



KWAZULU-NATAL PROVINCE
AGRICULTURE AND RURAL DEVELOPMENT
 REPUBLIC OF SOUTH AFRICA

INVITATION OF QUOTATION

THIS FORM SHOULD BE COMPLETED IN DETAIL AND SHOULD BE ACCOMPANIED BY A **VALID TAX COMPLIANCE STATUS PIN AND VALID BBBEE VERIFICATION CERTIFICATE/AFFIDAVIT**

QUOTATION NUMBER: R/S/2122/1650	VALIDITY PERIOD OF QUOTATION..... Days (To be completed by the Supplier)
CLOSING DATE: 26/11/2021	CLOSING TIME: 11:00
DESCRIPTION(SPECIFICATION/S) OF ITEMS/ SERVICE REQUIRED: REQUEST FOR PROPOSAL FOR ICT GOVERNANCE AND SECURITY SEE SPEC ATTACHED	COMPANY NAME: TEL NO: FAX NO: CONTACT PERSON: CSD REG NUMBER MAAA.....
DOES OFFER COMPLY WITH SPECIFICATION?	YES/NO (DELETE WHICH EVER IS NOT APPLICABLE)
DOES ARTICLE COMPLY WITH SABS SPECIFICATION? HAS IT BEEN INSPECTED BY SABS?	YES/NO YES/NO (DELETE WHICH EVER IS NOT APPLICABLE)
DELIVERY PERIOD AFTER INITIAL ORDER?	
IS THE PRICE FIRM	
WHERE ARE THE STOCK HELD? (PHYSICAL ADDRESS , PLEASE)	
QUOTATION PRICE INCLUDING VAT (VAT TO BE ADDED BY REGISTERED VAT VENDORS ONLY)	TOTAL: R
COMPANY OFFICIAL STAMP (COMPULSORY)	SIGNATURE OF BIDDER DATE
Number of pages faxed back to the Department(Supplier to complete)
Quotation to be deposited in the tender box situated at Supply Chain Management, 1 Cedara Road, Cedara, 3200 or send by post to The Director: Supply Chain Management, Private Bag X9059, Pietermaritzburg, 3200. Tel: 033 343 8111	
NUMBER OF PAGES FAXED BACK TO THE DEPARTMENT BY THE SUPPLIER(Supplier to complete)
NB: ATTACHED SBD FORMS MUST BE COMPLETED IN FULL THIS QUOTATION COVER PAGE MUST BE COMPLETED AND RETURNED WITH ALL YOUR QUOTATION DOCUMENTS.	

ANNEXURE A

COMPANY NAME : _____
 ADDRESS : _____
 CONTACT PERSON : _____
 CONTACT NUMBER : _____
 FAX NUMBER : _____

LINE NO.	DESCRIPTION OR SPECIFICATION OF ITEM (Please be very specific and clear)	REQUIRED QUANTITY	UNIT PRICE EXCL. VAT		TOTAL PRICE	
			R	C	R	C
1.	Security & ICT governance support					
* LABOUR (IF APPLICABLE)						
*DELIVERY (IF APPLICABLE)						
TOTAL						
*ONLY APPLICABLE TO VAT REGISTERED SUPPLIERS 15% VAT						
TOTAL PRICE						

*VAT Registration No. (Supplier) _____
 When Required (Requester) : ~~27 November 2021~~ 31 December 2021
 Where Required (Requester): D217c 1st Floor, Main Building
 Contact details of requester: Ms. OT Ndlovu
 TEL : 033 355 9630

COMPANY STAMP



PRICES ARE VALID FOR 30 60 90 DAYS

SIGNATURE
 DATE



PART A

REQUEST FOR PROPOSAL FOR ICT GOVERNANCE AND SECURITY

1. INTRODUCTION

- 1.1. The Department of Agriculture and Rural Development requests proposals from suitable qualified consultants on ICT Governance and Security.

2. BACKGROUND

- 2.1. It has been identified that there's a need for additional support in the ICT section to assist with the implementation of Auditor General's findings, Provincial Internal Audit reports, ICT Governance and Security.
- 2.2. The section has a number of vacant positions for a long time and the process of filling the vacant positions has started. While the positions are being filled the consultant will be of assistance in the work of the section.

