



MICTSETA

Media, Information And
Communication Technologies
Sector Education And Training Authority

SHAPING SKILLS, PIONEERING INDUSTRIES, EMPOWERING FUTURES

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: bidqueries@mict.org.za

**YOU ARE HEREBY INVITED TO BID FOR REQUIRMENTS OF THE MEDIA INFORMATION
AND COMMUNICATIONS TECHNOLOGIES SECTOR EDUCATION AND TRAINING
AUTHORITY**

REQUEST FOR BIDS REF: MICT/SETA/IA/04/2022

REQUIREMENT DESCRIPTION:

**APPOINTMENT OF A PANEL OF INTERNAL AUDIT SERVICE PROVIDERS FOR A PERIOD OF
THREE (3) YEARS**

BID CLOSING DATE: 15 SEPTEMBER 2022 at 11:00 AM



Bid Reference Number	MICT/SETA/IA/04/2022
Supplier Briefing Session	<u>No Briefing Session</u>
Bid Closing date & time	15 September 2022 @ 11:00 am South African Time. <i>*Note: A bid will not be considered if it arrives a second after 11:00 am or any time thereafter. Bidders are therefore strongly advised to ensure that bids are dispatched allowing enough time for any unforeseen events that may delay the delivery of the bid.</i>
Instruction for submission of Bid	Bid must be received in a sealed envelope (1 hard copy and 1 USB) marked with this RFB reference number deposited in a tender box at the location indicated hereunder.
Location for Bid submissions	MICT SETA Head Office: Reception 19 Richards Drive, Gallagher Convention Centre West Wing, level 3 Midrand
Bid Validity Period	Bids received shall remain valid for acceptance for a period of 120 counted from the closing date of the bid.

CLARIFICATION AND COMMUNICATION

- a. All enquiries relating to this bid must be addressed in writing to bidqueries@mict.org.za five days **before the closing date and time**. Queries received after this period will not be entertained.
- b. The bid reference number must be mentioned in all correspondences.

Note: Bidders are advised that a response will be disqualified should any attempt be made by a bidder either directly or indirectly to canvass any officer(s) or employees of **MICT- SETA** in respect of the RFB, between the closing and award date of the business.

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.



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RETURNABLE DOCUMENTS CHECKLIST

Bid 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 RFB submission.

(Tick in the relevant block below)

DESCRIPTION	YES	NO
CSD Central Supplier Database (CSD) Registration Report		
SBD 1 - Fully completed with required proof (Where applicable)		
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 6.1 - Preferential Procurement Claim form Certified copy of the B-BBEE Verification Certificate(s) or duly sworn affidavits for a bidder and or its subcontractor(s) issued by an authorised body or person, or an affidavit prescribed by the B-BBEE Codes of Good Practice. All section of BBBEE sworn affidavits must be completed in full. Please see guideline for validating BBBEE sworn affidavits.		
Copy of joint venture/ consortium or sub-contracting agreement duly signed by all parties. (Where applicable)		
Financial Statements for 2022/2022 FY of the bidder		

Note: This BID must be completed and signed by the authorised company representative



SBD 1: PART A: INVITATION TO BID

SUPPLIER INFORMATION			
NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE	NUMBER	
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE	NUMBER	
E-MAIL ADDRESS			
COMPANY REGISTRATION NUMBER			
DATE OF REGISTRATION			
VAT REGISTRATION NUMBER			
TCS PIN:		OR	CSD No:
<input type="checkbox"/> Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	
<input type="checkbox"/> No		<input type="checkbox"/> Yes	
		<input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?			
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)	
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)	
	<input type="checkbox"/>	A REGISTERED AUDITOR	
NAME:			
[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 PART B:3 BELOW]
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.			
TOTAL NUMBER OF ITEMS OFFERED	Refer to pricing schedule/costing	TOTAL BID PRICE (ALL INCLUSIVE)	Refer to pricing schedule/costing

PART B: TERMS AND CONDITIONS FOR BIDDING

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 ONLINE
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.5. 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 LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? YES NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO

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

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



BIDDING STRUCTURE

Bidding structure

Indicate the type of bidding structure by marking with an 'X':

Individual bidder	
Joint Venture	
Consortium	
Subcontractors	
Other	

If the bid is submitted as a Consortium or Joint Venture or Sub Contracting Arrangement list the members of such Consortium or Joint Venture and Sub Contractors below:

Bidder's Information (includes bids submitted Individual or as a Consortium or Joint Venture)

Supplier size type (Large or QSE or EME)	
First time business with MICT SETA (Yes/No)	
Number of existing running contracts and total value	
Total number of Employees	

Entity ownership

Ownership category	% of ownership
Black or historically disadvantaged individual owned	
Black women owned	
Black youth owned	
People living with disability	
Military veteran	
Other ownership	
Total (100%)	



MICT SETA - BID CONDITIONS

1. BID CONDITIONS

NOTE: Bids 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 RFB, 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 RFB.
- b. No RFB 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 RFB that do not comply strictly with the requirements of this RFB.
- b. Make a selection solely on the information received in the RFBs and Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the evaluation of this RFB.
- 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 RFB shall be sought, offered or permitted.
- d. Award a contract to one or more bidder(s).
- e. Withdraw the RFB at any stage
- f. Accept a separate RFB or any RFB in part or full at its own discretion.
- g. Cancel this RFB 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 RFB or RFB, 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.



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TERMS OF REFERENCE

APPOINTMENT OF A PANEL OF INTERNAL AUDIT SERVICE PROVIDERS FOR A PERIOD OF THREE (3) YEARS

1. INTRODUCTION

The Media, Information and Communication Technologies Sector Education and Training Authority (MICT SETA) is a public entity established in terms of Section 9(1) of the Skills Development Act (Act No. 97 of 1998). The MICT SETA plays a pivotal role in achieving South Africa's skills development and economic growth within the 5 distinct sub-sectors it operates in, i.e., Advertising, Film and Electronic Media, Electronics, Information Technology, and Telecommunications.

2. BACKGROUND

The concept of the appointment of the Panel of Service Providers is considered and supported by the Board of MICT SETA to obtain a variety of skills that will assist improving the Internal Audit Function.

The objective of this process is to request the service providers to submit their expression of interest whereby they will be formally selected and appointed through contract on a three (3) year basis.

3. PURPOSE

To invite service providers with the necessary expertise and experience to submit proposals for the Appointment of a service provider for the provision of a panel of Internal Audit Services for a period of Three (3) years of the MICT SETA.

The main aim of using the service providers is to take into account the following four major considerations:

- The need for high quality services;
- The need for economy and efficiency;
- Complementing the existing capacity on specialist areas; and
- The need to give qualified service providers an opportunity to compete in providing the service.

4. SCOPE OF WORK

4.1. Project Objectives

The main objectives of using the panel of internal audit services are to compliment skills gap and capacity of the MICT SETA in-house internal audit by providing assurance, consulting and specialised services.

The service to be provided by the panel of internal audit services are to be objective assurance and consulting activity, which will assist MICT SETA to accomplish its objectives, by bringing a systematic approach to evaluate and improve the effectiveness and efficiency of risk management, control and governance processes within the organisation. The service provider must demonstrate the capability to perform the internal audit services in accordance with the Institute of Internal Auditing Standards and Practices, and any relevant legislation.

4.2. Project Scope And Requirements

The Media, Information and Communication Technologies Sector Education and Training Authority (MICT SETA) requires the expertise of suitably qualified Panel of Internal Audit Services to support the in-house MICT SETA Internal Audit department in the execution of its responsibilities.

The operating model will be on a co-sourced basis to support the MICT SETA's Internal Audit department in both strengthening the in-house team with skills and capacity to conduct the audit and conducting audits on behalf of IA as per the Audit & Risk Committee annually approved Internal Audit Plan. The audit will be directed by the Internal Audit Manager and the reports will be issued by the Internal Audit Manager of the Internal Audit department of the MICT SETA.

4.2.1. The bidders must be able to assist the in-house internal audit services in reviewing the entire operations of MICT SETA as and when required. In particular, ICT, Performance, Financial Audits and other Audits, governance, compliance issues, risk management, investigation services and general assurance work regarding the:

- Achievement of the organization's strategic objectives;
- Reliability and integrity of financial and operational information;
- Effectiveness and efficiency of operations and programs;
- Safeguarding of assets; and
- Compliance with laws, regulations, policies, procedures, and contracts

4.2.2. The following are amongst others, assignments to be carried out by Service Providers:

- Governance Audits;
- Information Technology (IT);
- Performance Audits;
- Operational Audits;
- Financial Audits;
- Risk Managements;
- Fraud and Forensic Investigations;
- Compliance Audit; and
- Ad-hoc audits will be required as and when need arises.

4.3. Deliverables

Bidder must comply with the performance of audit assignments as follows:

- 4.3.1. Assignments are to be performed in accordance with the Institute of Internal Audit's International Standards for the Professional Practice of Internal Auditing and Information Systems Audit and Control Association (ISACA) standards. Such work shall further be subject to quality assurance reviews by the in-house Internal Audit Manager at MICT SETA as and when required.
- 4.3.2. All audit reports and working papers will become the property of MICT SETA;
- 4.3.3. The performance of each assignment shall be in accordance with the approved annual internal audit plan and as per requests made by the in-house Internal Audit Manager;
- 4.3.4. In carrying out the work, the successful service provider must ensure that their staff maintains their objectivity by remaining independent of the activities they audit;
- 4.3.5. The appointed service provider should involve knowledgeable staff who will be in a position to transfer skills/knowledge to the in-house internal audit team;
- 4.3.6. On a mutually agreed basis, the responsible partner/ director/Project Lead shall meet with the in-house Internal Audit Manager to report on progress of the work;
- 4.3.7. Any material non-compliance s must be reported immediately to the in-house Internal Audit Manager without disclosing these to any other members of the staff. This also applies to instances where serious fraud and irregularity is uncovered;
- 4.3.8. Each assignment should consist the following:
 - Notification letter;
 - Engagement letter;
 - Minutes of the opening/entrance meeting;
 - System Description (Process analysis document);
 - Risk and Control matrix document;
 - Audit Programme;
 - Audit working papers;
 - Audit Findings and recommendations;
 - Reporting (Draft Internal Audit Report and Final Internal Audit Report);
 - Follow-up of prior year findings;

The bidders must provide to the in-house Internal Audit Manager Final Audit Reports with management responses, agreed action plans, implementation dates and responsible persons for review. Thereafter the in-house Internal Audit Manager will distribute the final audit reports as follows, Senior Managers and Managers responsible for the implementation of recommendations; the Chief Executive Officer and the reports will be presented and the Audit and Risk Committee by the in-house Internal Audit Manager.

5. DURATION & PANEL OPERATION

Duration of the appointment of the panel shall be for a period of Three (03) years from date of appointment.

Bidders who qualify to be on the panel may be invited to submit quotations for available projects as and when required.

Only bidders who qualify to be in the panel will be invited to respond to projects

The MICT SETA will invite the bidders who qualified for this panel to compete for allocated projects during these five (05) years period.

Appointments for the required projects will be as and when required and will be dependent on project and budget availability.

Only bidders who qualify to be in the panel will be invited to respond to projects

6. SPECILISATION

Bidders are required to provide an annexure indicating the type of Audit services they offer or are within their area of specialisation.

7. WORKMEN AND SUPERVISION ON SITE

The service provider shall be held responsible for the conduct of his / her employees and the conduct of his sub-contractor's employees for the full duration of the contract.

8. EVALUATION OF BIDS

Bids received will be evaluated against the following: functional criteria

Note: Bidders that do not meet the requirements of set functional criteria will not be part of the panel.



BID EVALUATION CRITERIA

Technical Evaluation

Bids submitted will be evaluated on technical functionality out of a maximum of **100 points**. A threshold of **80** out of the **100 points** has been set.

Only bidders that have met or exceeded the qualification threshold on technical functionality of 80 points will form part of the panel.

Note: All bidders achieving less than the set threshold of 80 points will be declared non-responsive. Assessment of evaluation of the functional/ technical criteria will be based on the table below:

FUNCTIONAL CRITERIA WEIGHING		
Category	Description	Maximum points
Experience (Reference letters)	<p>The bidder must provide evidence (reference letters) of completed projects related to all the deliverables reflected below: (letters collectively must reflect deliverables)</p> <ul style="list-style-type: none"> • Governance Audits • Information Technology (IT); ICT General Controls, Applications Controls, Network Security, ICT Disaster Recovery, System Development Life Cycle (SDLC),) • Performance Audits; • Operational Audits; • Financial Audits; • Risk Managements; • Fraud and Forensic Investigations; • Compliance Audit; and <p>Ad-hoc audits will be required as and when the need arises.</p> <p>Evidence must be reference letters within the public sector (with contactable references – letters not older than 4 years)</p> <ul style="list-style-type: none"> • 10 relevant completed projects (as indicted on the above section, excluding ICT projects) Confirmed through signed reference letter/s with contactable references, on completed projects = 5 points • Between 11 up to 15 relevant completed projects (excluding ICT project) Confirmed through (signed reference letters with contactable references, on completed projects = 10 points • Between 15 up to 20 or more completed projects (excluding ICT project) = 15 points • 5 completed ICT project (2 points for each different ICT audit evidenced) = 10 points 	35

	<ul style="list-style-type: none"> • 12 completed forensic/investigations projects confirmed through signed reference letters with contactable references, on completed projects = 10 points <p>Complete reference list to be provided i.e., Contact person and phone number.</p> <p>Reference letters should be on a client's letterhead and signed by authorized personnel. MICT reserves the right to contact the references prior to award</p> <p>Non-compliance with the minimum requirement = 0 points</p>	
<p>Experience of project team</p>	<p>Bidder to provide detailed CVs of the proposed project team which must have degrees/diplomas and/or relevant certificates. Copies of certified certificates, CV's, Proof of Professional certificates & Registration must be attached.</p> <p>The proposed project team that will service MICT SETA must include the following:</p> <p>Engagement Director: (12.5) points)</p> <ul style="list-style-type: none"> • Minimum 10 years' audit experience with a minimum 5 years as a manager = 2.5 points <p>Engagement director must have professional certification in at least one of the following, (CA (SA), CIA, CISA,) = 5 points</p> <p>Applicable Post grad degree in commerce (Audit accounting, finance) or IT (5 points)</p> <p>Engagement Director: (Forensic/Investigations Services) (12.5) points)</p> <ul style="list-style-type: none"> • Minimum 10 years' Investigations/ Forensics experience with a minimum 5 years as a manager/head = 2.5 points <p>Engagement director must have professional certification in ACFE, or any other applicable/relevant certification=5 points</p> <p>Applicable Post grad degree in commerce and/or LLB=5 points</p> <p>Project Team Leader – Manager: (10) points)</p> <p>Minimum 6 years' audit experience with a minimum 3 years as a manager/ team leader = 5 points</p> <p>Team leader must have professional certification in at least one of the following, (CA (SA), CIA, CISA) = 5 points</p> <p>Audit Project Team: (10) points)</p> <p>The proposed project team should consist of at least 3 audit project team members</p> <ul style="list-style-type: none"> • The individual team members must each have a minimum of 3 years' audit experience = 5 points • Completed IIA /SAICA articles = 2.5 points 	<p>55</p>

	<p>Applicable Degree in Commerce (Audit accounting, finance) = 2.5 points</p> <p>Audit Project Team: (Forensic Services) (10 points) The proposed project team should consist of at least 2 audit project team members</p> <ul style="list-style-type: none"> The individual team members must each have a minimum of 4 years investigation experience = 5 points Applicable Degree in Commerce (Audit accounting, finance) or any applicable degree. 5 points <p>The bidder must provide at least one (1) team member (Excl Engagement Directors) who is Certified in Information Systems Auditing = 5 points</p> <p>Non-compliance with any and all of the above = 0 points</p>	
Methodology and Approach	<p>The bidder must provide a detailed project plan/methodology indicating the capacity to execute the project.</p> <p>That includes the following project phases:</p> <ul style="list-style-type: none"> Planning Execution Reporting Follow-up Completion and handover of the audit file within the prescribed project period. Capacity to deliver should include project team with a supervisor experience and expertise. <p>Non-compliance with any and all of the above = 0 points</p>	10
TOTAL		100

PREFERENTIAL PROCUREMENT CLAIM FORM SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

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).

a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable.

1.2 Points for this bid shall be awarded for:

Price; and B-BBEE Status Level of Contributor.

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

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

1.4 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.

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

2 DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price Bid, advertised competitive bidding processes or proposals;
- (d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3 POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

4 POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

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

5 BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: =(maximum of 10 or 20 points)
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7 SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

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

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

Designated Group: An EME or QSE which is at last 51% owned by:	EME	QSE
	√	√
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8 DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number.....

8.3 Company registration number.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety Company
- Close corporation

(Pty) Limited
[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6 COMPANY CLASSIFICATION

Manufacturer Supplier
 Professional service provider Other service providers, e.g. transporter, etc.
[TICK APPLICABLE BOX]

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (b) 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;
 - (c) 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 forward the matter for criminal prosecution.

WITNESSES

- 1.
- 2.

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

DATE:
ADDRESS
.....

BIDDER'S DICLOSURE

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

1.2 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:

.....

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.

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or 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.

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.

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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:

Enterprise Name:	
Trading Name	
Registration Number:	
Enterprise Address:	
Entity Type (CC, (Pty) Ltd, etc.):	
Nature of Business:	
Definition of “Black People”	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 – (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- 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”	“Black Designated Groups means: (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 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	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:

Deponent Designation:

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:

Enterprise Name:	
Trading Name	
Registration Number:	
Enterprise Address:	
Entity Type (CC, (Pty) Ltd, etc.):	
Nature of Business:	
Definition of “Black People”	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 – (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- 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”	“Black Designated Groups means: (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 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:

Deponent Designation:

Date:

.....

**Commissioner of Oaths
Signature & stamp**

Date:.....