2nd Floor, Block B Lakefield Office Park, 272 West Avenue, Die Hoewes, Centurion, 01574, Tel: +27 012 748 1000

VAT No.: 496 026 5751

RFQ NUMBER:	**RFQ001102026**
CLOSING DATE:	**12 November 2026**
CLOSING TIME	**16:00 PM**
DESCRIPTION OF BID:	Terms of Reference for the Consultancy to Review the Global Fund Principal Recipient (PR) Selection Manual

- Proposals must be submitted by email by no later than 16h00 on **12 November 2026.**
- Only proposals submitted by email to: rfq@sanac.org.za will be accepted and reviewed – no late proposals will be reviewed.
- Please use the reference "**Consultancy to Review the Global Fund Principal Recipient (PR) Selection Manual**" in the email subject line.
- Address to be put on the Quote: SANAC, Second Floor, Block B, Lakefield Office Park, 272 West Avenue, Centurion, Pretoria, VAT no: 496 026 5751

Terms of Reference for the Consultancy to Review Global Fund Principal Recipient (PR) Selection Manual

1. Background

The Global Fund Country Coordinating Mechanism (GF CCM) is hosted by the South African National AIDS Council (SANAC) and, as part of its functions, is required to nominate Principal Recipients (PRs) at the time of submission of requests for funding. PRs (both government and non-government) are nominated by the CCM and are accountable to the CCM for achievement of programme objectives. PRs may implement programmes directly and through sub-recipients (SRs), with the PR retaining ultimate responsibility for grant performance.

The selection process of PRs is informed by the Global Fund principles of transparency, competitiveness, equity and fairness. The PR Selection Manual and accompanying tools guide the CCM in selecting suitable PRs while ensuring that implementation arrangements meet the intentions of the CCM, comply with Global Fund requirements and appropriately manage financial and programmatic risk.

The CCM is preparing for Grant Cycle 8 (GC8) and is currently undertaking discussions on Sustainability and Transition, including the future configuration of implementation arrangements and the role and number of PRs. The review of the PR Selection Manual and accompanying tools will proceed concurrently with these discussions. Where any outcomes

or decisions from the Sustainability and Transition discussions have a direct bearing on the PR selection process, these will be incorporated into the Manual and relevant tools once concluded.

2. Purpose and Overall Objective

The purpose of this consultancy is to review and strengthen the Global Fund Principal Recipient (PR) Selection Manual and its accompanying tools so that the CCM has a clear, objective, transparent and Global Fund-compliant process for selecting PRs, ready for CCM endorsement on 30 January 2027 and for use in the GC8 PR selection process.

The overall objective of this consultancy is to review the existing PR Selection Manual, together with its accompanying tools (assessment tools, calls for proposals, application forms and evaluation/scoring tools), to guide the selection of PRs. The review should:

- Review the processes by which the CCM selects suitable PRs, following the principles of transparency, competitiveness, equity and fairness.
- Ensure that the PR Selection Manual reflects implementation arrangements that align with the intentions of the CCM and the requirements of the Global Fund.
- Review previous PR selection processes and evaluate the link between the selection criteria applied and subsequent PR performance, and use lessons from this review to strengthen the PR Selection Manual.
- Review the PR Selection Manual and accompanying tools to ensure an appropriate balance between transformation, organisational capacity, while taking into account relevant risk and governance considerations.
- Review the PR Selection Manual from a governance perspective, including roles and responsibilities, accountability, transparency, conflict of interest, confidentiality, independence, appeals and decision-making processes.
- Review Broad-Based Black Economic Empowerment (B-BBEE), transformation and other relevant/additional PR selection criteria and advise how these should appropriately be reflected in the PR Selection Manual and tools, while maintaining objectivity, avoiding duplication and ensuring fair PR selection.
- Review and revise the tools required to implement the PR selection process in line with Global Fund requirements and CCM decisions.
- Review and simplify the PR selection criteria, scoring methodology, weightings and tools to ensure that they are clear, objective, measurable, proportionate and practical for the PR Selection Panel to apply.
- Outline clear selection criteria for prospective PRs, using objective criteria and measurable variables to evaluate relevant areas of PR functioning, including financial management, programme management, programme performance, governance, institutional capacity and risk.

