



**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: [rfqs@mict.org.za](mailto:rfqs@mict.org.za)

<b>RFQ NUMBER</b>	<b>RFQ/MICT/119/2020</b>
<b>RFQ DESCRIPTION</b>	<b>APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT DATA MIGRATION AUDIT / VERIFICATION</b>
<b>RFQ ISSUE DATE</b>	<b>17 MARCH 2021</b>
<b>BRIEFING SESSION</b>	<b>N/A</b>
<b>CLOSING DATE &amp; TIME</b>	<b>31 MARCH 2021 @ 11:00 AM, KINDLY TAKE NOTE THAT ANY RFQ SUBMISSION AFTER THE STIPULATED CLOSING TIME WILL NOT BE CONSIDERED</b>
<b>EMAIL FOR SUBMISSIONS</b>	<b><a href="mailto:rfqs@mict.org.za">rfqs@mict.org.za</a></b>

Submissions must be emailed to [rfqs@mict.org.za](mailto:rfqs@mict.org.za) on the 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 4A of 2016/17. The bidder shall register prior submitting a proposal/bid.



## 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
<b>CSD</b> Central Supplier Database (CSD) Registration Report		
Pricing Schedule		
Valid Tax Clearance Certificate (S) and or proof of application endorsed by <b>SARS</b> / and or <b>SARS</b> issued verification pin		
<b>Designated Sectors:</b> Local production and content ( <b>Where applicable</b> )		
<b>SBD 4 - Declaration of interest</b>		
<b>SBD 8:</b> Declaration of Bidder's Past Supply Chain Practices		
<b>SBD9:</b> Certificate of Independent Bid Determination		

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E-mail: [rfqs@mict.org.za](mailto: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.

## **DETAILED TECHNICAL SPECIFICATION**

### **APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT DATA MIGRATION AUDIT / VERIFICATION**

#### **BACKGROUND**

The Media, Information and Communication Technologies Sector Education and Training Authority, the “MICT SETA”, was established in terms of the Skills Development Act, 1998 (Act No. 97 of 1998). Is responsible for skills development for its respective sub-sectors. The MICT sector is made up of five sub-sectors that are interconnected but also quite distinct and identifiable. These are Advertising, Film and Electronic Media, Electronics, Information Technology and Telecommunications.

The MICT SETA is in the process of implementing the following systems:

- Sage ERP system to automate processes in Finance, HCM, and SCM
- Skills Web Information Management System (IMS) to automate processes in core Divisions of the MICT SETA. The core Divisions of the MICT SETA are Sector Skills Planning (SSP), Learning Programmes (LPD) and Education and Training Quality Assurance (ETQA)

One of the key milestones of the projects is data migration in order to migrate legacy data (automated and manual) from legacy into the new systems. In order to ensure that the migrated data is cleansed and free from errors, an audit / review of the data is required. This should include legacy and data migrated into the new systems.

#### **OBJECTIVES**

The objectives of the data migration audit / review are as follows:

- To ensure that the data in the new migrated environment passes the integrity and reliability tests.
- To assess / audit whether the data migration activities cover all aspects of the MICT SETA data, that such migration strategy and activities are aligned to accepted IT audit requirements, and recommend areas of improvement and / or focus.
- To verify that adequate control framework has been established for migration.
- ensure that the migration team has taken adequate security measures for the migration event so that major business disruptions do not happen during the process of migration.
- review the migration processes and methodology, to ensure compliance of the original budget and schedule and identify deviations and (inefficiencies or deficiencies)
- to find out whether appropriate migration tools and software were used for the migration. For this he may obtain end-user feedback and suggest opportunities for improvement.

## **SCOPE OF WORK**

### **3.1. Inclusions**

The recommended bidder, when appointed will be required to:

- Review of project documentation, project team definition, backup plans, vendor support, test documentation, etc.
- Provide assurance that migration plans and controls have been adhered to.
- If any errors or mistakes are identified, suitable counter measures should be recommended to mitigate their impact.
- Verify whether User Acceptance Testing has been carried out
- Check the new ERP and IMS configurations with the business blueprint requirements
- Verify whether the organization's DOA has been properly incorporated in the new system
- Verify whether users have been provided adequate training
- Traditional GL balance checks and master data checks to be carried out
- The bidder is expected to understand and review the mapping of source data to target/destination system. Evaluation of all data sets from source (legacy) to the destination system.
- Audit of migration data from legacy or manual systems to detect errors and / or omissions, completeness, etc.; for both systems.
- Review of the target system backup procedures and provide assurance on data availability and that data is backed up for future reference or any emergency that may arise out of data migration process.
- To provide an assurance that 100% data for the critical fields have been properly identified and accurately and completely migrated to relevant data fields in the target/destination system, by understanding and validating the migration controls
- Present reports to MANCO and Audit & Risk Committee (ARC)

### **3.2. Exclusions**

This is a full-data migration project which should include all scope required for these kind of projects in terms of best practice.

