



**REQUEST FOR BIDS**

**RFB NUMBER** : SHRA/RFB/ADMIN/04/202223  
**CLOSING DATE** : Friday, 17<sup>th</sup> February 2023  
**TIME** : 11h00  
**DESCRIPTION** : Re-advertisement - Appointment of a service provider to perform external audit services to the SHRA for the period of three (3) years

**BRIEFING:**                      Yes                            No

## **DOCUMENTS IN THIS BID DOCUMENT PACK**

Bidders are to ensure that they have received all pages of this document, which consist of the following documents:

### **SECTION A**

1. Background
2. RFB Submission Conditions and Instructions
3. Terms of Reference
4. Evaluation Process
5. Evaluation Criteria

### **SECTION B**

1. Special Conditions of Bid and Contract
2. General Conditions of Contract (Annexure A)
3. Invitation to Quote (SBD 1)
4. Pricing Schedule (SBD 3.3)
5. Declaration of Interest (SBD 4)
6. Preference Points Claim form in terms of Preferential Procurement Regulations 2022 (SBD 6.1)
7. Submission Checklist
8. Annexure (C)

# **SECTION A**

## **1. BACKGROUND**

The Social Housing Regulatory Authority ("SHRA") was established in August 2010 by the Minister of Human Settlements in terms of the Social Housing Act, No. 16 of 2008. The SHRA is classified as a public entity in terms of Schedule 3A of the Public Finance Management Act.

### **1.1 MISSION**

The SHRA will regulate and invest to deliver affordable rental homes and renew communities.

### **1.2 VISION:**

Affordable rental homes in integrated urban environments through sustainable institutions.

### **1.3 FUNCTIONS**

- Promote the development and awareness of social housing by providing an enabling environment for the growth and development of the social housing sector.
- Provide advice and support to the Department of Human Settlements in its development of policy for the social housing sector and facilitate national social housing programmes
- Provide best practice information and research on the status of the social housing sector
- Support provincial governments with the approval of project applications by social housing institutions
- Provide assistance, when requested, with the process of the designation of restructuring zones
- Enter into agreements with provincial governments and the National Housing Finance Corporation to ensure the co-ordinated exercise of powers

## 2. RFB SUBMISSION CONDITIONS AND INSTRUCTIONS

### 2.1 FRAUD AND CORRUPTION

2.1.1 All Providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

### 2.2 COMPULSORY BRIEFING SESSION

2.2.1 There will be **NO compulsory briefing session** for this Request for Bids

### 2.3 CLARIFICATIONS/QUERIES

2.3.1 Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing (e-mail) from **Ms. Katlego Panana** at [Scm03@shra.org.za](mailto:Scm03@shra.org.za) by **Monday 13<sup>th</sup> February 2023 at 16h00.** The **bid number** should be mentioned in all correspondence. **Telephonic requests for clarification will not be accepted.** If appropriate, the clarifying information will be made available to all bidders by e-mail only.

### 2.4 SUBMITTING BIDS

#### • ONE HARD COPY AND ITS SOFT COPY IN AN USB FORMAT.

Faxed or e-mailed bids will not be accepted

Bids should be submitted in a sealed envelope, marked with:

- RFB number: SHRA/RFB/ADMIN/04/202223
- Closing date and time: Friday 17<sup>th</sup> February 2023 at 11h00
- The name and address of the bidder

**Documents submitted on time by bidders shall not be returned.**

### 2.5 LATE BIDS

2.5.1 Bids received late shall not be considered. A bid will be considered late if it arrived only one second after 11h00 or any time thereafter. Bids arriving late will not be considered under any circumstances. Bids received late shall be returned unopened to the bidder. Bidders are therefore strongly advised to ensure that bids be despatched allowing enough time for any unforeseen events that may delay the delivery of the bid.

2.5.2 The official Telkom time (dial 1026) will be used to verify the exact closing time (11h00)

2.5.3 Bids sent to SHRA via normal post or any other mechanism shall be deemed to be received at the date and time of arrival at the SHRA premises (tender/bid box or reception). Bids received at the physical

address after the closing date and time of the bid, shall therefore be deemed to be received late.

## **2.6 DIRECTIONS TO SHRA OFFICE FOR DELIVERY OF BIDS**

**2.6.1 Bidders should allow time to access the premises due to security arrangements that need to be observed.**

## **2.7 FORMAT OF BIDS**

2.7.1 Bidders must complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their bid should be concise, written in plain English and simply presented.

2.7.2 Bidders are to set out their bid in the following format:

### **Part 1: Invitation to Bid**

Bidders must complete and submit the Invitation to Bid document.

### **Part 2: Pricing Schedule**

Bidders must complete and submit the pricing schedule document.

The appointed Service Provider will:

- Claim travel costs applicable to this contract as per the AA rates
- Book only economy class flight and preferably Group A hire cars, otherwise Group B are to be used for Service Providers outside of Gauteng.
- Book only hotels, or other equivalent accommodation up to a Rand value of R1 400 per night per person (including dinner, breakfast and parking).

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

### **Part 3: Declaration of Interest**

Each party to the bid must complete and submit the Declaration of Interest.

### **Part 4: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022**

Bidders must complete and submit the Preference Points Claim Form.

A trust, consortium or joint venture:

- will qualify for points for their specific goals as a legal entity, provided that the entity submits their B-BBEE status level

certificate OR a Letter from a registered Accounting Officer/ Auditor OR a sworn affidavit in terms of the Amended B-BBEE Codes from Exempted Micro Enterprises (EMEs) of R10 000 000 annual turnover.

- will qualify for points for their specific goals 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.

#### **Part 5: Broad Based Black Economic Empowerment Certificate**

Bidders are to submit an Original/Certified copy of a valid BBEE Certificate.

- A trust, consortium or joint venture will qualify for points for their specific goals 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. or a letter from an Accounting Officer/ Auditor or a sworn affidavit in terms of the Amended B-BBEE Codes from Exempted Micro Enterprises (EMEs) of R10 000 000 annual turnover.

#### **Part 6: General Conditions of Contract**

Bidders must initial each page of the General Conditions of Contract and submit with their bid document.

#### **Part 7: Technical approach**

Bidder must at least:

Describe, in detail, exactly how they propose to carry out the activities to achieve the outcomes identified in the terms of reference. Bidders are required to have the basic office equipment and the resource/s (which must include, laptop, 3G connection, landline, own office with the basic office equipment) will be located within the region where the work will be done. They should identify any possible problems that might hinder delivery and indicate how they will avoid, or overcome such problems.

Describe how the work will be managed. Provide an organisation chart clearly indicating:

- The lines of reporting and supervision within the bidder's team.
- The lines of reporting between the bidder and SHRA.

Identify the position(s) involved in the direct delivery of the service to be provided and in the overall management of the work and name the people who will fill these positions.

Describe the tasks, duties or functions to be performed by staff in these positions.

Indicate the number of hours required to complete each task and the number of hours to be provided by each team member. The bidder must be able to work within strict time lines and have the capacity to do so.

Provide information on any additional value added services for consideration by SHRA, and which will form part of the overall proposed solution. Please note that the additional value ads must be priced separately in the space provided for in the pricing schedule.

Bidders are to present such information in a matrix. The following is provided merely as guidance. Bidders are free to elaborate as they see fit.

Outcome/output	Activity	Team member(s) involved (name and position)	Person days for each team member	Total person days

Provide a work plan of activities. In addition to providing details of the estimated number of workdays for each activity, bidders are to supply a detailed timetable that identifies when certain activities will be undertaken and over what period they will be spread. The timing of activities, the time needed to complete them, and the order in which they will be undertaken must be explained and justified.

Please note that part 9 should be no longer than 10 single-sided A4 pages in Arial 11 (font size).

**Part 8: Team Details**

The bidder must provide:

- A comprehensive curricula vita (relevant to this bid and limited to two pages). In particular, the CV must highlight the team member(s) experience and qualifications to carry out the work

**Part 9: Experience in this field**

It is essential the service provider displays:

- Experience as set out in the terms of reference
- The Bidder must provide at least three (3) reference letters on company letterheads of previous clients where the Bidder provided similar services.

**Part 10: Bidders National Treasury Central Supplier Database (CSD) forms indicating the validity of the bidder's registration**

**2.8 PRESENTATIONS**

2.8.1 SHRA reserves the right to invite Bidders for presentations before the award of this Bid. Only Bidders who have met the minimum functionality criteria will be invited to presentation.

**2.9 NEGOTIATION**

2.9.1 SHRA has the right to enter into negotiation with a prospective service provider regarding any terms and conditions, including price(s), of a proposed contract.

2.9.2 SHRA shall not be obliged to accept the lowest of any quotation, offer or bid.

2.9.3 SHRA issues this bid invitation in good faith; however, it reserves the right to:

- Cancel or delay the selection process at any time, without explanation,
- Not to select any of the respondents to this bid invitation, without explanation,
- Exclude certain services, without explanation.

2.9.4 All bidders will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible person of both parties. The designated responsible person of SHRA is the Chief Executive Officer or his/her written authorised delegate.

**2.10 REASONS FOR REJECTION**

2.10.1 SHRA shall reject a bid for the award of a contract if the recommended bidder has committed a proven corrupt or fraudulent act in competing for the particular contract.

2.10.2 SHRA may disregard the bid of any bidder if that bidder, or any of its directors:

2.10.2.1 have abused the Supply Chain Management systems of SHRA.

2.10.2.2 have committed proven fraud or any other improper conduct in relation to such systems.

2.10.2.3 have failed to perform on any previous contract and the proof exists.

2.10.3 Such actions shall be communicated to the National Treasury.

### **3. TERMS OF REFERENCE**

#### **3.1 BACKGROUND**

The Social Housing Regulatory Authority (“SHRA”) was established by Parliament as prescribed by the Social Housing Act (16 of 2008). The SHRA is classified as a national public entity in terms of Schedule 3A of the Public Finance Management Act (1 of 1999) (“PFMA”).

The SHRA’s mandate is to invest in and regulate the social housing industry. The primary intention of the Social Housing Act is to deliver affordable rental housing to the low to medium income groups. The main aim of the Act is to achieve spatial, economic and social integration of the urban environments in South Africa.

#### **3.2 OBJECTIVE**

The objective of this Request for Bid (RFB) is to appoint a suitable Independent External Audit service provider to perform the external audit on an annual basis.

#### **3.3 SCOPE OF EXTERNAL AUDIT**

The appointed service provider will be required to:

- Perform an audit in accordance with the Public Audit Act of South Africa (Act No. 25 of 2004) and the General Notice No 839 of 2011 (with particular reference to Addendum C requirements) issued in terms thereof and International Standards on Auditing.
- In accordance with the Public Audit Act of South Africa paragraph 28(1), the report must reflect such opinions and statements as may be required by any legislation applicable to SHRA which is the subject of the audit, but must reflect at least an opinion or conclusion on:
  - (a) Whether the financial statements of SHRA fairly present, in all material respects, the financial position at 31 March and results of its operations and cash flow for the period which ended on that date in accordance with the applicable financial framework and legislation;
  - (b) SHRA’s compliance with any applicable legislation relating to financial matters, financial management, internal control, leadership and other related matters; and
  - (c) The reported information relating to the performance of SHRA against predetermined objectives.
  - (d) Complete Addendum C to Notice 839 of 2011 for reporting to the Auditor General of South Africa.
- Communicate audit findings to management and ensure they are fully aware of the implications to business operations.
- Provide a final report with recommendations to the Audit and Risk Committee and management.
- Attend and provide input to the Audit and Risk Committee, where necessary.

### 3.4 COMPETENCE REQUIREMENTS

The bidder (firm or individual) should meet the following requirements:

- Must be a Registered Auditor with the Independent Regulatory Board of Auditors (IRBA).
- Professional competence and integrity – The bidder must be professional and competent in the practice of external audits.
- Have at least five (5) years' experience in conducting public sector external audits on behalf of the Auditor General South Africa (AGSA).
- Knowledge of the PFMA (Public Finance Management Act) and Treasury Regulations are non-negotiable as the AGSA has specific requirements that external auditors must cover and comply with.
- Independence and objectivity – No conflict of interest. A firm where any of the Council members, management or staff of SHRA are partners or part-owners will not be eligible for appointment.
- Track record and reputation – Preference will be given to a firm that has demonstrated technical ability, a good track record and reputation in the industry.
- Capacity to conduct an audit at SHRA during peak times – regard will be given to the availability of staff to be assigned to SHRA at the time of the audit, which is normally around May/June.
- B-BBEE Credentials and SMME status – applications from this group will have an added advantage.

The shortlisted firms may be invited to present to the SHRA.

### 3.5 INDEPENDENCE AND OBJECTIVITY OF AUDIT STAFF

In carrying out the work, the successful bidder must ensure that their staff maintains their objectivity by remaining independent of the activities they audit. The bidder shall:

- Have no executive or managerial powers, functions or duties except those relating to External Audit;
- Not be involved in the day-to-day operation of the SHRA; and

Not be responsible for the detailed development or implementation of new systems and procedures.

### 3.6 COMPETENCY AND EXPERTISE REQUIREMENTS

**Bidders are required to submit a valid and certified copy of registration with IRBA. Bidders who do not meet this requirement will be automatically disqualified.**

### 3.7 TERM OF THE AUDIT APPOINTMENT

The SHRA is seeking to make an appointment for a period of three (3) years, commencing this financial year ending 2022/23 through to the financial year ending 2024/25.

- The appointment of the external auditor is subject to the AGSA's annual approval of the appointment, extension or reappointment in terms of section 25 (4) of Public Audit Act (PAA), Act no. 25 of 2004 and general notice 839 issued by Government Gazette No. 34783 of 28 November 2011. The auditor shall not, and has no right to, assign the audit contract to third parties.

**3.8** The service provider should note the content of General Notice 540 issued in Government Gazette No. 43326 of 15 May 2020 or any new general notices issued by the Auditor-General from time to time.

### **3.9 REPORTING**

The Service provider will report administratively to Finance Manager and be accountable to the Corporate Services Manager (CSM).

### **3.10 SUBMISSION REQUIREMENTS AND FORMAT OF THE PROPOSAL**

- One hard copy and its soft copy in an USB format.

### **3.11 PROPOSAL SELECTION CRITERIA**

Functionality

- Proposed Technical approach of the bidder
- Suitability of the proposed team members experience
- Experience of the provider in a PFMA Environment

### **3.12 GENERAL REQUIREMENTS**

#### **a) Audit Trails**

The Service Provider will be required to maintain adequate audit trails of any and all written communication, minutes of meetings and financial records pertaining to the engagement with the SHRA.

#### **b) Backup and Recovery**

The Service Provider will be required to maintain an adequate backup of all project related documentation.

#### **c) File and Record Retention**

All electronically stored data, hard copy originals, and microfilm/fiche and other media are all deemed property of the SHRA and must be returned to the SHRA in a retrievable form at the termination of the contract. The SHRA and the Service Provider will develop policies and procedures for the archiving of data including format and media as well as standards on destroying material and data. While in the possession of the Service Provider, all such materials must be stored off-site in a secure room, vault or container.

#### **d) Appointment Termination/Cancellation Service Turnover**

The successful bidder will be required to sign a SHRA contract. At the end of the contract period or termination of the agreement, if requested by the SHRA the Service Provider must provide assistance in transferring contracted operations and systems either to the SHRA itself, another Service Provider, or a combination of these two options. This is to provide for an orderly and controlled transition to either the SHRA or a successor Service Provider.

#### **3.13 Pricing**

- The fees for audit services will be the fees as stipulated in the Guideline on fees for audits performed by private firms on behalf of the Auditor-General of South Africa (AGSA) 01/2022/23
- These rates apply from 1 April 2022 to 31 March 2023 and will escalate on 1 April annually in line with the circular from The South African Institute of Chartered Accountants.
- The Service Provider is to provide the following in the bid:
  - Rate per category of staff composition proposed for the bid.

#### **3.14 DISCLAIMER**

**The SHRA has not appointed external consultants to liaise with service providers on any matter and all matters regarding this bid will be channeled in writing via supply chain. It is also to be noted that SHRA will not at any given time solicit money from service providers.**

## 4. EVALUATION PROCESS

### 4.1 COMPLIANCE WITH MINIMUM REQUIREMENTS

4.1.1 All bids duly lodged will be examined to determine compliance with bidding requirements and conditions. Bids with obvious deviations from the requirements/conditions, will be eliminated from further adjudication.

### 4.2 PRE-QUALIFICATION CRITERIA FOR PREFERENTIAL PROCUREMENT

4.2.1 As per the preferential Procurement Regulations (PPR) 2022, the SHRA is applying Pre-Qualification Criteria this bid in an effort to advance certain designated groups.

### 4.3 FUNCTIONALITY, PRICE AND PREFERENCE POINTS

4.3.1 All remaining bids will be evaluated as follows:

4.3.2 The functionality calculation will be done based on the defined criteria and weighting thereof. Functionality will be scored out of a 100. If it is deemed necessary, presentations may be held with Bidders who have met the minimum functionality criteria. If presentations are held, the functionality score will be adjusted whereby 80 percent will be awarded to during the bid evaluation and 20 percent will be for presentation score. **If a bidder fails to score a minimum of 70% out of 100% for functionality, the bid will be disregarded from further consideration.**

4.3.3 The second part will then be done on the 80/20 split whereby (80) points will be awarded for price and 20 points will be awarded for specific goals.

### 4.4 ELIMINATION OF BIDS ON GROUNDS OF FUNCTIONALITY

4.4.1 Bids that score less than 70% of the 100% available for functionality will be eliminated from further consideration. Points will therefore not be awarded for their cost bids or for specific goals.

4.4.2 The percentage scored for functionality should be calculated as follows:

4.4.3 Each panel member shall award values for each individual criterion on a score sheet. The value scored for each criterion shall be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for the various criteria. These marks should be added to obtain the total score. The following formula should then be used to convert the total score to a percentage for functionality:

$$Ps = \frac{So}{Ms} X Ap$$

where

Ps = percentage scored for functionality by bid/bid under consideration

So = total score of bid/bid under consideration

Ms = maximum possible score

Ap = percentage allocated for functionality

The percentages of each panel member shall be added together and divided by the number of panel members to establish the average percentage obtained by each individual bidder for functionality.

After calculation of the percentage for functionality, the prices of all bids that obtained the minimum score for functionality should be taken into consideration.

#### **4.5 PRESENTATIONS**

4.5.1 SHRA may decide to have compulsory presentations made by Bidders who met the minimum functionality criteria once the functionality score has been calculated.

4.5.2 Presentations shall only affect the marks awarded for functionality. If SHRA wishes to use presentations as an additional selection criterion between bidders, the evaluation criteria to be affected shall be determined in advance and due allowance made in the mark scheme.

4.5.3 If the date of the presentation meeting is not indicated in the bid document, at least three days' notice will be given to bidders required to attend a presentation.

4.5.4 Presentations will be made to the full Evaluation Committee.

4.5.5 Points determined by the presentation will be awarded to each bidder by each member of the Evaluation Committee and then an average calculated.

#### **4.6 AWARDING OF PREFERENCES POINTS**

4.6.1 Points for specific goals will be awarded according to the table indicated in the preference points claim form(s).

#### **4.7 COMBINING PRICE AND PREFERENCE POINTS**

4.7.1 The specific goals marks for each bid will now be added to the price points for that bid

4.7.2 The Evaluation Committee may recommend that the contract be awarded to the bidder obtaining the highest aggregate mark as determined by 4.5.1 or to a lower scoring bid based on firm, verifiable and justifiable grounds.

## **4.8 ADJUDICATION OF BID**

- 4.8.1 The Adjudication Committee will consider the recommendations and make the final award. The successful bidder will usually be the service provider scoring the highest number of points or it may be a lower scoring bid based on firm, verifiable and justifiable grounds or no award at all.

## 5. EVALUATION CRITERIA

### 5.1 Mandatory requirements

5.1.1 IRBA Registration	Comply	Not Comply
The bidder (firm or individual) must be registered with the Independent Regulatory Board for Audits (IRBA). The Bidders must provide documentary proof of their regulatory registration and must also provide IRBA certification for each of the partners proposed to work on the SHRA audit including the lead audit partner/s.		
<b>Substantiate/ Comments</b>		

Service providers are required to complete **Annexure C** in MS Excel which must reconcile to the total bid price excluding disbursements.

### 5.2 The criteria and weights referred to and included as criteria for evaluation are as follows:

Evaluation Criterion on Functionality							
Element	1	2	3	4	5	Functionality Weigh	TOTAL SCORE
Proposed Technical approach of the bidder						25	
Composition and suitability of the proposed team for this assignment in a Public Sector Environment (Refer to no: 3.4 above): <ul style="list-style-type: none"> <li>Please attach an organisational chart. Provide names and brief profiles of the individuals who will be responsible for the SHRA external audit assignment.</li> <li>Indicate succession and retention plans around the identified team.</li> </ul>						35	
Experience of the Bidder in a Public Sector Environment: <ul style="list-style-type: none"> <li>Years of External Audit Experience: <ul style="list-style-type: none"> <li>Core Team member do not have the required experience (1 point)</li> <li>Core Team member have less than five years' experience (2 points)</li> <li>Core Team member have five years' experience (3 points)</li> <li>Core Team member have more than five years' experience (4 points)</li> <li>Core Team member have eight (8) and more years' experience (5 points)</li> </ul> </li> </ul>						30	
Five (5) x Reference letters: References should be presented in a form of a written letter and on official letterhead from the clients where external audit services have been provided.						10	

<ul style="list-style-type: none"> <li>• The bidder must provide three relevant contactable reference letters of audit done in the past five years within the public sector environment.</li> <li>• 0-2 references (1 point)</li> <li>• 3-4 reference (2 points)</li> <li>• 5 references (3 points)</li> <li>• 6-7 references (4 points)</li> <li>• 8+ references (5 points)</li> </ul>							
<b>TOTAL POINTS</b>						100%	

### 5.1.1 Functionality Evaluation

All proposals will be evaluated on the criteria provided in the table below. The proposals of all service providers will be rated on a scale of 1 to 5.

- 1: Unacceptable, does not meet set criteria
- 2: Weak, less than acceptable. Insufficient for performance requirements
- 3: Satisfactory should be adequate for stated element
- 4: Very good, above average compliance to the requirement
- 5: Exceptional mastery of the requirement should ensure extremely effective performance.

**5.1.2 Bidders need to obtain a minimum of 70% for functionality for them to be evaluated further on the 80/20 preference point system.**

<b>Specific goals Historically Disadvantaged Individuals (HDI)</b>	<b>80/20 Preference Point system</b>
Enterprises with ownership of 51% or more by a person/s who are <b>Black</b>	10
Enterprises with ownership of 51% or more by a person/s who are <b>Women</b>	5
Enterprises with ownership of 51% or more by a person/s who are <b>Youth</b>	3
Enterprises with ownership of 51% or more by a person/s with <b>Disability</b>	2
<b>Total Points allocated to price</b>	<b>80</b>
<b>Total Points allocated to Specific Goals</b>	<b>20</b>
<b>Total</b>	<b>100</b>

## **SECTION B**

### **1. SPECIAL CONDITIONS OF CONTRACT**

#### **1.1. GENERAL**

1.1.1. Proper bids for the services specified must be submitted.

#### **1.2. ADDITIONAL INFORMATION REQUIREMENTS**

1.2.1. During evaluation of the bids, additional information may be requested in writing from Bidders. Replies to such request must be submitted in writing, within five (5) working days or as otherwise indicated. Failure to comply may lead to your bid being disregarded.

#### **1.3. CONFIDENTIALITY**

1.3.1. The bid and all information in connection therewith shall be held in strict confidence by bidders and usage of such information shall be limited to the preparation of the bid. Bidders shall undertake to limit the number of copies of this document.

1.3.2. All bidders are bound by a confidentiality agreement preventing the unauthorised disclosure of any information regarding the SHRA or of its activities to any other organisation or individual. The bidders may not disclose any information, documentation or products to other clients without written approval of the accounting authority or the delegate.

#### **1.4. INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT**

1.4.1. Copyright of all documentation relating to this contract belongs to the SHRA. The successful bidder may not disclose any information, documentation or products to other clients without the written approval of the accounting authority or the delegate.

1.4.2. All the intellectual property (IP) rights arising from the execution of this Agreement shall vest in SHRA and the Service provider undertakes to honour such intellectual property rights and all future rights by keeping the know-how and all published and unpublished material confidential.

1.4.3. In the event that the service provider would like to use information or data generated by the service, the prior written permission must be obtained from SHRA.

1.4.4. SHRA shall own all materials produced by the Service provider during the course of this contract, or as part of the service including without limitation, deliverables, computer programmes (source code and object code), programming aids and tools, documentation, reports,

data, designs, concepts and other information whether capable of being copyrighted or not (“IP”).

1.4.5. The Service provider assigns all IP rights in respect of all materials referred to in clause 1.4.4 to SHRA. No other document needs to be executed to give effect to this cession, assignment or transfer.

1.4.6. The Service provider hereby irrevocably cedes, assigns and transfers to SHRA, as SHRA directs, all rights, title and interest in and to all IP (which includes, but is not limited to methodologies and products) connected with or applicable to the Services.

1.4.7. The Service provider acknowledges and agrees that:

1.4.7.1. Each provision of clause 1.3 is separate, severally and separately enforceable from any other provisions of this agreement.

1.4.7.2. The invalidity or non-enforceability of any one or more provision hereof, shall not prejudice or effect the enforceability and validity of the remaining provisions of this agreement; and

1.4.7.3. This clause 1.3 shall survive termination of this agreement.

## **1.5. NON-COMPLIANCE WITH DELIVERY TERMS**

1.5.1. As soon as it becomes known to the Service provider that he will not be able to deliver the goods/services within the delivery period and/or against the bid price and/or as specified, the SHRA must be given immediate written notice to this effect. The SHRA serves the right to implement remedies as provided for in the GCC.

## **1.6. WARRANTIES**

1.6.1 The Service provider warrants that it is able to conclude this Agreement to the satisfaction of the SHRA.

1.6.2 Although the Service provider will be entitled to provide services to persons other than SHRA, the Service provider shall not without the prior written consent of SHRA, be involved in any manner whatsoever, directly or indirectly, in any business or venture which competes or conflicts with the obligations of the Service provider to provide the Services.

## **1.7. PARTIES NOT AFFECTED BY WAIVER OR BREACHES**

1.7.1 The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this contract by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof.

1.7.2 No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this contract shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this agreement.

## **1.8. RETENTION**

1.8.1. On termination of this agreement, the Service provider shall on demand hand over all documentation, information, software, etc., relating to the provision of services as per this bid without the right of retention, to the SHRA.

1.8.2. No agreement to amend or vary a contract or order or the conditions, stipulations or provisions thereof shall be valid and of any force and effect unless such agreement to amend or vary is entered into in writing and signed by the contracting parties. Any waiver of the requirement that the agreement to amend or vary shall be in writing, shall

## **2. GENERAL CONDITIONS OF CONTRACT**

- 2.1 The General Conditions of Contract must be accepted. The general conditions applicable to government entity bids, contracts and order are attached herein as **Annexure A** as they will apply to this bidding process.
- 2.2 Bidders are required to initial each page of the General Conditions of Contract as an indication of acceptance.

**INVITATION TO SUBMIT BIDS**

**YOU ARE HEREBY INVITED TO PROPOSE FOR REQUIREMENTS OF THE SHRA**

**RFB NUMBER:** SHRA/RFB/ADMIN/04/202223 **DATE:** 17<sup>th</sup> February 2023 **CLOSING TIME:** 11h00

**DESCRIPTION:** Appointment of a service provider to perform external audit services to the SHRA for the period of three (3) years

**VALIDITY PERIOD:** Offer to be valid for 90 days from the closing date of the bid

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**The successful bidder will be required to fill in and sign a written Contract Form.**

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**BID DOCUMENT MUST BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)**

Ms Katlego Panana  
Supply Chain Management  
SHRA  
Sunnyside Office Park  
Sentinel House  
3<sup>rd</sup> Floor  
32 Princess of Wales Terrace  
Parktown

Faxed or e-mailed bids will not be accepted.

**Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.**

**Bids can be delivered between 08h30 and 16h30, Mondays to Friday, prior to the closing date and between 08h30 and 11h00 on the closing date.**

**All bids must be submitted on the official forms (not to be re-typed).**

**This RFB is subject to the following:**

- General Conditions of Contract (GCC) and, if applicable, any other Special Conditions of Contract.
- the Preferential Procurement Policy Framework Act, 2000
- the Preferential Policy Regulations, 2022
  
- Bids submitted that do not comply with the following will be disqualified**
  - A late Bid (a bid arriving one second after 11h00 or any time thereafter)

## PART A INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	SHRA/RFB/ADMIN/04/202223	CLOSING DATE:	17 <sup>th</sup> February 2023	CLOSING TIME:	11h00
DESCRIPTION	Appointment of a service provider to perform external audit services to the SHRA for the period of three (3) years				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
SHRA, Sunnyside Office Park, Sentinel House, 3 <sup>rd</sup> Floor, 32 Princess of Wales Terrace, Parktown					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Ms Katlego Panana		CONTACT PERSON	Ms Katlego Panana	
TELEPHONE NUMBER			TELEPHONE NUMBER		
E-MAIL ADDRESS	Scm03@shra.org.za		E-MAIL ADDRESS	Scm03@shra.org.za	
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
NAME OF REPRESENTATIVE					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		<b>OR</b>	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
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 ]	
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

**TERMS AND CONDITIONS FOR BIDDING****1. BID SUBMISSION:**

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

**2. TAX COMPLIANCE REQUIREMENTS**

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

**TOTAL BID PRICE (ALL INCLUSIVE) .....**

SIGNATURE OF BIDDER: .....

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

DATE: .....

**PRICING SCHEDULE**  
**(Professional Services)**

NAME OF BIDDER: .....	BID NO.: .....
CLOSING TIME 11:00	CLOSING DATE.....

OFFER TO BE VALID FOR **90** DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
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1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project. R.....

**Prices proposed below to include VAT and exclude Disbursements:**

**Year 1: 2022/2023**

Staff level	Hourly rates as per AGSA Incl. VAT	Man hours per Annum	Cost per Annum (Including VAT)
Director/Partner			
Audit Manager			
Supervisor			
Senior Auditor			
Trainee			

**Year 2: 2023/2024**

Staff level	Hourly rates as per AGSA Incl. VAT	Man hours per Annum	Cost per Annum (Including VAT)
Director/Partner			
Audit Manager			
Supervisor			
Senior Auditor			
Trainee			

**Year 3: 2024/2025**

Staff level	Hourly rates as per AGSA Incl. VAT	Man hours per Annum	Cost per Annum (Including VAT)
Director/Partner			
Audit Manager			
Supervisor			
Senior Auditor			
Trainee			

## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

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

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

### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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

2.2.1 If so, furnish particulars:  
 .....  
 .....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any

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<sup>1</sup> 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.

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 consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON

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<sup>2</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.

PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT  
SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL  
PROCUREMENT REGULATIONS 2022**

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

**1. GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to invitations to tender:

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

**1.2 To be completed by the organ of state**

- (a) The applicable preference point system for this tender is the 80/20 preference point system.
- (b) The 80/20 preference point system will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (c) Price; and
- (d) Specific Goals.

**1.4 To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
<b>PRICE</b>	80
<b>SPECIFIC GOALS</b>	20
<b>TOTAL POINTS FOR PRICE AND SPECIFIC GOALS</b>	<b>100</b>

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

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

## 2. DEFINITIONS

“**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

- (a) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (b) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (c) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (d) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

**80/20**

$$Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

#### 3.2.1. POINTS AWARDED FOR PRICE

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

**80/20**

$$Ps = 80 \left( 1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where

- Ps = Points scored for price of tender under consideration  
Pt = Price of tender under consideration  
Pmax = Price of highest acceptable tender

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

***(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)***

***Note to tenderers: The tenderer must indicate how they claim points for each preference point system and provide supporting evidence.***

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Enterprises with ownership of 51% or more by a person/s who are <b>Black</b>	10	
Enterprises with ownership of 51% or more by a person/s who are <b>Women</b>	5	
Enterprises with ownership of 51% or more by a person/s who are <b>Youth</b>	3	
Enterprises with ownership of 51% or more by a person/s with <b>Disability</b>	2	
<b>Total Points allocated to Specific Goals</b>	<b>20</b>	

**DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of company/firm.....

4.4. Company registration number:  
.....

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any

of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

- (a) disqualify the person from the tendering process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

..... <b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....
	.....

**BIDDERS ARE ENCOURAGED TO USE THE FOLLOWING CHECKLIST WHEN SUBMITTING THEIR BIDS:**

NO.	DETAILS	TICK BY BIDDER
1.	Part 1: Completed and signed the invitation to bid document (SBD 1)	
2.	Part 2: Completed the pricing schedule (SBD 3.3)	
3.	Part 3: Completed and signed the declaration of interest document. (SBD 4). <i>(In case of a consortium/ joint venture, or where sub-Service providers are utilised, each party to the bid <u>must</u> complete and sign the declaration of interest document)</i>	
4.	Part 4: Completed and signed the Preference Points Claim form in terms of the Preferential Procurement Regulations 2022 (SBD 6.1)	
5.	Part 5: Submitted an original/ certified copy of a valid BBEE Certificate. <i>(In case of a trust, consortium or joint venture, bidders will qualify for points for their specific goals as an unincorporated entity, provided that the entity <u>submits their consolidated B-BBEE scorecard</u> as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.</i>	
6.	Part 6: Submitted the General Conditions of Contract (initialled each page)	
7.	Part 7: Submitted the Technical approach	
8.	Part 8: Submitted the Details of the team and included their CV	
9.	Part 9: Submitted Experience in the field document and 3 reference letters	
10.	Part 10: Bidders National Treasury Central Supplier Database (CSD) forms indicating the validity of the bidder's registration.	
11.	CIPC Document	