

NATIONAL LOTTERIES COMMISSION

REQUEST FOR PROPOSALS CONDUCTING A GRANTEE & APPLICANT PERCEPTION SURVEY ON THE NLC'S GRANT FUNDING PROCESSES AND SYSTEMS

RFP 2023 - 0046

| BID PROCESS | BID REQUIREMENTS |
|---|--|
| Tender number | RFP 2023 – 0046 |
| Bid Advertisement Date | 03 July 2023 |
| Closing date and time | 14 July 2023 @ 11:00 |
| Tender validity period | 90 Days [From 14 July 2023 to 17 October 2023] |
| Compulsory Briefing meeting | Not applicable to this RFP |
| Assignment Description | Appointment of a service provider to conduct Grantee and Applicant perception survey on the NLC's grant funding processes and systems. |
| Tenders are to be delivered to the following address on the stipulated closing date and time: | <p>Attention: Supply Chain Management</p> <p>National Lotteries Commission</p> <p>Block D, Hatfield Gardens</p> <p>333 Grosvenor Street</p> <p>Hatfield, Pretoria, 0075</p> <p>Only USBs will be accepted no hardcopies</p> |
| Enquiries | Enquiries are to be emailed to maureen@nlcsa.org.za |

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SECTION 1: INTRODUCTION, OVERVIEW AND RFP SCOPE OF REQUIREMENTS

1 Introduction

- 1.1. The National Lotteries Commission (the Commission / NLC) is a public entity established by Lotteries Act No. 57 of 1997, as amended to regulate the South African lotteries industry. The functions of the Commission can be divided into two categories, namely “regulation of National Lottery and other Lotteries” and “administration of the National Lottery Distribution Trust Fund (NLDTF)”.
- 1.2. The Board of the NLC has a mandate to: (i) regulate all lotteries and sport pools with integrity; (ii) ensure the protection of all participants; (iii) maximise revenue for good causes in a responsible manner; and (iv) distribute funds equitably and expeditiously.
- 1.3. The Board of the NLC is committed to ensuring that the NLC is an integral member of society and ensuring sustainable development through sound corporate governance practices, ethical leadership and performance excellence. The NLC has applied the principles of openness and transparency in fulfilling its statutory responsibilities.
- 1.4. The Legislative mandate of the Commission includes inviting applications from registered organisations to apply for grants in support of worthy good causes. The NLC currently has three main sectors, each of which receives a pre-determined percentage of the NLDTF namely Charities (47%), Sport and Recreation (28%) and Arts, Culture, National Heritage and Environment (23%), as well as a fourth fund for Miscellaneous purposes (2%).

2 Background

- 2.1. The NLC issues a Call for Applications annually, inviting non-profit organisations (NPOs, NPCs, PBTs) to apply for funding in one of the four sectors. Applications are received and processed at the provincial offices and adjudicated by independent Distributing Agencies.
- 2.2. NLC is required by legislation to (i) conduct education and awareness for applicants on the grant funding processes; (ii) process applications within 150 days (iii) pay successful applicants within 60 days (iv) monitor project implementation through progress reports and monitoring and evaluation activities and (v) capacitate funded grantees if said grantees lack the appropriate skills to successfully execute the project. These obligations are part of the grant application and funding value chain processes and systems.
- 2.3. NLC recently conducted perception surveys on brand reputation and stakeholder management, with the intention of improving its services as per the findings and recommendations. The survey reports informed the decision for the NLC to conduct

a grantee / applicant perception survey focusing on grant funding, for (i) previously unsuccessful applicants and (ii) grantees regarding their experiences and perceptions of the NLC's grant funding process.

- 2.4. The report should facilitate strategic learning and reflection by the NLC and assist the NLC to determine how grantees and applicants perceive the grant funding processes and systems throughout the value chain. The objective is to assess the NLC's grant funding service offerings, systems, communication and support mechanisms, with the intention of identifying gaps and areas of improvement.

3 RFP Scope of Requirements

- 3.1. The purpose of this RFP is to appoint a suitably qualified research team to conduct an applicant and grantee perception survey of the NLC's grant funding processes, services, systems, communication, support mechanism etc.