- Review the methodology for verifying information provided by prospective PRs and the risk matrix used to evaluate the areas assessed and provide an overall risk profile for each PR.
- Review the processes and procedures for assessing capacity-development needs of PRs and the supporting tools.
- Review the appeals process and ensure that all relevant documentation and forms are included.
- Consolidate the outcomes of the CCM's Sustainability and Transition discussions, including any CCM decisions on future implementation arrangements, and incorporate the CCM-endorsed direction into the PR Selection Manual and accompanying tools.

3. Scope of Work

The main deliverable of this work is a completed, high-quality reviewed PR Selection Manual, with updated and relevant tools e.g. evaluation tools, site visit tools, ToRs etc. which can be used by the CCM and the PR Selection Panel for PR selection. The Manual and core tools must be ready for CCM endorsement on 30 January 2027. The scope of work is organised in four phases:

3.1 Inception and Desktop Review

The consultant will participate in an inception meeting with the CCM Secretariat to confirm the scope of work, methodology, deliverables, reporting arrangements and timelines for the assignment, and will prepare a short inception/desktop review report and workplan outlining the proposed methodology, stakeholder engagement approach, quality assurance mechanisms, timelines, priority governance and tool issues, and potential risks to successful completion of the assignment.

- Conduct a desktop review of all available documents relevant to the PR selection process, including the CCM Governance Manual; existing PR Selection Manual and tools; applicable Global Fund policies, requirements and guidance; Access to Funding comments; lessons learnt from PR Selection Panel/ Appeals Panel/ Access to Funding Comments/ SANAC Legal Opinion on PR Selection/ Appeals report and other documents provided by the CCM Secretariat.

3.2 Stakeholder Engagement, Review and Simplification

- Engage and consult relevant CCM constituencies; previous PR Selection Panel and Appeals Panel members, Global Fund Country Team, Local Fund Agent (LFA) and other stakeholders identified by the CCM Secretariat, on the selection process and how it can be improved.
- Incorporate stakeholder inputs into drafts of the Manual and tools presented to the relevant CCM structures.
- Review the Manual and tools from a governance perspective and recommend amendments that strengthen accountability, transparency, conflict-of-interest

management, independence of the selection process, confidentiality, documentation, decision-making and appeals.
- Review B-BBEE, transformation and any additional selection criteria and recommend how these should be appropriately incorporated into the PR Selection Manual and tools.
- Review and simplify the scoring criteria, rating scales, weightings and evaluation tools to reduce unnecessary complexity, duplication and subjectivity while retaining a rigorous assessment of PR capacity and risk.
- Develop or revise clear guidance on evidence and verification requirements for each material selection criterion and on the use of the PR risk matrix.

3.3 Drafting, Consultation and Validation

- Develop a presentation and shortened document that summarize the reviewed PR Selection Manual in an easy-to-read format and present the proposed revisions to the Management Committee and CCM, as directed by the CCM Secretariat.
- Adjust the Manual and all accompanying tools in response to CCM inputs before finalization.
- Develop PR selection adverts/calls for proposals.
- Support the team in conducting briefing sessions.
- Develop/revise the scoring tools and support the PR Selection Panel to test the tools before use.
- Develop, submit and present the draft and final PR Selection Manual incorporating stakeholder and CCM inputs.

3.4 Finalisation, Orientation and Process Support

- Ensure alignment of the PR Selection Manual with applicable Global Fund policy and guidance.
- Orientate the PR Selection Panel and CCM Secretariat on the final approved PR Selection Manual and the use of the PR selection, evaluation and scoring tools.
- During the PR evaluation period, provide governance and process clarification to the PR Selection Panel on the application of the approved Manual and tools, without participating in or influencing the Panel's substantive scoring or selection decisions.

4. Deliverables

Deliverable	Description	Payment
1. Inception / Desktop Review Report and Workplan	Conduct desktop review of documents, including alignment with Global Fund policy/guidance and identification of priority governance and tool issues. The consultant will submit a short inception/desktop review report (work plan and priority issues) for approval. Timeframe: 23 November – 4 December 2026. Indicative effort: 3 days. The consultant is to be selected by 20 November 2026 and will commence preliminary work on appointment.	**20%**

Deliverable	Description	Payment
2. Stakeholder Engagement and First Draft Manual and Tools	Constituency/stakeholder engagement, including inputs relevant to Sustainability and Transition and future implementation arrangements (7–11 December 2026; 2 days). Consolidate inputs and review the PR Selection Manual and tools, including governance, B-BBEE/transformation, additional criteria and simplification of scoring (14 December 2026 – 8 January 2027; 3 days). Circulate and present first draft, including revised PR Selection Tools, to the relevant CCM governance structure(s) for review; comments are due by 15 January 2027 (11 January 2027; 1 day). Indicative effort: 6 days. No separate payment; included in the Deliverable 3 milestone.	–
3. Final Draft Manual and Tools for CCM Endorsement	Consolidate inputs on the first draft and prepare the final draft Manual and tools for CCM consideration (18–22 January 2027; 4 days). Finalise supporting PR selection advert/call-for-proposals template, where required (25 January 2027; 1 day). Present final draft reviewed PR Selection Manual and tools to the CCM for endorsement (by 30 January 2027; 1 day). Indicative effort: 6 days (initial phase total: 15 days). Payable upon completion of the 15-day initial phase and submission/presentation of the Manual and tools for CCM endorsement.	**55%**
4. PR Selection Panel Orientation and Governance/Process Clarification	Orientate the PR Selection Panel and CCM Secretariat on the approved PR Selection Manual and use of the selection/evaluation tools (February 2027; 2 days). Provide governance/process clarification during the PR evaluation process, including clarification on the approved criteria, scoring methodology and tools (March–April 2027; 3 days); the consultant will not score applicants or influence substantive Panel decisions. Indicative effort: 5 days. Payable upon satisfactory completion of retained support and submission of final agreed outputs/timesheets; adjusted pro rata if fewer than 5 days are used.	**25%**
Total	Maximum level of effort of 20 working days (15 days initial review and endorsement phase + 5 days retained support).	**100%**

The allocation of days reflected above is indicative and may be adjusted based on the requirements of the assignment; however, the total level of effort shall not exceed 20 consultancy days.

5. Duration, Reporting and Administrative Arrangements

- The consultancy will run from 23 November 2026 to 30 April 2027, with a maximum level of effort of 20 working days. Fifteen (15) days will be utilised during the initial review, consultation, drafting and CCM endorsement phase, with the PR Selection Manual scheduled for CCM endorsement on 30 January 2027, and five (5) days will be retained for post-endorsement support, orientation and governance/process clarification during PR selection through 30 April 2027.

- The consultant will be selected and appointed by 20 November 2026 and is expected to commence preliminary work (inception and desktop review) immediately upon appointment, with the contract period starting on 23 November 2026.
- The assignment is milestone driven, and the consultant will be expected to manage and allocate the consultancy days in line with the timeframes in Section 4.
- The consultant's role during evaluation is advisory on governance and process. The consultant must not score applicants, moderate scores on behalf of Panel members, or influence the Panel's substantive selection decisions.
- The consultant will report to the CCM Secretariat Manager, who approves deliverables and timesheets for payment. Draft and final products will be presented to the Management and the CCM as set out in Section 4.
- Most engagements will be conducted virtually, with select in-person engagements where required, including meetings with relevant governance structures. The consultancy is primarily based in South Africa, and travel may be required in accordance with SANAC policies, subject to prior approval. Travel expenses for consultations, where required, will be included in the consultant's cost.
- Work will be remunerated based on actual approved time worked, substantiated by timesheets, satisfactory high-quality deliverables, meeting attendance and participation, in accordance with SANAC Secretariat procurement procedures. The contract value is the daily rate multiplied by a maximum of 20 days. Payments will be released at the milestones in Section 4 (20% / 55% / 25% of the contract value) against approved deliverables and timesheets. Retained support days are paid only to the extent utilised and approved, and the final payment will be adjusted pro rata if fewer than 5 days are used.

