

BID DOCUMENT

RFQ NUMBER: FIC/RFB/EMPLOYMENT RELATIONS/06/2025/26

CLOSING DATE: 23 OCTOBER 2025

TIME: 11H00

DESCRIPTION: THE FINANCIAL INTELLIGENCE CENTRE IS SEEKING A SERVICE PROVIDER TO PROVIDE EMPLOYMENT RELATIONS TECHNICAL ASSISTANCE SERVICES FOR A THREE-YEAR PERIOD.

SUBMITTING BIDS: One (1) original and an electronic copy (*preferably on memory stick*) of the RFB document must be handed in / delivered to:

**TENDER BOX
FINANCIAL INTELLIGENCE CENTRE
BYLSBRIDGE OFFICE PARK
CNR JEAN AVENUE & OLIVENHOUTBOSCH
HIGHVELD EXT 73 CENTURION
HIGHVELD
CENTURION**

Bidders are required to request an ACCESS PIN CODE from Keneilwe.masemene@fic.gov.za and present their identity documents and/or valid driver's license at the main gate in order to gain entry within the FIC offices.

CSD NUMBER:

DOCUMENTS IN THIS BID DOCUMENT PACK

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PART A: SBD 1 INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FINANCIAL INTELLIGENCE CENTRE					
BID NUMBER:	FIC/RFB/EMPLOYMENT RELATIONS/06/2025/26	CLOSING DATE:	23 OCTOBER 2025	CLOSING TIME:	11:00
DESCRIPTION	THE FINANCIAL INTELLIGENCE CENTRE IS SEEKING A SERVICE PROVIDER TO PROVIDE EMPLOYMENT RELATIONS TECHNICAL ASSISTANCE SERVICES FOR A THREE-YEAR PERIOD.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT					
RECEPTION, FINANCIAL INTELLIGENCE CENTRE					
BYLS BRIDGE OFFICE PARK, CNR JEAN AVENUE & OLIEVENHOUTBOSCH (13 CANDELA STREET, HIGVELD EXT 73)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Keneilwe Masemene		CONTACT PERSON	Keneilwe Masemene	
TELEPHONE NUMBER	012 641 6145		TELEPHONE NUMBER	012 641 6145	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	Keneilwe.masemene@fic.gov.za		E-MAIL ADDRESS	Tenders@fic.gov.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		CENTRAL SUPPLIER DATABASE No:	MAAA	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<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.					

PART B: TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>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.</p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD 7).</p>
2. TAX COMPLIANCE REQUIREMENTS
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>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."</p>

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

PART C: SPECIAL CONDITIONS OF CONTRACT

In this document words in the singular also mean in the plural and vice versa and words in the masculine also mean in the feminine and neuter.

The General Conditions of Contract (GCC) will form part of this BID documents and may not be amended.

Special Conditions of Contract (SCC) relevant to this BID, compiled separately for this BID (if applicable) will supplement the General Conditions of Contract. Whenever there is a conflict, the provisions in the SCC shall prevail.

Copies of the GCC are available from the website

<https://www.treasury.gov.za/divisions/ocpo/sc/generalconditions/general%20conditions%20of%20contract.pdf>

SPECIAL CONDITIONS THAT THE BIDDER NEEDS TO TAKE NOTE OF:

1 FRAUD AND CORRUPTION

- 1.1 All service 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.
- 1.2 **Note:** Bidders should refrain from engaging with individuals who claim to represent the FIC and who offer to secure favourable outcomes of bids. Read this notice <https://www.fic.gov.za/2025/07/18/advisory-fic-procurement-process/> for more information.

2 NEGOTIATION

- 2.1 The Financial Intelligence Centre has the right to enter into negotiation with a prospective contractor regarding any terms and conditions, including price(s), of a proposed contract.
- 2.2 The Financial Intelligence Centre shall not be obliged to accept the lowest of any bid, offer or proposal in part or in whole.
- 2.3 All respondents 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 the Financial Intelligence Centre is the Supply Chain Manager or his/her written authorised delegate.

3 REASONS FOR REJECTION

- 3.1 The Financial Intelligence Centre shall reject a proposal for the award of a contract if the recommended bidder/tenderer has committed a proven corrupt or fraudulent act in competing for the particular contract.
- 3.2 The Financial Intelligence Centre may disregard the BID of any bidder/tenderer if that bidder/tenderer, or any of its directors:
 - 3.2.1 Have abused the SCM system of the Financial Intelligence Centre.
 - 3.2.2 Have committed proven fraud or any other improper conduct in relation to such a contract.
 - 3.2.3 Have failed to perform on any previous contract and the proof exists.
- 3.3 Such actions shall be communicated to the National Treasury.

4 PAYMENTS

- The Financial Intelligence Centre (FIC) will pay the service provider the Fee as set out in the final contract. No additional amounts will be payable by the FIC to the Contractor.
- 4.1 The Contractor shall from time to time during the currency of the contract invoice The Financial Intelligence Centre for the services rendered. No payment will be made to the contractor unless an invoice complying with section 20 of the VAT Act No 89 of 1991 has been submitted to the FIC.
 - 4.2 Payment shall be made into the bidder/tenderer's bank account normally 30 days after receipt of an acceptable, valid invoice. (Banking details must be submitted as soon as this BID is awarded).
 - 4.3 The service provider shall be responsible for accounting to the appropriate authorities for its Income Tax, VAT or other amounts of money required to be paid in terms of applicable law.

5 PRESENTATION / DEMONSTRATION

The FIC reserves the right to request site visit/presentations/demonstrations from the short-listed bidder/tenderers if needed.

PART D: TERMS OF REFERENCE/MINIMUM SPECIFICATION FOR THE WORK

1. BACKGROUND TO THE FIC

- 1.1. The Financial Intelligence Centre (FIC) was established in 2002, through the promulgation of the Financial Intelligence Centre Act, 2001 (Act 38 of 2001) (FIC Act), with the purpose of *inter alia* identifying the proceeds of unlawful activities and combating money laundering and the financing of terrorism.
- 1.2. The FIC is South Africa's national financial intelligence unit tasked to, amongst other functions, provide financial intelligence to stakeholders including law enforcement agencies, intelligence agencies and the South African Revenue Service. The FIC is also a member of the international standard-setting body, the Financial Action Task Force (FATF) which promotes effective implementation of legal, regulatory and operational measures for combating money laundering, terrorist financing and other related threats to the integrity of the international financial system. In addition, the FIC is also a member of the Egmont Group, a united body of more than 150 Financial Intelligence Units (FIUs), which provides a platform for the secure exchange of expertise and financial intelligence to combat money laundering and terrorist financing (ML/TF).
- 1.3. In achieving its mandate, the FIC *inter alia* plays a key role in assessing trends and threats posed by criminal activities which assist investigating and prosecuting authorities to combat crime.

2. BACKGROUND TO THE REQUIREMENT

- 2.1 The FIC recognises that the effectiveness of its business strategy is dependent on maintaining a stable relationship with its employees.
- 2.2 The FIC is of a firm belief that by ensuring cordial relations with its employees and organised labour organisation(s), then the FIC's ambition of becoming an employer of choice within the South African labour context will be guaranteed; and
- 2.3 The FIC has always strived to ensure that it abides by and constructively engages with South Africa's employment laws, while ensuring that it operate within the micro and macro-economic challenges presented by various factors including but not limited to the availability of funds and application of industry best practice in terms of employment matters

3. OBJECTIVES

The FIC seeks to:

- 3.1 Empower the FIC's employment relations function by equipping it with the necessary assistance during various employment relations initiatives.

- 3.2 Assist the FIC's wage negotiating team to conduct an analysis of the organised labours' wage demands and provide technical advice to the FIC.

4. SCOPE OF WORK

The FIC requires the services of an employment relations expert as and when required on the following activities, *inter alia*:

- 4.1 **Advisory Services:** Advice on labour legislation related matters including but not limited to operational requirements, compliance and any aspects covered by employment legislation (LRA, BCEA, EEA, etc.)
- 4.2 **Dispute Resolution:** Mediation, conciliation, and representation in CCMA or Labour Court proceedings.
- 4.3 **Disciplinary & Grievance Management:** Initiate hearings, draft charges, and advise on appropriate sanctions.
- 4.4 **Policy Review & Drafting:** Evaluate and develop HR and labour-related policies, agreements, contracts and other labour relations documents as and when required.
- 4.5 **Investigations:** Conduct internal investigations into misconduct or grievances.
- 4.6 **Union Engagement:** Provide support to collective bargaining and the management of union relations (amongst others develop a wage negotiations strategy for the FIC's wage negotiations team).
- 4.7 **Training:** Provide labour related training or awareness sessions on request.
- 4.8 Consult and provide technical assistance to the FIC's employment relations team as and when required.
- 4.9 Use of specialist digital, legal or forensic services where required/applicable.
- 4.10 Render services onsite or virtually as per agreement.
- 4.11 Provide ongoing technical assistance and support on labour relations matters as and when required.

5. DELIVERABLES

The deliverables for this engagement are as follows:

- 5.1 Inception meeting with stakeholders.
- 5.2 Deliver services as per scope, maintain confidentiality, and ensure legal compliance.
- 5.3 Reports to be submitted within agreed timelines.
- 5.4 Regular updates to designated contact person.

6. DURATION OF THE CONTRACT

- 6.1 The duration of the contract is 3 years.

PART E: EVALUATION PROCESS

7. EVALUATION PROCESS

Compliance with minimum and response (mandatory) requirements.

7.1 All bids duly lodged will be examined to determine compliance with Bid requirements and conditions. Bids with obvious deviations from the requirements/ conditions will be eliminated from further evaluation.

7.2 Pre-selection

Supply Chain Management business unit will do **pre-selection** on the following requirements:

No.	Item	Mandatory (Yes / No)	Description / Comments
1	Central Supplier Database	Yes	Bidders must be registered on the Central Supplier Database (CSD) that can be accessed via National Treasury Website – www.csd.gov.za prior to submitting a bid. Bidders must submit a valid CSD registration report or indicate their CSD supplier number as proof.
2	B-BBEE Certificate/ Sworn Affidavit	No	A copy of a valid B-BBEE Certificate issued by SANAS Accredited BEE Verification Agencies OR a sworn affidavit as prescribed by the B-BBEE codes of good practice. Failure of a bidder to provide a valid BBEE certificate/sworn affidavit will forfeit points for specific goals.
3	Standard Bidding Document: SBD 1 - Invitation to Bid Form	Yes	Failure of a bidder to submit completed and duly signed SBD 1 form will result in disqualification.
4	Standard Bidding Document: SBD 4 - Bidder's Disclosure	Yes	Failure of a bidder to submit completed and duly signed SBD 4 form will result in disqualification.
5	Standard Bidding Document: SBD 6.1 - Preference Claim Form	No	Failure of a bidder to provide a completed and signed SBD 6.1 will forfeit preference points.
6	Pricing Schedule	Yes	Completed pricing proposal in accordance with the provided format in Annexure A .

Note: (a) A bidder who fails to comply with **mandatory** requirements No. **1, 3, 4 and 6** will be disqualified from the evaluation process.

(b) A bidder who fails to comply with requirement No. 2 and 5 will forfeit preference points for specific goals or B-BBBEE points.

8. EVALUATION CRITERIA

- 8.1 All remaining bids which have complied with the pre-selection criteria will be evaluated as follows:
- 8.2 Functionality will be done in terms of the evaluation criteria as set out below, whereby respondents who do not achieve the minimum score will be eliminated.
- 8.3 The minimum threshold to qualify for the next phase is 75%. Bidders who fail to meet the minimum threshold will be disqualified and will not be evaluated further for price and specific goals in terms of B-BBEE status level of contribution.

CRITERIA		POINTS ALLOCATED
FUNCTIONALITY AND EXPERIENCE EVALUATION		
1.	REFERENCES Provide a minimum of 3 contactable client reference letters describing employee relations services rendered as per scope of work in (section 4) within the last 3 years as at the closing date of the bid. The letters must contain ALL the following information: <ul style="list-style-type: none"> • On official client letterhead dated and signed; • Client name and contact details; • Contract description and services rendered indicating satisfaction of services rendered; and • Contract period (start and end dates). 	30
2.	PROPOSED METHODOLOGY Provide proposed wage negotiations methodology of how the negotiations will be approached and carried out with emphasis on public sector. Bidders to provide examples/reference letters in support of the above.	20
3.	TRACK RECORD AND EXPERIENCE A minimum of 5 years Public Sector/ Industry Experience. Bidder is to demonstrate current and previous experience in providing labour relations services as per the scope of work detailed in section 4. <i>(Information to be presented in the company profile)</i>	20
4.	TEAM CAPACITY The bidder must attach CV's of the resources to be allocated to FIC to demonstrate the years of experience in employee relations amongst other experience they should demonstrate experience in representing the employer in CCMA proceedings.	30
TOTAL		100

8.4 The table below explains the rating guideline for the evaluation of functionality criteria.

REQUIREMENT	POINTS = 0	POINTS = 1	POINTS = 2	POINTS = 3	POINTS = 4	POINTS = 5
REFERENCES Provide a minimum of 3 contactable client reference letters describing employee relations services rendered as per scope of work in (section 4) within the last 3 years as at the closing date of the bid. The letters must contain ALL the following information: <ul style="list-style-type: none"> • On official client letterhead dated and signed; • Client name and contact details; • Contract description and services rendered indicating satisfaction of services rendered; and • Contract period (start and end dates). 	Less than 3 contactable client reference letters provided.	N/A	N/A	3 contactable client reference letters provided.	4 contactable client reference letters provided.	5 or more contactable client reference letters provided.
PROPOSED METHODOLOGY Provide proposed wage negotiations methodology of how the negotiations will be approached and carried out with emphasis on public sector. Bidders to provide examples/reference letters in support of the above.	Provided wage negotiation methodology with less than two examples/ reference letters.	N/A	N/A	N/A	N/A	Provided wage negotiation methodology with two or more examples/ reference letters.

REQUIREMENT	POINTS = 0	POINTS = 1	POINTS = 2	POINTS = 3	POINTS = 4	POINTS = 5
TRACK RECORD AND EXPERIENCE A minimum of 5 years Public Sector/ Industry Experience. Bidder is to demonstrate current and previous experience in providing labour relations services as per the scope of work detailed in section 4. <i>(Information to be presented in the company profile)</i>	No experience or less than 5 years' experience.	N/A	N/A	Provided a company profile indicating 5 years.	Provided a company profile indicating 6 years.	Provided a company profile indicating or more years.
TEAM CAPACITY The bidder must attach CV's of the resources to be allocated to FIC to demonstrate the years of experience in employee relations amongst other experience they should demonstrate experience in representing the employer in CCMA proceedings.	Less than 5 years' experience or irrelevant.	N/A	N/A	CV's attached demonstrates 5 years of experience.	CV's attached demonstrates 6 -7 years of experience.	CV's attached demonstrates 8 or more years of experience.

9. PRICE AND SPECIFIC GOALS EVALUATION

9.1 The following criteria 80/20 will be used for the evaluation of the proposals:

- Pricing: 80 points
- Specific goals: 20 points

10. PRICING SCHEDULE

10.1 The proposal prices MUST be provided in the format as per the table below:

Description	Unit cost Year 1 Incl. VAT	Unit cost Year 2 Incl. VAT	Unit cost Year 3 Inc. VAT	Total Unit Cost Incl. VAT
Hourly fee for Advisory Services				
Hourly fee for Dispute Resolution				
Hourly fee for Disciplinary & Grievance Management				
Hourly fee for Policy Review & Drafting				
Hourly fee for Investigations				
Hourly fee for Union Engagement				
Hourly fee for use of specialist digital, legal or forensic services				
Any other costs				
TOTAL UNIT RATES FOR 36 MONTHS				

11. VALIDITY PERIOD OF PROPOSAL

11.1 Validity period from date of closure is 90 days.

11.2 Quotations provided on this document will be valid for the duration of the contract entered into with the successful bidder.

11.3 Bidders may be requested to extend their validity period of their proposal for a specified additional period. In such instances, bidders will not be allowed to change any aspect of their tender, unless they are able to demonstrate that the proposed change(s) is as a direct and unavoidable consequence of FIC's extension of the validity period.

PART F: STANDARD BIDDING DOCUMENTS OVERLEAF

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship

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.

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

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

2.3.1 If so, furnish particulars:

.....

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

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.

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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

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

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

.....
Signature	Date
.....
Position	Name of 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 system is applicable to invitations to this tender:
- the 80/20 system for requirements with a Rand value of up to 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.

- 1.3 Points for this shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

- 1.4 The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

- 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 FIC requires of a tenderer to substantiate any claim in regards to preferences, by submitting their current/valid B-BBEE certificate or a sworn affidavit as prescribed by the B-BBEE codes of good practice.

2. DEFINITIONS

- (a) “**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;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**Rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (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 80/20 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

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 2022, 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 that shall be supported by proof / documentation as stated in the conditions of this tender:

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

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

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)
The B-BBEE Certificate is used as a measurement instrument for FIC's specific goals:	20 Maximum	
B-BBEE Status level of contributor: 1	20	
B-BBEE Status level of contributor: 2	18	
B-BBEE Status level of contributor: 3	14	
B-BBEE Status level of contributor: 4	7	
B-BBEE Status level of contributor: 5	4	
B-BBEE Status level of contributor: 6	2	
B-BBEE Status level 7 – 8 and non-compliant contributors	0	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.2. Name of company/firm.....

4.3. Company registration number:

4.4. 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]

4.5. 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.

.....	
SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:
DATE:
ADDRESS:

