



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 **VALID TAX COMPLIANCE STATUS PIN / CSD NUMBER AND VALID BBBEE VERIFICATION CERTIFICATE / AFFIDAVIT**

QUOTATION NUMBER: R/S/2223/1467	VALIDITY PERIOD OF QUOTATION..... Days (To be completed by the Supplier)
CLOSING DATE: 18/08/2022	CLOSING TIME: 11:00
DESCRIPTION(SPECIFICATION /S) OF ITEMS/ SERVICE REQUIRED: APPOINTMENT OF FORENSIC INVESTIGATORS SEE SPEC ATTACHED.	COMPANY NAME: TEL NO: FAX NO: CONTACT PERSON: CSD :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
Quotation to be returned to: Tender Box At SCM Cedara, Head Office Cedara Road Pietermaritzburg Department of Agriculture and Rural Development	
NB: DOCUMENT MUST BE COMPLETED IN FULL THIS QUOTATION COVER PAGE MUST BE COMPLETED AND RETURNED WITH ALL YOUR SUPPORTING DOCUMENTS.	

ANNEXURE A

COMPANY NAME : _____
 ADDRESS : _____
 CONTACT PERSON : _____
 CONTACT 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.	Appointment of forensic investigators to conduct investigation in respect of payments of incomplete construction of woolshed					
* LABOUR (IF APPLICABLE)						
*DELIVERY (IF APPLICABLE)						
TOTAL						
*ONLY APPLICABLE TO VAT REGISTERED SUPPLIERS 15% VAT						
TOTAL PRICE						
CIDB Grading (if applicable)						

For Enquiry only

END-USER NAME : Ms. OT Ndlovu
 TELEPHONE NUMBER : 033 355 9630
 E-MAIL ADDRESS : osma.ndlovu@kzndard.gov.za
 PROPOSED DELIVERY DATE : 05 September 2022
 DELIVERY ADDRESS : D217c First Floor, Main Building
 LOCAL MUNICIPALITY :
 DISTRICT : Umngugundlovu

*VAT Registration No. (Supplier) -----

COMPANY STAMP

PRICES ARE VALID FOR

Mark one Box (X)

30

60

90

DAYS

SIGNATURE.....

DATE.....



agriculture
& rural development

Department:
agriculture
& rural development
PROVINCE OF KWAZULU-NATAL

REQUEST FOR PROPOSALS (RFP)

APPOINTMENT OF FORENSIC INVESTIGATORS TO CONDUCT AN INVESTIGATION FOR INCOMPLETE WORK DONE

1. INTRODUCTION

- 1.1. The Department of Agriculture and Rural Development (Department) requests proposals from suitable service providers/consultants to assist the Department in conducting an investigation in respect of a company identified by the Auditor-General to have colluded with department officials, made misrepresentations and involved in fronting, resulting in the award of a contract to the company.
- 1.2. The Department of Agriculture and Rural Development (KZN) hereby seeks to engage the skills of an expert to investigate these allegations and to provide a detailed report together with all supporting evidence forming the basis of its findings.

2. BACKGROUND

- 2.1. The Auditor-General has, through its auditing process, identified certain irregularities that may have arisen as a result of possible collusion, misrepresentation and fronting by a company that submitted a bid relating to security services, thus leading to the successful award of a contract to the said company.
- 2.2. The Auditor General has accordingly recommended that the management of the department consider instituting a full and comprehensive investigation into the awarding of the contract to the said company.
- 2.3. The report emanating from the investigation should confirm whether the aforementioned irregularities did in fact occur, and also identify any other possible irregularities that may have occurred in the award of the contract.
- 2.4. The report should inter alia identify the officials and/or other person/s responsible for such irregularities, provide recommendations on the remedial action to be taken as well as advise on the internal control processes to be strengthened.
- 2.5. Advices on any other matter of relevance that has resulted in the irregularities identified, should also be included.

