

## REQUEST FOR PROPOSALS

YOU ARE HEREBY INVITED TO SUBMIT A BID TO MEET THE REQUIREMENTS OF THE DEVELOPMENT BANK OF SOUTHERN AFRICA LIMITED	
<b>BID NUMBER:</b>	RFP100/2023
<b>COMPULSORY BRIEFING SESSION DETAILS:</b>	<p>Tender briefing will be done online via Microsoft teams. Bidders are advised to use the link below to join the briefing session.</p> <p>Link: <a href="#">Click here to join the meeting</a></p> <p>11 April 2023 @11H00 (Johannesburg time)</p>
<b>CLOSING DATE:</b>	27 April 2023
<b>CLOSING TIME:</b>	23H55 (Midnight)
<b>PERIOD FOR WHICH BIDS ARE REQUIRED TO REMAIN OPEN FOR ACCEPTANCE:</b>	120 days
<b>DESCRIPTION OF BID:</b>	APPOINTMENT OF A SERVICE PROVIDER TO ASSIST WITH CLIENT SATISFACTION AND BRAND HEALTH SURVEYS.
<b>BID DOCUMENTS ELECTRONIC SUBMISSION:</b>	<p><b>1. ELECTRONIC SUBMISSIONS</b></p> <p><b><u>INSTRUCTIONS:</u></b></p> <ul style="list-style-type: none"> <li>➤ Bidders are required to submit written requests for clarification via e-mail to <a href="mailto:lihleSCM@dbsa.org">lihleSCM@dbsa.org</a> <b>ONLY</b>, quoting the RFP Number on the subject of the e-mail.</li> <li>➤ Bidders will thereafter receive a OneDrive Link to upload their submitted documents electronically.</li> <li>➤ Written requests for clarification will be considered up to and including <b>24 March 2023 16:00</b> Johannesburg time. Requests received after this date may not be attended to.</li> <li>➤ Any requests after the stipulated date and time may be disregarded.</li> </ul> <p><b>NB: Electronic submission is encouraged for all bidders interested in this tender</b></p> <p><b>Closing date of this RFP100.2023 is 27 April 2023 before 23:55.</b> <b>No physical bids will be received or accepted at the DBSA offices</b></p>

<b>NAME OF BIDDER:</b>	
<b>CONTACT PERSON:</b>	
<b>EMAIL ADDRESS:</b>	
<b>TELEPHONE NUMBER:</b>	
<b>FAX NUMBER:</b>	
<b>BIDDER'S STAMP OR SIGNATURE</b>	



The Development Bank of Southern Africa has a Zero Tolerance on Fraud and Corruption.  
Report any incidents of Fraud and Corruption to Whistle Blowers on any of the following:

TollFree : 0800 20 49 33  
Email : [dbsa@whistleblowing.co.za](mailto:dbsa@whistleblowing.co.za)  
Free Post : Free Post KZN 665 | Musgrave | 4062  
SMS : 33490

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**PART A  
INVITATION TO BID**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF DEVELOPMENT BANK OF SOUTHERN AFRICA LIMITED ("DBSA")**

**BID NUMBER: RFP100/2023**

**DESCRIPTION: APPOINTMENT OF A SERVICE PROVIDER TO ASSIST WITH CLIENT SATISFACTION AND BRAND HEALTH SURVEYS.**

**COMPULSORY BRIEFING: 11 March 2023** - Tender briefing will be done online via Microsoft teams.

**COMPULSORY BRIEFING LINK:** [Click here to join the meeting](#)


**Time: 11H00 AM Johannesburg time (Microsoft Teams)**

**Closing time for the OneDrive Link submissions - 16h00 on the 24<sup>th</sup> of March 2023 (Telkom Time)**



**CLOSING DATE: 27 April 2023**

**CLOSING TIME: 23H55**

Name

 Bidder Name

Name

-  Folder 1\_Financial Proposal
-  Folder 2\_Technical Proposal

- a) It remains the bidder's responsibility to ensure that the bid submission is uploaded using the correct bidder document and tender link.
- b) Should a bidder encounter an issue with the system, the bidder must provide sufficient evidence as proof of attempting to upload their submission before the cut-off time and the error received.
- c) Faxed, emailed bids will not be accepted, only an electronic submission received via the link will be accepted.
- d) It is therefore the responsibility of the bidder to request for a link to participate.
- e) The DBSA assumes no responsibility if a Bidder's designated email address is not correct, or if there are technical challenges, including those with the Bidders computer, network, or internet service provider (ISP).

**BID SUBMISSION LINK REQUESTS:**

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT, WHICH ARE SET OUT IN PART C OF THIS DOCUMENT.

THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED).

BIDDERS THAT ARE UNINCORPORATED CONSORTIA CONSISTING OF MORE THAN ONE LEGAL ENTITY MUST SELECT A LEAD ENTITY AND FURNISH THE DETAILS OF THE LEAD ENTITY, UNLESS OTHERWISE SPECIFIED.

<b>NAME OF BIDDER AND EACH ENTITY IN CONSORTIUM:</b>				
<b>POSTAL ADDRESS:</b>				
<b>STREET ADDRESS:</b>				
<b>CONTACT PERSON (FULL NAME):</b>				
<b>EMAIL ADDRESS:</b>				
<b>TELEPHONE NUMBER:</b>				
<b>FAX NUMBER:</b>				
<b>BIDDER REGISTRATION NUMBER OR REGISTRATION NUMBER OF EACH ENTITY IN CONSORTIUM</b>				
<b>BIDDER VAT REGISTRATION NUMBER OR VAT REGISTRATION NUMBER OF EACH ENTITY IN CONSORTIUM</b>				
<b>BBBEE STATUS LEVEL VERIFICATION CERTIFICATE /BBBEE STATUS LEVEL SWORN AFFIDAVIT SUBMITTED?</b>	<b>YES</b>		<b>NO</b>	
<b>[TICK APPLICABLE BOX]</b>				

1..1.1	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]			
1..1.2	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES/WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW ]			
1..1.3	SIGNATURE OF BIDDER				
1..1.4	DATE				
1..1.5	FULL NAME OF AUTHORISED REPRESENTATIVE				
1..1.6	CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)				
IF YES, WHO ISSUED THE CERTIFICATE?					
REGISTERED WITH THE NATIONAL TREASURY CSD [TICK APPLICABLE BOX]		YES		NO	
CSD REGISTRATION NUMBER					
TAX COMPLIANCE STATUS PIN (TCS) NUMBER ISSUED BY SARS					

**PART B**  
**TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>
<p>1.1. BIDS MUST BE SUBMITTED ELECTRONICALLY BY THE STIPULATED TIME TO THE LINK PROVIDED. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED – (NOT TO BE RE-TYPED)</p> <p>1.3. SOUTH AFRICAN BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED BY BIDDING INSTITUTION.</p> <p>1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MUST BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<p>2.1 ALL BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS IN THEIR COUNTRY OF RESIDENCE.</p> <p>2.2 SOUTH AFRICAN BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 SOUTH AFRICAN BIDDERS CAN APPLY FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 SA BIDDERS' MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER (TAX COMPLIANCE) IN ACCORDANCE WITH APPLICABLE LEGISLATION IN THEIR COUNTRY OF RESIDENCE.</p> <p>2.6 WHERE SA BIDDERS HAVE NO TCS AVAILABLE BUT ARE REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>
<p>3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?  <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? <span style="float: right;"><input type="checkbox"/></span>  YES <input type="checkbox"/> NO</p> <p>3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?  <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?  <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p><b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM</b></p>

**THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.**

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



## PART C

### CHECKLIST OF COMPULSORY RETURNABLE SCHEDULES AND DOCUMENTS

Please adhere to the following instructions:

- Tick in the relevant block below;
- Ensure that the following documents are completed and signed where applicable; and
- Use the prescribed sequence in attaching the annexes that complete the Bid Document

**NB:** Should all these documents not be included, the Bidder may be disqualified on the basis of non-compliance

**YES      NO**

<input type="checkbox"/>	<input type="checkbox"/>	One original Bid document in separate folders; Folder 1 - for Pre-Qualifying Criteria and Functional Evaluation and Folder 2 - Price / Financial Proposal – <b>Electronic submission</b>
<input type="checkbox"/>	<input type="checkbox"/>	<b>Part A:</b> Invitation to Bid
<input type="checkbox"/>	<input type="checkbox"/>	<b>Part B:</b> Terms and Conditions of Bidding
<input type="checkbox"/>	<input type="checkbox"/>	<b>Part C:</b> Checklist of Compulsory Returnable Schedules and Documents
<input type="checkbox"/>	<input type="checkbox"/>	<b>Part D:</b> Conditions of Tendering and Undertakings by Bidders
<input type="checkbox"/>	<input type="checkbox"/>	<b>Part E:</b> Specifications/Terms of Reference and Project Brief
<input type="checkbox"/>	<input type="checkbox"/>	<b>Annexure A:</b> Price Proposal Requirement
<input type="checkbox"/>	<input type="checkbox"/>	<b>Annexure B:</b> SBD4 Declaration of Interest
<input type="checkbox"/>	<input type="checkbox"/>	<b>Annexure C:</b> SBD6.1 and B-BBEE status level certificate
<input type="checkbox"/>	<input type="checkbox"/>	<b>Annexure F:</b> Certified copies of your CIPC company registration documents listing all members with percentages, in case of a lose corporation
<input type="checkbox"/>	<input type="checkbox"/>	<b>Annexure G:</b> Certified copies of latest share certificates, in case of a company.
<input type="checkbox"/>	<input type="checkbox"/>	<b>Annexure H: (if applicable):</b> A breakdown of how fees and work will be spread between members of the bidding consortium.
<input type="checkbox"/>	<input type="checkbox"/>	<b>Annexure I:</b> Supporting documents to responses to Pre-Qualifying Criteria and Functional Evaluation Criteria.