There are no exclusions to the scope. It is an assumption of the MICT SETA that the bidder possess the necessary skills set to deliver on the scope of this project. No exclusions of data migration audit / review in terms of best practice will be accepted in conducting this assignment.

### **3.3. Project Plan**

A project plan detailing all activities of this project with clearly articulated timelines is required when submitting the bid proposal.

### **3.3.1. IT Frameworks**

The bidder should demonstrate ability to apply at least one of the following Information Technology (IT) Frameworks as part of the project plan:

- COBIT 5 (mandatory)
- COSO (optional)
- ITIL (optional)
- ISO/IEC 27000 (optional)

### **3.3.2. Project Deliverables**

The project plan should at minimum demonstrate the following deliverables regarding the target/destination system:

- MICT SETA's agility in responding to changing business environment;
- Alignment of the target system and MICT SETA business strategy;
- Optimisation of business process functionality;
- Security of information, processing infrastructure and applications; and
- Enablement and support of MICT SETA processes by integrating applications and technology

### **3.4. Professional Membership**

The prospective bidders must be registered with Information Systems Audit and Control Association (ISACA) South Africa and be active ISACA members for at least 5 years uninterrupted.

### **3.5. Delivery**

This project comprises of 2 phases. The first phase relates to the first audit / review of the migrated data and presentation of the report for correction. The second phase relates verification for the second time to ensure that all issues raised in the first phase were resolved.

The duration for the first phase shall not exceed 6 weeks. The duration for the second phase shall not exceed 2 weeks.

Any duration in excess of the above will be deemed non-responsive.

Payment for the services under this bid will be at completion of each phase with last deliverable of the phase according to the project plan.

**PRICING SCHEDULE**

Name of bidder \_\_\_\_\_

RFQ number: \_\_\_\_\_

Closing date \_\_\_\_\_

Bid shall remain valid for acceptance for a period of **60 days** counted from the closing date.

Item	Requirement Description	Quantity	Unit Price	Sub-Total
1	<b>APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT DATA MIGRATION AUDIT / VERIFICATION</b>			
	Detailed price breakdown including for applicable costs shall be submitted as Annexure A to Pricing schedule.			
	Phase 1	1		
	Phase 2	1		
			<b>Sub-Total</b>	
			<b>VAT@15%</b>	
				<b>TOTAL PRICE (INCLUDING VAT)</b>

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: .....

## EVALUATION CRITERIA

### 4. EVALUATION CRITERIA

RFQ's received will be evaluated against the following evaluation criteria.

#### 4.1. Mandatory Criteria:

- a) Bidders must possess a valid CISA certificate certified by the relevant body.

**Evidence required:**

The CISA certificate must be submitted with the bid proposal.

- b) Bidders must be registered with Information Systems Audit and Control Association (ISACA) South Africa and be active ISACA members.

**Evidence required:**

Certified copy of ISACA membership certificate must be submitted with the bid documents.

**Note: Bidders that do not meet the requirements of set mandatory criteria will be eliminated from further evaluation process.**

#### 4.2. Functional Evaluation Criteria

The evaluation of this bid shall include functionality where the bids will be evaluated in terms of the criteria outlined below.

The minimum qualifying score for functionality will be 70 points. Bidders that fail to achieve the minimum qualifying score will be deemed non-responsive and will not be eligible for **further evaluation on Price and B-BBEE according to the 80/20 preference point system** in terms of the PPPFA Regulations 2017, where 80 points will be for Price and 20 points will be for B-BBEE status level of contribution.

NB: Preference will be given to bidders with level 1 or level 2 B-BBEE contributor (EME or QSE)



**The evaluation criteria for functionality will be as follows:**

#	Functional Evaluation Criteria	Weight	Score
1	<p><b>Experience &amp; References:</b>            Company proof of conducting similar projects in the past.</p> <p>1.1. <b>Experience:</b> conducting similar projects on data migration audit / verification.</p> <ul style="list-style-type: none"> <li>• 5 years and above = 20</li> <li>• 3 – 4 years = 10</li> <li>• 1 – 2 years = 5</li> <li>• 0 years = 0</li> </ul> <p>1.2. <b>Contactable References:</b> The bidder must provide contactable references of similar projects in the past. The references can be a list or letters on the client’s letterhead, signed by a senior office; i.e. IT Manager, CIO, CEO or equivalent. In an event a reference list is provided, name of client, contact person, position held, contact number (cell phone preferred as people may be working from home), e-mail address, must be clearly indicated. The reference list or letters must indicate project start and end date. Points on reference will be allocated as follows</p> <ul style="list-style-type: none"> <li>• 3 or more reference = 15</li> <li>• 2 references = 10</li> <li>• 1 reference = 5 points</li> <li>• 0 reference = 0 points</li> </ul> <p>The MICT SETA may contact references to confirm legitimacy.</p>	35	
2	<p><b>Project Plan</b>            Bidders are requested to submit a Project Plan which clearly articulates how the project will be delivered. This Project Plan should project deliverables, their sub activities and planned dates / duration.</p> <ul style="list-style-type: none"> <li>• Detailed activity based project plan with clear milestones = 20</li> <li>• High level project plan = 10</li> <li>• No project plan = 0</li> </ul>	20	

