

Bidder's Information: The Manager/Director

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Dear Sir/Madam

INVITATION TO BID: SCM 40/2022/SANC: APPOINTMENT OF A SERVICE PROVIDER TO RENDER EXECUTIVE DEVELOPMENT PROGRAMME TO SENIOR MANAGERS AND EXECUTIVES AND TO RENDER THE ACCELERATED MANAGEMENT DEVELOPMENT PROGRAMME TO MANAGERS AT THE SOUTH AFRICAN NURSING COUNCIL (SANC)

The South African Nursing Council invites bidders to participate and submit bids/proposals for the appointment of a service provider to render Executive Development Programme to Senior Managers and Executives and to render the Accelerated Management Development Programme to managers at the South African Nursing Council (SANC).

You are requested to complete the tender documents and submit them in accordance with the stipulations mentioned hereunder.

1. The conditions contained in the attached annexures apply.
2. The bid must be deposited in the **tender box** using the following two (2) methods of submission on or before the closing date and time **(26 April at 12H00)**.
 - 2.1 **Envelope 01:** This envelope is for technical/administrative documents only- one (01) original document. **Envelope 02:** This envelope is for pricing only, i.e., pricing schedule and/or the formal quote by the bidder - one (01) original.
 - 2.2 The bidder is also required to submit in a **USB flash drive**.
3. **Bid documents must be deposited in the tender box before or on the closing date and time stipulated in the bid invitation.**
4. The attached forms/annexures, if completed in detail and returned, will form part of your bid submission.



Cecilia Makiwane Building,
602 Pretorius Street, Arcadia, Pretoria 0083
Private Bag X132, Pretoria 0001,
Republic of South Africa



Tel: 012 420 1000
Fax: 012 343 5400
SANC Fraud Hotline: 0800 20 12 16



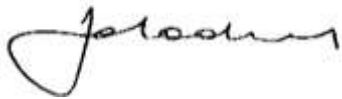
website: www.sanc.co.za

5. With reference to the Preference Point Claim form (SBD 6.1), the following documents must be submitted with your price quotation:
 - a) Proof of Specific goals Ownership and verification may be conducted in various forms including but not limited to the following documents namely: - CIPC documents, valid copy of B-BBEE certificate, copy of Identity document, medical report for disability ownership and declaration letter signed by the tenderer. Failure to attach proof, the tenderer will be allocated 0 points on specific goals.
6. Please take note that, this bid will be evaluated in terms of 80/20 Preference Point System
7. All communication should be made through the use of an email. The cut-off date for all enquiries will be at **12H00 on 24 April 2023.**

Yours faithfully

Chief Financial Officer

Mr Thamsanqa Ndadana



Signature:

2023-03-16

Date:

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN NURSING COUNCIL					
BID NUMBER:	SCM 40/2022/SANC:	CLOSING DATE:	26 APRIL 2023	CLOSING TIME:	12H00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER TO RENDER EXECUTIVE DEVELOPMENT PROGRAMME TO SENIOR MANAGERS AND EXECUTIVES AND TO RENDER THE ACCELERATED MANAGEMENT DEVELOPMENT PROGRAMME TO MANAGERS AT THE SOUTH AFRICAN NURSING COUNCIL (SANC)				
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	TINTSWALO NYATHI/ PRINCE MAKHUBEDU		CONTACT PERSON	MR MBONGISENI NTULI	
TELEPHONE NUMBER	012 426 9570/9575		TELEPHONE NUMBER	012 426 9533	
E-MAIL ADDRESS	tenders@sanc.co.za		E-MAIL ADDRESS	mntuli@sanc.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES <input type="checkbox"/> 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.
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.
1.3.	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 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 VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
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.
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:

SPECIAL REQUIREMENTS OF REQUEST FOR BIDS

1. CONTRACT PERIOD

- 1.1 The contract period stipulated in the terms of reference/ specification is considered a valid contract period.
- 1.2 SANC reserves the right to extend or cancel the contract, pending available funding and satisfaction with service delivery.