☐☐

**Annexure J:** General Condition of Contract

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**Annexure K:** CSD Tax Compliance Status and Registration Requirements Report

## PART D

### CONDITIONS OF TENDERING AND UNDERTAKINGS BY BIDDER

#### 1. DEFINITIONS

In this Request for Proposals, unless a contrary intention is apparent:

- 1.1 **B-BBEE** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act, 2003;
- 1.2 **B-BBEE Act** means the Broad-Based Black Economic Empowerment Act, 2003;
- 1.3 **B-BBEE status level of contributor** means the B-BBEE status received by a measured entity based on its overall performance used to claim points in terms of regulation 6 and 7 of the Preferential Procurement Regulations, 2022.
- 1.4 **Business Day** means a day which is not a Saturday, Sunday or public holiday in South Africa.
- 1.5 **Bid** means a written offer in the prescribed or stipulated form lodged by a Bidder in response to an invitation in this Request for Proposal, containing an offer to provide goods, works or services in accordance with the Specification as provided in this RFP.
- 1.6 **Bidder** means a person or legal entity, or an unincorporated group of persons or legal entities that submit a Bid.
- 1.7 **Companies Act** means the Companies Act, 2008.
- 1.8 **Compulsory Documents** means the list of compulsory schedules and documents set out in Part B.
- 1.9 **Closing Time** means the time, specified as such under the clause **Error! Reference source not found.** (Bid Timetable) in Part C, by which Tenders must be received.
- 1.10 **DBSA** means the Development Bank of Southern Africa Limited.
- 1.11 **DFI** means Development Finance Institution.
- 1.12 **Evaluation Criteria** means the criteria set out under the clause 26 (Evaluation Process) of this Part C, which includes the Qualifying Criteria, Functional Criteria and Price and Preferential Points Assessment (where applicable).
- 1.13 **Functional Criteria** means the criteria set out in clause 27 of this Part C.
- 1.14 **Intellectual Property Rights** includes copyright and neighbouring rights, and all proprietary rights in relation to inventions (including patents) registered and unregistered trademarks (including service marks), registered designs, confidential information (including trade secrets and know how) and circuit layouts, and all other proprietary rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields.
- 1.15 **PFMA** means the Public Finance Management Act, 1999.
- 1.16 **PPPFA** means the Preferential Procurement Policy Framework Act, 2000.
- 1.17 **PPPFA Regulations** means the Preferential Procurement Regulations, 2022 published in terms of the PPPFA.

- 1.18 **Pre-Qualifying Criteria** means the criteria set out in clause 26.3 of this Part C.
- 1.19 **Price and Preferential Points Assessment** means the process described in clause 26.7 of this Part C, as prescribed by the PPPFA.
- 1.20 **Proposed Contract** means the agreement including any other terms and conditions contained in or referred to in this RFP that may be executed between the DBSA and the successful Bidder.
- 1.21 **Request for Proposal** or **RFP** means this document (comprising each of the parts identified under Part A, Part B, Part C and Part D) including all annexures and any other documents so designated by the DBSA.
- 1.22 **SARS** means the South African Revenue Service.
- 1.23 **Services** means the services required by the DBSA, as specified in this RFP Part D.
- 1.24 **SLA** means Service Level Agreement.
- 1.25 **SOE** means State Owned Enterprise, as defined by the Companies' Act.
- 1.26 **Specification** means the conditions of tender set and any specification or description of the DBSA's requirements contained in this RFP.
- 1.27 **State** means the Republic of South Africa.
- 1.28 **Statement of Compliance** means the statement forming part of a Tender indicating the Bidders compliance with the Specification.
- 1.29 **Tendering Process** means the process commenced by the issuing of this Request for Proposals and concluding upon formal announcement by the DBSA of the selection of a successful Bidder(s) or upon the earlier termination of the process.
- 1.30 **Website** means a website administered by DBSA under its name with web address [www.dbsa.org](http://www.dbsa.org)

## 2. INTERPRETATIONS

In this RFP, unless expressly provided otherwise a reference to:

- 2.1 "includes" or "including" means includes or including without limitation; and
- 2.2 "R" or "Rand" is a reference to the lawful currency of the Republic of South Africa.

## 3. TENDER TECHNICAL AND GENERAL QUERIES

Queries pertaining to this tender must be directed to:-

DBSA Supply Chain Management Unit

Email: [lihleSCM@dbsa.org](mailto:lihleSCM@dbsa.org)

No questions will be answered telephonically.

#### **4. SUBMISSION OF TENDERS**

COMPULSORY BRIEFING: **11 April 2023** - Tender briefing will be done online via Microsoft teams.

LINK: [Click here to join the meeting](#)

Time: 11H00 AM Johannesburg time (**Microsoft Teams**)

CLOSING DATE: **27 April 2023**

CLOSING TIME: 23H55

#### **5. RULES GOVERNING THIS RFP AND THE TENDERING PROCESS**

- 5.1 Participation in the tender process is subject to compliance with the rules contained in this RFP Part C.
- 5.2 All persons (whether a participant in this tender process or not) having obtained or received this RFP may only use it, and the information contained herein, in compliance with the rules contained in this RFP.
- 5.3 All Bidders are deemed to accept the rules contained in this RFP Part C.
- 5.4 The rules contained in this RFP Part C apply to:
  - 5.4.1 The RFP and any other information given, received or made available in connection with this RFP, and any revisions or annexure;
  - 5.4.2 the Tendering Process; and
  - 5.4.3 any communications (including any briefings, presentations, meetings and negotiations) relating to the RFP or the Tendering Process.

#### **6. STATUS OF REQUEST FOR PROPOSAL**

- 6.1 This RFP is an invitation for person(s) to submit a proposal(s) for the provision of the services as set out in the Specification contained in this RFP. Accordingly, this RFP must not be construed, interpreted, or relied upon, whether expressly or implicitly, as an offer capable of acceptance by any person(s), or as creating any form of contractual, promissory or other rights. No binding contract or other understanding for the supply of services will exist between the DBSA and any Bidder unless and until the DBSA has executed a formal written contract with the successful Bidder.

#### **7. ACCURACY OF REQUEST FOR PROPOSAL**

- 7.1 Whilst all due care has been taken in connection with the preparation of this RFP, the DBSA makes no representations or warranties that the content in this RFP or any information

communicated to or provided to Bidders during the Tendering Process is, or will be, accurate, current or complete. The DBSA, and its officers, employees and advisors will not be liable with respect to any information communicated which is not accurate, current or complete.

- 7.2 If a Bidder finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the DBSA (other than minor clerical matters), the Bidder must promptly notify the DBSA in writing of such discrepancy, ambiguity, error or inconsistency in order to afford the DBSA an opportunity to consider what corrective action is necessary (if any).
- 7.3 Any actual discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the DBSA will, if possible, be corrected and provided to all Bidders without attribution to the Bidder who provided the written notice.

## **8. ADDITIONS AND AMENDMENTS TO THE RFP**

- 8.1 The DBSA reserves the right to change any information in, or to issue any addendum to this RFP before the Closing Time. The DBSA and its officers, employees and advisors will not be liable in connection with either the exercise of, or failure to exercise this right.
- 8.2 If the DBSA exercises its right to change information in terms of clause 8.1, it may seek amended Tenders from all Bidders.

## **9. REPRESENTATIONS**

No representations made by or on behalf of the DBSA in relation to this RFP will be binding on the DBSA unless that representation is expressly incorporated into the contract ultimately entered between the DBSA and the successful Bidder.

## **10. CONFIDENTIALITY**

- 10.1 All persons (including all Bidders) obtaining or receiving this RFP and any other information in connection with this RFP or the Tendering Process must keep the contents of the RFP and other such information confidential, and not disclose or use the information except as required for the purpose of developing a proposal in response to this RFP.