- 3.2. The study should solicit stakeholder views and provide an analysis of those views regarding the performance of the NLC in relation to the grant funding value chain including the following elements: (i) Education and awareness campaigns; (ii) experience of assistance provided by agents (whether authorised or unauthorised); (iii) funding application processes and requirements; (iv) funding focus areas; (v) customer service at all stages (e.g. submission of applications, enquiries and follow-ups); (vi) adjudication outcomes; (vii) review outcomes (where appropriate); (viii) progress reporting and compliance; (ix) monitoring visits and support / advice offered by ME officials regarding compliance with GA, finance and governance; and (x) processing of deviation requests (where applicable).

- 3.3. The study should enable understanding of:
 - i. Openness and transparency of grant funding process
 - ii. Effectiveness of communication and information sharing methods.
 - iii. Adequate support to grantees pre- and post-funding.
 - iv. Reliability and performance of the NLC as grant funder.

- 3.4. The appointed service provider will be briefed by the NLC's research team and will be provided with all the necessary and relevant information to execute the research.

4 Methodology

- 4.1. The successful service provider will demonstrate expertise and competence in providing comprehensive research services in grant making or similar field.

- 4.2. The Service Provider will be expected to demonstrate relevant experience in

developing and applying a methodology that will adequately address the scope of work in relation to the research purpose. The service provider should therefore propose relevant designs to respond to the research objectives. Researchers should clearly state the methodological frameworks and approaches that will be utilised in the study.

- 4.3. The survey will make use of the NLC's database of applicants and grantees from 2019-20 to 2022-23. Due to time and budget constraints, a limited purposive sample for data collection should be employed (advise \pm 500 respondents across all sectors for quantitative data through e.g., an online survey, and / or \pm 50 respondents / interviews across all sectors for qualitative data collection).
- 4.4. As a guideline, the researchers are advised to consider the following in their methodology:

Literature review:

- Review of good grantmaking practices internationally and nationally
- Review of relevant Acts and regulations as well as other relevant government policy documents;
- NLC Strategies and annual performance reports;
- NLC grant funding policies and Standard Operating Procedures (SOPs)
- Previous stakeholder perception surveys, grant funding model reviews, and brand reputation reports commissioned by the NLC¹
- Any other relevant documents.

Data Collection

- Interviews and / or focus groups with selected Grant Funding / Operations, Finance / Legal and Call Centre staff.
 - Interviews with key personnel from applicants and grantees.
 - Questionnaire / survey for grantees and applicants.
 - Any other method deemed relevant for the exercise.
- 4.5. The Service Provider will be expected to demonstrate relevant experience in previous similar projects.

5 Timing and Deliverables

- 5.1. The project should commence within one week of signing the letter of appointment.
- 5.2. The project duration is estimated at five (5) months from inception to final report

¹ The NLC will provide copies of relevant documents.

(September 2023 to January 2024).

- 5.3. It is expected that the service provider will:
- 5.4. Provide a project plan, conduct a literature review, design the research, develop data collection tools, develop sampling methodology, conduct data collection through e.g., surveys, interviews and focus groups; and
- 5.5. Provide (i) a draft and (ii) a final report in Word and PDF, as well as a summary presentation that can be used to communicate the research findings with a broad range of stakeholders. The report at a minimum should cover the following:
 - i. Literature Review
 - ii. Methodology followed.
 - iii. Qualitative – Interviews, Focus Groups etc.
 - iv. Quantitative - Survey Analysis
 - v. Findings and recommendations
- 5.6. Provide a close-out report to the project team.

6 Reporting Requirements

- 6.1. The Service Provider will report to the NLC's Research Manager or his/her delegate for the duration of the appointment.
- 6.2. Regular meetings will be held to track progress
- 6.3. The service provider should submit (i) an inception report after the project kick-off meeting and (ii) brief monthly progress reports thereafter.

7 Duration of the Project

The expected duration of the project is five (5) months after the signing of a Service Level Agreement (SLA).

SECTION 2: NOTICE TO BIDDERS

8 Terms and conditions of Request for Proposals (RFP)

The NLC reserves the right to accept or reject any submission in full or in part, and to suspend this process and reject all proposals or part thereof, at any time prior to the awarding of the contract, without thereby incurring any liability to the affected bidders;

9 General rules and instructions

a. Take note of the following:

- No costs have been prescribed for the RFP;
- All proposals **must** be costed in South African Rand, inclusive of VAT;
- The costing must remain valid and open for evaluation for a period of at least six (6) months from the time of submission.

b. Costs to be borne by service providers

All costs and expenses incurred by the service provider in any way associated with the development, preparation and submission of responses and providing any additional information required by the NLC, will be borne entirely and exclusively by the service provider.

