PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF BBBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

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

- a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
- 1.3 Points for this bid shall be awarded for:

Price; and

B-BBEE Status Level of Contributor.

The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

1.4 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.5 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) "B-BBEE status level of contributor" means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) "bid" means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) "**EME**" means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the BroadBased Black Economic Empowerment Act;
- (f) "functionality" means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents. (g) "prices" includes all applicable taxes less all unconditional discounts; (h) "proof of B-BBEE status level of contributor" means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- "QSE" means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

90/10

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

80/20

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

 \mathbf{or}

<i>Ps</i> □80□□1□ _		$_Pt \ \Box \ Pmin \Box \ \Box \ or$	<i>Ps</i> □ 90 □ □ 1 □ _		$_Pt \ \square \ I$	Pmin□□	
		Pmin				Pmin	
	Where						
Ps		= P	oints scored for pri	ce of bid	under co	onsiderati	ion
Pt		= P	rice of bid under co	nsiderat	ion		
Pmin		= P	rice of lowest accep	otable bi	d		

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 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 (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

	YES	NO						
		<u> </u>						
	7.1.1	If yes, indic						
	What percer subcontracted	•		contract %	will	be		
				ntractor E or QSE <i>(Ticl</i>			······································	
		YES		NO	1		,	
v. S	inecify by tick	ving the appro	opriate b	ox, if subcontra	acting with	an ent	ornrico	
			•	Regulations,20	_	i ali elit	ei pi ise	
Dosign	nated Group	· An EME o	r OSE w	hich is at las	et 51% ov	ınad	EME	QSE
Desigi	iateu Group	. All LIVIL O	by:	THICH IS At IAS	St 31 /8 OW	/iieu	LIVIL √	Q3L √
Black peo	ople							
Black peo	ople who are y	outh						
Black peo	ople who are v	women						
Black peo	ople with disal	bilities						
Black peo	ople living in r	ural or under	develope	d areas or town	nships			
Cooperat	tive owned by	black people						
Black ped	ople who are r	military vetera	ans					
				OR				,I
Any EME								
Any QSE								
8. DECL	ARATION WIT	H REGARD	TO COMP	PANY/FIRM				
8.1	Name	of company	/firm:					
8.2	VAT						r	egistration
	number:							
8.3	Company	registration	number:					

8.4

TYPE OF COMPANY/ FIRM

	☐ Partnership☐ One persor				ım					
	□ Close corpo	ration								
	☐ Company									
	□ (Pty) Limited	ł								
	[TICK APPLICABLE BOX]								
8.5	DESCRIBE PR	INCIPAL B	USINESS	ACTIVIT	TIES					
		••••••	•••••	•••••	•••••	••••••	•••••			
8.6	COMPANY CLAS	SIFICATIO)N							
	☐ Manufacture	er								
	☐ Supplier		سمامان مسم							
	☐ Professiona	·		.						
	☐ Other serv [TICK APPLICABLE	-	ers, e.g.	transpo	rter, etc					
8.7	MUNICIPAL INFO	RMATION	1							
	Municipality	where	e busin	ess	is	situate	ed:			
					••••					
	Registered Acco	ount Nur	nber:							
	Stand Number:									
8.8	Total number business:	of	years	the	compa	any/firm	has	been	in	
8.9 I/we,	the undersigned, w	ho is / are	duly aut	thorised	to do so	on beha	alf of th	e compa	ny/firm,	
, ,	certify that the poi paragraphs 1.4 and preference(s) show	nts claime I 6.1 of th	ed, based e forego	d on the ing certi	B-BBE s ficate, q	tatus leve	el of cor	ntributor	indicated	
	i) The information					•	•			n
	accordance with th	ie Genera	ıı Conaiti	ions as I	naicated	ı ın parag	graph 1	or this fo	rm;	

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof

to the satisfaction of the purchaser that the claims are correct;

- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have
 - (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

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WITNESSES			
1			SIGNATURE(S) OF BIDDERS(S)
2			
		DATE:	
		ADDRESS	