3. SPECIFIC OBJECTIVES

- 3.1. The service provider assigned to the project will be responsible for the following:
 - 3.1.1. Assist the department in developing and implementing IT controls to mitigate weaknesses identified by previous IT audits;
 - 3.1.2. **Review and/or develop** and implement the department's ICT Governance Framework and supporting instruments, in accordance with recognized IT governance standards;
 - 3.1.3. **Review and/or develop** and implement IT security policy and procedures, including procedures to implement:
 - 3.1.4. **Physical security** of IT for all critical assets;
 - 3.1.5. **Logical access** to systems;
 - 3.1.6. **Monitoring** of IT security events and incidents;
 - 3.1.7. **Review and/or develop and implement** processes to monitor IT service provider performance (SITA and others) by service level agreement
 - 3.1.8. **Review and/or develop and implement** IT systems upgrades and patch management policy and procedures;

- 3.1.9. **Review and/or develop and implement IT systems and devices security configuration management processes;**
- 3.1.10. Review and/or develop and **implement user access management policy** and procedures to cater for granting, modification and termination of access;
- 3.1.11. **Review and/or develop and implement processes** to monitor and report on IT unit performance and value delivery;
- 3.1.12. **Review and/or develop and implement IT support** and incident management policy and procedures, including IT service requests logging and monitoring;
- 3.1.13. **Review the Department's IT disaster recovery plan** to include all critical systems;
- 3.1.14. Perform investigation including forensic investigation where necessary, and recommend remedial action, on fraudulent emails purported to originate from departmental officials to external parties. This investigation will initially include the following:
 - a) Email message header analysis;
 - b) Email server investigation;
 - c) Network device (router, firewall and switches) investigation;
 - d) Email software embedded information analysis;
 - e) Analysis of sender mail fingerprints;
 - i) Submit weekly timesheets detailing activities performed; and
 - ii) Senior Consultant will oversee and be responsible for project management of the assignment.
 - iii) The assignment is subject to compliance with the POPI Act.

3.2. Competency and Expertise

- 3.2.1. Relevant or similar experience in IT Governance, Security, Forensic and/or Project Management (*Previous similar project*).
- 3.2.2. The resources assigned to the project must at least have a qualification ICT that cater for ICT Governance, Network plus, Security and/or Project Management.
- 3.2.3. Project Leader/ Supervisor must have a minimum of five (5) years supervisory experience
- 3.2.4. Service provider compliance with ISO 27000 series.
- 3.2.5. Specifically, the Individuals assigned to the project should possess demonstrable knowledge and experience in the following:
 - a) IT governance frameworks and standards;
 - b) IT security frameworks and standards;
 - c) Service management frameworks;
 - d) Service management practices and service level management;
 - e) Techniques for monitoring third-party performance and compliance with service agreements and regulatory requirements;

- f) Functionality of fundamental technology (e.g., hardware and network components, system software, middleware, database management systems);
- g) IT asset management, software licensing, source code management and inventory practices;
- h) Capacity planning and related monitoring tools and techniques;
- i) Systems performance monitoring processes, tools and techniques (e.g., network analysers, system utilization reports, load balancing);
- j) Problem and incident management practices;
- k) Change management, configuration management, release management and patch management practices;
- l) Operational risk and controls related to end-user computing;
- m) Regulatory, legal, contractual and insurance issues related to disaster recovery;
- n) Business impact analysis (BIA) related to disaster recovery and business continuity planning;
- o) Development and maintenance of disaster recovery plans;
- p) Disaster recovery testing methods; and
- q) Processes used to invoke the disaster recovery plans.
- r) Forensic investigation knowledge
- s) Project Management.

4. PROPOSAL SUBMISSION

- 4.1. Prospective firms should submit detailed proposals.
- 4.2. Proposals should be deposited in the designated bid box in Cedara , Department of Agriculture and Rural Development (No. 1 Cedara Road, Pietermaritzburg, 3201.)