3	<p><b>Project Team</b> (Profiles and CVs of key project team members to be attached, Project Manager, Technical Lead)</p> <p>3.1. Composition of the Project Team: Structure of the Project Team responsible for the project with clearly articulated roles and responsibilities for each member.</p> <ul style="list-style-type: none"> <li>• Structure presented = 15</li> <li>• No structure presented = 0</li> </ul> <p>3.2. Relevant experience of Project Manager in managing similar projects. Project Manager must be CISA certified and a member of ISACA. Resume should clearly indicate the projects, project duration, and names of clients.</p> <ul style="list-style-type: none"> <li>• 5 years and above = 20</li> <li>• 3 – 4 years = 10</li> <li>• 1 – 2 years = 5</li> <li>• No experience = 0</li> </ul> <p>3.3. Relevant experience of Project Technical Lead. Resume should clearly indicate the projects, project duration, names of clients.</p> <ul style="list-style-type: none"> <li>• 5 years and above = 10</li> <li>• 3 – 4 years = 5</li> <li>• 1 – 2 years = 2</li> <li>• No experience = 0</li> </ul> <p><b>NB: NO CV AND SUPPORTING DOCUMENTS (COPIES OF QUALIFICATION AND CERTIFICATES) NO POINTS.</b></p>	45	
<b>TOTAL</b>		<b>100</b>	

## 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

### EVALAUTION ON 80/20 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:

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

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>B-BBEE Status Level of contributor</b>	<b>Number of points 80/20 system</b>
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 state<sup>1</sup>, 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, shareholder<sup>2</sup>): .....
- 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.

<sup>1</sup>"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.

<sup>2</sup>"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 YES / NO  
presently employed by the state?

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.

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 ( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No
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 ( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No
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
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
4.4.1	If so, furnish particulars:		

## CERTIFICATION

I, the undersigned (full name).....

certify that the information furnished on this declaration form is true and correct. I accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder



## CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> 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:

<sup>1</sup> Includes price Bid, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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 consortium<sup>3</sup> 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.

<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....

**Signature**

.....

**Date**

.....

**Position**

.....

**Name of Bidder**

## Sworn Affidavit – B-BBEE Exempted Micro Enterprise

I, the undersigned,

Full name and 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:

<b>Enterprise Name:</b>	
<b>Trading Name</b>	
<b>Registration Number:</b>	
<b>Enterprise Address:</b>	
<b>Entity Type (CC, (Pty) Ltd, etc.):</b>	
<b>Nature of Business:</b>	
<b>Definition of "Black People"</b>	<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> <p>(a) who are citizens of the Republic of South Africa by birth or descent; or</p> <p>(b) who became citizens of the Republic of South Africa by naturalisation-</p> <p style="margin-left: 20px;">i. before 27 April 1994; or</p> <p style="margin-left: 20px;">ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"</p>
<b>Definition of "Black Designated Groups"</b>	<p>"Black Designated Groups means:</p> <p>(a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;</p> <p>(b) Black people who are youth as defined in the National Youth Commission Act of 1996;</p> <p>(c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;</p> <p>(d) Black people living in rural and under developed areas;</p> <p>(e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;"</p>

3. I hereby declare under Oath that:

- The Enterprise is \_\_\_\_% Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 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 Audited Financial Statements/Financial Statements and other information available on the latest financial year-end of \_\_\_\_\_ DD/MM/YYYY the annual Total revenue did not exceed R10,000,000.00 (Ten Million Rends)
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

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

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

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

Deponent Signature: .....

Date: .....

.....

Commissioner of Oaths  
Signature & stamp  
Date:

## Sworn Affidavit – B-BBEE Qualifying Small Enterprise

I, the undersigned,

Full name and 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:

<b>Enterprise Name:</b>	
<b>Trading Name</b>	
<b>Registration Number:</b>	
<b>Enterprise Address:</b>	
<b>Entity Type (CC, (Pty) Ltd, etc.):</b>	
<b>Nature of Business:</b>	
<b>Definition of "Black People"</b>	<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> <p>(c) who are citizens of the Republic of South Africa by birth or descent; or</p> <p>(d) who became citizens of the Republic of South Africa by naturalisation-</p> <p style="margin-left: 20px;">i. before 27 April 1994; or</p> <p style="margin-left: 20px;">ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"</p>
<b>Definition of "Black Designated Groups"</b>	<p>"Black Designated Groups means:</p> <p>(f) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;</p> <p>(g) Black people who are youth as defined in the National Youth Commission Act of 1996;</p> <p>(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;</p> <p>(i) Black people living in rural and under developed areas;</p> <p>(j) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;"</p>

3. I hereby declare under Oath that:

- The Enterprise is \_\_\_\_\_% Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 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 Audited Financial Statements/ Financial Statements and other information available on the latest financial year-end of \_\_\_\_\_DD/MM/YYYY, the annual Total Revenue 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.**

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: .....

.....  
**Commissioner of Oaths**  
**Signature & stamp**  
**Date:**