6. Qualifications, Experience and Competencies

Applications may be submitted by an individual South African Based/ Regional based consultant or a firm. A firm must name a lead consultant, and the qualifications, experience and references assessed are those of the proposed lead consultant together with any team members proposed.

6.1 Qualifications

- A degree or higher in governance, Public Administration, Public Policy, Law, Development Studies, Business Administration, Social Sciences, Public Health or another relevant discipline.

6.2 Experience

- Minimum five years' progressively responsible professional experience at national and/or international level, including the development or review of governance frameworks, strategies, policies, manuals/evaluations and supporting tools.

- Demonstrated experience in developing or reviewing objective selection criteria, scoring methodologies, assessment/evaluation tools, verification requirements and risk matrices.
- Demonstrated experience in governance and institutional arrangements, including accountability, conflict-of-interest management, transparent decision-making and governance risk.
- Extensive knowledge of the Global Fund and CCM processes, including requirements relating to PRs and grant implementation arrangements, and a good understanding of Global Fund in-country structural arrangements and the relationship between CCMs, PRs, SRs, the Global Fund Country Team and the LFA.
- Understanding of good governance, transformation principles and the South African B-BBEE policy environment relevant to organisational assessment and selection processes.
- Extensive experience and knowledge in stakeholder engagement and management, including facilitation of senior multi-stakeholder processes.
- Previous experience developing similar manuals and supporting tools, including terms of reference, briefing documents, application forms, calls for proposals, advertisements and scoring tools, and developing or reviewing an appeals process and supporting documentation.
- Experience in Sustainability and Transition, health financing, institutional transition or the design/review of sustainable implementation arrangements.

6.3 Competencies

- Strong understanding of HIV and TB programming, including gender, key populations and human rights considerations relevant to Global Fund requirements.
- Proven track record of delivering similar assignments timeously and to a high standard under tight deadlines.
- Highly proficient in Microsoft Word, PowerPoint and Excel, with excellent attention to detail.
- Excellent organisational, analytical, drafting, communication and facilitation skills, and excellent fluency in spoken and written English.
- Competencies are not separately scored in the functionality evaluation (Section 7.2).

7. Applications will be evaluated using the following criteria:

The RFQ will be evaluated in 3 stages as mentioned below:

- Stage 1: SCM Administrative requirements.
- Stage 2: Technical / Functional evaluation.
- Stage 3: Price and BEE.

7.1 Stage 1: SCM Compliance requirements

Bidders must provide the following documents:

1.	Valid B-BBEE Certification/affidavit, if applicable.
2.	Recent copy of CSD report.
3.	Valid Tax Pin / TCC certificate
4.	Completed SBD Forms (SBD 4 & 6.1)

7.2 Stage 2: Technical / functionality evaluation

The proposals will be evaluated on functionality. An evaluation panel will allocate points in respect to functionality according to the criteria set out in the functionality table.

Evaluation Criteria	Weight Outline	Weight
Qualifications A degree or higher in governance, public administration, public policy, law, development studies, business administration, social sciences, public health or another relevant discipline.	• Qualification not provided / Qualification not relevant = **0** • Relevant qualification e.g. degree, honours degree or postgraduate diploma) = **20** • Relevant qualification at master's degree level or higher = **25**	**25**
Experience Bidder to provide a CV demonstrating experience in the development and review of governance frameworks, selection manuals and tools, with direct experience of Global Fund/CCM processes (an added advantage will be given to Sustainability and Transition experience).	• No CV provided / less than 5 years' experience = **0** • At least 5 years' progressively responsible professional experience, including the development or review of governance frameworks, strategies, policies, manuals/evaluations and supporting tools = **10** • Demonstrated experience in developing or reviewing objective selection criteria, scoring methodologies, assessment/evaluation tools, verification requirements and risk matrices = **15** • Demonstrated experience in governance and institutional arrangements, including accountability, conflict-of-interest management, transparent decision-making and governance risk = **10** • Extensive knowledge of the Global Fund and CCM processes, PR requirements and in-country structural arrangements (CCM, PRs, SRs, Global Fund Country Team and LFA) = **10** • Understanding of transformation principles and the South African B-BBEE policy	**65**