5. PROPOSAL FORMAT

- 5.1. One original proposal should be submitted in the format outlined in “**Proposal Document Instructions.**”

6. QUESTIONS AND CLARITY

- 6.1. Any Technical questions should be submitted to the Director: ICT. Mr Xhakaza (Contact details: 082 576 4444 / nhlanhla.xhakaza@kzndard.gov.za)
- 6.2. Any other questions should be submitted to the Director: Internal Control Mrs Bodlane (Contact details: 082 461 8179 / Babalwa.bodlani@kzndard.gov.za)

7. CONTRACT TERMS

- 7.1. The proposal should be on a fee basis as defined in “**Proposal Document Instructions.**”
- 7.2. All service providers submitting a proposal shall agree not to include a provision into a contract or agreement with the Department requiring the Department to hold harmless or indemnify any person, partnership, association, corporation or other form of entity.
- 7.3. By responding to the request for proposal (RFP), the service provider is agreeing to the terms, conditions and requirements set forth herein, unless expressly noted in writing in the firm’s written submission.

8. AWARD

- 8.1. Only bidders with a minimum score of 80 points shall be evaluated on a preference points.
- 8.2. A bidder who will score the highest point will be recommended.
- 8.1. The Department may require follow-up oral interviews with selected Respondent.
- 8.2. The Department reserves the right to reject any or all responses, to modify the scope with one or more of the respondents, and waive any/all requirements, which the Department deems to be in its or its employees’ best interest.
- 8.3. By submitting this information, the service provider represents that it has examined and understands this RFP and has become fully informed of all the requirements of the RFP.
- 8.4. All terms and conditions set forth in this document are accepted and must be incorporated in the submission unless explicit exception is made to individual items and accepted by the Department.
- 8.5. By submitting a response, the service provider represents that it has the ability to meet the requirements outlined herein.
- 8.6. After evaluation of the responses, the Department will make its selection based on the response that best meets the needs of the Department, in the sole discretion of the Department.
- 8.7. The request for Proposals is not intended to create a public bidding process, and the proposal with the lowest quoted fees will not necessarily be accepted, nor will any reason for rejection of any proposal be indicated.
- 8.8. The Department reserves the right to privately negotiate with any service provider with respect to the requirements outlined in this Request for Proposals.

9. EVALUATION AND SELECTION OF PROPOSALS

- 9.1. The evaluation of proposals will be performed in accordance with the criteria set forth at Appendix A. The following criteria will also be considered in the evaluation:

- 9.1.1. The methodology and approach
- 9.1.2. The firm is independent
- 9.1.3. The firm has no conflicts of interest with regard to any other work performed for the Department
- 9.1.4. The firm adheres to the instructions in this request for proposal on preparing and submitting the proposal
- 9.1.5. The firm's past experience and performance on comparable engagements (include at least 5 references)
- 9.1.6. The quality of the firm's professional personnel to be assigned to the engagement and the quality of the firm's management support personnel to be available for consultation
- 9.1.7. Other criteria as deemed prudent
- 9.2. The Department reserves the right to retain all proposals submitted and use any idea in a proposal regardless of whether that proposal is selected.

10. SUBCONTRACTING

- 10.1. Firms are not permitted to subcontract or assign any part of the work covered under the scope of the engagement, without the express prior written consent of the Department.

11. B-BBEE COMPANIES

- 11.1. A bidder claiming BBBEE points must submit a valid BBBEE certificate or a sworn affidavit together with the quotation.

PART B

REQUEST FOR PROPOSAL FOR ICT GOVERNANCE AND SECURITY

A) NATURE OF SERVICES REQUIRED

1. SCOPE OF WORK

1.1. The scope is reflected in 3.1 above

2. REPORTS TO BE ISSUED

Following the completion of the review, the firm shall issue:

- 2.1. A written report communicating all the findings, its quantification, cause, consequence and recommendations.
- 2.2. A letter to the Head of Department of any reportable conditions found during the review. A reportable condition shall be defined as a significant deficiency in the design or operation of the internal control structure, which could adversely affect the functioning of the department.
- 2.3. Consultants shall be required to make an immediate written report to the Head of Department of all findings which they become aware of and what has been implemented.

3. WORKING PAPER RETENTION AND ACCESS TO WORKING PAPER

- 3.1. All working papers and reports must be retained, at the consultant's expense, for three (3) years, unless the firm is notified in writing by the Department of the need to extend the retention period. Consultants will be required to make working papers available, upon request, to the following parties or the designees:
 - 3.1.1. Executive Authority
 - 3.1.2. Head of Department
- 3.2. In addition, the firm shall respond to the reasonable inquiries of successor consultants and allow successor consultants to review working papers relating to matters of continuing significance.