3. SPECIFIC OBJECTIVES

- 3.1. The objectives of this assessment are the following:
- 3.2. Based on the sequence of events identified by the Auditor-General, to identify whether there was collusive bidding between the department and the company and if such collusive bidding is identified, to conduct a comprehensive investigation into the awarding of the security services contract to the company,
- 3.3. To identify if there was fronting by the said company;
- 3.4. To identify whether the service provider made misrepresentations particularly in relation to the aspect of the locality of the company;
- 3.5. To identify any other irregularities that may have occurred in the awarding of the contract to the company which is the subject of the investigation;
- 3.6. To provide the Department with a detailed and comprehensive forensic report containing the findings of the investigation as well as making recommendations which shall include but not be limited to any disciplinary, civil and criminal action that should be taken pursuant to the findings.

4. SCOPE OF SERVICES

- 4.1. The service provider/consultant shall obtain all relevant documents, statements/affidavits and other information necessary for this investigation.

5. PROPOSAL SUBMISSION

- 5.1. Prospective consultants should submit detailed proposals which will be determined on placement of the advert. Proposals should be deposited in the designated bid box at the following address

**Department of Agriculture and Rural Development
No.1 Cedara Road
SCM Building
Cedara**

- 5.2. The proposal cover letters should clearly indicate the designated person to deal with all queries related to the proposal.

6. PROPOSAL FORMAT

- 6.1. One original proposal should be submitted in the format outlined in **Section 15** of this Document, "*Proposal Document Instructions.*"

7. QUESTIONS AND SITE VISITS

- 7.1. Any questions should be submitted to the Mrs Babalwa Bodlani on (033) 355 9630.

8. CONTRACT TERMS

- 8.1. The proposal should be on a fee basis as defined in **Section 15**, "Proposal Document Instructions."
- 8.2. All consulting 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.
- 8.3. By responding to the request for proposal (RFP), the consultant is agreeing to the terms, conditions and requirements set forth herein, unless expressly noted in writing in the firm's written submission.

9. SCHEDULE OF KEY DATES FOR THE PROPOSAL

- 9.1. The RFP is not to be construed as creating a contractual relationship between the Department and any service provider/consultant submitting a response to this RFP.
- 9.2. The Department shall have no obligation or liability to any service provider/consultant responding to this RFP. All costs associated with responding to this RFP are borne solely by the respondent.
- 9.3. The Department may require follow-up oral interviews with selected Respondent.
- 9.4. 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.
- 9.5. By submitting this information, the service provider/consultant represents that it has examined and understands this RFP and has become fully informed of all the requirements of the RFP. 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.
- 9.6. By submitting a response, the service provider/consultant represents that it has the ability to meet the requirements outlined herein.
- 9.7. After evaluation of the responses, the Department will make its selection based on the response which best meets the needs of the Department, in the sole discretion of the Department. The Department reserves the right to privately negotiate with any service provider/consultant with respect to the requirements outlined in this Request for Proposals.

10. EVALUATION AND SELECTION OF PROPOSALS

- 10.1. 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:
 - 10.1.1. The methodology and approach
 - 10.1.2. The consultant's firm is licensed to practise in the Republic of South Africa
 - 10.1.3. The consultant's firm is independent
 - 10.1.4. The consultant's firm has no conflicts of interest with regard to any other work performed for the Department
 - 10.1.5. The consultant's firm adheres to the instructions in this request for proposal on preparing and submitting the proposal
 - 10.1.6. The consultant firm's past experience and performance on comparable engagements (include at least 3 references)
 - 10.1.7. 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
 - 10.1.8. Other criteria as deemed prudent.
- 10.2. The Department reserves the right to retain all proposals submitted and use any idea in a proposal regardless of whether that proposal is selected.

11. SUBCONTRACTING

- 11.1. 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.

12. B-BBEE COMPANIES

- 12.1. Minority-owned firms and women's business enterprises are also encouraged to apply.

13. NATURE OF SERVICES REQUIRED

13.1. SCOPE OF WORK

- 13.2. The scope is reflected in **Section 3** and **4** above.

14. REPORTS TO BE ISSUED

- 14.1. Following the completion of the review, the service provider/consultant shall issue:
 - 14.1.1. A written report communicating all the findings, its quantification, cause, consequence and recommendations.
 - 14.1.2. A letter to the Head of Department of any reportable conditions found during the review. A reportable condition shall be defined as a significant finding confirming the

existence of irregularities or unlawful conduct in relation to the transaction as well as deficiencies in the design or operation of the supply chain management or internal control structure, which could adversely affect the functioning of the department.

- 14.1.3. Service provider/consultant shall be required to make an immediate written report to the Head of Department of all irregularities and illegal acts of which they become aware.

15. WORKING PAPER RETENTION AND ACCESS TO WORKING PAPER

- 15.1. All working papers and reports must be retained, at the consultant's expense, for three (3) years, unless the consultant 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:

- a. Executive Authority**
- b. Head of Department**
- c. Auditor-General**

- 15.2. In addition, the consultant shall respond to the reasonable inquiries of successor consultants and allow successor consultants to review working papers relating to matters of continuing significance.

16. PROPOSAL DOCUMENT INSTRUCTIONS

16.1. GENERAL REQUIREMENTS

Proposals should include the following:

- 16.1.1. Title page, including:

The name, address, and phone number of the bidder's contact person,
The name and address of the consultant.

16.1.2. Table of contents

- 16.1.3. 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.

- 16.1.4. Body of proposal – see below

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

16.2. BODY OF PROPOSAL

- 16.2.1. The purpose of the proposal is to demonstrate the qualifications, competence, and capacity of the firms seeking to undertake an independent review of the areas in 1 above. As such, the substance of proposals will carry more weight than their form or manner of presentation.
- 16.2.2. 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.
- 16.2.3. 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 below must be included. They represent the criteria against which the proposal will be evaluated.

1. *Independence*

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. Once the details of the relevant party/parties to be investigated are disclosed to the service provider/consultant, a written undertaking is to be furnished by the service provider/consultant, that there is no conflict of interest in relation to the party/parties to be investigated.

2. *Licensed to Practise in South Africa*

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.

3. *Firm Qualifications and Experience*

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.

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 consultant should be noted, if applicable.

4. *Senior Consultant, Junior consultant, Consultant and Staff Qualifications and Experience.*

The firm should identify the principal management and supervisory staff, including engagement Senior Consultant, Junior Consultant, Consultant and other specialists, who would be assigned to the engagement and indicate whether each such person is licensed to practise as a Consultant in South Africa.

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. If a consultant 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.

5. *Firm's similar engagements with other entities*

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 with government entities) 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.

6. *Specific Approach*

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:

- i. Proposed segmentation of the engagement with anticipated frames for each segment.
- ii. Level of staff and number of hours to be assigned to each proposed segment of the engagement.
- iii. Approach to be taken to gain and document an understanding of Department's processes.

7. *Identification of Potential Problem Areas*

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.

8. *Total All-inclusive Price*

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 B**.

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.

a. Rates for Senior Consultant, Junior Consultant, Consultant and Staff

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

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

c. Additional Professional Services

If it should become necessary for the Department to request the 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.

16.3. SPECIAL PROGRAMS

A. Prerogatives

The Department reserves the following prerogatives.

1. To reject any or all proposals
2. To change the report due dates.
3. To terminate the contract following 10 day's written notification to the firm.

B. Contract Period

The purchase of professional services contract shall apply to the compilation of the period ending 19 December 2018. Service Level Agreement (SLA) will be drawn with this effect.

C. Assignability

The Consultant's 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.

D. Payment

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.

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.

E. Ownership

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.

F. Confidentiality

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

G. Special Meetings

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 investigation.

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 firm.

APPOINTMENT OF FORENSIC INVESTIGATORS TO CONDUCT AN INVESTIGATION FOR INCOMPLETE WORK DONE**a) BID 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 bids that meet the Special Terms and Conditions in all aspects as stipulated in the bid document shall be considered.
5. Correctness of information
All information required in the bid 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 bid:
 - 6.1.1. Central Suppliers Database registration number;
 - 6.1.2. Documentary proof of bidder's experience in support of **Annexure B**
 - 6.1.3. Documentary proof of registration with Association of Certified Fraud Examiners.
 - 6.1.4. Documentary proof of evidence of access to any legal funding instrument.

