

**MICT SETA Head Office**

Supply Chain Management

19 Richards Drive

Gallagher Convention Centre, Gallagher House

Level 3 West Wing

Tel +27 11 207 2600

E-mail: rfgs@mict.org.za

RFQ NUMBER	RFQ/MICT/89/2020
RFQ DESCRIPTION	THE PROVISION OF RESEARCH SERVICES IN DEVELOPING THE 2021/22 SECTOR SKILLS PLAN (SSP).
RFQ ISSUE DATE	17 FEBRUARY 2021
BRIEFING SESSION	N/A
CLOSING DATE & TIME	22 FEBRUARY 2021 @ 13:00 PM,
INSTRUCTION FOR SUBMISSION OF RFQ	Bid must be received in a sealed envelope (1 hard copy) marked with this RFB reference number, Suppliers name number deposited in a tender box at MICT The service provider must provide the requested information within forty-eight (48) hours after the request has been made; otherwise the service provider may be disqualified. before closing date of this RFQ.

Enquiries must be emailed to rfgs@mict.org.za **before closing date of this RFQ.**

The MICT SETA requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above. **Late and incomplete submissions will invalidate the quote submitted.**

SUPPLIER NAME: _____

NATIONAL TREASURY (CSD) SUPPLIER NUMBER: _____

POSTAL ADDRESS: _____

TELEPHONE NO: _____

E MAIL ADDRESS: _____

CONTACT PERSON: _____

CELL NO: _____

SIGNATURE OF BIDDER: _____

SUPPLIER REGISTRATION ON CSD

Prospective suppliers must register on the National Treasury Central Supplier database in terms of National Treasury circular no 3 of 2015/16. The bidder shall register prior submitting a proposal/bid.

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RETURNABLE DOCUMENTS CHECKLIST

quotation invitation document must be completed, signed and submitted as a whole by the authorised Company representative. All forms must be properly completed, list below serve as a checklist of your RFQ submission.

(Tick in the relevant block below)

DESCRIPTION	YES	NO
CSD Central Supplier Database (CSD) Registration Report		
Pricing Schedule		
Valid Tax Clearance Certificate (S) and or proof of application endorsed by SARS / and or SARS issued verification pin		
Designated Sectors: Local production and content (Where applicable)		
SBD 4 - Declaration of interest		
SBD 8: Declaration of Bidder's Past Supply Chain Practices		
SBD9: Certificate of Independent Bid Determination		

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E-mail: rfqs@mict.org.za**MICT SETA –QUOTATION CONDITIONS****1. QUOTATION CONDITIONS**

NOTE: Quotation for the supply of goods or services described in this document are invited in accordance with the provision of Government Procurement: General Conditions of Contract available for download from <http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/>

- a. **MICT SETA** does not bind itself to accept the lowest or any RFQ, nor shall it be responsible for or pay any expenses or losses which may be incurred by the bidder in the preparation and delivery of the RFQ.
- b. No RFQ shall be deemed to have been accepted unless and until a formal contract / letter of intent is prepared and executed.

1.1 MICT SETA reserves the right to:

- a. Not evaluate and award RFQ that do not comply strictly with the requirements of this RFQ.
- b. Make a selection solely on the information received in the RFQs and Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the evaluation of this RFQ.
- c. Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders and no change in the content of the RFQ shall be sought, offered or permitted.
- d. Award a contract to one or more bidder(s).
- e. Withdraw the RFQ at any stage
- f. Accept a separate RFQ or any RFQ in part or full at its own discretion.
- g. Cancel this RFQ or any part thereof at any stage as prescribed in the PPPFA regulation.
- h. Select the bidder(s) for further negotiations on the basis of the greatest benefit to MICT SETA and not necessarily on the basis of the lowest costs

2. COST OF BIDDING

The bidder shall bear all costs and expenses associated with preparation and submission of its RFQ or RFQ, and the MICT SETA shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.