B) PROPOSAL DOCUMENT INSTRUCTIONS

1. GENERAL REQUIREMENTS

Proposals should include the following:

1. Title page, including:

- a) The name, address, and phone number of the bidder's contact person
- b) The name and address of the firm

2. Table of contents

Transmittal letter, including:

- a) A brief statement as to the proposer's understanding of the work to be performed, the commitment to perform the work within the time period, and a statement as to why the firm believes it to be the best qualified to perform the engagement.
- b) The period of time for which the offer will be honoured, which should be at least one (1) month from the date of the proposal.
- c) A signature of the person authorised to commit the firm.

2.1. Body of proposal – see below

2.2. Executed copies of Proposer Guarantee and Proposer Warranties, provided in the attachments, **Appendix B**.

C) BODY OF PROPOSAL

- 1.1. The purpose of the proposal is to demonstrate the qualifications, competence, and capacity of the firms seeking to undertake ICT work as detailed in 3.1 above.
- 1.2. As such, the substance of proposals will carry more weight than their form or manner of presentation.
- 1.3. The qualifications proposal should demonstrate the qualifications of the firm and of the particular staff to be assigned to this engagement. It should also specify the approach that will meet requirements of the request for proposals.
- 1.4. The proposal should address all the points outlined in the request for proposal. The proposal should be prepared simply and economically, providing a straightforward, concise description of the proposer's capabilities to satisfy the requirements of the request for proposal. While additional data may be presented, responses to items Nos. 1 through 8 must

be included. They represent the criteria against which the proposal will be evaluated.

2. Independence

- 2.1. The firm should provide an affirmative statement that it is independent of the Department of Agriculture and Rural Development as defined by current professional standards.

3. Licensed to Practise in South Africa

- 3.1. An affirmative statement should be included indicating that the firm and all assigned key professional staff are properly registered/licensed to practise in South Africa.

4. Firm Qualifications and Experience

- 4.1. The proposal should state the size of the firm, the size of the firm's governmental practitioner staff and the location of the office which the function will be performed.
- 4.2. If the proposer is a joint venture or consortium, the qualifications of each firm comprising the joint venture or consortium should be separately identified and the firm that is to serve, as the principal law practitioner should be noted, if applicable.

5. Senior Consultant Junior Consultant, Assistant Consultant and Staff Qualifications and Experience

- 5.1. The firm should identify the principal management and supervisory staff, including engagement Senior Consultant, Junior Consultant and other specialists, who would be assigned to the engagement and indicate whether each such person is licensed to practise in South Africa.
- 5.2. The firm also should provide information on the government experience of each person, including information on relevant continuing professional education for the past three (3) years and membership in professional organisations relevant performance of this task. Consultants and specialists may be changed if those personnel leave the firm, are promoted or are assigned to other clients or offices. These personnel may also be changed for other reasons. However, the Department retains the right to approve or reject replacements.

6. Similar Engagements with Other Entities

- 6.1. For the firm's office that will be assigned responsibility for the task required, the most significant engagements (maximum of 5) performed in the last five

(5) years that are similar to the engagement described in this request for proposals. (At least (3) of the engagements should be governments.) Indicate the scope of work, dates of the engagements, name of engagement partner, total hours, and the name and telephone number of the principal client contact.

7. Specific Approach

- 7.1. The proposal should set forth a work plan, including an explanation of the methodology to be followed, to perform the services required for proposal. Proposers will be required to provide the following information on their approach:
- a. Proposed segmentation of the engagement with anticipated time frames for each segment.
 - b. Level of staff and number of hours to be assigned to each proposed segment of the engagement.
 - c. Approach to be taken to gain and document an understanding of the Department's processes.

8. Identification of Potential Problem Areas

- 8.1. The proposal should identify and describe any anticipated potential problems, the firm's approach to resolving these problems and any special assistance that will be required by the Department.

9. Cost

Total All-inclusive Price

- 9.1. The proposal should contain all pricing information relative to performing the review engagement as described in this request for proposals. The total all-inclusive price to the bid/ quotation to contain all direct and indirect costs including all out-of-pocket expenses. The proposed total all-inclusive price should be documented in the format included in **Appendix C**.
- 9.2. The Department will not be responsible for costs incurred in preparing and submitting the technical proposal. Such costs should not be included on the proposal.

