purchase order as signed and issued by the MHSC.

## REASONS FOR DISQUALIFICATION

MHSC reserves the right to disqualify any bidders who do not comply with one or more of the following RFQ requirements and may take place without prior notice to the bidder:

- Bidder whose tax matters are not in order (Instruction Note 09 of 2017/2018 Tax Compliance Status will apply).
- Bidders who are not registered with the Central Supplier Database (CSD).
- submitted incomplete information and documentation according to the requirements of this RFQ document.
- submitted information that is fraudulent, factually untrue or inaccurate information.
- received information not available to other potential bidders through fraudulent means.
- failed to comply with mandatory and technical requirements as stipulated in the RFQ document.
- misrepresented or altered material information in whatever way or manner.
- promised, offered, or made gifts, benefits to any The Mine Health and Safety Council (MHSC) employee.
- canvassed, lobbied to gain unfair advantage.
- committed fraudulent acts; and

- acted dishonestly and/or in bad faith etc.

**NB: it is the responsibility of the bidder to ensure the bid response is fully completed and signed and all required documents are valid and submitted upon closing date. The bidder should ensure that their response reaches the MHSC on the stipulated date and time.**

MHSC
Mine Health and Safety Council

## 1. PART F: STANDARD BIDDING DOCUMENTS

**PART A**
**INVITATION TO BID**

| **YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE MINE HEALTH SAFETY COUNCIL** | | | | | |
|---|---|---|---|---|---|
| **BID NUMBER:** | 1977 | **CLOSING DATE:** | 26 January 2026 | **CLOSING TIME:** | 11:00am |
| **DESCRIPTION** | **APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE FULL CONFERENCING SERVICES FOR THE RTF IN THE WESTERN CAPE REGION ON THE 18th FEBRAURY 2026 TO BE HELD IN THE GEORGE AREA.** | | | | |
| **BID RESPONSE DOCUMENTS MUST BE SUBMITTED TO THE DESIGNATED EMAIL ADDRESS BELOW** | | | | | |
| ebids@mhsc.org.za | | | | | |
| | | | | | |

| **BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO** | | **TECHNICAL ENQUIRIES MAY BE DIRECTED TO:** | |
|---|---|---|---|
| CONTACT PERSON | **SCM OFFICE** | CONTACT PERSON | **SCM OFFICE** |
| TELEPHONE NUMBER | **011 656 1797** | TELEPHONE NUMBER | **011 656 1797** |

| | | | |
|---|---|---|---|
| FACSIMILE NUMBER | | FACSIMILE NUMBER | |
| E-MAIL ADDRESS | ebids@mhsc.org.za | E-MAIL ADDRESS | ebids@mhsc.org.za |

| **SUPPLIER INFORMATION** | | | | | |
|---|---|---|---|---|---|
| NAME OF BIDDER | | | | | |
| POSTAL ADDRESS | | | | | |
| STREET ADDRESS | | | | | |
| TELEPHONE NUMBER | CODE | | NUMBER | | |
| CELLPHONE NUMBER | | | | | |
| FACSIMILE NUMBER | CODE | | NUMBER | | |
| E-MAIL ADDRESS | | | | | |
| VAT REGISTRATION NUMBER | | | | | |
| SUPPLIER COMPLIANCE STATUS | TAX COMPLIANCE SYSTEM PIN: | | **OR** | CENTRAL SUPPLIER DATABASE No: | MAAA |
| *ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?* | ☐Yes ☐No<br>[IF YES ENCLOSE PROOF] | | *ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?* | | ☐Yes ☐No<br>[IF YES, ANSWER THE QUESTIONNAIRE BELOW] |

**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?
☐ YES ☐ NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA?
☐ YES ☐ NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?
☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?
☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?
☐ YES ☐ NO

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

## PART B
## TERMS AND CONDITIONS FOR BIDDING

| **1. BID SUBMISSION:** |
|---|
| 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.<br>1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**<br>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.<br>1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED, WHERE APPLICABLE TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).** |
| **2. TAX COMPLIANCE REQUIREMENTS** |
| 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.<br>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.<br>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.<br>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.<br>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.<br>2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.<br>2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE." |