	environment relevant to organisational assessment and selection processes = **5** • Experience in stakeholder engagement and management, including facilitation of senior multi-stakeholder processes = **5** • Experience developing similar manuals and supporting tools (including calls for proposals, adverts and scoring tools) and appeals processes = **5** • Experience in Sustainability and Transition, health financing, institutional transition or the design/review of sustainable implementation arrangements = **5**	
Contactable reference letters The Bidder must provide three (3) relevant contactable reference letters as evidence of similar assignments undertaken (such as a governance or selection manual or supporting tools) completed within the last five years.	• No reference letter provided / reference letter not relevant = **0** • 1 relevant reference letter provided = **3** • 2 relevant reference letters provided = **6** • 3 relevant reference letters provided = **10**	**10**
Total		**100**

Bidders who obtain at least 70 points out of 100 on Functionality will be evaluated on Price and B-BBEE (Stage 3), using the preference point system of 80/20 as set out below:

7.3 Stage 3: Price and BEE

Preference point system (80/20)	Weighting percentage (Must add up to 100)
Price	**Price 80 of 100**
BEE:	**20 of 100 Points**
Total	**100**

i. Price Calculations

A maximum of 80/20 point system has been allocated to this bid on the following basis:

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

Where
Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration Pmin = Price of lowest acceptable bid

ii. Point awarded for BBE status level of contributor

In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

8. Confidentiality, Independence and Reservation of Rights

- All information, reports, analyses, assessments, manuals, tools, technical documents, presentations and other materials developed or obtained during the course of this assignment shall remain the sole property of SANAC and CCM.
- The consultant shall maintain strict confidentiality and shall not disclose, reproduce, publish or use any information obtained through this assignment without the prior written approval of SANAC.
- All intellectual property, technical outputs, reports, presentations, tools, datasets and supporting documentation developed during the assignment shall become the property of SANAC and the CCM upon submission.
- The appointed consultant shall declare any actual, potential or perceived conflict of interest and must sign a declaration of independence and absence of conflict of

interest (Annexure H, will be provided upon appointment). During the PR evaluation period the consultant's role is advisory on governance and process only (see Section 5).

- SANAC reserves the right to accept or reject any proposal, cancel or amend the procurement process at any stage without assigning reasons, and negotiate with the preferred consultant where necessary. Appointment will be subject to successful contract negotiations, satisfactory reference checks and the availability of funding.

9. Proposal Format and Deadline for Submission

- A detailed CV in response to this ToR is due on 12 November 2026 (closing date and time as stated on page 1), containing all the information required to evaluate the bid against the requirements stipulated in these terms of reference. Please send your proposals to rfq@sanac.org.za
- Queries may be sent to **rfq@sanac.org.za**. The following should be attached to the proposal as annexures:
- **Annexure A**: Summary of experience. Please attach the CV of the lead consultant and any proposed team members, with copies of qualifications, which show the range of similar assignments undertaken and the size of these assignments, and **three (3) contactable letters of reference.**
- **Annexure B**: Consultant/Company Profile (a firm must name a lead consultant).
- **Annexure C**: Valid Tax Pin / TCC certificate.
- **Annexure D**: Recent Central Supplier Database Report (CSD).
- **Annexure E**: Pricing information. Price proposals should quote a daily rate and a total price for a maximum of 20 days, include VAT (where applicable) and be fully inclusive of ALL costs (including travel) to deliver the outputs indicated in the terms of reference. Budget notes should be provided to justify all expenses.
- **Annexure F**: Completed SBD Forms (SBD 4 & 6.1).
- **Annexure G**: Valid B-BBEE Certification/affidavit, if applicable.

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 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**

2.2 Do you, or any person connected with the bidder, have a relationship

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.

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.

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

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.

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

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.

c) 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 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20 **or** **90/10**

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

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 or 90 points is allocated for price on the following basis:

80/20 **or** **90/10**

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

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) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
B-BBEE Status Level of Contributor		
Level 1	20	
Level 2	18	
Level 3	14	
Level 4	12	
Level 5	8	
Level 6	6	
Level 7	4	
Level 8	2	
Non-compliant contributor	0	

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.

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SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: .....

DATE: .....

ADDRESS: .....

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