Rates for Senior Consultant, Junior Consultant, Article, Consultant and Staff

- 9.3. The proposal should include a schedule of professional fees and expenses, presented in the format provided in the Cost Structure below, which supports the total all-inclusive price **Appendix C**.

Out-of-pocket expenses for firm personnel (e.g. travel, lodging, meals, etc.)

- 9.4. Should be included on the schedule of professional fees and expenses. All reimbursements will be charged against the total all-inclusive price submitted by the firm.

Additional Professional Services

- 9.5. If it should become necessary for the Department to request the Investigator or Consultant to render any additional services to supplement the services requested in this request for proposals, then such additional work shall be performed only if set forth in an addendum to the contract between the Department and the firm.

D) SPECIAL PROGRAMS

1.1. Prerogatives

The Department reserves the following prerogatives.

- 1.1.1. To reject any or all proposals
- 1.1.2. To change the report due dates.
- 1.1.3. To terminate the contract following 10 day's written notification to the firm.

1.2. Contract Period

- 1.2.1. The purchase of professional services contract shall apply to the compilation of the period ending 31 August 2022. Service Level Agreement (SLA) will be drawn with this effect.

1.3. Assignability

- 1.3.1. The Firm cannot transfer any interest or provide for the assignment of the purchase of professional services contract with any official (other than the Head of Department) either in whole or in part, without the expressed written permission and written consent of the Head of Department.

1.4. Payment

- 1.4.1. Payment for services rendered based upon receipt of an itemised statement from the firm. The itemised statement shall describe hours spent by each staff level. All billing amounts should be allocated to departments by the firm for appropriate costing based on actual hours spent or allocated to each section.

1.4.2. All billings should indicate the percentage for work completed. Amounts billed of the maximum price will not exceed the percentage of completion. Not more than 70% of the fee will be paid prior to receipt of a draft copy of the report.

1.5. Ownership

1.5.1. All proposals and reports become the property of the Department upon submission, for use as deemed appropriate. Work papers must be available for references and reproduction by the Department for a period of three years for submission of the reports.

1.6. Confidentiality

1.6.1. All proposals, for the purpose of bidding, will be kept in strict confidence by the firm. The invitees and subsequently selected firm may not issue news releases or other public notification regarding this project without prior approval from the Department.

1.7. Special Meetings

1.7.1. A planning meeting will be held prior to the start of the work. Progress meetings will be held as deemed necessary to gauge the progress and assist in facilitating the timely completion of the review.

1.7.2.

1.7.3. An exit meeting will be held at the end of the work performed to discuss findings and recommendations and a draft copy of the report will be provided at this time. Scheduling of these meeting will be the responsibility of the consulting firm.

REQUEST FOR PROPOSAL FOR ICT GOVERNANCE AND SECURITY**a) QUOTATION EVALUATION CRITERIA**

1. After determining that a proposal satisfies the mandatory requirements stated in the request for services, the comparative assessment of the relative benefits and deficiencies of the proposal in relationship to published evaluation criteria shall be made by using subjective judgement.
2. The award of a contract resulting from this request for ICT services shall be based on the best proposal received in accordance with the evaluation criteria stated below:
3. After an initial screening process of the RFP, a technical question-and-answer conference or interview may be conducted, if deemed necessary by the Department to clarify or verify the proposer's proposal and to develop a comprehensive assessment of the service.
4. Compliance with Special terms and Conditions
Only quotation that meet the Special Terms and Conditions in all aspects as stipulated in the quotation document shall be considered.
5. Correctness of information
All information required in the quotation document must be accurate and duly completed including all the appropriate signatures. The Department reserves the right to verify all information submitted. Non-compliance with the above shall result in elimination from further processes.
6. Compulsory administrative compliance documents that must be submitted with the quotation:
 - 6.1.1. Central Suppliers Database registration number;
 - 6.1.2. Certified Copies of the Identity documents for company members/service providers;
 - 6.1.3. A certified copy of a valid BBEE certificate or valid sworn affidavit
 - 6.1.4. Documentary proof of bidder's experience in support of **Annexure B**
 - 6.1.5. Documentary proof of Registered Financial Institution or evidence of access to any legal funding instrument.
 - 6.1.6. Documentary proof Municipality Bill, Business Letters or Lease Agreements

Non-submission of any of the above documents shall result in disqualification.

7. Where copies of original documentation are submitted, those copies must be certified and must not be copies of certified copies. Original certification should not be older than three (3) months. Failure to comply with this requirement shall invalidate the quotation submitted.

8. Functionality evaluation criteria for this project are as follows:

b) FUNCTIONALITY EVALUATION

1. The quotation documents shall be evaluated individually on score sheets, by a representative evaluation panel, according to the below mentioned evaluation criteria.
2. All service providers who score less than minimum functionality score of **80 points** shall not be considered for the work

EVALUATION MATRIX		Points	Means of Verification
1	<p>Locality of the service provider</p> <ul style="list-style-type: none"> ❖ Office Operations within KwaZulu-Natal Borders = 15 points ❖ Office Operations outside KwaZulu Natal = 5 points 	15	Municipality Bill, Business Letters or Lease Agreements
2	<p>Service Providers experience</p> <p>Demonstrable proof that the service provider has experience service provider to provide proof of similar Contracts/ Project completed.</p> <p>Each Contracts/ Project completed will be allocated 5 points to maximum of 20 points</p>	20	<p>A list of projects undertaken by the bidder. For each project provide the following:</p> <ul style="list-style-type: none"> ● Description of service provided. ● Role of the bidder ● Project cost and duration ● Proof of Completion <p>In support of Annexure A</p>
3	<p>Qualification of key personnel</p> <p>Qualification of Team to be assigned as per Competency and Expertise 3.2.2.</p>	20	Relevant certified Qualification certificates
4	<p>Proposal Methodology</p> <p>The bidder must demonstrate the thorough understanding of the service, its tasks and deliverables. This must be through a written proposal of:</p> <ul style="list-style-type: none"> ❖ The methodology to be used to carry out the scope of work outlined above. ❖ Demonstration of an in-depth knowledge of ICT governance, security and how the project deliverables will be achieved. ❖ Examples of previous plans produced. 	30	Detailed Proposal document plus Presentation

	<ul style="list-style-type: none"> ❖ The quality of the professional team assembled. ❖ Project Management ❖ Forensic 		
5	Financial Resources <ul style="list-style-type: none"> • Financial resources to implement this service. 	15	Good standing letter from the Bank
	TOTAL	100	

ANNEXURE A

Previous/Current work performed (Documents and/or an extended list may be attached for further details)

	Client Name	Nature of Inputs Supplied	Contract Value	Period of Contract	Contact (Work / Cell Number)
1.					
2.					
3.					
4.					
5.					
6.					
TOTAL VALUE					

Signed on behalf of bidder:	Date:
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APPENDIX B

PART D

REQUEST FOR PROPOSAL FOR ICT GOVERNANCE AND SECURITY

PROPOSER WARRANTIES

- A. Proposer warrants that it is willing and able to comply with a professional body affiliated to.
- B. Proposer warrants that it has errors and omissions insurance policy with coverage of not less than R 1 000,000 for the wilful or negligent acts or omissions of any partners, officers, employees or agents thereof and proof shall be submitted upon award of the contract.
- C. Proposer warrants that all information provided by it in connection with this proposal is true and accurate.

Signature of official: _____

Name: _____

Title: _____

Firm: _____

Date: _____

APPENDIX C

PART E

COST STRUCTURE:

Level	Hourly rate	Estimated Hours	Amount
Senior Consultant			
Junior Consultant			
Senior Consultant			
Consultant			
Disbursements			
Other			

DECLARATION OF INTEREST

SBD 4

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
- the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

2.1 Full Name of bidder or his or her representative:

2.1 Identity Number:

2.2 Position occupied in the Company (director, trustee, shareholder², member):
.....
.....

2.3 Registration number of company, enterprise, close corporation, partnership agreement or trust:

2.4 Tax Reference Number:

2.5 VAT Registration Number:

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

Name of state institution at which you or the person connected to the bidder is employed:

Position occupied in the state institution:

Any other particulars:

.....
.....
.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attach proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....
.....
.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

.....
.....
.....

2.9 Do you, or any person connected with the bidder, have **YES / NO**
 any relationship (family, friend, other) with a person
 employed by the state and who may be involved with
 the evaluation and or adjudication of this bid?