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

SIGNATURE OF BIDDER: ……

CAPACITY UNDER WHICH THIS BID IS SIGNED: ……
(Proof of authority must be submitted e.g. company resolution)

DATE: ……

**Bidders are not allowed to contact any other MHSC staff in the context of this tender other than the indicated officials under SBD 1 above or as mentioned under "correspondences".**

## BIDDER'S DISCLOSURE (SBD 4)

### 1. PURPOSE OF THE FORM

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

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

### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest1 in the enterprise,
employed by the state? **YES/NO**

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

| **Full Name** | **Identity Number** | **Name of State institution** |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

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.

| | | |
|---|---|---|
| | | |

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:
……
……

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

2.3.1 If so, furnish particulars:
……
……

## 3 DECLARATION

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

3.1 I have read and I understand the contents of this disclosure;
3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium2 will not be construed as collusive bidding.
3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
3.4 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.

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

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, 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF

PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND

COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS

DECLARATION PROVE TO BE FALSE.

…… ……
Signature Date

…… ……
Position Name of bidder

MHSC

Mine Health and Safety Council

**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**

(*delete whichever is not applicable for this tender*).

a) The applicable preference point system for this tender is the 90/10 preference point system.

b) The applicable preference point system for this tender is the 80/20 preference point system.

Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

(a) Price; and

(b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

| | POINTS |
|---|---|
| **PRICE** | **80** |
| **SPECIFIC GOALS** | **20** |
| **Total points for Price and SPECIFIC GOALS** | **100** |

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state

## 2. DEFINITIONS

(a) **"tender"** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

(b) **"price"** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;

*(c)* **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

(d) **"tender for income-generating contracts"** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **"the Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

### 3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

**80/20**

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

Where

| | | |
|---|---|---|
| Ps | = | Points scored for price of tender under consideration |
| Pt | = | Price of tender under consideration |
| Pmin | = | Price of lowest acceptable tender |

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

### 3.2.1. POINTS AWARDED FOR PRICE

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

**80/20**

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

Where

| | | |
|---|---|---|
| Ps | = | Points scored for price of tender under consideration |
| Pt | = | Price of tender under consideration |
| 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) (To be completed by the organ of state) | Number of points allocated (example) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|---|---|---|
| Black owned enterprises "*enterprises owned by black people".* Persons historically disadvantaged on the basis of race: | **Total Points: 10**<br><br>100% black ownership = 10<br>76% to 99% black ownership = 8<br>61% to 75% black ownership = 6<br>41% to 60% black ownership = 4<br>20% to 40% black ownership = 2 | For example, if the bidder's Black Ownership is between 61% and 75%, it will score/claim **6** points for 80/20 | |

| | | | |
|---|---|---|---|
| | 0 to 19% black ownership = 0 | | |
| *Black women owned enterprises*<br>*"Enterprises owned by women"*<br>Persons historically disadvantaged on the basis of gender: | **Total Points: 5**<br>100% black women ownership = 5<br>76% to 99% black women ownership = 4<br>61% to 75% black women ownership = 3<br>41% to 60% black women ownership = 2<br>20% to 40% black women ownership = 1<br>0 to 19% black women ownership = 0 | For example, if the bidder is 61 to 75% owned by Women, it will score/claim **3** points for 80/20. | |
| *Enterprises owned by Youth*<br>*"Enterprises owned by people who are youth.* Persons historically disadvantaged on the basis of youth. | **Total Points: 5**<br>100% owned by youth = 5<br>76% to 99% owned by youth = 4<br>61% to 75% owned by youth = 3<br>41% to 60% owned by youth = 2<br>20% to 40% owned by youth = 1<br>0 to 19% owned by youth = 0 | For example, if the bidder is 61 to 75% owned by Youth , it will score/claim **3** points for 80/20. | |
| **Total Points for Specific Goals** | **20.00** | | |

**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**: ……

……

……

……