2. ACCEPTABLE BIDS/OFFERS

- 2.1 The SANC may request interviews/presentations/pitching sessions with shortlisted Suppliers/ service providers before the final selection is made.
- 2.2 The SANC will not be liable for any cost incurred by a supplier /service provider in the process of responding to this bid, including on-site presentations and the preparation of the proposal.
- 2.3 The SANC will not consider any late quotations. All bids submitted after the stipulated closing date and time will not be disqualified.
- 2.4 Any effort by the supplier/ service provider to influence bid evaluation members, bid comparisons or bid award decisions in any manner, will result in rejection of the bid concerned.
- 2.5 The successful supplier/ service provider will be informed in writing with an appointment letter or per an official order.
- 2.6 The bids have a validity period of 120 days from date of closure.
- 2.7 Where it is discovered that an advantaged company used a disadvantaged person, as a “front” to acquire a bid, such company will be disqualified, and the bid shall be withdrawn.
- 2.8 Only bids complying with all requirements as stipulated in the Terms of Reference/Scope of Work or Specification will be regarded as acceptable.
- 2.9 Bids will be evaluated based on mandatory requirements, functionality (if applicable), Price and B-BBEE and other conditions stipulated in the terms of reference/ specification.
- 2.10 The supplier/ service provider must submit all requirements indicated in the bid documents at the closing date and time of the request for the bids. Supplier/ service provider who fail to comply with any of the mandatory and other requirements will be disqualified.

3. SUBMISSION OF BIDS/ RETURNABLE DOCUMENTS

- 3.1 The supplier/ service provider will be required to submit their bids /proposals in a tender box situated at the Reception of the Cecilia Makiwane Building.
- 3.1.1** Tenderers are required to submit a completed request for quotation pack (this documents), including:
 - a) Duly completed and signed bid documents.

- b) Certified copy of B-BBEE Certificate or Sworn Affidavit.
 - c) Adherence to requirements relating to all returnable documents will prove compliance with specific requirements as stipulated in the terms of reference at the closing date and time.
- 3.2 Any supplier/ service provider who fails to comply with any requirement of the bid, at the discretion of the evaluation team, will be regarded as non-compliant and as a result be rejected.

4. PAYMENTS

- 4.1 SANC undertakes to pay delivery validated invoices in full within thirty (30) days from the invoice date or upon agreed payment intervals as accepted in the contract. All invoices should be sent to the following email address: sancinvoices@sanc.co.za.
- 4.2 No invoices for outstanding deliverables or for any unproductive or duplicated time spent by the service provider will be validated for payment.
- 4.3 Invoices should be emailed, or hand delivered to SANC timeously.
- 4.4 The invoices should be original and must be accompanied by an inspection certificate and/or proof of delivery.

5. SUPPLY / DELIVERY VALIDATION

- 5.1 The certificate and the related report of delivery/installation/ progress milestone/commissioning will be validated by a SANC representative prior to payment of final invoices.

6. TAX COMPLIANCE REQUIREMENTS

- 6.1. It is a condition of this bid that the tax matters of the successful supplier/ service provider are in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the tax obligations.
- 6.2. The Tax Compliance status requirements are also applicable to potential foreign suppliers, service providers or individuals who wish to submit the bid.
- 6.3. It is a requirement that a supplier/ service provider grant a written confirmation when submitting this bid response that SARS may on an on-going basis during the tenure of the contract disclose the tax compliance status and by submitting this bid such confirmation is deemed to have been granted.
- 6.4. The Suppliers/ service providers are required to be registered on the Central Supplier Database (CSD) and the SANC shall verify the tax compliance status through the CSD or through SARS.
- 6.5. Where Consortia / Joint Ventures / Sub-Contractors are involved, each party must be registered on the Central Supplier Database and their tax compliance status will be verified through the CSD or through SARS.
- 6.6. The supplier/ service provider who are not tax compliant will be notified of their non-compliant status and be given seven (7) calendar days to rectify their tax compliance status with SARS, failure

your bid will be disqualified.

6.7. The SANC will not award a bid to any supplier/ service provider whose tax matters are not in order.

7. VALUE ADDED TAX

7.1. All contract prices are inclusive of 15% Value Added Tax (VAT), except in the case of a person that is not required to register for Value Added Tax. Companies not registered in terms of Value Added Tax, may not claim VAT on invoices.

8. NEGOTIATIONS

8.1. The SANC to negotiate with one or more preferred supplier(s)/ service provider(s) identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other supplier(s)/ service provider(s) who have not been awarded the status of the preferred supplier(s)/ service provider(s).

9. PRICE QUALIFICATION

9.1. Prices for this contract are firm.

9.2. All prices shall be quoted in South African rands (ZAR).

9.3. The bid prices shall be given in the units shown and will be awarded as a whole, not per item.

9.4. **Prices must be inclusive of delivery cost and all taxes.**

9.5. Please note that the foreign exchange risk in case of imported goods and service is for the account of the supplier/ service provider.