MICTSETA |

Media, Information And
Communication Technologies
Sector Education And Training Authority

SHAPING SKILLS, PIONEERING INDUSTRIES, EMPOWERING FUTURES

TERMS OF REFERENCE

FOR

**THE PROVISION OF RESEARCH SERVICES IN
DEVELOPING THE 2021/22 SECTOR SKILLS PLAN
(SSP)**

BID REF: MICT/SSP/01/2021

CONFIDENTIAL

15 January 2021

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Background information

The Media, Information and Communication Technology Sector Education and Training Authority ("MICT SETA") is a statutory body established through the Skills Development Act, of 1998 section 10 (1) (a). The SETA was established to offer support to its stakeholders through skills development imperatives within the Advertising, Film and Electronic Media, Electronics, Information Technology and Telecommunications sub-sectors.

In accordance with the Skills Development Act 1998 Section 10(1) (a) each SETA is required to develop a Sector Skills Plan (SSP) within the framework of the National Skills Development Plan (NSDP). The SSP development is based on the view that the research itself is a national document, therefore, it should be used by all stakeholders, policy makers and the SETA staff. It should be used as one of a range of critical documents to inform skills planning and strategic decision in the SETA and the entire sector. The MICT SETA aims to address skills development priorities determined by the sector for the purpose of enhancing skills and ensuring the development of a skilled and capable workforce.

Overall Objective of the Project

The main purpose of a Sector Skills Plan is to:

- Inform supply-side planning in post-school institutions;
- Determine funding priorities via the levy grant system;
- Support employer plans;
- Inform allocation of resources to develop qualifications and learning programmes;
- Establish occupation-specific skills priorities for the sector.
- Inform education and training institutions of demand needs in the labour market.
- Enable individuals to make informed career choices.
- Monitor skills development provision in the sector.

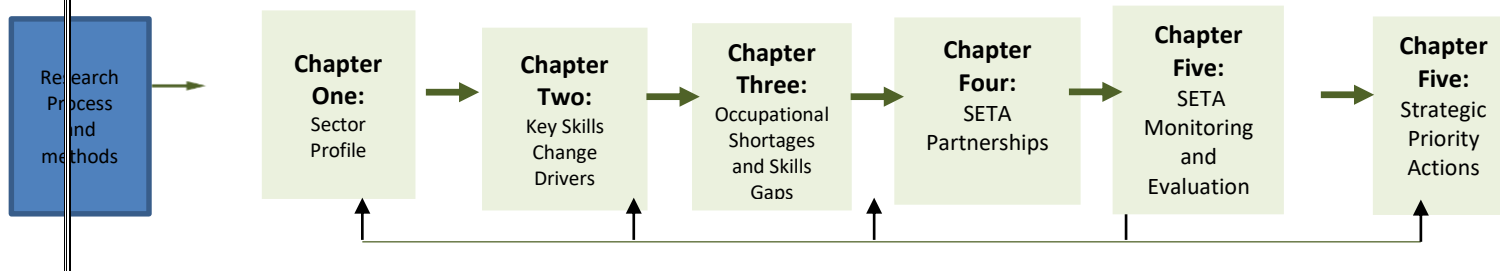
Thus, the MICT SETA seeks to appoint a professional and competent research service provider to support the SETA in conducting research and outlining the skills requirements within its five sub-sectors. This research will ensure that the SETA has relevant and updated information to allow it to perform its strategic skills planning functions for the sector.

This request is solely on the foundation that the successful service provider will provide research support as part of the SSP update for the 2021/22 financial year. The research will be conducted on a 60/40 basis, with the MICT SETA Sector Skills Planning Researcher completing 40% of the total workload.