c. Disclaimer

The NLC reserves the right not to select a service provider. The NLC also reserves the right to:

- Award the contract or any part thereof to one or more service providers
- Reject all proposals
- Decline to consider any proposals that do not conform to any aspect of the RFP requirements
- Request further information from any service provider after the closing date for clarity purposes
- Cancel this RFP or any part thereof at any time; and
- Should any of the above occur, it will be communicated in writing to the service provider.

d. Confidentiality

- Proposals submitted will not be revealed to any other party and will be treated as contractually binding
- All information pertaining to the NLC obtained by the service provider because of participation in this RFP is confidential and must not be disclosed without written authorisation from the NLC; and

- The successful service provider will be issued with a letter of appointment outlining the requirements of the project.

e. Disqualification

- Any form of canvassing/lobbying/influence regarding the RFP will result in disqualification.
- Any non-disclosure of any other information pertaining to this RFP will result in disqualification; and
- Non-compliance with the requirements will invalidate the proposal.

f. Price adjustments

- Application for price adjustments must be accompanied by documentary evidence in support of any adjustments.
- The project implementation costs to be quoted during the contract with the successful service providers.

g. Payment Terms

- The NLC undertakes to pay valid tax invoices in full within thirty (30) days from statement date for services rendered.
- All supporting documents for services rendered should be submitted together with the tax invoices by the twentieth (20th) of every month; and
- Valid Tax Invoices for all services rendered are to be submitted to the Chief Financial Officer (CFO) at the NLC's Finance Division at the address on page 2 above or may be sent via email to the following address: accounts@nlcsa.org.za

h. Signatories

- All responses to this RFP should be signed off by the authorised signatories of the service provider.

10 Briefing Session

No briefing session.

11 Validity Period *

The Commission requires a validity period of 90 (Ninety) Business Days **[From 14 July 2023 to 17 October 2023]** against this RFP. Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions, if the internal evaluation process are not finalised within the validity period.

12 National Treasury's Central Supplier Database

- a. Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.
- b. The Commission may not award business to a bidder who has failed to register on the CSD.
- c. Only foreign suppliers with no local registered entity need not register on the CSD.
- d. The CSD can be accessed at <https://secure.csd.gov.za/>

13 Confidentiality

- a. Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding.
- b. The Commission reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.
- c. The Bidder acknowledges that it will obtain and have access to personal information of The Commission and agrees that it shall only process the information disclosed by the Commission in terms of this bid award and only for the purposes as detailed in this RFP and in accordance with any applicable law.
- d. The Bidder shall notify the Commission in writing of any unauthorised access to personal information and the information of a third party, through cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such.

14 Communication

- a. Queries relating to this RFP should be submitted to maureen@nlcsa.org.za 3 days before the closing date.
- b. In the interest of fairness and transparency the Commission's response to such a query may be made available to other bidders.
- c. It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the Commission in respect of this RFP between the closing date and the date of the award of the business.
- d. Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

SECTION 3: EVALUATION CRITERIA

15 Evaluation Phases

The Commission will evaluate all proposals in terms of the Preferential Procurement Regulation of 2022 and Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). The six (6) phase evaluation criteria will be considered in evaluating the proposals, being shown in Figure 1 below.

16 Stage 1: Tender Closing and Opening

Tender closing details

The deadline for Tender submission is **14 July 2023 @ 11:00** Standard South African Time. Any late tenders will not be accepted. Proposals (USBs) clearly marked with the RFP Number, Company Name, Email Address and Contact Number, or to the Commission's tender box at the following physical address:

**National Lotteries Commission
333 Grosvenor Street
Block D, Hatfield Gardens
Hatfield, Pretoria
0075**

Only USBs would be accepted.

17 Bid Formats

Bid submissions must be submitted via email or on a USB in a PDF format that is protected from any modifications, deletions, or additions.

Financial/pricing information must be presented in a separate attachment from the Technical / Functional Response information. The onus is on the Bidder to ensure that all mandatory and required documents are included in the electronic submission.

Submissions must be prominently marked /labelled in such a way that the marking / label cannot be removed or detached with the full details of the tender namely: Bidder's Name, Tender No and Tender Title.

Bidders must submit the documents in 3 separate **folders** marked as follows: Folder 1 – Mandatory documents; Folder 2 – Technical proposal; Folder 3 – Financial proposal.