9.6. Non-firm prices (including prices subject to the rate of exchange variation) will not be considered.

9.7. No changes or extensions or additional ad-hoc costs are accepted once the contract has been awarded and/or signed.

9.8. Detailed information is optional and is provided as Annexures to the details of the bid.

10. COMMUNICATION

10.1. Communication will only be restricted to Supply Chain Management Officials.

10.2. The South African Nursing Council may request clarification in writing regarding the information provided by bidders. Supplier(s)/ service provider(s) are to supply the required information within the specified period. Failing to do so will **invalidate** your bid.

11. INTELLECTUAL PROPERTY

11.1. All the information contained in this document is intended solely for the purpose of assisting supplier(s)/ service provider(s) to prepare their bid. Any use of the information contained herein for another purpose than those stated in this document is prohibited.

11.2. The ownership and intellectual property rights of all designs, specifications, programming code and all other documentation provided by the SANC to the supplier(s)/ service provider(s), both successful

and unsuccessful, remain the property of the SANC.

12. SUPPLIER DUE DILIGENCE

- 12.1. SANC may conduct due diligence to all shortlisted supplier(s)/ service provider(s) to identify their specific capabilities and financial stability.
- 12.2. The SANC may visit the premises of the supplier(s)/ service provider(s) or that of their suppliers.
- 12.3. Some of the key elements that should be documented and included during the comprehensive supplier analysis/due diligence include: the current workload of the supplier, cost structure of the BID, the financial status of the supplier(s)/ service provider(s) the previous customer satisfaction levels, the support capabilities, their relative strength, weaknesses and core capabilities, how SANC fits into the supplier(s)/ service provider(s) business and how the supplier(s)/ service provider(s) is viewed by the public, etc.
- 12.4. Supplier(s)/ service provider(s) may be required to provide names of traceable references who may also be visited to confirm their testimonials.

13. DISPUTES

- 13.1. The relevant bidder agrees that should any dispute arise from the contract, the matter shall be submitted to the relevant authority for a ruling and such ruling shall be final.

14. SPECIFIC GOALS

15. Proof of Specific goals Ownership and verification may be conducted in various forms including but not limited to the following documents namely: - CIPC documents, valid copy of B-BBEE certificate, copy of Identity document, medical report for disability ownership and declaration letter signed by the tenderer. Failure to attach proof, the tenderer will be allocated 0 points on specific goals.

16. JOINT VENTURE/ TRUST/ CONSORTIUM

- 16.1. A trust, consortium or joint venture must submit an agreement to be recognized as an entity.
- 16.2. A trust, consortium or joint venture will qualify for points for their specific goals, provided that the entity submits their B-BBEE status level certificate and other documents specified on paragraph 14 above.

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO RENDER EXECUTIVE DEVELOPMENT PROGRAMME TO SENIOR MANAGERS AND EXECUTIVES AND TO RENDER THE ACCELERATED MANAGEMENT DEVELOPMENT PROGRAMME TO MANAGERS AT THE SOUTH AFRICAN NURSING COUNCIL (SANC)

1. PURPOSE

- 1.1. To appoint a Service Provider (Institution of Higher Learning i.e. Universities) to provide:
 - 1.1.1. An Executive Development Programme to a group of thirteen (13) Senior Managers and Executives; and
 - 1.1.2. An Accelerated Management Development Programme to twenty-six (26) Managers.

2. OBJECTIVE

- 2.1. To build leadership/management capability and enhance transformation at an Executive, Senior Management and Managers level within the South African Nursing Council (SANC).

3. BACKGROUND

- 3.1. The SANC is the body entrusted to set and maintain standards of nursing education and practice in the Republic of South Africa. It is an autonomous, financially independent, statutory body, initially established by the Nursing Act, 1944 (Act No. 45 of 1944), and currently operating under the Nursing Act, 2005 (Act No. 33 of 2005).
- 3.2. Section 29(2)(b) of the Act stipulates that, the Registrar must ensure that the Council has and maintains effective, (i) efficient and transparent systems of financial and risk management and internal controls, (ii) an appropriate procurement and provisioning system which is fair, equitable, transparent, competitive, and cost effective, (iii) a system for properly evaluating all projects involving expenditure of capital prior to a final decision on the project.
- 3.3. Therefore, the SANC seeks to train and equip all employees with key knowledge, attitudes and skills leadership and management.
- 3.4. The selected service provider is required to provide an accredited Executive Development Programme to Executives and Senior Managers, and an Accelerated Management Development Programme to Managers at the SANC.
- 3.5. Executives, Senior Managers and Managers at the SANC are responsible for providing leadership and management functions in the institution which include the following:
 - 3.5.1. Lead and manage subordinates, resources, and information within their respective Division/Department/Section.
 - 3.5.2. Manage cross functional and high-performance teams in a high-pressure environment.
 - 3.5.3. Manage team cohesion and maintain discipline, professional and ethical conduct amongst the staff.