## **11. REQUESTS FOR CLARIFICATION OR FURTHER INFORMATION**

- 11.1 All communications relating to this RFP and the Tendering Process must be directed to the Tender Officer.
- 11.2 All questions or requests for further information or clarification of this RFP or any other document issued in connection with the Tendering Process must be submitted to the Tender Officer in writing, and most preferably by e-mail to [lihleSCM@dbsa.org](mailto:lihleSCM@dbsa.org)

- 11.3 Any communication by a Bidder to the DBSA will be effective upon receipt by the Tender Officer (provided such communication is in the required format).
- 11.4 The DBSA has restricted the period during which it will accept questions or requests for further information or clarification and reserves the right not to respond to any enquiry or request, irrespective of when such enquiry or request is received.
- 11.5 Except where the DBSA is of the opinion that issues raised apply only to an individual Bidder, questions submitted and answers provided will be made available to all Bidders by e-mail, as well as on the DBSA's website without identifying the person or organisation which submitted the question.
- 11.6 In all other instances, the DBSA may directly provide any written notification or response to a Bidder by email to the address of the Bidder (as notified by the Bidder to the Tender Manager).
- 11.7 A Bidder may, by notifying the Tender Officer in writing, withdraw a question submitted in accordance with clause 12, in circumstances where the Bidder does not wish the DBSA to publish its response to the question to all Bidders.

## **12. UNAUTHORISED COMMUNICATIONS**

- 12.1 Communications (including promotional or advertising activities) with staff of the DBSA or their advisors assisting with the Tendering Process are not permitted during the Tendering Process, or otherwise with the prior consent of the Tender Officer. Nothing in this clause 12 is intended to prevent communications with staff of, or advisors to, the DBSA to the extent that such communications do not relate to this RFP or the Tendering Process.
- 12.2 Bidders must not otherwise engage in any activities that may be perceived as, or that may have the effect of, influencing the outcomes of the Tendering Process in any way.

## **13. IMPROPER ASSISTANCE, FRAUD AND CORRUPTION**

- 13.1 Bidders may not seek or obtain the assistance of employees of the DBSA in the preparation of their tender responses.
- 13.2 The DBSA may in its absolute discretion, immediately disqualify a Bidder that it believes has sought or obtained such improper assistance.
- 13.3 Bidders are to be familiar with the implications of contravening the Prevention and Combating of Corrupt Activities Act, 2004 and any other relevant legislation.

## **14. ANTI-COMPETITIVE CONDUCT**

- 14.1 Bidders and their respective officers, employees, agents and advisors must not engage in any collusion, anti-competitive conduct or any other similar conduct in respect of this Tendering Process with any other Bidder or any other person(s) in relation to:
  - 14.1.1 the preparation or lodgement of their Bid

- 14.1.2 the evaluation and clarification of their Bid; and
- 14.1.3 the conduct of negotiations with the DBSA.
- 14.2 For the purposes of this clause 14, collusion, anti-competitive conduct or any other similar conduct may include disclosure, exchange and clarification of information whether or not such information is confidential to the DBSA or any other Bidder or any other person or organisation.
- 14.3 In addition to any other remedies available to it under law or contract, the DBSA may, in its absolute discretion, immediately disqualify a Bidder that it believes has engaged in any collusive, anti-competitive conduct or any other similar conduct during or before the Tendering Process.

## **15. COMPLAINTS ABOUT THE TENDERING PROCESS**

- 15.1 Any complaint about the RFP or the Tendering Process must be submitted to the Supply Chain Management Unit in writing, by email, immediately upon the cause of the complaint arising or becoming known to the Bidder, ([tenders@dbsa.org](mailto:tenders@dbsa.org))
- 15.2 The written complaint must set out:
  - 15.2.1 the basis for the complaint, specifying the issues involved;
  - 15.2.2 how the subject of the complaint affects the organisation or person making the complaint;
  - 15.2.3 any relevant background information; and
  - 15.2.4 the outcome desired by the person or organisation making the complaint.
- 15.3 If the matter relates to the conduct of an employee of the DBSA, the complaint should be addressed in writing marked for the attention of the Chief Executive Officer of the DBSA, and delivered to the physical address of the DBSA, as notified.

## **16. CONFLICT OF INTEREST**

- 16.1 A Bidder must not, and must ensure that its officers, employees, agents and advisors do not place themselves in a position that may give rise to actual, potential or perceived conflict of interest between the interests of the DBSA and the Bidder's interests during the Tender Process.
- 16.2 The Bidder is required to provide details of any interests, relationships or clients which may or do give rise to a conflict of interest in relation to the supply of the services under any contract that may result from this RFP. If the Bidder submits its Bid and a subsequent conflict of interest arises, or is likely to arise, which was not disclosed in the Bid, the Bidder must notify the DBSA immediately in writing of that conflict.
- 16.3 The DBSA may immediately disqualify a Bidder from the Tendering Process if the Bidder fails to notify the DBSA of the conflict as required.



## **17. LATE BIDS**

- 17.1 Bids must be delivered by the Closing Time. The Closing Time may be extended by the DBSA in its absolute discretion by providing written notice to Bidders.
- 17.2 Bids delivered after the Closing Time or lodged at a location or in a manner that is contrary to that specified in this RFP will be disqualified from the Tendering Process and will be ineligible for consideration. However, a late Bid may be accepted where the Bidder can clearly demonstrate (to the satisfaction of the DBSA, in its sole discretion) that late lodgement of the Bid was caused by the DBSA; that access was denied or hindered in relation to the physical tender box; or that a major/critical incident hindered the delivery of the Bid and, in all cases, that the integrity of the Tendering Process will not be compromised by accepting a Bid after the Closing Time.
- 17.3 The determination of the DBSA as to the actual time that a Bid is lodged is final. Subject to clause 17.2, all Bids lodged after the Closing Time will be recorded by the DBSA and will only be opened for the purposes of identifying a business name and address of the Bidder. The DBSA will inform a Bidder whose Bid was lodged after the Closing Time of its ineligibility for consideration. The general operating practice is for the late Bid to be returned within 5 (five) working days of receipt or within 5 (five) working days after determination not to accept a late Bid.

## **18. BIDDER'S RESPONSIBILITIES**

- 18.1 Bidders are responsible for:
- 18.1.1 examining this RFP and any documents referenced or attached to this RFP and any other information made or to be made available by the DBSA to Bidders in connection with this RFP;
  - 18.1.2 fully informing themselves in relation to all matters arising from this RFP, including all matters regarding the DBSA's requirements for the provision of the Services;
  - 18.1.3 ensuring that their Bids are accurate and complete;
  - 18.1.4 making their own enquiries and assessing all risks regarding this RFP, and fully considering and incorporating the impact of any known and unknown risks into their Bid;
  - 18.1.5 ensuring that they comply with all applicable laws in regard to the Tendering Process particularly as specified by National Treasury Regulations, Guidelines, Instruction Notes and Practice Notes and other relevant legislation as published from time to time in the Government Gazette; and
  - 18.1.6 submitting all Compulsory Documents.

- 18.2 South African bidders with annual total revenue of ZAR10 million or less qualify as Exempted Micro Enterprises (EMEs) in terms of the B-BBEE Act must submit a certificate issued by a registered, independent auditor (who or which is not the Bidder or a part of the Bidder) or an accredited verification agency.
- 18.3 South African bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy, or a sworn affidavit thereof, substantiating their B-BBEE status. The submission of such certificates must comply with the requirements of instructions and guidelines issued by National Treasury and be in accordance with the applicable notices published by the Department of Trade and Industry in the Government Gazette.
- 18.4 The DBSA 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 DBSA.
- 18.5 Failure to provide the required information may result in disqualification of the Bidder.

## **19. PREPARATION OF BIDS**

- 19.1 Bidders must ensure that:
- 19.1.1 their Bid is submitted in the required format as stipulated in this RFP; and
  - 19.1.2 all the required information fields in the Bid are completed in full and contain the information requested by the DBSA.
- 19.2 The DBSA may in its absolute discretion reject a Bid that does not include the information requested or is not in the format required.
- 19.3 Unnecessarily elaborate responses or other representations beyond that which is sufficient to present a complete and effective tender proposal are not desired or required. Elaborate and expensive visual and other presentation aids are not necessary.
- 19.4 Where the Bidder is unwilling to accept a specified condition, the non-acceptance must be clearly and expressly stated. Prominence must be given to the statement detailing the non-acceptance. It is not sufficient that the statement appears only as part of an attachment to the Bid or be included in a general statement of the Bidders usual operating conditions.
- 19.5 An incomplete Bid may be disqualified or assessed solely on the information completed or received with the Bid.

## **20. ILLEGIBLE CONTENT, ALTERATION AND ERASURES**

- 20.1 Incomplete Bids may be disqualified or evaluated solely on information contained in the Bid.
- 20.2 The DBSA may disregard any content in a Tender that is illegible and will be under no obligation whatsoever to seek clarification from the Bidder.
- 20.3 The DBSA may permit a Bidder to correct an unintentional error in its Bid where that error becomes known or apparent after the Closing Time, but in no event will any correction be

permitted if the DBSA reasonably considers that the correction would materially alter the substance of the Bid or effect the fairness of the Tendering Process.

## **21. OBLIGATION TO NOTIFY ERRORS**

If, after a Bidder's Response has been submitted, the Bidder becomes aware of an error in the Bidders Response (including an error in pricing but excluding clerical errors which would have no bearing on the evaluation of the Bid), the Bidder must promptly notify the DBSA of such error.

## **22. RESPONSIBILITY FOR BIDDING COSTS**

- 22.1 The Bidders participation or involvement in any stage of the Tendering Process is at the Bidders sole risk, cost and expense. The DBSA will not be held responsible for, or pay for, any expense or loss that may be incurred by Bidders in relation to the preparation or lodgement of their Bid.
- 22.2 The DBSA is not liable to the Bidder for any costs on the basis of any contractual, promissory or restitutionary grounds whatsoever as a consequence of any matter relating to the Bidders participation in the Tendering Process, including without limitation, instances where:
  - 22.2.1 the Bidder is not engaged to perform under any contract; or
  - 22.2.2 the DBSA exercises any right under this RFP or at law.

## **23. DISCLOSURE OF BID CONTENTS AND BID INFORMATION**

- 23.1 All Bids received by the DBSA will be treated as confidential. The DBSA will not disclose contents of any Bid and Bid information, except:
  - 23.1.1 as required by law;
  - 23.1.2 for the purpose of investigations by other government authorities having relevant jurisdiction;
  - 23.1.3 to external consultants and advisors of the DBSA engaged to assist with the Tendering Process; or for the general information of Bidders required to be disclosed as per National Treasury Regulations, Guidelines, Instruction Notes or Practice Notes.

## **24. USE OF BIDS**

- 24.1 Upon submission in accordance with the requirements relating to the submission of Bids, all Bids submitted become the property of the DBSA. Bidders will retain all ownership rights in any intellectual property contained in the Bids.
- 24.2 Each Bidder, by submission of their Bid, is deemed to have licensed the DBSA to reproduce the whole, or any portion, of their Bid for the sole purposes of enabling the DBSA to evaluate the Bid.

## 25. BID ACCEPTANCE

All Bids received must remain open for acceptance for a minimum period of 90 (Ninety) days from the Closing Time. This period may be extended by written mutual agreement between the DBSA and the Bidder.

## 26. EVALUATION PROCESS

26.1 The Bids will be evaluated and adjudicated as follows:

### 26.1.1 First Stage – Test for administrative Responsiveness

The test for administrative responsiveness will include the following:

#### **Stage 1: Responsiveness**

The Tenderer should be able to provide all the relevant information required in the Supplier Information Form (SIF) which will include but not limited to;

**A. Tenderers who do not adhere to those criteria listed a PRE-QUALIFIER, will be disqualified immediately.**

Responsiveness Criteria		Prequalifying Criteria	Applicable to this Tender (Y/N)
1	Adherence to submitting Tender as a two-folder tender. Folder 1: Functionality and returnable submission separate from Folder 2: Pricing proposal submission	Pre-Qualifier	Y
2	Attendance Register of the Compulsory Briefing Session attended by the Tenderer.	Pre-Qualifier	Y

**B. Tenderers who do not adhere to the indicated response time for clarifications requested by the Employer will be deemed to be non-responsive and their submissions will not be evaluated further.**

**C.**

Responsiveness Criteria		Clarification Time	Applicable to this Tender (Y/N)
1	Standard conditions of tender as required.	72 hours	Y
2	Returnable documents completed and signed.	72 hours	Y
3	Submission of Proof of Registration with National Treasury Central Supplier Database (CSD) Summary Report or A Valid and Active Tax Compliance Status Pin issued by SARS for Tax Compliance Status Verification: N.B - Bidder must be fully registered & tax compliant to do business with the DBSA.	7 Working days	Y

Only those Bidders which satisfy all the Pre-Qualifying Criteria of the First Stage will be eligible to participate in the Tendering Process further. Bids which do not satisfy all the Pre-Qualifying Criteria of the First Stage will not be evaluated further.

**26.1.2 Second Stage – Functional criteria**

- 26.1.1 Only those Bidders which score **[70]** points or higher (out of a possible 100) during the functional evaluation of the Second Stage will be evaluated further. Bidders are required to submit supporting documentation evidencing their compliance with each requirement, where applicable.
- 26.1.2 Only bidders that scored the minimum threshold of 70 Points on the Second Stage of Evaluation (Client Satisfaction) will be evaluated for the Third Stage (Brand Health/ Perception Survey).

Bidders will be assessed on the functional criteria (Second Stage and Third Stage) as set out in this RFP. Only those Bidders which comply with the eligibility criteria will proceed to the Fourth Stage.

**26.1.3 Fourth Stage – Price**

- 26.1.3.1 Those Bidders which have passed the First Stage (Responsiveness Test) and Second Stage (Functional Evaluation) of the tender process will be eligible to be evaluated on the Third Stage, based on price, in accordance with the PPPFA regulations.
- 26.1.3.2 The recommended preferred Bidder will be the Bidder with the lowest overall price in the Third Stage of the Bid evaluation, unless the DBSA exercises its right to cancel the RFP, in line with the PPPFA Regulations.

26.2 **NB: Bidders are required to submit, as Annexure J to their Bids, any documentation which supports the responses provided in respect of the Eligibility Criteria below.**

26.3 **First Stage: Pre-Qualifying Criteria**

Only those Bidders which satisfy all the Pre-Qualifying Criteria will be eligible to participate in the Tendering Process further. Bids which do not satisfy all the Pre-Qualifying Criteria will not be evaluated further. Please refer to the table above

**Note: A tender that fails to meet any Pre-Qualifying Criteria stipulated herein in the tender documents is an unacceptable tender. Please refer to the table above**

26.4 **Second Stage: Functional Criteria (Client Satisfaction)**

The technical proposal will be evaluated according to the following criteria and scoring system. The technical score will be calculated out of 100 points, and only those bids that achieve a threshold of **70** points for the technical proposal will move to the next level of evaluation where a score for price and BBEE.

Proposals received for the **CLIENT SATISFACTION** survey will be evaluated against the criteria set out below:

Description	Scoring guideline	Weighting
<b>a) Company Track Record and Experience:</b> The bidder is required to provide three (03) reference letters with contacts, clearly demonstrating involvement in satisfaction evaluation projects or similar work. (	<b>Excellent =10</b> <b>Good =7</b> <b>Poor =4</b> <b>Insufficient = 0</b>	<b>10</b>
<b>b) Lead Consultant &amp; CVs of Team Members:</b> The lead consultant must have skills and expertise in the following areas: <ul style="list-style-type: none"><li>• A team of suitably qualified researchers with specialisation in research undertakings, particularly satisfaction surveys backed by 10 years' experience;</li><li>• All team members to have knowledge, skills, vast experience working in conducting client satisfaction surveys and client engagement strategies in line with international best practices;</li><li>• Team members to have extremely high level of independence, integrity and impartiality;</li></ul>	<b>Excellent =30</b> <b>Good =18</b> <b>Poor =9</b> <b>Insufficient =0</b>	<b>20</b>

<ul style="list-style-type: none"> <li>• Ability to work under pressure with a high-level of accuracy and attention to detail;</li> <li>• Excellent communications, facilitation, writing, editing and presentation skills;</li> <li>• Experience in financial institutions or similar organisations;</li> </ul> <p><b>c) Knowledge of development finance matters would be an added advantage</b></p>		
<p><b>d) Previous experience:</b></p> <ul style="list-style-type: none"> <li>• A minimum of 10 years of relevant work experience in the related fields in South Africa and other countries.</li> <li>• Demonstrated experience in conducting client satisfaction analysis evaluations or similar assignments in the development and designing of an action plan to implement recommendations.</li> <li>• Demonstrated experience in conducting brand health investigations, different stakeholders' value proposition strategy development.</li> <li>• Proven track record in market perception research.</li> </ul> <p>Proven track record on successful delivery of high-quality reports and recommendations</p> <p>(NB: Detailed CVs of resources to be deployed to the assignment will be attached to the bid. The minimum requirements for the resource team that will be working under the leadership of the lead consultant are a Bachelor's degree in research and related field. All experts shall have at least 5 years' experience in their field of work.</p>	<p><b>Excellent =40</b>  <b>Good =30</b>  <b>Poor =19</b>  <b>Insufficient =0</b></p>	<p><b>20</b></p>
<p><b>a) Approach Paper:</b></p> <p>The Service Provider is required to submit a technical proposal, not longer than 25 pages demonstrating his/her/their understanding of the scope as stated in the Terms of Reference. Evaluation will be based on technical proposals only.</p> <p><b>(Presentations will not form part of the evaluation process. The Bid Evaluation Committee may, however; request shortlisted candidates to clarify further bid proposal queries in writing, when the need arises.)</b></p>	<p><b>Excellent =50</b>  <b>Good =35</b>  <b>Poor =20</b>  <b>Insufficient =0</b></p>	<p><b>50</b></p>
<b>Total</b>		<b>100</b>
<b>Threshold</b>		<b>70</b>
<b>All bidders who do not score 70 points and above will be disqualified and will not be evaluated further for Brand Health Evaluation</b>		

**NB.** Only bidders that scored the minimum threshold of **70 Points** on the **Second Stage of Evaluation (Client Satisfaction)** will be evaluated for the **Third Stage (Brand Health/ Perception Survey)**.

#### 26.5 **Third Stage: Evaluations (BRAND HEALTH/PERCEPTION SURVEY)**

Proposals for the **BRAND HEALTH/PERCEPTION SURVEY** will be evaluated against the criteria below:

<b>Description</b>	<b>Scoring guideline</b>	<b>Weighting</b>
<p><b>Company Track Record and Experience:</b> The bidder is required to provide a company profile with the following</p> <ul style="list-style-type: none"> <li>• Company profile/background <i>(7 points)</i> <ul style="list-style-type: none"> <li>○ Evidence of 5 years or more experience</li> <li>○ Teams their functions and capacity</li> <li>○ Demonstrate expertise relevant/applicable to the work DBSA is requesting, including resources, methodologies used</li> </ul> </li> <li>• Three (3) reference letters with contacts, clearly demonstrating involvement in similar work. <i>(3 points)</i></li> </ul>	<p><b>Excellent =10</b>  <b>Good =7</b>  <b>Poor =4</b>  <b>Insufficient = 0</b></p>	<b>10</b>
<p><b>Submit two (2) case studies of similar work done to demonstrate your capabilities and expertise. Include the following:</b></p> <ul style="list-style-type: none"> <li>• Describe what the client brief was e.g., what the reputation and/or brand health survey sought to determine</li> <li>• Explain what approach and methodology was used to meet the client's objectives</li> <li>• Explain and/or demonstrate how you conceptualised, designed, and implemented the solution and how results were obtained and what recommendations were made</li> <li>• Give details of the different teams involved, their roles and functions</li> </ul>	<p><b>Excellent =30</b>  <b>Good =18</b>  <b>Poor =9</b>  <b>Insufficient = 0</b></p>	<b>20</b>
<p><b>b) Proposed Approach /Presentation</b></p> <p>The Service Provider is required to submit a proposal, not longer than 25 pages/slides demonstrating his/her/their understanding of the scope as stated in the Terms of Reference and submitting a technical proposal as to how they intend undertaking the reputation/brand survey. Evaluation will be based on technical</p>	<p><b>Excellent =40</b>  <b>Good =30</b>  <b>Poor =19</b>  <b>Insufficient =0</b></p>	<b>20</b>



proposals only. <b>(Every service provider will be required to submit the proposed approach, but only shortlisted candidates will be invited to present their presentations to the Bid Evaluation Committee)</b>		
<b>Presentation</b>		
<b>Shortlisted candidates will be invited to present their technical approach/proposal. Evaluation will be based on the following:</b> <ul style="list-style-type: none"> <li>• Proposal</li> <li>• Project plan and framework</li> <li>• Research, planning, capability, and methodology</li> <li>• Resources and account management services/capability</li> <li>• Timelines</li> <li>• Does it address DBSA's requirements</li> <li>• Evidence of understanding of the scope as stated in the Terms of Reference</li> </ul>	<b>Excellent =50</b> <b>Good =35</b> <b>Poor =20</b> <b>Insufficient =0</b>	<b>50</b>
<b>Total</b>		<b>100</b>
<b>Threshold</b>		<b>70</b>
<b>All bidders who do not score 70 points and above will be disqualified and will not be evaluated further for Price and Specific Goals</b>		

26.6 A minimum of **70 points out of a 100** for the functional evaluation will qualify the Bid to move on to the Third Stage of evaluation, which is price and preferential point's evaluation. Bidders that do not score **70** points or higher at this stage of the evaluation will not be evaluated during the Third Stage of the evaluation.

## 26.7 **Fourth Stage: Price**

26.7.1 the Fourth Stage of evaluation of the Bids will be in respect of price and specific goals.

## 27. **Risk Analysis and Objective Criteria**

**(This must only be included in the tender document if it is applicable, ensure that the list is specific as to what your objective criteria are)**

The DBSA reserves the right to award the tender to the tenderer who scores the highest number of points overall in line with Section (2) (1) (f) of the PPPFA, unless there are **objective criteria** which will justify the award of the tender to another tenderer. The objective criteria that the DBSA may apply in this bid process includes:

- i. Any bidder that has a **cumulative order book totaling three (3) Awards with outstanding value**, will be excluded from the selection.
- ii. Where a bidder has three (3) active Awards with an outstanding value and the outstanding value is 10% or less, indicating the project is nearing completion, the bidder may be included in the selection.

- iii. Where a bidder has three (3) active Awards with an outstanding value and at least one of the projects has stalled for a period of six (6) months or more, or the client has placed the project on hold indefinitely, the bidder may be included in the selection.
- iv. The DBSA has the discretion to apply an objective criterion.

## 28. Due Diligence

DBSA shall perform a due diligence exercise on the preferred bidder to determine its risk profile. The due diligence exercise may take the following factors into account inter alia.

### a. Judgements and criminal convictions

DBSA may consider previous civil judgements against the preferred bidder as part of its risk assessment. DBSA may also consider whether the preferred bidder or any of its directors have been convicted of a serious offence.

### b. Pending litigation/liquidation/business rescue (distinct from Working Capital)

DBSA may consider any pending litigation in a court of law or administrative tribunal as part of its risk assessment.

### c. Performance

DBSA will not consider the Service provider having a history of poor performance on any task orders/purchase orders or contracts, including poor performance in respect of compliance with policies or procedures regarding safety, health, quality control or environment, or having committed a serious and gross breach of contract.

### d. Reputational harm

If DBSA is likely to suffer substantial reputational harm because of doing business with the preferred service provider, it may take this into account as part of its risk assessment.

### e. Restricted/Blacklisted

Is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement.

### f. Vetting

The DBSA reserves the right to conduct vetting on the tenderer or any of its directors.

### g. PEP Checks for both Companies and Individual directors, as well as Procure Check and or any other systems that the DBSA may choose to utilize (which may be conducted by an authorized third party) that would be done to assess all risks, including but not limited to

- a. Financial stability of the bidder based on key ratio analysis ;
- b. Efficiency ;
- c. Profitability ;
- d. Financial Risk;
- e. Liquidity ;
- f. Acid Test ;
- g. Solvency; and
- h. Commercial relationship with a politically exposed and brand risk

- v. The DBSA reserves the right to award the scope in full or part thereof, subject to budget availability.
- vi. The DBSA reserves the right to negotiate to ensure the value for money principle is not compromised.

## 29. Generally, suppliers have their own business standards and regulations. Although DBSA cannot control the actions of our suppliers, we will not tolerate any Illegal activities. These include, but are not limited to:

- Misrepresentation of any kind (e.g. origin of manufacture, specifications, intellectual property rights, etc);
- Collusion;
- Failure to disclose accurate information required during the sourcing activity (ownership, financial situation, BBBEE status, etc.);
- Corrupt activities listed above; and
- Harassment, intimidation or other aggressive actions towards DBSA's employees.

### **30. STATUS OF BID**

- 30.1 Each Bid constitutes an irrevocable offer by the Bidder to the DBSA to provide the Services required and otherwise to satisfy the requirements of the Specification as set out in this RFP.
- 30.2 A Bid must not be conditional on:
- 30.2.1 the Board approval of the Bidder or any related governing body of the Bidder being obtained.
  - 30.2.2 the Bidder conducting due diligence or any other form of enquiry or investigation.
  - 30.2.3 the Bidder (or any other party) obtaining any regulatory approval or consent.
  - 30.2.4 the Bidder obtaining the consent or approval of any third party; or
  - 30.2.5 the Bidder stating that it wishes to discuss or negotiate any commercial terms of the contract.
- 30.3 The DBSA may, in its absolute discretion, disregard any Bid that is, or is stated to be, subject to any one or more of the conditions detailed above (or any other relevant conditions).
- 30.4 The DBSA reserves the right to accept a Bid in part or in whole or to negotiate with a Bidder in accordance with the provisions of this RFP and the applicable laws and regulations.

### **31. CLARIFICATION OF BIDS**

- 31.1 The DBSA may seek clarification from and enter into discussions with any or all of the Bidders in relation to their Bid. The DBSA may use the information obtained when clarification is sought or discussions are held in interpreting the Bid and evaluating the cost and risk of accepting the Bid. Failure to supply clarification to the satisfaction of the DBSA may render the Bid liable to disqualification.
- 31.2 The DBSA is under no obligation to seek clarification of anything in a Bid and reserves the right to disregard any clarification that the DBSA considers to be unsolicited or otherwise impermissible or irrelevant in accordance with the rules set out in this RFP.

### **32. DISCUSSION WITH BIDDERS**

- 32.1 The DBSA may elect to engage in detailed discussions with any one or more Bidder(s), with a view to maximising the benefits of this RFP as measured against the evaluation criteria and in fully understanding a Bidder's offer.

- 32.2 Where applicable, the DBSA will invite Bidders to give a presentation to the DBSA in relation to their submissions.
- 32.3 The DBSA is under no obligation to undertake discussions with, and Bidders.
- 32.4 In addition to presentations and discussions, the DBSA may request some or all Bidders to:
- 32.4.1 conduct a site visit, if applicable;
  - 32.4.2 provide references or additional information; and/or
  - 32.4.3 make themselves available for panel interviews.

### **33. SUCCESSFUL BIDS**

- 33.1 Selection as a successful Bidder does not give rise to a contract (express or implied) between the successful Bidder and the DBSA for the supply of the Services. No legal relationship will exist between the DBSA and a successful Bidder for the supply of the Services until such time as a binding contract is executed by them.
- 33.2 The DBSA may, in its absolute discretion, decide not to enter into pre-contractual negotiations with a successful Bidder.
- 33.3 A Bidder is bound by its Bid and all other documents forming part of the Bidder's Response and, if selected as a successful Bidder, must enter into a contract on the basis of the Bid with or without further negotiation.

### **34. NO OBLIGATION TO ENTER INTO CONTRACT**

- 34.1 The DBSA is under no obligation to appoint a successful Bidder or Bidders (as the case may be), or to enter into a contract with a successful Bidder or any other person, if it is unable to identify a Bid that complies in all relevant respects with the requirements of the DBSA, or if due to changed circumstances, there is no longer a need for the Services requested, or if funds are no longer available to cover the total envisaged expenditure. For the avoidance of any doubt, in these circumstances the DBSA will be free to proceed via any alternative process.
- 34.2 The DBSA may conduct a debriefing session for all Bidders (successful and unsuccessful). Attendance at such debriefing session is optional.

### **35. BIDDER WARRANTIES**

- 35.1 By submitting a Bid, a Bidder warrants that:
- 35.1.1 it did not rely on any express or implied statement, warranty or representation, whether oral, written, or otherwise made by or on behalf of the DBSA, its officers, employees, or advisers other than any statement, warranty or representation expressly contained in the RFP;

- 35.1.2 it did not use the improper assistance of DBSA's employees or information unlawfully obtained from them in compiling its Bid;
- 35.1.3 it is responsible for all costs and expenses related to the preparation and lodgement of its Bid, any subsequent negotiation, and any future process connected with or relating to the Tendering Process;
- 35.1.4 it accepts and will comply with the terms set out in this RFP; and
- 35.1.5 it will provide additional information in a timely manner as requested by the DBSA to clarify any matters contained in the Bid.

### **36. DBSA'S RIGHTS**

- 36.1 Notwithstanding anything else in this RFP, and without limiting its rights at law or otherwise, the DBSA reserves the right, in its absolute discretion at any time, to:
  - 36.1.1 cease to proceed with, or suspend the Tendering Process prior to the execution of a formal written contract;
  - 36.1.2 alter the structure and/or the timing of this RFP or the Tendering Process;
  - 36.1.3 vary or extend any time or date specified in this RFP
  - 36.1.4 terminate the participation of any Bidder or any other person in the Tendering Process;
  - 36.1.5 require additional information or clarification from any Bidder or any other person;
  - 36.1.6 provide additional information or clarification;
  - 36.1.7 negotiate with any one or more Bidder;
  - 36.1.8 call for new Bid;
  - 36.1.9 reject any Bid received after the Closing Time; or
  - 36.1.10 reject any Bid that does not comply with the requirements of this RFP.

### **37. GOVERNING LAWS**

- 37.1 This RFP and the Tendering Process are governed by the laws of the Republic of South Africa.
- 37.2 Each Bidder must comply with all relevant laws in preparing and lodging its Bid and in taking part in the Tendering Process.
- 37.3 All Bids must be completed using the English language and all costing must be in South African Rand (ZAR).

## **PART E**

### **TERMS OF REFERENCE & PROJECT BRIEF**

#### **1. Introduction**

The Development Bank of Southern Africa Limited (DBSA) was established in terms of the Development Bank of Southern Africa Act, No. 13 of 1997. The DBSA, as a state-owned enterprise and a development finance institution, is recognised as a single yet critical component of the national infrastructure system with a mandate to contribute meaningfully towards national infrastructure objectives. DBSA promotes economic development and growth, human resources development, institutional capacity building and the support of development projects and programmes in the African continent.

The Development Bank of Southern Africa (DBSA) conducts an annual client satisfaction survey to assess the levels of DBSA client satisfaction with its products and services. The DBSA invites suitably qualified and experienced service providers to submit proposal to conduct a client satisfaction Survey for a period of three years from 2024 to 2026. The survey seeks to gauge how satisfied DBSA clients are with its products and services as well as define tangible ways for improving existing relationships and harnessing potential relationships with clients.

The survey, in addition to generating a score for the corporate BSC, aims to define tangible ways for the Bank's client facing divisions to improve their existing relationships with clients in respect of service delivery, client experience and overall satisfaction with products and services. The survey results will feed into future stakeholder, marketing and communications initiatives so that the Bank is able to continuously improve client satisfaction. The survey should evaluate the factors that activate and obstruct client satisfaction. This will result in the implementation of measures that ensure that products and services meet and or exceed client expectations.

The DBSA operates in an environment in which organisational reputation has become increasingly important. In addition, the role of brand in assisting in developing a loyal and profitable client base has never been more important. This has resulted in the need for an additional requirement that will gauge and assess the brand health of the organisation and thereby provide feedback as to how different segments of the market, outside of the client base, perceive the DBSA.

#### **2. Background**

The DBSA recognises that effective client relationship management is a critical ingredient towards successful achievement of strategic and/or organisational objectives. The DBSA conducts an

annual client satisfaction survey to see business from the client's viewpoint and to be able to determine the gap between the DBSA's value proposition offered to clients against the actual value derived by clients. To determine what clients deem important, the DBSA broadly assesses clients' satisfaction with factors and attributes pertaining to its products/services, service delivery, staff attributes and capabilities, the organisation's brand and pricing competitiveness.

The DBSA uses the client satisfaction survey to get a rounded view of its clients' experiences, from grievance handling to aftercare service. The feedback derived from the survey is used to identify areas of concern and determine corrective measures in the client experience. The client satisfaction survey assesses client opinions and attitudes on their experience and level of satisfaction with products and services received from the DBSA. It also addresses clients experience with DBSA staff, how clients' problems are resolved and whether clients would continue accessing DBSA services.

In addition to the client survey, the brand health survey or tracker will gauge what different market segments, outside of the client segment perceive and view the reputation of the DBSA as well as the value that they derive from the DBSA. The results of the survey will enable the Bank to obtain a baseline and assess:

- i. Brand awareness and usage;
- ii. Positioning;
- iii. Brand promise and delivery on DBSA's value proposition;
- iv. Brand/reputation perception; and
- v. Enable the DBSA to be able to communicate with impact with different market segments.

### **3. Scope of Work**

The survey targets the DBSA's existing and prospective clients comprising: senior members of management within national and provincial governments, local municipalities; state owned enterprises (SOEs); state agencies, development finance institutions (DFIs), credit lending institutions and independent entrepreneurs or DBSA loan holders. The survey seeks to determine the satisfaction levels of DBSA's client facing and enabling divisions, namely:

- Coverage Division;
- Transacting Division;
- Project Preparation Division;
- Infrastructure Delivery;
- Finance (Treasury);

- Business Support and Recovery.

The survey is broad based with focus on:

- Client segmentation;
- Key buying criteria used, or considerations made by clients in deciding to use a financier or service provider;
- Clients' priorities regarding their key buying criteria in order of importance;
- Geographic location;
- Nature and volume of business clients dealing with the DBSA;
- Size of the client's business;
- Length of time and frequency they have been clients with the DBSA;
- Ex-clients (to determine why repeat business was not acquired);
- How the DBSA compares to competitors with similar offerings;
- DBSA's ability to develop tailored solutions for clients;
- How clients learned about the DBSA and its offerings;
- Clients' willingness to recommend DBSA to others;
- Institutions that asked for quotes but did not return for the desired services.

The brand insights gathered from the survey will enable the Bank to further understand the perspectives listed below about different market segments:

- Personas
- Media Habits
- Digital Lifestyle
- Brand category and attitudes
- Key influences
- Content needs
- Social Media Needs

To fulfill the achievement of the above objectives, the service provider, will assist the DBSA in but not limited the following tasks:

- Survey a cross-section of new and existing clients with focus on applicable project phase;



- Decide on preferred method of survey informed by the client base. The questionnaire has been used in the past, the Bank will welcome other innovative data collection methodologies.
- The service provider is expected to conduct an analysis of the key findings accompanied by clearly articulated and actionable recommendations which will lead to improved relationships with existing clients and the Bank's ability to attract new clients;
- Determine the drivers of and barriers to clients' satisfaction. This should be coupled with clients' expectations and an outline of measures to be taken in order to address the areas of concern;
- Conduct focus group sessions with DBSA clients in order to gain insight into clients' perceptions about the Bank's products and services, service levels and establish ways to respond and satisfy their needs.

The successful service provider/s will conduct annual client satisfaction surveys with the scope as set out below:

#### **Assignment 1 Part 1: ANNUAL CLIENT SATISFACTION SURVEYS**

- Document and map expectations and needs of the Bank's clients;
- Design and develop the questionnaire for the annual survey in consultation with the Bank;
- Conduct the introductory work leading to telephonic and face-to-face interviews and focus group sessions – the service provider will consult and collaborate with DBSA to select survey participants;
- Make logistical arrangements and lead the engagements with clients;
- Assess clients' perceptions in respect of DBSA meeting their needs/expectations;
- Conduct analysis on the findings and make recommendations with an action plan to address or improve on areas of concern;
- Assess the impact of the client engagement strategy on our clients' satisfaction levels;
- Conduct presentations to report on the results and share lessons learnt;
- Prepare a final report with clearly articulated recommendations to the DBSA every year.

#### **Assignment 1 Part 2: INTERNALLY CONDUCTED QUARTERLY SURVEYS**

- Design and develop a short questionnaire to be administered on existing new clients by DBSA client facing divisions. The questionnaire will also be administered to unsuccessful clients during the survey period;

- The questionnaire will consist of not more than five questions;
- The questionnaire will aim to understand DBSA turnaround times according to client progress stage;
- The questionnaire will also investigate reasons behind clients terminating their relationships;
- The questionnaire should enable the mapping of clients which are most likely to be responded to in time and clients which are less likely to be responded to in time;
- The questionnaire will investigate the celerity of DBSA's internal processes;
- The results emanating from the survey will be incorporated in the annual client satisfaction survey.

## **Assignment 2: Scope of Brand Health Tracker/Survey**

- The second survey seeks to obtain a reputation baseline that will give insight into how the DBSA's market segments view the organisation with reference to assess i) brand awareness and usage ii) positioning, ii) brand promise iv) corporate reputation perception v) brand influence vi) brand impact;
- The proposed segments that will be targeted for the survey will potentially include: i) media (in the broadest sense of the term i.e. social, traditional, digital) ii) investors iii) CSO's iv) beneficiaries v) segment of the general public vi) potential clients vii) service providers;
- The DBSA is seeking a service provider who has extensive experience in conceptualizing, designing, implementing and executing both corporate reputation and brand health surveys. Taking into consideration the objectives of this survey, the service provider will be expected to advise the DBSA on how best to derive the results required i.e. how best to design and execute the survey and./or responses taking into consideration the different segments;
- It is expected that considering the conclusions of the survey, the service provider will also provide the following:
  - viii) identify potential and existing reputational risk factors that the DBSA should be aware of;
  - ix) identify the different DBSA value consumed by different market segments;
  - x) make recommendations as to how the DBSA can address the risks and/or issues that arise from the survey;

- xi) make recommendations on how to best communicate with different market segments;
- xii) put together an implementation plan and/or proposal.

#### **4. Deliverables and timelines**

The key assignment is the delivery of the survey report on a biannual basis from 2024 to 2026. The preparatory work will commence in 2024. The service provider is expected to execute the activities outlined in the scope of work in Section 3.

##### **1.4.1 Deliverables**

The service provider is responsible for the outputs and indicators outlined below:

- Quality of work: **[Results to demonstrate Client Satisfaction Score (CSAT), Net Promoter Score (NPS) and Client/Customer Effort Score (CES) as well as Things Gone Wrong (TGW) metric]**. Questions will lead to conclusive indication of DBSA's overall performance as well as client facing divisions' performance;
- Compliance with established deadlines for submission of deliveries;
- Demonstration of good cooperation with DBSA and its client facing divisions;
- Delivery of suitable and comprehensive recommendation as to how the DBSA should conduct a reputation and brand health survey, including the design thereof, as well as its implementation, execution compilation of analysis, conclusion and recommendations;
- Demonstration of ethical behavior in line with any existing codes of conduct that apply to reputation and brand health surveys.

##### **2.4.2 Schedule of Work / Deliverables**

The bi-annual client satisfaction survey will be conducted from 2024 to 2026 with a report submitted for each year the survey takes place and focus groups to be conducted to investigate further on survey finding of which a report will also be submitted following the focus groups. The official commencement date for the consultant is projected to be confirmed. It is envisioned that the reputation/brand health survey will run concurrently. The service provider shall submit and present a proposal detailing the following:

- The methodology and approach to the client survey and reputation/brand survey; and

- A detailed project implementation plan with budget, resources, researchers, and other personnel required for both. This will be in the form of a time sheet comprising the list of tasks to be performed.

On signing the agreement, the service provider shall:

- Conduct a need assessment exercise in the organisation and engage with the project leader and relevant task teams before embarking on the work; and
- Develop templates to be used for data collection distributed to the project leader at least a week before the survey commences.

On completion of tasks, the service provider shall submit and present a comprehensive report on the assigned tasks on a case-by-case basis within two weeks of task conclusion. **The comprehensive report coupled with an executive summary shall be preceded by a preliminary or topline report.**

## 5. Competencies and Eligibility of the Service Provider

The Service Provider must possess the following qualifications, competencies, and capabilities:

- A team of suitably qualified researchers with specialisation in research undertakings, particularly satisfaction surveys backed by 10 years' experience;
- Client engagement strategy development;
- Minimum 5 years' experience in satisfaction surveys and related work;
- Knowledge, skills and vast experience in conducting client satisfaction surveys in line with international best practices;
- Experience in financial institutions or similar organisations;
- Excellent communications, facilitation, writing, editing and presentation skills; and
- Knowledge of financial institutions would be an added advantage.

With respect to the perception/brand health survey, the service provider must:

- Have demonstrable experience in the design, implementation of reputation, brand health surveys on a nation-wide scale and/or regional scale;
- Value proposition development for different market segments;
- Be able to demonstrate knowledge of brand and brand metrics;
- Have up to date knowledge, skills, and vast experience in line with international best practices;
- Be able to provide insights, analysis, recommendation and put forward a proposed implementation plan;

- Experience in conducting similar work for financial institutions, B2B or similar organisations;
- Excellent communications, facilitation, writing, editing and presentation skills.

## 6. Evaluation Criteria

Proposals received for the client satisfaction survey will be evaluated against the criteria set out below:

Description	Scoring guideline	Weighting
<b>e) Company Track Record and Experience:</b> The bidder is required to provide three (03) reference letters with contacts, clearly demonstrating involvement in satisfaction evaluation projects or similar work. (	<b>Excellent =10</b> <b>Good =7</b> <b>Poor =4</b> <b>Insufficient = 0</b>	<b>10</b>
<b>f) Lead Consultant &amp; CVs of Team Members:</b> The lead consultant must have skills and expertise in the following areas: <ul style="list-style-type: none"> <li>• A team of suitably qualified researchers with specialisation in research undertakings, particularly satisfaction surveys backed by 10 years' experience;</li> <li>• All team members to have knowledge, skills, vast experience working in conducting client satisfaction surveys and client engagement strategies in line with international best practices;</li> <li>• Team members to have extremely high level of independence, integrity and impartiality;</li> <li>• Ability to work under pressure with a high-level of accuracy and attention to detail;</li> <li>• Excellent communications, facilitation, writing, editing and presentation skills;</li> <li>• Experience in financial institutions or similar organisations;</li> </ul> <b>g) Knowledge of development finance matters would be an added advantage</b>	<b>Excellent =30</b> <b>Good =18</b> <b>Poor =9</b> <b>Insufficient =0</b>	<b>20</b>
<b>h) Previous experience:</b> <ul style="list-style-type: none"> <li>• A minimum of 10 years of relevant work experience in the related fields in South Africa and other countries.</li> <li>• Demonstrated experience in conducting client satisfaction analysis evaluations or similar assignments in the development and designing of an action plan to implement recommendations.</li> </ul>	<b>Excellent =40</b> <b>Good =30</b> <b>Poor =19</b> <b>Insufficient =0</b>	<b>20</b>

<ul style="list-style-type: none"> <li>• Demonstrated experience in conducting brand health investigations, different stakeholders' value proposition strategy development.</li> <li>• Proven track record in market perception research.</li> </ul> <p>Proven track record on successful delivery of high-quality reports and recommendations</p> <p>(NB: Detailed CVs of resources to be deployed to the assignment will be attached to the bid. The minimum requirements for the resource team that will be working under the leadership of the lead consultant are a Bachelor's degree in research and related field. All experts shall have at least 5 years' experience in their field of work.</p>		
<p><b>c) Approach Paper:</b></p> <p>The Service Provider is required to submit a technical proposal, not longer than 25 pages demonstrating his/her/their understanding of the scope as stated in the Terms of Reference. Evaluation will be based on technical proposals only.</p> <p><b>(Presentations will not form part of the evaluation process. The Bid Evaluation Committee may, however; request shortlisted candidates to clarify further bid proposal queries in writing, when the need arises.)</b></p>	<p><b>Excellent =50</b>  <b>Good =35</b>  <b>Poor =20</b>  <b>Insufficient =0</b></p>	<p><b>50</b></p>
<b>Total</b>		<b>100</b>
<b>Threshold</b>		<b>70</b>
<b>All bidders who do not score 70 points and above will be disqualified and will not be evaluated further for Price and BBEE</b>		

Proposals for the brand health/perception survey will be evaluated against the criteria below:

<b>Description</b>	<b>Scoring guideline</b>	<b>Weighting</b>
<p><b>Company Track Record and Experience:</b> The bidder is required to provide a company profile with the following</p> <ul style="list-style-type: none"> <li>• Company profile/background <i>(7 points)</i> <ul style="list-style-type: none"> <li>○ Evidence of 5 years or more experience</li> <li>○ Teams their functions and capacity</li> <li>○ Demonstrate expertise relevant/applicable to the work DBSA is requesting, including resources, methodologies used</li> </ul> </li> <li>• Three (3) reference letters with contacts, clearly demonstrating involvement in similar work. <i>(3 points)</i></li> </ul>	<p><b>Excellent =10</b>  <b>Good =7</b>  <b>Poor =4</b>  <b>Insufficient = 0</b></p>	<p><b>10</b></p>

<p><b>Submit two (2) case studies of similar work done to demonstrate your capabilities and expertise. Include the following:</b></p> <ul style="list-style-type: none"> <li>Describe what the client brief was e.g., what the reputation and/or brand health survey sought to determine</li> <li>Explain what approach and methodology was used to meet the client's objectives</li> <li>Explain and/or demonstrate how you conceptualised, designed, and implemented the solution and how results were obtained and what recommendations were made</li> <li>Give details of the different teams involved, their roles and functions</li> </ul>	<p><b>Excellent =30</b> <b>Good =18</b> <b>Poor =9</b> <b>Insufficient = 0</b></p>	<p><b>20</b></p>
<p><b>d) Proposed Approach /Presentation</b></p> <p>The Service Provider is required to submit a proposal, not longer than 25 pages/slides demonstrating his/her/their understanding of the scope as stated in the Terms of Reference and submitting a technical proposal as to how they intend undertaking the reputation/brand survey. Evaluation will be based on technical proposals only. <b>(Every service provider will be required to submit the proposed approach, but only shortlisted candidates will be invited to present their presentations to the Bid Evaluation Committee)</b></p>	<p><b>Excellent =40</b> <b>Good =30</b> <b>Poor =19</b> <b>Insufficient =0</b></p>	<p><b>20</b></p>
<b>Presentation</b>		
<p><b>Shortlisted candidates will be invited to present their technical approach/proposal. Evaluation will be based on the following:</b></p> <ul style="list-style-type: none"> <li>Proposal</li> <li>Project plan and framework</li> <li>Research, planning, capability, and methodology</li> <li>Resources and account management services/capability</li> <li>Timelines</li> <li>Does it address DBSA's requirements</li> <li>Evidence of understanding of the scope as stated in the Terms of Reference</li> </ul>	<p><b>Excellent =50</b> <b>Good =35</b> <b>Poor =20</b> <b>Insufficient =0</b></p>	<p><b>50</b></p>
<b>Total</b>		<b>100</b>
<b>Threshold</b>		<b>70</b>
<b>All bidders who do not score 70 points and above will be disqualified and will not be evaluated further for Price and BBEE</b>		

## **Annexure A**

### **Fees and Assumptions**

This Annexure must be in folder 2 of your submission.

Please see **Annexure A** on the separate attachment titled,  
**“RFP100/2023: Annexure A: Fees and Assumptions”**



## 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 interest<sup>1</sup> 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

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

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....  
 .....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any

interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....  
 .....

### 3 DECLARATION

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

3.1 I have read and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> 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.

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

- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....	.....
Signature	Date
.....	.....
Position	Name of bidder

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

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

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

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### 1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

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

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

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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

- (a) Price; and
- (b) Specific Goals (namely, BBBEE status level of contributor).

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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS	
Total points for Price and SPECIFIC GOALS	100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 \\
 \mathbf{Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)}
 \end{array}$$

Where

- $P_s$  = Points scored for price of tender under consideration  
 $P_t$  = Price of tender under consideration  
 $P_{min}$  = 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:

$$P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) \text{ or } P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

- $P_s$  = Points scored for price of tender under consideration  
 $P_t$  = Price of tender under consideration  
 $P_{max}$  = Price of highest acceptable tender

### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

***(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)***

***Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)***

<b>The specific goals allocated points in terms of this tender</b>	<b>Number of points allocated (90/10 system) (To be completed by the organ of state)</b>	<b>Number of points allocated (80/20 system) (To be completed by the organ of state)</b>	<b>Number of points claimed (90/10 system) (To be completed by the tenderer)</b>	<b>Number of points claimed (80/20 system) (To be completed by the tenderer)</b>
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		

**(Note: Bidders are required to submit their BBBEE certificates or sworn affidavits (in the case of EMEs/QSEs) in order to be eligible to claim points)**

## 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.

<p>.....</p> <p><b>SIGNATURE(S) OF TENDERER(S)</b></p>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....
	.....

## RESTRICTED SUPPLIERS

- 1 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	<p><b>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</b>            (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	<p>Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

## **Annexure D**

**Bidders are required to include, as Annexure F to their Bids, certified copies of all relevant CIPC registration documents listing all members with percentages, in the case of a close corporation**

## **Annexure E**

**Bidders are required, as annexure G to their Bids, to submit certified copies of the latest share certificates of all relevant companies**

## **Annexure F**

**Bidders which submit Bids as an unincorporated joint venture, consortium or other association of persons are required to submit, as Annexure H, a breakdown of how the percentage (%) fees and work will be split between the various people or entities which constitute the Bidder.**

## **Annexure G**

**Bidders are required to include, as Annexure I to their Bids, supporting documents to their responses to the Pre- Qualifying Criteria and Evaluation Criteria.**

**Where the supporting document is the profile of a member of the Bidder's proposed team, this should be indicated.**

## Annexure H

### [General Conditions of Contract]

PLEASE NOTE THAT ALL BIDDERS ARE REQUIRED TO READ THROUGH THE GENERAL CONDITIONS OF CONTRACT PRESCRIBED BY THE NATIONAL TREASURY. SUCH GENERAL CONDITIONS OF CONTRACT CAN BE ACCESSED ON THE NATIONAL TREASURY WEBSITE.

PLEASE NOTE FURTHER THAT ALL BIDDERS MUST ENSURE THAT THEY ARE WELL ACQUAINTED WITH THE RIGHTS AND OBLIGATIONS OF ALL PARTIES INVOLVED IN DOING BUSINESS WITH GOVERNMENT.

NOTE: All Bidders are required to confirm (*Tick applicable box*) below:

Item	YES	NO
Is the Bidder familiar with the General Conditions of Contract prescribed by the National Treasury?		

## Annexure I

### Tax Compliant Status and CSD Registration Requirements

**ALL PROSPECTIVE BIDDERS MUST HAVE A TAX COMPLIANT STATUS EITHER ON THE CENTRAL SUPPLIER DATABASE (CSD) OF THE NATIONAL TREASURY OR SARS E FILING PRIOR TO APPOINTMENT/AWARD OF THE BID.**

**REGISTRATION ON THE CSD SITE OF THE NATIONAL TREASURY IS A COMPULSORY REQUIREMENT FOR A BIDDER TO BE APPOINTED, TO CONDUCT BUSINESS WITH THE DBSA. THE ONUS IS ON THE SUCCESSFUL BIDDER TO REGISTER ON THE CSD SITE AND PROVIDE PROOF OF SUCH REGISTRATION PRIOR TO APPOINTMENT/AWARD OF THE BID.**

**CSD Registration Number:**



The Development Bank of Southern Africa has a Zero Tolerance on Fraud and Corruption. Report any incidents of Fraud and Corruption to Whistle Blowers on any of the following:

TollFree : 0800 20 49 33  
Email : [dbsa@whistleblowing.co.za](mailto:dbsa@whistleblowing.co.za)  
Free Post : Free Post KZN 665 | Musgrave | 4062  
SMS : 33490