Tender submission received after submission date and time will be declared late bid submissions and will not be accepted for consideration by the Commission.

17 Stage 2: Administrative Compliance

All bid respondents must submit administrative documents that comply with the RFP requirements. The Administrative Compliance Evaluation will include the following:

| Evaluation Criteria | Supporting Documents |
|---|---|
| 1. Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time Standard Bidding Documents | SBD 1 SBD 6.1 |
| 2. Whether the Bid document has been duly signed by the authorized bidder | Official Company resolution as proof of authorized individuals' delegation |
| 3. Whether the Bid contains a price offer | Pricing Proposal |
| 4. Whether the Bidder tax affairs in order | Tax Compliance System Pin |
| 5. Whether Bidders have failed to register on the CSD. NB only foreign suppliers with no local registered entity need not register on the CSD | Proof of Central Supplier Database (CSD) registration with Tax Compliant Status |
| 6. Valid Certified Copy of BEE Certificate/Sworn Affidavit | BEE Certificate/ Sworn Affidavit |

18 Stage 3: Mandatory Compliance

Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation.

| Evaluation Criteria | Supporting Documents |
|---|----------------------|
| 1. Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time Standard Bidding Documents | SBD 4 |

19 Stage 4: Evaluation

Stage 4.1: Technical evaluation

Service Providers (SP) must structure their proposals according to the evaluation criteria below and must cover all areas specified below. Any additional information, other than what is outlined below, should be annexed. Evaluation of the Proposals will be based on the service provider’s responses in respect of the RFP according to the following criteria:

| Evaluation Criterion | % weight | Scoring matrix |
|--|------------|---|
| Institution Experience | 30% | 0-5 |
| <p>The SP must provide details of recent (i.e., within past five years) previous work within the scope outlined in the RFP. Specific details must be given to indicate the extent to which these previous experiences relate to the work described in the RFP. The bidder should structure this section of the proposal as follows: <i>Client, description of work done, start and end dates, value of contract, how work done relates to NLC scope, outcomes of work done.</i></p> | 20 | <p>Experience will be rated using the following sub-weighting:</p> <p>Less than 1 year relevant experience = 0 Point</p> <p>1 year and less 2 years relevant experience = 1 point</p> <p>2 and less than 3 years relevant experience = 2 Points</p> <p>3 – 4 years relevant experience = 3 Points</p> <p>4 – 5 years relevant experience = 4 Points</p> <p>5 years and above relevant experience = 5 Points</p> |
| <p>Reference letters from clients <u>for the work done as described above</u> should be attached. Reference letters should be presented in the form of a written letter on an official letterhead from clients where similar services have been provided and may not be older than five (5) years. No appointment letters from clients will be accepted. Note to bidders: Valid multiple reference letters obtained from the same institution will count as 1 reference letter. Reference letters must indicate the year in which the related service was rendered.</p> | 10 | <p>The reference letters will be rated using the criteria below:</p> <p>0 reference letters = 0 points</p> <p>1 reference letter = 1 point</p> <p>2 reference letters = 2 points</p> <p>3 reference letters = 3 points</p> <p>4 reference letters = 4 points</p> <p>5 reference letters = 5 points</p> |

| | | |
|--|-------------------|---|
| <p>Members Qualifications and Experience</p> <p>Bidders should provide information regarding the relevant qualifications and experience of the assigned project team. The bidder should structure this section of the proposal as follows: <i>Summary profile (in a <u>matrix format</u>) of the proposed consultants, their highest qualifications and NQF level, technical and professional skills and experience, professional memberships / affiliations, reasons why they are suitable to undertake the project for the NLC as per the RFP scope.</i></p> <p>Please attach Abbreviated Curriculum Vitae (CV's) of personnel to be involved in the implementation of the project, not longer than <u>two pages</u> each, in an <u>Appendix</u>. Please attach <u>certified copies</u> of relevant qualifications and professional affiliations with the CVs.</p> | <p>30%</p> | <p>Qualifications and members' experience will be rated using the following sub-weighting:</p> <ul style="list-style-type: none"> • No 50% team members with relevant qualification – 0 points • Less than 50% team members with a relevant qualification (above NQF level 7) and more than three years' experience = 1 point • More than 50% team members with a relevant qualification (above NQF level 7) and more than four years' experience = 2 points • More than 50% team members with a relevant qualification (above NQF level 7) and at least five years' experience = 3 points • 100% team members with a relevant qualification (above NQF level 7) and at least five years' experience = 4 points • 100% team members with a relevant qualification (above NQF level 7) and more than five years' experience = 5 points |
| <p>Project Plan / Methodology</p> | <p>40%</p> | |