- 3.5.4. Encourage innovation and performance excellence for a competitive and high-pressure environment.
- 3.5.5. Identify and manage risk.
- 3.5.6. Engage and maintain external stakeholder relations.
- 3.5.7. Set, monitor, and manage a Divisional/Departmental/Sectional budget.
- 3.5.8. Understand and apply SANC policies to manage the institution's operations and mandate efficiently and effectively.
- 3.5.9. Provide inputs into the institution's budget requirements, implementation, and monitoring.
- 3.5.10. Provide inputs into, implement, and monitor the SANC Strategy, including Divisional/Departmental/Sectional Strategies and Annual Plans; and
- 3.5.11. Initiate, monitor, and manage change in a high pressure and highly regulated environment.

4. DELIVERABLES

The appointed service provider (Institution of Higher Learning) must deliver the following:

- 4.1. Executives and Senior Management to attend a credit-bearing course aligned to two-unit standards namely, (1) SAQA Unit Standard 13912, and (2) SAQA Unit Standard 14667.
- 4.2. Managers to attend a credit-bearing course aligned to three-unit standards namely, (1) SAQA Unit Standard 1174215, (2) SAQA Unit Standard 15214 and SAQA Unit Standard 252026.
- 4.3. Training materials.
- 4.4. Assessment methods and tools.
- 4.5. Provide a project plan, management, and support function.
- 4.6. Impact Evaluation report and recommendations post implementation.
- 4.7. Evaluate training and make recommendations for further development.
- 4.8. Deliver training on-site (SANC offices, Arcadia, Pretoria) to SANC Executives, Senior Managers and Managers.
- 4.9. Issue a certificate of competence upon successful completion from a recognised institution of Higher Learning (Public Universities).
- 4.10. The duration of the training must not exceed twelve (12) months.
- 4.11. Design a curriculum appropriate for two sets of management and leadership levels i.e. Executives and Senior Management and Managers (Middle Managers).

5. COURSE OUTLINE

- 5.1. The course outline for Executives and Senior Managers must cover but not limited to the following:
 - 5.1.1. Strategic Human Resources Management.
 - 5.1.2. Programme and Project Management.
 - 5.1.3. Financial Management and Budgeting.
 - 5.1.4. Strategic Planning and Management.

5.1.5. Leadership and Good Governance.

5.1.6. Policy Formulation and Implementation; and or

5.1.7. Communication and Citizen Focused Strategies/Leading Change/South African Economy in a Global Context.

5.2. The course outline for Managers must cover but not limited to the following:

5.2.1. Strategic Human Resources Management.

5.2.2. Programme and Project Management.

5.2.3. Financial Management and Budgeting.

5.2.4. Strategic Planning and Management.

5.2.5. Leadership and Good Governance.

5.2.6. Policy Formulation and Implementation.

6. EVALUATION PROCESS

- i) Bids will be evaluated in three (3) steps (Mandatory Requirements, Mandatory Compliance and Price and Specific Goals). The following qualifying criteria will be used:

a) Step 1: Mandatory Requirements:

Document that must be submitted	Non-compliance with items against which a "YES" is denoted shall result in disqualification	
Invitation to Bid	YES	Complete in full and sign the supplied pro forma document.
Tax Status	YES	i. Proof of Registration on the Central Supplier Database. ii. The CSD verification outcome will take precedence.
Declaration of Interest	YES	Complete in full and sign the supplied pro forma document.
Preference Point Claim Form	NO	i. Non-submission of the Preference Point Claim Form will lead to a zero (0) score on specific goals. ii. Proof of Specific goals Ownership and verification will be confirmed using the following documents namely: ✓ CIPC documents, ✓ valid copy of B-BBEE certificate, ✓ copy of Identity document, or ✓ medical report for disability ownership NB: Failure to attach proof, the tenderer will be allocated 0 points on specific goals
Written price quotation	YES	Submit a detailed written price quotation

b) Step 2: Mandatory Compliance

- ii) Bidders must comply to all the mandatory requirements stipulated below for further evaluation on Price and Specific Goals:

NB: Failure to comply with any of the below requirements, the bidder shall be disqualified.