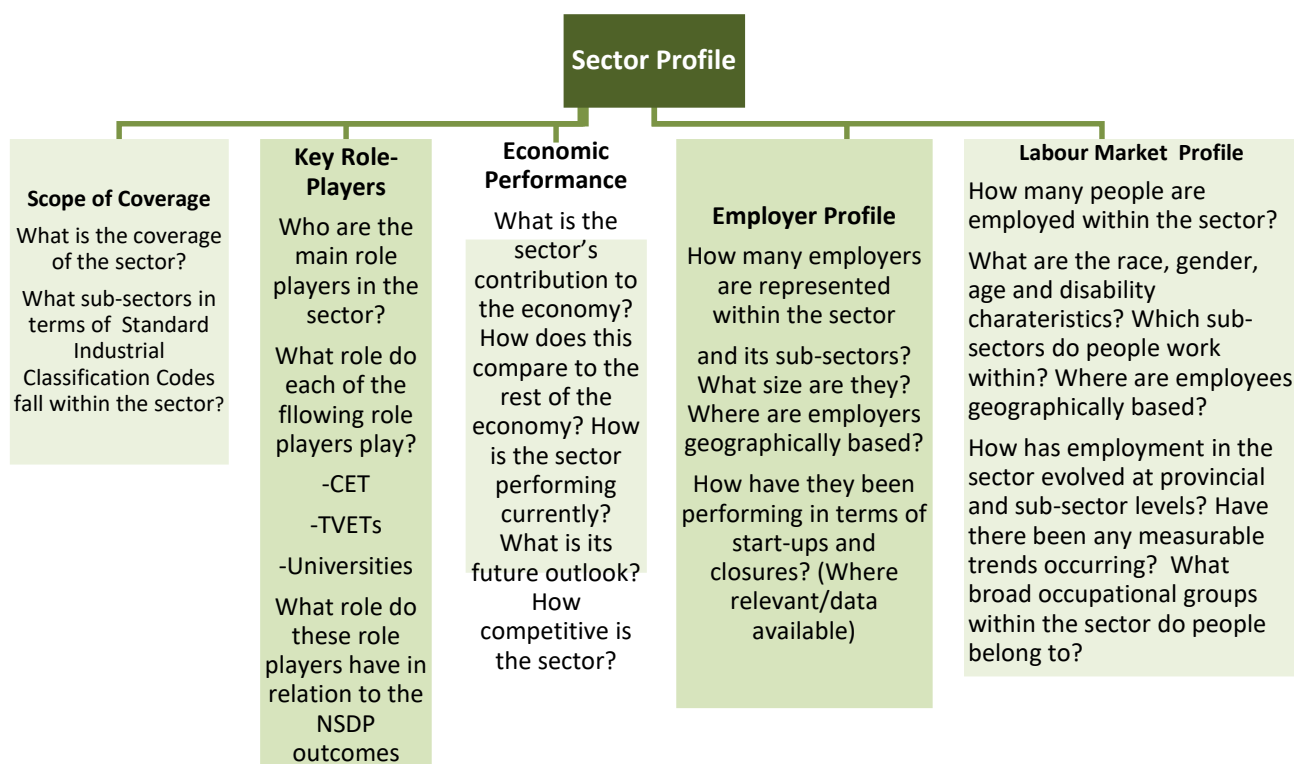
Scope of work/Terms of Reference

The successful service provider will commence with the project on the **1st of March 2021** and work with the MICT SETA's SSP researcher on a 60/40 basis. The service provider will research and prepare the SSP in line with the Department of Higher Education and Training (DHET) 2021/22 SSP framework. Research focus areas include (but not limited to) the following:

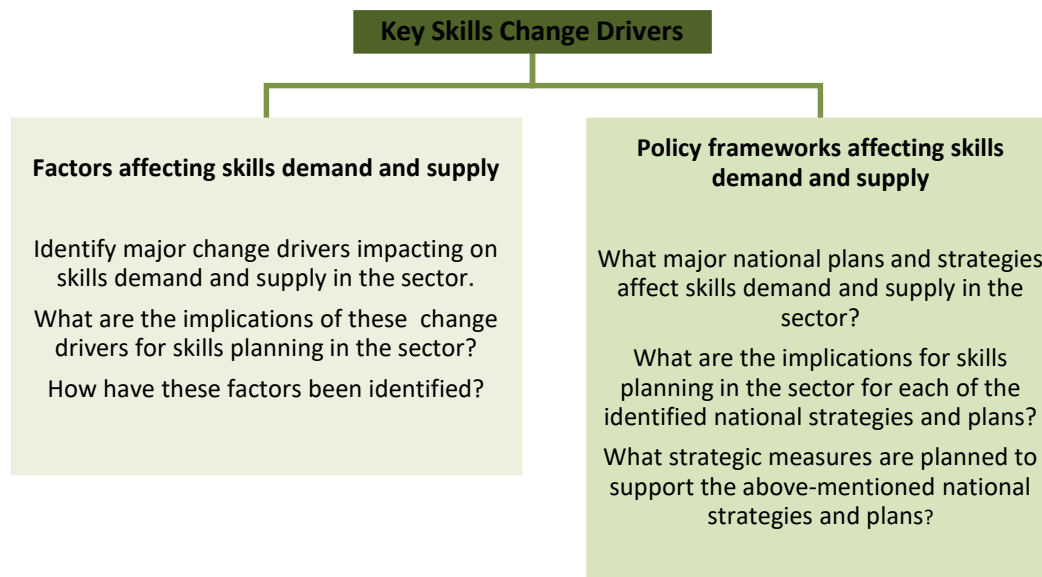
Structure of SSP



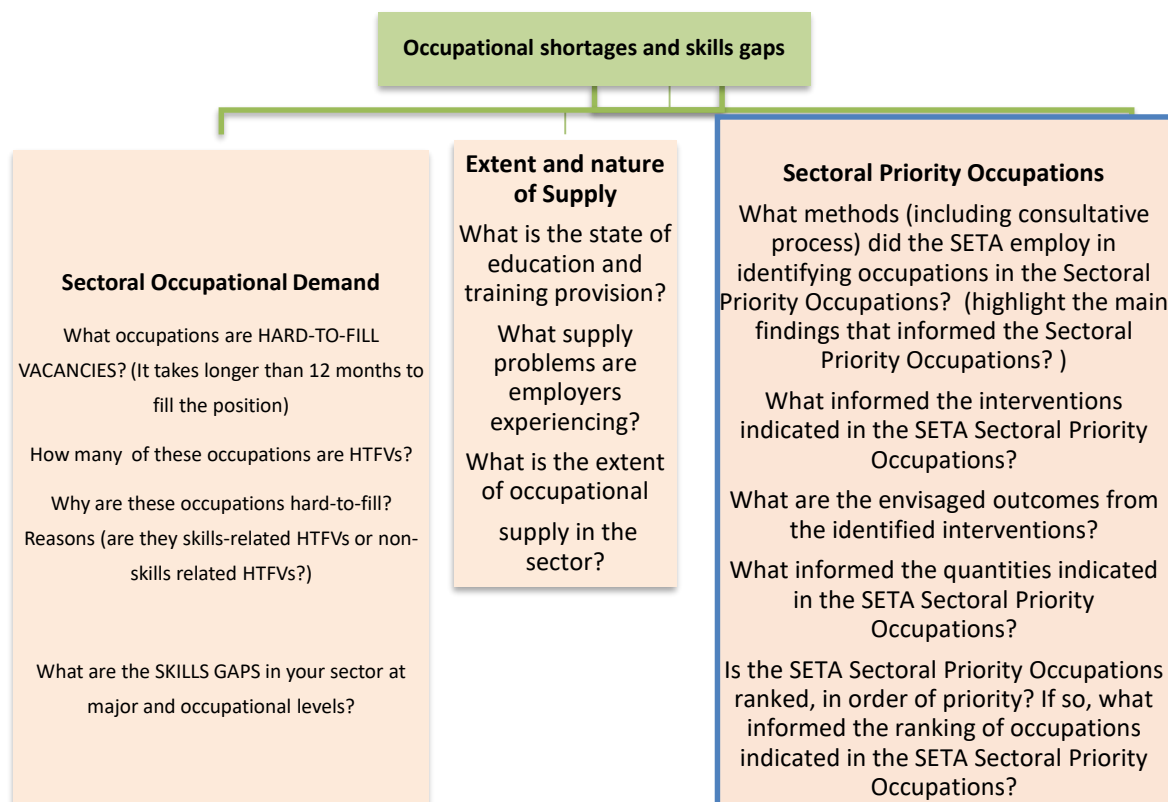
Chapter 1: Sector Profile



Chapter 2: Key Skills Change Drivers



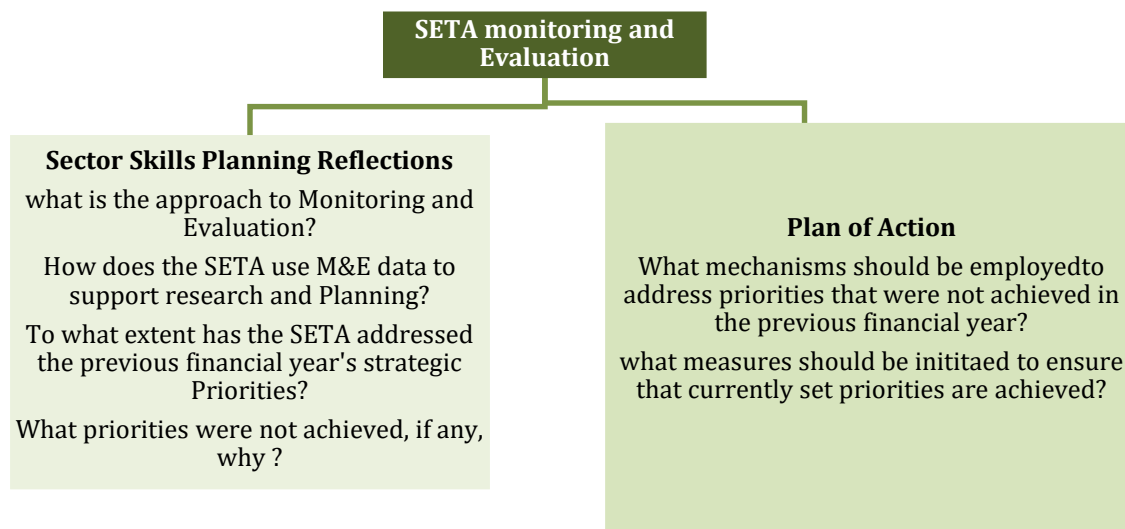
Chapter 3: Occupational Shortages and Skills Gaps



Chapter 4: SETA Partnerships



Chapter 5: SETA Monitoring and Evaluation



Chapter 6: SETA Strategic Skills Priority Actions

Strategic Skills Priority Actions

Key skills Findings from Previous Chapters

What are the key skills findings from the
4 preceding chapters?

Recommended priority Actions

What are the key strategic skills priorities for
the sector in response to the following:

- Transformational imperatives?

- 4th Industrial Revolution?

- Support for SMMEs and entrepreneurship?

What NSDP outcomes are these strategic skills
priority actions responding to?

Methodology

The service provider will be expected to design and apply tools which will produce analyses of valid and reliable data. This will include, but not limited to; literature reviews, surveys, interviews with key stakeholders and focus groups. Furthermore, the service provider is expected to propose a methodological approach that is applicable to the research questions in the latest SSP update. Below are some of the recommendations based on previous work undertaken:

- Defining and describing the sector; this will involve mainly desktop research to produce a clear definition of the MICT sector, including its five sub-sectors. It is also important to define relationship boundaries.
- Reviewing sectorial, key national policies and other measures to determine alignment.
- Conducting analysis of remuneration levels and other trends in the sector using desk research and analysis of databases such as Stats SA, HETMIS, Quantec and Business Monitor, etc.
- Examining linkages and alignment to national strategies and priorities using scenario thinking to understand and anticipate future trends for the MICT sector.
- Analyzing Work Place Skills Plans (WSPS) and Annual Training Reports (ATRs) that are submitted by employers.
- Evaluating skills needs of different sub-sectors of the MICT SETA. This will exclude data from WSPs.
- Organizing focus groups to test findings of desk, data and field research. This will be to explore potential strategies for the expanding sector, at the same time improve on labour absorption levels
- Implementing supply side analysis based on current programmes available to meet the demands of the sector.
- Improving the process of consultation within the SETA to validate the SSP with Stakeholders, including presentation, preparation and facilitation of discussion where required.
- Reviewing and preparing the final SSP for submission based on stakeholder inputs.