| | |
|--|--|
| <p>Considers the responsiveness to the RFP, the level of detail in the proposal, attention to project management and innovative approaches and ideas. The bidder should structure this section of the proposal as follows (max 10 pages): <i>Theoretical frameworks underpinning the approaches to be taken; methodology(ies) for undertaking the research, project plan with phases and sub-activities, risk approach, project risks and risk mitigation.</i></p> | <p>The proposal will be rated using the below criteria:</p> <ul style="list-style-type: none"> • Proposal without basic project plan within set timeframes, no methodologies, no data sources and no basic risk assessment – 0 points • Proposal includes basic project plan within set time frames, limited methodologies, limited data sources, and basic risk assessment = 1 point • Proposal includes average project plan within set time frames, limited methodologies, standard data sources, and basic risk assessment = 2 points • Proposal includes average project plan within set time frames, acceptable methodologies, standard data sources, and acceptable risk assessment = 3 points • Proposal includes detailed project plan within set time frames, acceptable methodologies, progressive approaches, extensive data sources and acceptable risk assessment = 4 points • Proposal includes detailed project plan within set time frames, advanced methodologies, innovative approaches, extensive data sources and thorough risk assessment = 5 points |
| <p>TOTAL POINTS</p> | <p>100</p> |
| <p>NB The minimum qualifying score for technical evaluation</p> | <p>75</p> |

Stage 4.2: Financial Pricing Evaluation

Price proposals (VAT inclusive) must be presented using the following format:

| Description | Month 1 | Month 2 | Month 3 | TOTAL |
|-----------------------------|---------|---------|---------|-------|
| 1. Professional Fees | | | | |
| 1.1 Lead consultant | | | | |
| 1.2 Second consultant | | | | |
| 1.3 Third consultant etc. | | | | |
| 2. Disbursements | | | | |
| 3. Other (describe) | | | | |
| TOTAL | | | | |

20 Stage 5: Evaluation on Price and Specific Goals as per PPR 2022

The 80/20 Principle based on Price and specific goals for the NLC.

The following formula to be used to calculate the points out of 80 for price inclusive of all applicable taxes.

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

| | |
|---|-----------|
| <p>Price</p> <p>The following formula will be used to calculate the points out of 80 for price in respect of a bid with a Rand value equal to or above R30 000 and up to a Rand value of R50 million, inclusive of all applicable taxes:</p> $P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$ <p>Where:</p> <p>P_s = Score for the Bid under consideration</p> <p>P_t = Price of Bid under consideration</p> <p>P_{min} = Price of lowest acceptable Bid</p> | 80 |
| TOTAL SCORE: | 80 |

A maximum of 20 points will be awarded to a bidder for the specific goals specified for the RFP.

| 1. Procurement from entities who are Black Owned | Sub - points for specific goals | Maximum points for specific goals | Relevant Evidence |
|---|---------------------------------|-----------------------------------|---|
| 91% - 100% | 6 | 6 | Copies of ID's/ 3 months CIPC Report from the closing date of the bid/ CSD Recent Report |
| 81% - 90% | 5 | | |
| 71% - 80% | 4 | | |
| 61% - 70% | 3 | | |
| 51% - 60% | 2 | | |
| 41% - 50% | 1 | | |
| 0% - 40% | 0 | | |
| 2. SMME's and B-BBEE Status Level of Contributor | | 6 | B-BBEE Certificate / B-BBEE Sworn Affidavit |
| Level 1 - EME /QSE | 6 | | |
| Level 2 - EME /QSE | 5 | | |
| Level 1 - Generic / Level 3 EME / QSE | 4 | | |
| Level 2 - Generic / Level 4 EME / QSE | 3 | | |
| Level 3 - Generic / Level 5 EME / QSE | 2 | | |
| Level 4 - 5 Generic / Level 6 EME / QSE | 1 | | |
| Level 6 - 8 Generic and Non – Compliant / Level 7 - 8 EME / QSE and Non – Compliant | 0 | | |
| 3. Procurement from women ownership | | 4 | CSD Recent Report |
| Procurement from entities who are at least 51% women owned | 4 | | |
| 4. Procurement from Disabilities | | 2 | Letter from the Doctor or General Practitioner |
| Procurement from entities who are at least 51% owned by persons with disabilities | 2 | | |
| 5. Procurement from youth ownership | | 2 | CSD Recent Report; ID Document |
| Procurement from youth owned companies who are at least 30% owned by youth | 2 | | |