2.9.1 If so, furnish particulars.

.....

2.10 Are you, or any person connected with the bidder, **YES/NO**
 aware of any relationship (family, friend, other) between
 any other bidder and any person employed by the state
 who may be involved with the evaluation and or adjudication of this bid?

2.10.1 If so, furnish particulars.

.....

2.11 Do you or any of the directors / trustees / shareholders / members **YES/NO**
 of the company have any interest in any other related companies
 whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

.....

3 Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Tax Number	Income Reference	State Number	Employee / Persal Number

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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

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

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

1. GENERAL CONDITIONS

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

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

1.2

- a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
- b) Either the 80/20 preference point system will be applicable to this tender.

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

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

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

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

2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 points is allocated for price on the following basis:
80/20

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

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

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

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

5. BID DECLARATION

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

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

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

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

7. SUB-CONTRACTING

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

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....%

ii) The name of the sub-contractor.....

iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		

Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name _____ of
company/firm:.....

8.2 VAT _____ registration
number:.....

8.3 Company _____ registration
number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in
business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the
company/firm, certify that the points claimed, based on the B-BBE status level of
contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies
the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 **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>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? (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>The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		

4.3	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?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	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?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME).....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT. I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____ (Bid Number and Description)

in response to the invitation for the bid made by:

_____ (Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. 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 consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- (a) prices;
- (b) geographical area where product or service will be rendered (market allocation)
- (c) methods, factors or formulas used to calculate prices;
- (d) the intention or decision to submit or not to submit, a bid;
- (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
- (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. 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.

10. 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

ATTACHMENT 1

SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE - GENERAL

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member / Director / Owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	
Nature of Business:	
Definition of "Black People"	<p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians –</p> <ol style="list-style-type: none">(a) Who are citizens of the Republic of South Africa by birth or descent; or(b) Who became citizens of the Republic of South Africa by naturalization-<ol style="list-style-type: none">i. Before 27 April 1994; orii. On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date

Definition of “Black Designated Groups”	<p>“Black Designated Groups means:</p> <p>(a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;</p> <p>(b) Black people who are youth as defined in the National Youth Commission Act of 1996;</p> <p>(c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;</p> <p>(d) Black people living in rural and under developed areas;</p> <p>(e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;”</p>
--	--

3. I hereby declare under Oath that:

- The Enterprise is _____% Black Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is _____% Black Woman Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is _____% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
- Black Youth % = _____%
- Black Disabled % = _____%
- Black Unemployed % = _____%
- Black People living in Rural areas % = _____%
- Black Military Veterans % = _____%
- Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of _____, the annual Total Revenue was between R10,000,000.00 (Ten Million Rands) and R50,000,000.00 (Fifty Million Rands),
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	Level Two (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	Level Four (100% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise which I represent in this matter.

5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date : _____

Commissioner of Oaths Signature & stamp

ATTACHMENT 2

SWORN AFFIDAVIT – B-BBEE QUALIFYING SMALL ENTERPRISE - GENERAL

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member / Director / Owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	
Nature of Business:	
Definition of “Black People”	<p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 “Black People” is a generic term which means Africans, Coloureds and Indians –</p> <ol style="list-style-type: none">a) Who are citizens of the Republic of South Africa by birth or descent; orb) Who became citizens of the Republic of South Africa by naturalization-<ol style="list-style-type: none">I. Before 27 April 1994; orII. On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date

Definition of “Black Designated Groups”	<p>“Black Designated Groups means:</p> <ul style="list-style-type: none"> a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; b) Black people who are youth as defined in the National Youth Commission Act of 1996; c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; d) Black people living in rural and under developed areas; e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;”
--	--

3. I hereby declare under Oath that:

- The Enterprise is _____% Black Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is _____% Black Woman Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is _____% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
 - Black Youth % = _____%
 - Black Disabled % = _____%
 - Black Unemployed % = _____%
 - Black People living in Rural areas % = _____%
 - Black Military Veterans % = _____%
- Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of _____, the annual Total Revenue was between R10,000,000.00 (Ten Million Rands) and R50,000,000.00 (Fifty Million Rands),
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	Level Two (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	Level Four (100% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date : _____

Commissioner of Oaths Signature & stamp