Deliverables

- The service provider shall deliver the SSP document, which should be no longer than 65 pages, to meet the DHET's 2021/22 SSP framework requirements.
- A portfolio of evidence (PoE) will be provided for each chapter. Such evidence will include full quantitative data sets and interview transcripts; together with synthesis reports.

Format and Length of the SSP

Length:	The length of the Sector Skills Plan MUST BE NOT MORE THAN 65 PAGES in length from cover to cover (this includes everything). The content should be succinct, focused, analytical and insightful rather than voluminous.
Portfolio of Evidence (PoE):	All sources of evidence, research materials, stakeholder engagement documents, attendance sheets, and other information on the SSP research should be kept as a Portfolio of Evidence at the SETA for referral in the event of a query.
Margins:	2.54cm top, bottom, left and right.
Line Spacing:	Single line spacing.
Font	Calibri 12
Illustrations:	Diagrams, tables and graphs should be numbered and labelled.
Layout:	The layout should be user-friendly.
Headings:	Headings should be numbered.
Language:	Free of language errors, easy to read and understand
Statistics	Use 2014 and 2019 statistics

PRESCRIBED STRUCTURE

Cover Page	Cover page needed. (1 page)
Foreword:	A foreword for not more than 250 words should be written by the SETA Chairperson. (1 page)
Acronyms	Acronym Page. (1 page)
Executive Summary:	There should be an executive summary of not more than 3 pages. (not more than 3 pages)
Contents Page, Table of Figures, and Tables	There should be a contents page, table of figures and tables. (2 pages)
Text Referencing	Use the Harvard Method
Bibliography	A bibliography must be included at the end. (2 pages)

EVALUATION CRITERIA

Bids received will be evaluated against the following set evaluation criteria.

PRE-QUALIFICATION CRITERIA (Regulation 4) Stage 1

In line with regulation 4 of the PPPFA 2000 Regulations 2017, the bidder shall have a minimum B-BBEE status level 1.

Proof of compliance

Bidder must submit a valid proof of BBBEE status (BBBEE verification certificate issued by a SANAS accredited agency verification agency or CIPC B-BBEE certificate or B-BBEE affidavit duly sworn and commissioned

Note: Service providers that fail to comply with the above mentioned requirements will be disqualified.

Stage 2: Technical/Functionality Stage

Not limited to, preference will be given to professionals/service providers that will be able to demonstrate prior experience of similar projects done. Any prior research on social sciences research is still

acceptable. The evaluation benchmark is on the basis that the service provider is able to propose a methodological approach that is applicable to the research questions in the SSP update.

An evaluation of functionality will be based on the criteria noted in the table below. Each evaluation criteria in the table will carry a weighting as indicated, and the service provider will be required to score a minimum of 70 points (out of the 100 points), i.e. 70%, for functionality in order to qualify for further evaluation on price and B-BBEE on stage 2. Moreover, the weighted elements will range between 0-5; where 0= no evidence to be rated, 3= meets minimum requirements, and 5= exceeds requirements.

Functional criteria

<p>Methodology:</p> <p>The service provider must submit a detailed project proposal demonstrating project understanding. Not limited to, but must be able to highlight the approach to data collection, approach to determining the right sample size, and project plan.</p> <p>Where;</p> <p>0= Methodology provided does not meet expectation.</p> <p>40= Methodology provided meets expectation</p>	<p>Criteria Weights</p> <p>40</p>	
<p>Research Reports (Samples)</p> <p>Attach at least 2 research Reports (samples) of previous work completed for similar research projects conducted, not limited to, but advantage will be given to service providers that have SSP as part of their portfolio of evidence.</p> <p>Where;</p> <p>0= no evidence 15= 2 samples 30= more than 3 samples</p>	<p>30</p>	
<p>Capacity</p> <p>Attach curriculum Vitae(s) of the individual project incumbent(s) as well as their qualifications, e.g. Project lead/consultant /manager who will be implementing the project and executing all project related functions for the Sector Skills Plan research project.</p> <p>Where;</p> <p>0= no curriculum Vitae(s) attached</p> <p>10 = curriculum Vitae(s) attached</p>	<p>10</p>	

<p>Profile and Experience</p> <p>The service provider must submit its business profile demonstrating 3-5 years' experience in conducting similar provincial and national level research, not limited to, but preferably for SETAs, Stats SA, higher education training institutions. The company profile must be accompanied by past performance reference letters from clients (in a client's letter head) for similar projects indicating professionalism, meeting tight deadlines and quality work done.</p> <p>Where;</p> <p>0= Profile does not demonstrate experience on similar research conducted, there are no reference letters submitted indicating professionalism, meeting tight deadlines and quality work done.</p> <p>10 = The profile of the submitting company demonstrates similar research conducted, in support, there are 2 reference letters submitted indicating professionalism, meeting tight deadlines and quality work done.</p> <p>20 = The profile of the submitting company demonstrates similar research conducted, in support, there are 3 reference letters submitted indicating professionalism, meeting tight deadlines and quality work done.</p>	20	
Total	100	
Qualifying Threshold	70	

Stage 3: Pricing Stage

- The points scored in respect of B-BEE contribution will be added to the points scored for price to determine the total points scored.
- If the service provider successfully attains 70 points/percent or more in stage 1, further valuations will be conducted for price in terms of the 80/20 preference point system; where 80 points will be for price and 20 points will be for the organization's B-BEE status level.

Experience in the requested services

Service providers (Professionals/Companies) should be able to demonstrate prior experience of similar projects undertaken and successfully completed for them to qualify.

Proposed Methodology

The service provider must provide a detailed proposal, articulating, amongst other things, the following:

- Methodology/approach to be used to carry out the assignment as per ToR.
- The service provider's proposal must clearly and separately deal with the immediate scope and ad hoc services.
- Proposed timelines of delivering on the immediate scope; and indicative response times for attending and delivering on ad hoc services.

Conditions

- MICT SETA does not bind itself into accepting the lowest quote and also reserves the right to appoint more than one service provider.
- MICT SETA does not bind itself into making an appointment from presentations, proposals and quotations received.
- MICT SETA reserves the right, at its sole discretion, to cancel this request for proposals, presentations and quotations or not to make any appointment at all.
- All prices quoted must be VAT inclusive.
- MICT will not make upfront payments.
- Upon award of the bid, the successful service provider shall enter into an agreement with the MICT SETA. The said agreement shall be in a format prescribed by the MICT SETA.
- The successful service provider shall provide the service required based on the set timelines and as per the schedule to be provided by the MICT SETA.

PRICING SCHEDULE

Name of bidder _____

RFQ number: _____

Closing date _____

Bid shall remain valid for acceptance for a period of **120 days** counted from the closing date.

Item	Requirement Description	Quantity	Unit Price	Sub-Total
1	THE PROVISION OF RESEARCH SERVICES IN DEVELOPING THE 2021/22 SECTOR SKILLS PLAN (SSP). Detailed price breakdown including for applicable costs shall be submitted as Annexure A to Pricing schedule.			
Sub-Total				
VAT@15%				
TOTAL PRICE (INCLUDING VAT)				

1. Is delivery period fixed? **Yes/No**
2. Is the price(s) fixed? **Yes/No**
3. Is the quote strictly to specification? **Yes/No**

I/We, the undersigned, agree that this bidding price shall remain binding on me/us and open for acceptance for the period stipulated above;

Authorised Company Representative:

Capacity under which this quote is signed.....

Signature:

Date:

PREFERENCE POINT SYSTEM

PREFERENCE POINT SYSTEM

- a. The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder.
- b. In the event that two or more tenderers have scored equal total points, the successful tenderer must be the one that scored the highest points for B-BBEE.
- c. If two or more tenderers have equal points, including equal preference points for B-BBEE, the successful tenderer must be the one scoring the highest score for functionality, if functionality is part of the evaluation process.
- d. In the event that two or more tenderers are equal in all respects, the award must be decided by the drawing of lots

EVALAUTION80/20 PREFERENCE POINT SYSTEM

- a. The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder
- b. Preference points shall be calculated after process has been brought to a comparative basis taking into account all factors of non-firm prices.
- c. In the event that two or more bids have scored equal pints, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- d. However, when functionality is part of the evaluation process and two or more bids have scored equal points for B-BBEE, the successful bid must be the one scoring the highest score for functionality
- e. Should two or more bids be equal in all respect, the award shall be decided by the drawing of lots.

POINTS AWARDED FOR PRICE

The **80/20** preference point system

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

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

Where:

P_s = Points scored for comparative price of bid under Consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

B-BBEE PREFERENTIAL POINTS WILL BE AWARDED AS FOLLOWS:

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

- a. Bidders who qualify as EME's and QSE's in terms of the B-BBEE Act must submit a Sworn affidavit. Misrepresentation of information, constitutes a criminal offence.
- b. Bidders other than EME's or QSE's must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by SANAS.
- c. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- d. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- e. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- f. A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intend sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended Sub-contractor is an EME that has the capacity and the ability to execute the sub-contract.
- g. A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract.

DECLARATION OF INTEREST

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 a price quotation, advertised competitive bid, limited bid or proposal). 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:
- 2.2 Identity Number:
- 2.3 Position occupied in the Company (director, trustee, shareholder²):
- 2.4 Company Registration Number:
- 2.5 Tax Reference Number:
- 2.6 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 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 attached 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 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? **YES / NO**

2.9.1 if so, furnish particulars.

.....

2.10 Are you, or any person connected with the bidder, 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? **YES/NO**

2.10.1 If so, furnish particulars.

.....

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

2.11.1 If so, furnish particulars:

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

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

Full name	Identity number	Personal tax reference number	State employee number / 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 in terms of paragraph 23 of the general conditions of contract should this declaration prove to be false.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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	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 person 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. 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.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	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.	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

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Position

.....
Name of bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregards the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price Bid, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

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: **MICT SETA**

(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.
- ³ **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.**
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.

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Signature

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Date

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Position

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Name of Bidder

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	
Registration Number	
Enterprise Address	

3. I hereby declare under oath that:

- The enterprise is _____ % black owned;
- The enterprise is _____ % black woman owned;
- Based on the management accounts and other information available on the _____ financial year, the income did not exceed R50,000,000.00 (fifty million rands);
- Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box**.
- The entity is an Empowering Supplier in terms of clause 3.3(a) or (b) or (c) or (d) or as amended 3.3 (e) (**select one**) _____ of the Dti Codes of Good Practice.
- Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box**.

100% black owned	Level One (135% B-BBEE procurement recognition)	
More than 51% black owned	Level Two (125% B-BBEE procurement recognition)	
(a) At least 25% of cost sales (excluding labour costs and depreciation) must be procurement from local producers or suppliers in South Africa; for the services industry include labour costs but capped at 15%,	(b) Job creation – 50% of jobs created are for black people, provided that the number of black employees in the immediate prior verified B-BBEE measurement maintained.	
(c) At least 25% transformation of raw material / beneficiation which include local manufacturing, production and / or assembly, and / or packaging.	(d) At least 12 days per annum of productivity deployed in assisting QSE and EME beneficiaries to increase their operational or financial capacity	
(e) At least 85% of labour costs should be paid to South African employees by service entities.		

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

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	
Registration Number	
Enterprise Address	

3. I hereby declare under oath that:

- The enterprise is _____ % black owned;
- The enterprise is _____ % black woman owned;
- Based on the management accounts and other information available on the _____ financial year, the income did not exceed R10,000,000.00 (ten million Rands);
- Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% black owned	Level One (135% B-BBEE procurement recognition)	
More than 51% black owned	Level Two (125% B-BBEE procurement recognition)	
Less than 51% black owned	Level Four (100% B-BBEE procurement recognition)	

4. The entity is an empowering supplier in terms of **the Dti** Codes of Good Practice.
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.
6. 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 and stamp