20 Stage 6: Contract and Award

This stage is for negotiation after receipt of formal tenders and before the conclusion of contracts with suppliers / contractors submitting the lowest acceptable tender with a view to obtaining an improvement in price, delivery or content, in circumstances which do not put other tenderers at a disadvantage or affect adversely their confidence or trust in the competitive system. Bidders may be requested to provide their best and final offers based on contract negotiations.



SECTION 4: INVITATION TO BID (SBD 1) PART A

| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS | | | | | | | |
|---|---|-------------|--------------|--|--|---------------|-------|
| BID NUMBER: | RFP 2022-0046 | ISSUE DATE: | 03 JULY 2023 | CLOSING DATE: | 14 JULY 2023 | CLOSING TIME: | 11H00 |
| DESCRIPTION | REQUEST FOR PROPOSALS CONDUCTING A GRANTEE & APPLICANT PERCEPTION SURVEY ON THE NLC'S GRANT FUNDING PROCESSES AND SYSTEMS | | | | | | |
| BID RESPONSE (USBs) DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS) | | | | | | | |
| 333 Grosvenor Street, Block D, Hatfield Gardens, Hatfield, Pretoria, 0001 | | | | | | | |
| Only USBs will be accepted | | | | | | | |
| BIDDING PROCEDURE ENQUIRIES MAY BEDIRECTED TO | | | | TECHNICAL ENQUIRIES MAY BE DIRECTED TO: | | | |
| CONTACTPERSON | Maureen Senyatsi | | | CONTACT PERSON | Maureen Senyatsi | | |
| TELEPHONENUMBER | 012 432 1470 | | | TELEPHONE NUMBER | 012 432 1470 | | |
| FACSIMILENUMBER | | | | FACSIMILE NUMBER | | | |
| E-MAIL ADDRESS | maureen@nlcsa.org.za | | | E-MAIL ADDRESS | maureen@nlcsa.org.za | | |
| SUPPLIER INFORMATION | | | | | | | |
| NAME OF BIDDER | | | | | | | |
| POSTAL ADDRESS | | | | | | | |
| STREET ADDRESS | | | | | | | |
| TELEPHONENUMBER | CODE | | | NUMBER | | | |
| CELLPHONENUMBER | | | | | | | |
| FACSIMILENUMBER | CODE | | | NUMBER | | | |
| E-MAIL ADDRESS | | | | | | | |
| VAT REGISTRATION NUMBER | | | | | | | |
| SUPPLIER COMPLIANCE STATUS | TAX COMPLIANCE SYSTEM PIN: | | OR | CENTRAL SUPPLIER DATABASE | UNIQUE REGISTRATION REFERENCE NUMBER: MAAA..... | | |
| B-BBEE STATUSLEVEL VERIFICATION CERTIFICATE | [TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No | | | B-BBEE STATUS LEVEL SWORN AFFIDAVIT | [TICK APPLICABLEBOX] Yes <input type="checkbox"/> No <input type="checkbox"/> | | |

[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]

| | | | |
|--|--|---|--|
| 1. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED? | Yes <input type="checkbox"/> No <input type="checkbox"/> [IF YES ENCLOSE PROOF] | 2. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | Yes <input type="checkbox"/> No <input type="checkbox"/> [IF YES, ANSWER QUESTIONNAIRE BELOW] |
|--|--|---|--|

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

| | | |
|--|---------------------------|--------------------------|
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | YES <input type="radio"/> | NO <input type="radio"/> |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA? | YES <input type="radio"/> | NO <input type="radio"/> |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? | YES <input type="radio"/> | NO <input type="radio"/> |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? | YES <input type="radio"/> | NO <input type="radio"/> |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION | | |
| 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 1.3 BELOW. | | |

**PART B
TERMS AND CONDITIONS FOR BIDDING**

TAX COMPLIANCE REQUIREMENTS

- i. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- ii. 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.
- iii. APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- iv. BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- v. IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- vi. WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

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:

SECTION 5: 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.

Bidder's declaration

- 1.1 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**

- 1.1.1 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 |
|-----------|-----------------|---------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

- 1.1.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

YES/NO

1.1.3 If so, furnish particulars:

.....

.....

1.2 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

1.2.1 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 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.

3.5 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

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

SBD 6.1

SECTION 6: 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 (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 **80/20** preference point system.
- b) The **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:

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

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

$$Ps = 80 \frac{(1 + Pt - P_{max})}{P_{max}}$$

Where

- Ps = Points scored for price 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 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 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 the 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.)

| 1. Procurement from entities who are Black Owned | Sub - points for specific goals | Maximum points for specific goals | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|---------------------------------|-----------------------------------|---|
| 91% - 100% | 6 | 6 | |
| 81% - 90% | 5 | | |
| 71% - 80% | 4 | | |
| 61% - 70% | 3 | | |
| 51% - 60% | 2 | | |
| 41% - 50% | 1 | | |
| 0% - 40% | 0 | | |
| 2. SMME's and B-BBEE Status Level of Contributor | | 6 | |
| Level 1 - EME /QSE | 6 | | |
| Level 2 - EME /QSE | 5 | | |
| Level 1 - Generic / Level 3 EME / QSE | 4 | | |
| Level 2 - Generic / Level 4 EME / QSE | 3 | | |
| Level 3 - Generic / Level 5 EME / QSE | 2 | | |
| Level 4 - 5 Generic / Level 6 EME / QSE | 1 | | |
| Level 6 - 8 Generic and Non – Compliant / Level 7 - 8 EME / QSE and Non – Compliant | 0 | | |
| 3. Procurement from women ownership | | 4 | |
| Procurement from entities who are at least 51% women owned | 4 | | |
| 4. Procurement from Disabilities | | 2 | |
| Procurement from entities who are at least 51% owned by persons with disabilities | 2 | | |
| 5. Procurement from youth ownership | | 2 | |
| Procurement from youth owned companies who are at least 30% owned by youth | 2 | | |

5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.3. 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 authorized 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;

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

- iv) 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.



NATIONAL LOTTERIES COMMISSION



- (d) recommend that the tenderer or a member of the dtic group 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 *audialteram 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:

.....

.....

.....

SECTION 7: SCM CONSENT REQUEST FORM

CONSENT REQUEST FORM

REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF PROCUREMENT OF GOODS AND SERVICES APPLICATION, IN LINE WITH THE NLC's SUPPLY CHAIN MANAGEMENT POLICY, IN TERMS OF SECTION 11(1)(a) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.4 OF 2013) (“**POPIA**”).

TO: _____

FROM: _____

ADDRESS: _____

Contact number: _____

Email address: _____

PART A

1. In terms of the PROTECTION OF PERSONAL INFORMATION ACT, consent for processing of personal information of a data subject (the person/entity to whom personal information relates) must be obtained for the purpose of processing of application for procurement of goods and services, in line with the NLC's supply chain management policy, and storage of your personal data by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMS or e-mail, which is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by us (NLC). After you have indicated your wishes in Part B, you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.

2. "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—

2.1 the collection, receipt, recording, organisation, collation, storage, updating or

modification, retrieval, alteration, consultation or use;

2.2 dissemination by means of transmission, distribution or making available in any other form; or

2.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.

3. “Personal information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—

3.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well- being, disability, religion, conscience, belief, culture, language and birth of the person;

3.2 information relating to the education or the medical, financial, criminal or employment history of the person;

3.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;

3.4 the biometric information of the person;

3.5 the personal opinions, views or preferences of the person;

3.6 correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;

3.7 the views or opinions of another individual about the person; and

3.8 the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

Full names of the designated person on behalf of the Responsible Party

Signature of Designation person

PART B

I, _____ (full names), duly authorized, hereby:
Consent to the processing of my/our personal information for the application of procurement of goods and services, in line with the NLC supply chain management policy, in terms of section 11(1)(a) of POPIA.

SPECIFY GOODS AND SERVICES (Edit/Click on services **not** required):

- Product Information
- Product Updates
- Industry Newsletters
- Price Changes

Method of Communication will be via: Email Postal

Give my consent

By Ticking the next box, I am aware that I am Digitally Signing this Consent Request Form:

Full Name:

Date:

WITHDRAWAL OF CONSENT ONCE GIVEN

You may withdraw your consent at any time. Write or email us at the address above, advising us of your consent withdrawal.