Criteria	Comply	Not comply
1. The facilitator and company must meet the work experience as indicated below:		
1.1. Facilitator, please attach a detailed curriculum vitae. <ul style="list-style-type: none"> 5+ years' work experience in facilitating/ teaching/ lecturing similar programmes 		
1.2. Company experience, please attach reference letters from previous clients where similar work was performed: <ul style="list-style-type: none"> A minimum of three (3) reference letters not older than five years. 		
2. Qualifications and accreditation		
2.1. Facilitator, please attach a copy. <ul style="list-style-type: none"> A Certificate/ Diploma /Degree qualification. 		
2.2. Company accreditation, please attach a copy. <ul style="list-style-type: none"> South African Qualifications Authority accreditation certificate of the Unit Standards 13912, 14667, 1174215, 15214 and 252026. 		

c) Step 3: Evaluation on Price and Specific Goals

i. Price Calculations

The following formula must be used to calculate points out of 80 for price in respect of an invitation for a tender with a rand value from R2000.00 to or below R50 millions inclusive of all applicable taxes:

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid or offer under consideration

Pmin = Price of lowest acceptable bid or offer.

ii. Allocation of Preference Points Based on Specific Goals.

The South African Nursing Council tenders will be evaluated on the following specific goals premised on addressing the legacy of apartheid’s historical injustices, with a consideration on the following categories (of Historically Disadvantaged People - HDP) using race, gender, youth, and people with disability.

A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender. The points scored for the specific goal must be added to the points for price and the total must be rounded off to the nearest two decimal places. Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

Preferential points will be allocated as per table below:

Specific goal	80/20 Preference Point system
Black Ownership	8
Black Women Ownership	4
Black Youth Ownership	4
Disability Ownership	4
Total Points allocated to Specific Goals	20

Black Ownership points will be awarded to a Tenderer who has a 51% or more black ownership. Black ownership will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day-to-day activities of the company or enterprise.

Preferential points for black ownership will be awarded as follows:

Black Ownership	80/20 Preference Point system
Tenderers who have 100% black ownership	8
Tenderers who have 51% to 99% black ownership	5

Tenderers who have less than 51% black ownership	0
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Black women ownership points will be awarded to a Tenderer who has a 30% or more black women ownership. Black women ownership will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day-to-day activities of the company or enterprise.

Preferential points for black women ownership will be awarded as follows:

Black Women Ownership	80/20 Preference Point system
Tenderers who have 100% black women ownership	4
Tenderers who have 30% to 99% black women ownership	2
Tenderers who have less than 30% black women ownership	0

Black youth ownership points will be awarded to a Tenderer who has a 30% or more black youth ownership. Black youth ownership will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day-to-day activities of the company or enterprise.

Preferential points for black youth ownership will be awarded as follows:

Black Youth Ownership	80/20 Preference Point system
Tenderers who have 100% black youth ownership	4
Tenderers who have 30% to 99% black youth ownership	2
Tenderers who have less than 30% black youth ownership	0

Disability Ownership points will be awarded to a Tenderer who has a 20% or more disability ownership owners. Disability ownership will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day-to-day activities of the company or enterprise.

Preferential points for disability ownership will be awarded as follows:

Disability Ownership	80/20 Preference Point system
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INVITATION TO BID: SCM 40/2022/SANC: APPOINTMENT OF A SERVICE PROVIDER TO RENDER EXECUTIVE DEVELOPMENT PROGRAMME TO SENIOR MANAGERS AND EXECUTIVES AND TO RENDER THE ACCELERATED MANAGEMENT DEVELOPMENT PROGRAMME TO MANAGERS AT THE SOUTH AFRICAN NURSING COUNCIL (SANC)

Tenderers who have 20% or more owners with disability	4
Tenderers who have less than 20% owners with disability	2
Tenderers who have 0% owners with disability	0

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

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000.00 (all applicable taxes included).

1.2 **To be completed by the organ of state**

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

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

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

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

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

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 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 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 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 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 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	Description of the goals	Number of points allocated (80/20 system)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Black Ownership	Tenderers who have 100% black ownership	8	
	Tenderers who have 51% to 99% black ownership	5	
	Tenderers who have less than 51% black ownership	0	
Black Women Ownership	Tenderers who have 100% black women ownership	4	
	Tenderers who have 30% to 99% black women ownership	2	
	Tenderers who have less than 30% black women ownership	0	
Black Youth Ownership	Tenderers who have 100% black youth ownership	4	
	Tenderers who have 30% to 99% black youth ownership	2	
	Tenderers who have less than 30% black youth ownership	0	
Disability Ownership	Tenderers who have 20% or more owners with disability	4	
	Tenderers who have less than 20% owners with disability	2	
	Tenderers who have 0% owners with disability	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.

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

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 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:

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.

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 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

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.