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

b) FUNCTIONALITY EVALUATION

1. The bid 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 **70 points** shall not be considered for next stage.

	EVALUATION MATRIX	Points %	Means of Verification
1	<p>Company / Firm Experience</p> <p>Previous experience of the company / firm in similar projects Each project is 5 points to the maximum of 6 projects</p>	30	A list of projects undertaken by the bidder. For each project provide the following: Description of service provided.
2	<p>Qualification of key personnel</p> <p>Qualification of staff to be assigned to the audit Assignment Forensic Investigation</p>	30	Certificate of Fraud Examiners
3	<p>Financial Capacity</p> <p>Total Credit Facility (with financial institution) of R 100 000 and above</p>	20	Evidence of credit facility from a Registered Financial Institution or Evidence of access to any legal funding instrument
4	<p>Locality of the service provider</p> <p>❖ Office Operations within KwaZulu-Natal Borders = 20 points ❖ Office Operations outside KwaZulu Natal = 5 points</p>	20	Municipality Bill, Business Letters or Lease Agreements
	TOTAL	100%	

APPENDIX B

PROPOSER WARRANTIES

- A. Proposer warrants that it is willing and able to comply with the South African Laws.
- 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: _____

Cost Structure:

The following table must be used to determine the proposed costing for the assignment:

Level	Hourly rate	Estimated Hours	Amount
Senior Investigator			
Junior Investigator			
Senior Consultant			
Consultant Forensics			
Other Staff			
<i>Disbursements:</i>			
<i>VAT (15%)</i>			
TOTAL:			

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
Q. NUMBER:	R/S/2223/1467	CLOSING DATE:	18/08/2022	CLOSING TIME:	11:00
DESCRIPTION	Appointment of forensic investigators				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
1 Cedara Road					
SCM Building					
Tender box					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ms N Dladla		CONTACT PERSON	Mrs Babalwa Bhodlani	
TELEPHONE NUMBER	033 355 9369		TELEPHONE NUMBER	033 355 9630	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	Nompumelelo.dladla@kzndard.gov.za		E-MAIL ADDRESS	Babalwa.bhodlani@kzndard.gov.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED--(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

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

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

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

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF

PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND

COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS

DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bid

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

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 **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for 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	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
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.

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

Where

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

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

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

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

6. BID DECLARATION

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

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

7.1 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.)

8. SUB-CONTRACTING

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

(Tick applicable box)

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

8.1.1 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		

9. DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm:.....

9.2 VAT registration number:.....

9.3 Company registration number:.....

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

9.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

9.8 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

.....

.....

EME'S AND QSE'S MUST COMPLETE THE FOLLOWING APPLICABLE AFFIDAVIT FORM TO CLAIM PREFERENCE POINTS

SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE

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> <ul 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 naturalisation- <ul style="list-style-type: none"> I. before 27 April 1994; or II. 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 Female 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 R10,000,000.00 (Ten Million Rands) or less
- 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: ____/____/____

Stamp

Signature of Commissioner of Oaths

SWORN AFFIDAVIT – B-BBEE QUALIFYING SMALL ENTERPRISE

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> <ul style="list-style-type: none"> (c) who are citizens of the Republic of South Africa by birth or descent; or (d) who became citizens of the Republic of South Africa by naturalisation- <ul style="list-style-type: none"> III. before 27 April 1994; or IV. 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"> (f) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (g) Black people who are youth as defined in the National Youth Commission Act of 1996; (h) 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; (i) Black people living in rural and under developed areas; (j) 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:

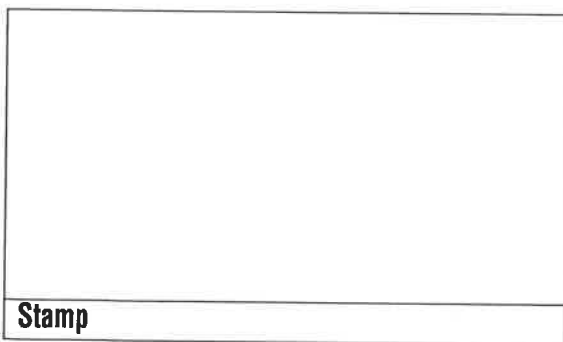
- The Enterprise is _____% Black Owned as per Amended Code Series 100 of the amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as amended by Act No 46 of 2013,
- The Enterprise is _____% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good 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)	

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: ____/____/____



Signature of Commissioner of Oaths

CONTRACT FORM - RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid .
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (iv) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (v) General Conditions of Contract; and
 - (vi) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity as..... accept your bid under reference number dated..... for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

DATE: