



REQUEST FOR PROPOSAL

BID NUMBER: ECIC07P-2022/23

**ENTERPRISE-WIDE RISK MATURITY AND COMPLIANCE MATURITY
ASSESSMENT**

CLOSING DATE: 7 FEBRUARY 2023

CLOSING TIME: 11H00 (SAST, OBTAINABLE BY DIALLING TELKOM ON 1026)

CONTRACT NUMBER: SLA047-2022/23

REQUEST FOR PROPOSALS: ENTERPRISE-WIDE RISK AND COMPLIANCE MATURITY ASSESSMENT

Terms of Reference

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A. INTRODUCTION TO THE REQUEST FOR PROPOSAL (RFP)

1. Introduction

- 1.1 The Export Credit Insurance Corporation of South Africa (SOC) Limited (ECIC or Corporation) ¹ is a self -sustained state-owned entity listed under Schedule 3B of the Public Finance Management Act 1 of 1999 (as amended) and established in terms of the Export Credit and Foreign Investments Insurance Act 78 of 1957 (as amended).
- 1.2 The mandate of ECIC is to facilitate and encourage South African export trade, by underwriting export credit loans and investments outside the country, to enable South African contractors to win capital goods and services contracts in countries outside South Africa. ECIC is a registered Financial Service Provider and is regulated by the Financial Sector Conduct Authority and Prudential Authority (FSP No: 30656). Currently exempted in terms of FAIS Notice 78 of 2019.
- 1.3 ECIC operates from offices at Block C7 Eco Origins Office Park, 349 Witch Hazel Avenue, Highveld Ext 79, Centurion, 0157, South Africa.
- 1.4 Bids are hereby invited for the appointment of a service provider to perform an enterprise-wide risk and compliance maturity assessment.
- 1.5 This bid is subject to the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract. Where, however, the special conditions of contract conflict with the general conditions of contract, the special conditions of contract prevail.

2. Background

2.1 Risk Management

- 2.1.1 Effective management of risk is imperative for prudent management of an insurer. The Corporation seeks to achieve a measured balance between risk and reward, while it continues to build and enhance its risk management capabilities that assist in delivering on its strategic plan. This is to be achieved through the following:
 - 2.1.1.1 The Corporation's risk management and control framework seeks to manage and control risks, particularly to avoid undue concentration of insurance exposure, limit potential losses, and avoid unquantifiable investments.

¹ Further information on the ECIC can be found at www.ecic.co.za

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- 2.1.1.2 A successful risk management framework ensures that enables the Corporation to effectively manage key drivers of value that support key strategic initiatives outlined in the Corporate Strategic Plan.
 - 2.1.2 The Prudential Authority's Governance and Operational Standard for Insurers (GOI 3) requires an insurer to have a board-approved enterprise-wide risk management system that consists of the following:
 - 2.1.2.1 Risk Management Strategy for the insurer.
 - 2.1.2.2 Risk management policies that address material risks arising from the insurer's business activities.
 - 2.1.2.3 Risk management procedures and tools that enable the insurer to identify, assess, monitor, report on, and mitigate the material risks it is exposed.
 - 2.1.2.4 An effective system of controls that ensures that the strategies, policies, and processes in the risk management system are in place and attaining intended outcomes.
 - 2.1.2.5 A risk governance structure that includes statutory control functions as recognized.
 - 2.1.2.6 A business continuity management is designed to minimize the impact on critical business operations that could arise from business disruption.
 - 2.1.3 The GOI 2 Standards require an insurer's corporate culture to support its risk and governance framework by aligning with the insurer's strategic objectives and values.

2.2 Compliance Management

- 2.2.1 The Prudential Authority's Governance and Operational Standard for Insurers (GOI 3) requires an insurer to have a compliance function that must implement a risk-based compliance monitoring plan to:
 - 2.2.1.1 monitor compliance with the insurer's system of compliance related internal controls, as well as legal and regulatory obligations,
 - 2.2.1.2 identify, assess and report on key legal and regulatory risks, and

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- 2.2.1.3 monitor compliance shortcomings and instances of non-compliance and where required report to the Prudential Authority or other relevant regulatory authorities.
- 2.2.2 Effective compliance management must assess the appropriateness of policies, processes, and controls in respect of key areas of legal, regulatory, and ethical obligations and the effective monitoring thereof.
- 2.2.3 In addition to the GOI 3 requirements, the standards require an insurer to have an effective compliance function capable of assisting the board of directors in overseeing and monitoring that the insurer meets its legal and regulatory obligations and promotes and sustains a sound compliance culture.

3. Purpose

- 3.1 The purpose of this Request for Proposal is to appoint a service provider to perform a once-off enterprise-wide risk maturity and compliance maturity assessment.

B. TERMS OF REFERENCE

4. Scope of services

4.1 The appointed bidder will be required to:

- 4.1.1 Provide Risk Maturity Assessment services.
- 4.1.2 Provide Compliance Maturity Assessment services.
- 4.1.3 Provide a risk maturity assessment report setting out the assessment outcome and the process followed.
- 4.1.4 Provide a compliance maturity assessment setting out the assessment outcome and the process followed.
- 4.1.5 Compare assessment/survey results from the enterprise-wide risk maturity and compliance maturity to external benchmarks (considering the nature of the ECIC business).
- 4.1.6 Provide and present report(s) to ECIC management and its Risk Management Committee of the Board of the gaps identified and recommendations for improvement.

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5. Focus areas

5.1 In rendering the services, the appointed bidder will be expected to focus on the following areas:

5.1.1 Risk Maturity Assessment

The enterprise-wide risk maturity assessment must be benchmarked against at least four peers (similar Insurers (public/private) and Export Credit Agencies), that includes the attributes/focus areas of an effective enterprise-wide risk management framework as captured in Table 1 and Table 2 below:

Table 1

Components	Key Assessment Attribute	Focus Area	Scope of assessment that will be required/Outcome
Component 1	Risk Appetite management Performance Management	Strategy	- Assessment of the corporation's effectiveness in planning, communicating, and measuring and executing core enterprise goals with a risk-based process. - Assessment of effective application of policies in decision-making. - Assessment of level of awareness around risk-reward trade-offs, accountability for risk and defining risk tolerances. - Assessment of level of risk awareness and prioritization at business level planning and decision-making. - Assessment of level (prevalence of quantitative risk appetite metrics) of use of data in calibration of risk appetite limits and/or tolerance where applicable. - Assessment of appropriateness of various risk appetite metrics to changes/movements in business

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Components	Key Assessment Attribute	Focus Area	Scope of assessment that will be required/Outcome
			environment.
Component 2	Adoption of Enterprise Risk Management (ERM)-based Process	- Governance - Risk Culture	- Assessment of the corporation's risk culture, and the degree of executive and/or board-level support for enterprise risk management. - Assessment of adoption of enterprise risk management and risk ownership throughout all levels of the organisation. - Assessment of level of adaptability of the corporation's risk management processes to enterprise risk management (ERM) principles.
Component 3	Enterprise Risk Management (ERM) Process management	- Risk assessment and measurement - Risk treatment	- Assessment of the adoption of ERM methodology (and taxonomy) throughout the corporation's culture and in business decisions. - Evaluation of the risk management programme and adopting of best practice in risk identification, assessment, evaluation, mitigation monitoring and reporting. - Assessment of the corporation's effectiveness in closing gaps between potential and actual risk as well as near misses.
Component 4	Uncovering risk (and opportunity) Root cause discipline	- Risk identification - Risk management and monitoring	Assessment of the corporation's quality and coverage of risk assessments, collection of quality risk information, the risk assessment process, monitoring of trends and correlations collected from risk information and risk aggregation and concentration.

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Components	Key Assessment Attribute	Focus Area	Scope of assessment that will be required/Outcome
			Assessment of the extent to which the corporation identifies risk by source, or root cause, versus the symptoms and outcomes, focusing on the root cause of a risk and classifying them accordingly.
Component 5	Business resilience and sustainability	- Risk reporting - Information, communication, and technology	- Assessment of the corporation's risk-based approach in business continuity, operational planning and other sustainability activities. - Assessment of the corporation's effectiveness in communicating risk-related information and responses to senior management, board, and other critical stakeholders. - Assessment of adoption of enabling technology.

Table 2

International best practice benchmarking	Risk maturity benchmarking and international best practice	- Benchmark level of maturity against at least four peers (Similar insurers (public/private) and Export Credit Agencies). - Provide recommendations against global industry best practice.
	Risk Independence benchmarking	The positioning of the independent Risk function against similar (public/private) insurers and Export Credit Agencies.

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5.1.2 Compliance Maturity Assessment

The compliance maturity assessment must be benchmarked against at least four peers (similar Insurers (public/private) and Export Credit Agencies, that includes the attributes/ focus areas of an effective compliance risk management framework captured in Table 3 and Table 4 below:

Table 3

Components	Key Assessment Attribute	Focus Area	Scope of assessment that will be required/Outcome
Component 1	The role of Compliance	Strategy	- Assessment of effectiveness of compliance planning and communication. - Assessment of the corporation's compliance culture and the degree of executive and/or board-level support for compliance management.
Component 2	Meaningful investment in your people and better morale within the compliance team	People	Assessment of the effectiveness of the current resourcing of the function.
Component 3	Regulatory Compliance Process management	CRMP	- Assessment of monitoring and communication of draft bills to business and governance structures. - Assessment of timeliness of adoption of Regulatory Updates and industry standards. - Assessment of the degree of collaboration between the compliance function and business and other control functions.
Component 4	Use of Technology	Technology	Assessment of the effectiveness of internal compliance system to manage compliance.

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Table 4

International best practice benchmarking	Compliance Management maturity benchmarking	Benchmark level of maturity against at least four peers (Similar insurers (public/private) and Export Credit Agencies).
	Compliance Management Independence benchmarking	The positioning of the Compliance function against similar (public/private) insurers and Export Credit Agencies.

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6. Duration of contract

- 6.1 The bidder will be appointed to render once-off services.

7. Bid/contract conditions

- 7.1 ECIC will enter into an agreement with successful bidder which will detail the terms of engagement.
- 7.2 The agreement may be terminated by the ECIC if it has reasonable grounds to do so, with not less than 30 days' prior written notice. A termination clause will form part of the agreement and may include events such as unsatisfactory performance, defining events, departure of key personnel, governance and ownership issues and reputational risks.

8. Due diligence/site inspection

- 8.1 At the ECIC's discretion, a due diligence and/or site inspection may be conducted on the identified bidder. ECIC will visit the identified bidders' premises or bidder's client (with permission from the bidder) with the objective of verifying information as contained in their respective bid documents.
- 8.2 Where applicable, the ECIC will issue criteria for the due diligence review or site inspection beforehand to the applicable bidder(s). Should it be discovered during a due diligence visit or site inspection that the information submitted by the identified bidder is inconsistent with what is on their current premises of business, ECIC reserves the right to disqualify such bidder.

9. Bid Evaluation

- 9.1 The proposals will be evaluated in phases as highlighted below and detailed in paragraphs 10 to 12 of this document:

9.1.1 Phase One: Pre-qualification and compliance

Compliance with the requirements as listed in paragraph 13.

9.1.2 Phase Two: Functional evaluation

In this evaluation phase, bidders are expected to obtain a minimum of 80.00 out of 100 points to proceed to the next evaluation stage of the evaluation. Failure to obtain the prescribed minimum points will automatically disqualify the bid offer from proceeding to the next evaluation phase.

9.1.3 Phase Three: Proof of concept

Bidders that have successfully scored above 80 points in phase 2 functional evaluation above will be contacted to do a presentation to the evaluation committee. The minimum points for this part will be 80 points to be considered for the final evaluation phase.

9.1.4 Phase Four: Preference point system

The 80/20 preference point system shall be applicable to this phase, where 80.00 points represent maximum obtainable points for the lowest acceptable price and 20.00 points represents maximum obtainable points for the B-BBEE level status. Points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table as listed in the bid documentation (refer to paragraph 12).

9.1.5 Phase Five: Objective criteria

9.1.5.1 In this evaluation stage, ECIC will check if the bidder has a person who meet the following criteria in awarding the bid:

9.1.5.1.1 The bidder has a significant shareholder or owner (or equivalent) (directly or indirectly) who is classified or can be classified as a Prominent Influential Person (PIP) in accordance with Financial Intelligence Centre Act, 38 of 2001 (FICA).

9.1.5.1.2 The bidder has a shareholder or member or owner (or equivalent) who has questionable integrity status.

9.1.5.1.3 The bidder has a director or equivalent who is classified or can be classified as a PIP in accordance with FICA.

9.1.5.2 Should it be found during this evaluation stage, that the bidder who has attained the highest points under Evaluation Stage Four (Preference Point System) has persons listed in paragraphs 9.1.5.1.1 to 9.1.5.1.3, ECIC reserves the right to conduct further due diligence on the person(s). Should the outcome of a further due diligence not be satisfactory to ECIC or such a person(s) poses an unacceptable high risk reputation and/or integrity of the person(s) be questionable, ECIC reserves the right not to award the bid to that bidder. This process may be repeated to the next bidder if so required.

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10. Phase Two: Functional evaluation

10.1 The proposal submitted by the bidder will be evaluated by the ECIC based on the following criteria and the applicable points will be allocated:

Factor scores: 0=Poor, 1=Below average, 2=Average, 3=Good, 4=Very Good, 5=Excellent

Table 5

EVALUATION CRITERIA	DESCRIPTION	FURTHER DETAIL	SUB		POINTS	
			FACTOR	POINTS		
1. Capacity of the bidder	1.1. Bidder's profile/Corporate information.					30
	1.1.1. Brief description of the bidder and proof of similar engagements to be provided, 3 contactable references for similar engagements to insurance companies within the last 24 months. For each assignment, the bidder must indicate the profile of the staff on the assignment, duration of the assignment, contract amount and bidder's involvement (at least three assignments must have been managed in South Africa together with accompanying reference letters from each of the three clients).	1.1.1.1. No information provided or the information provided is not similar to the services required for this bid.	0	15		
		1.1.1.2. Bidder provided part of the information required or the information provided is for one client.	1			
		1.1.1.3. Bidder provided part of the information required or the information provided is for two clients.	3			
		1.1.1.4. Bidder provided all the required information, and the information covers at least three clients (with supporting documents). All information is similar and relevant to the requirements of this bid.	5			

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EVALUATION CRITERIA	DESCRIPTION	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
	1.2. Experience of the bidder.				
	1.2.1. Bidder must demonstrate experience and capability of the firm and relevant previous experience, specifically considering enterprise-wide risk and compliance maturity assessment experience in the insurance industry and/or ECAs.	1.2.1.1. Bidder provided a list with less than five clients and the list is for either enterprise-wide risk maturity and compliance maturity assessments experience in the insurance industry and/or ECAs. (with supporting documents).	0-3	15	
		1.2.1.2. Bidder provided a list with at least five clients and the list is for both enterprise-wide risk and compliance maturity experience in the insurance industry and/or ECAs. (with supporting documents).	4-5		
2. Team Experience	2.1. Bidder's must submit a profile of proposed team members that will be conducting the risk maturity assessment and the compliance maturity assessment (CVs should be attached). The CVs must state identified area of specialisation, years of experience and qualifications. - Relevant experience, specifically around: - Reviewing and assessing implementation of the Prudential Authority's Governance and	2.1.1. Bidder has not submitted a profile of the proposed team members that will be conducting the enterprise-wide risk maturity assessment and the compliance maturity assessment.	0	20	20
		2.1.2. Bidder has submitted a profile of the proposed team members that will be conducting the enterprise-wide risk maturity assessment and the compliance maturity assessment without the relevant experience	1-2		

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EVALUATION CRITERIA	DESCRIPTION	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
	Operational Standards for Insurers. o Conducting an enterprise-wide risk maturity assessment and the compliance maturity assessment.	2.1.3. The bidder has submitted a profile of proposed team members that will be conducting the review including the relevant experience, specifically around: - Reviewing and assessing implementation of the Prudential Authority's Governance and Operational Standards for Insurers - Conducting an enterprise-wide risk maturity assessment and the compliance maturity assessment	3-5		
3. Methodology/approach	3.1. The bidder must demonstrate the approach and methodology on how ERM risk maturity and compliance maturity assessment will be undertaken, reflecting an understanding of the requirements. The methodology/approach must address proposed project plan with estimated milestones.	3.1.1. Bidder failed to demonstrate the relevant methodology or approach as required.	0	50	50
		3.1.2. Bidder provided insufficient methodology or approach covering parts of the enterprise-wide risk maturity assessment and the compliance maturity assessment focus areas as required.	1-2		

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EVALUATION CRITERIA	DESCRIPTION	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
		3.1.3. Bidder provided methodology or approach covering all parts of the enterprise-wide risk maturity assessment and the compliance maturity assessment focus areas as required. The methodology/approach addresses scope of assessment/outcome as required.	3-5		
Total					100

Note: Bidders that score less than 80 points on functionality will not be evaluated further on the proof of concept.

Points will be rounded to two decimal places.

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11. Phase Three: Proof of concept

11.1 Bidders that have successfully scored above 80 points in phase 2 Functionality Assessment above will be contacted to do a presentation to the evaluation committee. The minimum points for this part will be 80 points to be considered for the final evaluation phase.

11.2 The scoring criteria for purposes of awarding points for the presentation will be as follows:

Table 6

Criteria	Points
Demonstrated capability of the company's experience as set out in Table 5 under "Capacity of the bidder".	20
Demonstrated capability and experience of the team as set out in Table 5 under "Team experience".	25
Demonstrated sound methodology in delivering the services as set out in Table 5 under "Methodology/approach".	25
Overall quality of the presentation and presenters.	15
Satisfactory response to questions.	15
Total	100

11.3 Points achieved under this evaluation criteria will be rounded to two decimal places.

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12. Phase Four: Preference point system

12.1 Bidders that successfully achieve at least 80.00 points for Phase 3 will qualify for evaluation of their Price and B-BBEE Proposal.

12.2 The formula below will be used to calculate the preference procurement points for price:

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

Where

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid or offer under consideration

Pmin = Comparative price of lowest acceptable bid

Depending on the bidder's level of broad-based black empowerment contribution, a maximum of 20.00 points may be allocated to a bidder. The points scored by a bidder for broad-based black economic empowerment contribution will be added to the preference procurement points allocated for price.

The table below reflects the number of points to be allocated to a bidder based on broad-based black economic empowerment contribution:

Table 7

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

12.3 The B-BBEE points will be awarded as per the rating certificate, the points for joint ventures (JV) or consortiums will be awarded based on the certificate of the JV or the consortium.

12.4 The points achieved in this evaluation criteria will be rounded to the two decimal points.

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13. Standard bidding documents

13.1 Bidders are required to complete and sign the following Standard Bidding Documents attached to this bid document:

Table 8	
Invitation to bid	SBD 1
Declaration of Interest	SBD 4
Preference Points Claim Form for Preferential Procurement Regulations 2017 (including a valid B-BBEE Status Level Verification Certificate)	SBD 6.1
Should a bidder not complete and sign the SBD6.1, the bidder will be allocated 0.00 points for B-BBEE.	

14. Instructions to respondents

14.1 Correspondence

- 14.1.1 No telephonic or any other form of communication with any other ECIC member of staff other than the named individual below, relating to this RFP will be permitted. All enquiries must be in writing only.
- 14.1.2 All questions relating to the contents of the tender (conditions, rules, terms of reference etc.) must be forwarded in writing via email to procurement@ecic.co.za by not later than 24 January 2023. Questions received after this date will not be entertained
- 14.1.3 All questions must reference specific paragraph numbers, where applicable.
- 14.1.4 All enquiries (received on or before the closing date for enquiries) will be consolidated and ECIC will publish one response document on the ECIC website (www.ecic.co.za) within two working days after the date in indicated in paragraph 14.1.2, on or before 26 January 2023.
- 14.1.5 No requests for information shall be made to any other person or place and in particular not to the existing provider of this service.

14.2 Submission of the proposals

- 14.2.1 Bid documents must be clearly marked for ease of reference and must be submitted on PDF format on/or before the closing date and time to the following email address:

procurement@ecic.co.za

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- 14.2.2 The following email submission procedures or protocols must be adhered to ensure safe and secure submission of the tender documents and supporting documents:
- 14.2.2.1 The tender document, including the supporting or returnable documents should be submitted via email on PDF format.
- 14.2.2.2 If the PDF tender document, including the supporting or returnable documents is less than 20 Megabytes (MB), it should be submitted as one document. If the electronic bid document is more than 20MB, the electronic tender document should be split in order to adhered to the 20MB email capacity.
- 14.2.3 Bidders are also encouraged to submit a USB detailing their tender proposals.
- 14.2.4 Only if bidders are experiencing challenges with emailing documents, tenders can be delivered at the ECIC Offices on/or before the closing date and time at Block C7 Eco Origins Office Park, 349 Witch Hazel Avenue, Highveld Ext 79, Centurion, 0157, South Africa.
- 14.2.5 **Any proposal received after the closing date and time will not be accepted**
- 14.2.6 All proposals and all subsequent information received from respondents will not be returned. The proposals should be addressed to the Head of Procurement of ECIC.

15. Timeline of the bid process

- 15.1 The period of validity of the tender and the withdrawal of offers, after the closing date and time are 120 days, expiring on 7 June 2023. The project timeframes of this bid are set out below:

Table 9

Stage	Description of Stage	Estimated Completion Date (or work week ending)
1.	Advertisement of bid on Government e-tender portal /ECIC Website	14 January 2023
2.	Questions relating to bid from bidder(s)	24 January 2023
3.	Bid closing	7 February 2023
4.	Compliance Evaluation	10 February 2023
5.	Functional Evaluation	10 February 2023
6.	Proof of Concept	24 February 2023
7.	Preference Points	3 March 2023
8.	Bid Adjudication	17 March 2023

- 15.2 All dates and times in this bid are in South African Standard Time.

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15.3 Any time or date in this bid is subject to change at the discretion of ECIC. The establishment of a time or date in this bid does not create an obligation on the part of ECIC to take any action or create any right in any way for any bidder to demand that any action be taken on the date established. The bidder accepts that, if ECIC extends the deadline for bid submission (the Closing Date) for any reason, the requirements of this bid otherwise apply equally to the extended deadline.

15.4 ECIC will notify all bidders of the outcome of the bid within 10 days from the date of adjudication of this bid.

16. Bid rules

16.1 Awarding a bid

16.1.1 ECIC will not award a bid to a bidder:

16.1.1.1 Who is or the bidder's director(s), trustee(s), shareholder(s), member(s), partners(s) or any person(s) having controlling interest in the bidder are restricted to conduct business with the State.

16.1.1.2 Who is in the employ of the State or has a director(s), trustee(s), shareholder(s), member(s), partners(s) or any person(s) having controlling interest in the bidder who is in the employ of the State as contemplated in the Public Administration Management Act, 11 of 2014 and is prohibited from conducting business with the State in terms of section of PAMA.

16.1.1.3 Who is in the service of the State or has a director(s), trustee(s), shareholder(s), member(s), partners(s) or any person(s) having controlling interest in the bidder and has not declared their business interest as required in the applicable SBD4 form.

16.1.1.4 Has been found to have transgressed Prevention and Combating of Corrupt Activities Act, 12 of 2004 (as amended).

16.1.1.5 Has been found to have transgressed or is transgressing the Competition Act, 89 of 1998 (as amended).

16.1.2 ECIC shall not award a bid or contract or order to a bidder whose tax affairs are not compliant, except to foreign bidders with no tax obligations in South Africa.

16.1.3 For a bidder or the bidder's director(s), trustee(s), shareholder(s), member(s), partners(s) or any person(s) having controlling interest in the bidder who have declared their business interest as required in the applicable SBD4 form, ECIC will not award a bid to a bidder who has declared their interest and:

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- 16.1.3.1 Is prohibited from conducting business with the State; or
- 16.1.3.2 Does not have permission to conduct remunerative work outside their employment.
- 16.1.4 ECIC will verify with the relevant Organ of State to determine if paragraphs 16.1.3.1 and 16.1.3.2 are not applicable.
- 16.1.5 ECIC will assume that the person contemplated in paragraph 16.1.3 is prohibited from conducting business with the State or the person does not have permission to conduct remunerative work outside their employment if it does not receive any response within 21 days from such verification request to an Organ of State.
- 16.1.6 ECIC will then recommend to award the bid to the bidder who achieved the second highest preference points, and should it be established that, the bidder who achieved the second highest preference points have a person contemplated in paragraph 16.1.3, ECIC will conduct verification as contemplated in paragraphs 16.1.4 and 16.1.5. This step can be performed to up to the bidder who achieved the third highest preference points.

16.2 Documents/information required as a condition of award

- 16.2.1 Proof of registration valid registration on the National Treasury Central Supplier Database (CSD).
- 16.2.2 All SBD's signed and completed, SBD1, SBD4, and SBD6.1.
- 16.2.3 ECIC will conduct a fit and proper and financial soundness assessment on the proposed winning bidder and will request the required information at that point of the process.

16.3 Broad-Based Black Economic Empowerment and Socio-Economic Obligations

- 16.3.1 As prescribed in terms of the Preferential Procurement Policy Framework Act (PPPFA), Act 5 of 2000 and its Regulations, bidders are to note that ECIC will allow a "preference" to companies who provide a valid BEE Certificate or Sworn Affidavit.
- 16.3.2 Bidders are required to complete SBD 6.1 and submit it together with proof of their B-BBEE Status as stipulated in the bidding form in order to obtain preference points for their B-BBEE status.

16.4 B-BBEE Joint Ventures or Consortiums

- 16.4.1 Bidders who would wish to respond to this bid as a Joint Venture [JV] or consortium with B-BBEE entities, must state their intention to do so in their

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bid submission. Such Respondents must also submit a signed JV or consortium agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party.

- 16.4.2 If such a JV or consortium agreement is unavailable, the partners must submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be awarded business by ECIC through this bid process. This written confirmation must clearly indicate the percentage [%] split of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to ECIC.
- 16.4.3 Bidders are to note the requirements for B-BBEE compliance of JVs or consortiums as stipulated in the bidding form in order to obtain preference points for their B-BBEE status and submit it together with proof of their B-BBEE Status.

16.5 Sub-contracting

- 16.5.1 If contemplating subcontracting, please note that a bidder will not be awarded points for B-BBEE if it is indicated in its Proposal that such bidder intends subcontracting more than 30% (thirty percent) of the value of the contract to an entity/entity that do not qualify for at least the same points that the bidder qualifies for, unless the intended subcontractor is a company which is Black Owned, Black Women Owned, Black Youth Owned, owned by Black People with Disabilities, an EME and QSE , with the capability to execute the subcontract.
- 16.5.2 A person awarded a contract may not subcontract more than 25% (twenty five percent) of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.
- 16.5.3 Respondents are required to indicate the percentage of the contract that will be sub-contracted as well as the B-BBEE status of the sub-contractor/s on the SBD6.1.

16.6 ECIC's rights

- 16.6.1 ECIC reserves the right to:
- 16.6.1.1 Amend any bid conditions, bid validity period, bid specifications, or extend the bid closing date, all before the bid closing date. Such amendments will be posted on the ECIC's website under the relevant tender information. All prospective bidders must therefore ensure that they visit the website of ECIC (www.ecic.co.za) regularly before they submit their bid response to ensure that they are kept updated on any amendments in this regard.

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- 16.6.1.2 Cancel or withdraw this bid at any time, as a whole or in part without reasons and without attracting any liability.
- 16.6.1.3 Award this bid to more than one bidder.
- 16.6.1.4 Negotiate with all or some of the shortlisted bidders.
- 16.6.1.5 Not accept the lowest priced bid or award the bid to a bidder other than the highest scoring bidder.
- 16.6.1.6 Conduct site visits at bidder's offices and / or at client sites if so required.
- 16.6.1.7 Request any relevant information and/ or documents to verify or clarify information supplied in the bid response in relation, but not limited, to the structure of the bidding entity, bidder's capacity, proposed solution, proposed timelines etc.

16.7 Contract fees

- 16.7.1 Where a bidder indicates that its prices are subject to confirmation, or are in any way conditional, such pricing will not be considered.

16.8 Confidentiality

- 16.8.1 Any information relating to the submissions, through the process or otherwise shall be treated in strict confidence. In submitting a response, a Service provider agrees that it shall not be entitled to any information disclosed by another respondent to ECIC, which ECIC has determined to be of a confidential nature. The content and details of the evaluation of submissions will remain confidential to ECIC.

16.9 Other matters

- 16.9.1 If the ECIC does not accept any proposal, it will declare this bid process closed and may then elect to:
 - 16.9.1.1 Proceed on a completely different basis; and/or
 - 16.9.1.2 Not to appoint any respondent (in the event it deems all or any of the proposals not appropriate).
 - 16.9.1.3 The ECIC reserves the right to engage in any processes required to validate all claims made in the proposal.

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16.9.1.4 The ECIC has the right to enter into negotiation with a prospective Service provider regarding any terms and conditions, including fees, of a proposed contract.

16.9.2 Bidders are allowed to submit joint proposals to allow different companies/entities to undertake different components of the work under one single proposal. In such event however, each bidder is required to provide a BBEE certificate.

16.10 Disclaimer

16.10.1 The ECIC has produced this bid in good faith. However, the ECIC, its agents and its employees and associates, do not warrant its accuracy or completeness. The ECIC will not be liable for any claim whatsoever and howsoever arising (including, without limitation, any claim in contract, negligence or otherwise) for any incorrect or misleading information contained in this bid due to any misinterpretation of this bid.

16.10.2 This bid is a request for proposals only and not an offer document; answers to it must not be construed as acceptance of an offer or imply the existence of a contract between the ECIC and the bidder.

16.11 Terms of engagement

16.11.1 The ECIC's engagement of the service provider will be documented in a contract between the ECIC and the appointed bidder.

C. ANNEXES

Annexure A: Protection of personal information

1. ECIC recognises that when the Bidder submit its proposal in response to this Request for Quotations, it will provide personal information, which ECIC will process for the sole purpose of evaluating the Bidder's proposal. By submitting its proposal in responding to this Request for Quotations, the Bidder hereby provide its consent to the processing of its Personal Information by ECIC.
2. The following terms shall have the meaning ascribed to them:
 - 2.1. **"Personal Information"** shall bear the same meaning as ascribed to it under POPI;
 - 2.2. **"POPI"** means Protection of Personal Information Act, No. 4 of 2013;
 - 2.3. **"Responsible Party"** shall bear the same meaning as ascribed to it under POPI; and
 - 2.4. **"bid"** means this Request for Quotations.
3. ECIC as the Responsible Party undertakes to:
 - 3.1. comply with the provisions of POPI as well as all applicable legislation as amended or substituted from time to time;
 - 3.2. treat all Personal Information strictly as defined within the parameters of POPI;
 - 3.3. process Personal Information only in accordance with the consent it was obtained for, for the purpose agreed, as permitted by law;
 - 3.4. secure the integrity and confidentiality of any Personal Information in its possession or under its control by taking appropriate, reasonable technical and organisational measures to prevent loss, damage, unauthorised destruction, access, use, disclosure or any other unlawful processing of Personal Information;
 - 3.5. not transfer any Personal Information to any third party in a foreign country unless such transfer complies with the relevant provisions of POPI regarding transborder information flows; and
 - 3.6. not retain any Personal Information for longer than is necessary for achieving the purpose in terms of bid or in fulfilment of any other lawful requirement.
4. ECIC will ensure that all reasonable measures are taken to:

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- 4.1. identify reasonably foreseeable internal and external risks to the Personal Information in its possession or under its control;
- 4.2. establish and maintain appropriate security safeguards against the identified risks;
- 4.3. regularly verify that the security safeguards are effectively implemented;
- 4.4. ensure that the security safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards;
- 4.5. provide immediate notification to the Bidder if a breach in information security or any other applicable security safeguard occurs; provide immediate notification to the Bidder where there are reasonable grounds to believe that the Personal Information has been accessed or acquired by any unauthorised person;
- 4.6. remedy any breach of a security safeguard in the shortest reasonable time and provide the Bidder with the details of the breach and, if applicable, the reasonable measures implemented to address the security safeguard breach;
- 4.7. provide immediate notification to the Bidder where the Bidder has, or reasonably suspects that, Personal Information has been processed outside of the purpose agreed to or consented to;
- 4.8. provide the Bidder, upon request, with all information of any nature whatsoever relating to the processing of the Personal Information for the purpose of the bid and any applicable law; and
- 4.9. notify the Bidder, if lawful, of receipt of any request for access to Personal Information, in its possession and relating to the Bidder. The Bidder has the right to inspect the Personal Information processing operations, as well as the technical and organisational information security measures employed by the ECIC to ensure compliance with the provisions of this Annexure.

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Annexure B: Format for fee proposal (Pricing Example)

1. Bidders are required to submit their fee schedule using the example below. The proposed fee must include all costs for providing outsourcing services to the ECIC as described in this bid.
2. Pricing schedule for proposed components under review over the three years.

Description		Amount (R)
Risk Maturity Assessment		RXXX
Compliance Maturity Assessment		RXXX
Any other cost element(s) not included above		RXXX
		RXXX
		RXXX
		RXXX
Subtotal		RXXX
Value Added Tax at 15% (where applicable)		RXXX
Total including VAT (Value Added Tax)		RXXX

3. ECIC will only accept fixed prices for the contract term. The quoted price must be an all-inclusive price and ECIC will not pay for any items required in this bid but not quoted for. The bidder must ensure that the quotation includes all the services required under scope of work.
4. The quotation must be on the letterhead of the bidder.

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Annexure C: Applicable Standard Bidding Documents

SBD 1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE EXPORT CREDIT INSURANCE CORPORATION OF SOUTH AFRICA (SOC) LIMITED					
BID NUMBER:	ECIC07P-2022/23	CLOSING DATE:	7 FEBRUARY 2023	CLOSING TIME:	11H00
DESCRIPTION	ENTERPRISE-WIDE RISK AND COMPLIANCE MATURITY ASSESSMENT				
BID RESPONSE DOCUMENTS MUST BE SENT TO THE FOLLOWING EMAIL ADDRESS:					
procurement@ecic.co.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Lopang Kwape		CONTACT PERSON	Lopang Kwape	
E-MAIL ADDRESS	procurement@ecic.co.za		E-MAIL ADDRESS	procurement@ecic.co.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:		OR	CENTRAL SUPPLIER DATABASE No:
					MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE		[TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT [TICK APPLICABLE BOX] ☐ Yes ☐ No	

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[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?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ YES ☐ NO [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
---	--	--	--

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? NO	☐ YES ☐
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ 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.	

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PART B
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 PIN 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.

SIGNATURE OF BIDDER:

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

DATE:

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

- 1.1. 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.
- 1.2. 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 ² 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 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.

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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:

Full Name (Name of person employed by Export Credit Corporation of South Africa (SOC) Ltd, the procuring institution)	Relationship

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
------	---	---------------

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2.3.1. If so, furnish particulars:

Name of Related Enterprise	Registration (ID) Number

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3. DECLARATION

I, the undersigned, 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 consortium³ 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.
- 3.5. 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.
- 3.6. 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.
- 3.7. 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.

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

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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.

Name of declarer			
Position/Title of declarer			
Name of bidder			
Signature of declarer		Date of signature	

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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).

1.2

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; or

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 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

1.5 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.

1.6 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 quotations, 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;

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3. POINTS AWARDED FOR PRICE

3.1 THE 80/20

3.2 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 (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	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.

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7. SUB-CONTRACTING

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

(Tick applicable box)

YES		NO	
-----	--	----	--

i. 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		NO	
-----	--	----	--

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.....

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8.4 TYPE OF COMPANY/ FIRM

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

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- 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;
- (a) 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 –
 - (b) disqualify the person from the bidding process;
 - (c) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (d) 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;
 - (e) 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
 - (f) forward the matter for criminal prosecution.

WITNESSES			BIDDER	
1.	Name		Name	
	Signature		Signature	
2.	Name		Address	
	Signature			

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Terms of Reference

Annexure D: Administrative Checklist

Hereunder is a checklist to ensure that the bid document is complete in terms of administrative compliance. Please ensure that the following forms have been completed and signed and that all documents, as requested, are attached to the tender document.

ITEM	DOCUMENT REFERENCE		ACTION TO BE TAKEN	YES/NO
1.	SBD 1	Invitation to bid	Is the form duly completed and signed?	
2.	SBD 4	Declaration of Interest (if applicable)	Is the form duly completed and signed? (if applicable)	
3.	SBD 6.1	Preference Points Claim Form for Preferential Procurement Regulations 2017 (if applicable)	Is the form duly completed, B-BBEE points claimed (if applicable) and form signed?	
4.	B-BBEE status level verification certificate or Sworn Affidavit (if applicable)		Is proof of B-BBEE Status level of contributor attached (if applicable)? Bidder must attach copy of BEE Certificate or copy of Sworn Affidavit, whichever is applicable?	
5.	Copy of CSD Report or MAAA Number (if applicable)			
6.	Tender submission (if the bidder is submitting physical information/documents)		Two (2) printed copies (one original and one copy) submitted? (if submitting physical copies).	
			One (1) electronic copy submitted?	

I, the undersigned (name) certify that the information furnished on this checklist is true and correct.

Position/Title of declarer			
Name of bidder			
Signature of declarer		Date of signature	