

## REQUEST FOR QUOTATION

### PROCUREMENT OF CONSULTANT TO CONDUCT A JOB EVALUATION AND GRADING EXERCISE FOR ALL NHC POSITIONS

<b>RFQ NUMBER:</b>	RFQ NHC/157/2022/23
<b>RFQ ISSUE DATE:</b>	10 February 2023
<b>CLOSING DATE AND TIME:</b>	17 February 2023 @ 11:00am
<b>COMPULSORY BRIEFING SESSION</b>	None

**SUPPLIERS ARE REQUESTED TO PLEASE SUBMIT A QUOTATION ON THE COMPANY LETTERHEAD FOR THE FOLLOWING:**

<u>No</u>	<u>Item Description</u>	<u>Quantity</u>	<u>Unit of Measure</u>
4.1.	Consultant to conduct a job evaluation and grading exercise for all NHC positions as per TOR attached		

ITEM DESCRIPTION	DETAILED INFORMATION
<b>RFQ VALIDITY PERIOD</b>	30 days (COMMENCING FROM THE RFQ CLOSING DATE)
<b>COMPULSORY REQUIREMENT</b>	<ul style="list-style-type: none"> <li>- Valid current Tax compliance status pin code for verification of tax compliance status with SARS.</li> <li>- Only suppliers registered on the Central Supplier Database (CSD) will be considered. Suppliers must include with their quotation / proposal their Master Registration number as proof of registration on CSD</li> <li>- Only bidders that submit a valid current certified copy of the B-BBEE Certificate or original BBEE certificate issued by the verification agency accredited by SANAS or Sworn Affidavit signed by the EME representative and attested by a Commissioner of Oaths i.r.o (EMEs), will be considered for scoring on the 20 points as per the 80/20 principle</li> </ul>

ITEM DESCRIPTION	DETAILED INFORMATION
	- Completed and signed Standard Bidding Documents (SBD) forms included with the bid document / RFQ.
<b>OTHER COMPULSORY REQUIREMENTS / INFORMATION</b>	Professional Membership and other documentation as stated in the document
<b>SUBMISSION OF QUOTES</b>	e-mail to: <a href="mailto:procurement@nhc.org.za">procurement@nhc.org.za</a>
<b>CONTACT PERSON FOR ENQUIRIES</b>	Tshepo Moeng <a href="mailto:t.moeng@nhc.org.za">t.moeng@nhc.org.za</a> , cc to <a href="mailto:procurement@nhc.org.za">procurement@nhc.org.za</a>

## INTRODUCTION

### 1. PURPOSE OF THE REQUEST

NHC seeks to invite quotations for the procurement of goods and/or services as stated above.

### 2. NHC's TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

- 2.1. NHC's conditions of purchase shall apply.
- 2.2. The validity period of the quotations must be clearly stated on the quotation.
- 2.3. Prices quoted shall be in South African Rand and inclusive of VAT and costs such as delivery, insurance, taxes, etc.
- 2.4. No price adjustments or amendments of the delivery particulars contained in this document will be considered by the NHC.
- 2.5. The supplier accepts full responsibility for the proper execution and fulfilment of the goods or services quoted for.
- 2.6. NHC reserves the right to accept or reject any special terms and conditions that may qualify the goods or services to be provided.
- 2.7. The NHC reserves the right to accept or reject a proposal in whole or in part.
- 2.8. Quotations shall be submitted on an official letterhead and duly signed.
- 2.9. Goods or services shall be supplied / rendered upon receipt of an official purchase order from the NHC.
- 2.10. The General Conditions of Contract issued by National Treasury are applicable.
- 2.11. Only quotations from suppliers that complies with the specifications and indicate the date of delivery, shall be evaluated and considered.
- 2.12. Your quotation must indicate the expected delivery date / period.
- 2.13. The NHC reserve the right to do due diligence on the quotations.
- 2.14. The NHC reserves the right to benchmark prices quoted.
- 2.15. No services must be rendered or goods delivered before an official NHC Purchase Order form has been received and the service level agreement is signed (if applicable).
- 2.16. Late and incomplete submissions will not be accepted.
- 2.17. NHC shall pay within 30 days after receipt of an invoice.

2.18. All invoices must be submitted to SCM via the email to [procurement@nhc.org.za](mailto:procurement@nhc.org.za).

### 3. EVALUATION CRITERIA

All quotations will be evaluated based on compliance with compulsory requirements, compliance with specifications / Terms of Reference and the 80/20 preference point system prescribed by the Preferential Procurement Policy Framework Act 5 of 2000 and its Regulations. The lowest acceptable price will score 80 points; the 20 BBBEE points will be allocated as follows:

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

Your assistance and co-operation is appreciated.

Kind Regards

*Ms. Nompumelelo Ndlovu  
Supply Chain Management intern  
National Heritage Council of South Africa  
353 Festival Street  
Hatfield  
0028  
Tel: 012 748-3949  
Email: [procurement@nhc.org.za](mailto:procurement@nhc.org.za)*



**nhc**

**National Heritage Council**  
SOUTH AFRICA

**an agency of the**  
Department of Sport, Arts and Culture

## **NATIONAL HERITAGE COUNCIL OF SOUTH AFRICA**

TERMS OF REFERENCE  
TENDER / REQUEST FOR QUOTATION NO: **RFQ NHC/157/2022/23**

### **CONSULTANT TO CONDUCT A JOB EVALUATION AND GRADING EXERCISE FOR ALL NHC POSITIONS**

Bidder Name: \_\_\_\_\_

CSD Ref No: \_\_\_\_\_

THIS DOCUMENT ARE CONFIDENTIAL AND FOR CONSIDERATION AND RESPONSE BY THE RECORDED  
RECIPIENTS ONL



**nhc**

National Heritage Council  
SOUTH AFRICA

an agency of the  
Department of Sport, Arts and Culture

353 Festival Street | Hatfield |  
Pretoria, 0028 | P.O Box 74097,  
Lynnwood Ridge | South Africa,  
0040

Tel: 012 748 3949

[www.nhc.org.za](http://www.nhc.org.za)



## TERMS OF REFERENCE FOR THE NATIONAL HERITAGE COUNCIL JOB EVALUATION AND GRADING PROCESS

### 1. INTRODUCTION

The National Heritage Council of South Africa (NHC) is a schedule 3A public entity in terms of the Public Finance Management Act, 1999. The NHC hereby requires the services from a suitable, experienced and qualified Consultant to conduct a job evaluation and grading on all NHC positions.

### 2. BACKGROUND

The NHC has embarked on a journey to review the requirements of each position and assign a suitable grading which requires the services of a qualified, experienced and suitable consultancy firm.

### 3. SCOPE OF WORK

The purpose of the job evaluation and grading is to engage the services of a consultancy team or firm to evaluate each position on the NHC organizational structure and assign a suitable grading.

The scope of work includes, but is not limited to, the following:

- 3.1. Initial meetings with the NHC to agree on the final scope of work and familiarize with the organizational structure, various positions and methodology required.
- 3.2. Evaluate all positions of the NHC on the organizational structure and propose a grading.

### 4. OBJECTIVES

The objectives of the job evaluation and grading are to:

- 4.1. Compare jobs with one another objectively to determine the relative size or weight of the job within NHC and ensure a defensible and equitable basis for determining and management of the grading of each job.
- 4.2. A systematic analysis of the various components of the job and using a standard system, to determine the size. Judgement is required based on the facts and situations, including to ensure that subjectivity is minimized and informed judgements are facilitated.

- 4.3. Job evaluation must be based on the job contents and the demands of the job. The goal is to determine the relative value of the job to the NHC and the qualitative aspects that each job have.

## **5. LEGISLATIVE REQUIREMENTS**

The consultant is required to ensure compliance with, but not limited to, the following legislation:

- 5.1. The Constitution of South Africa, 1996 (Act 108 of 1996)
- 5.2. Public Finance Management Act, 1999 (Act 1 of 1999) and National Treasury regulations, prescripts, instruction notes and guidelines that provide the requirements of each role in Finance and Supply Chain Management.
- 5.3. National Heritage Council Act, 1999 (Act 11 of 1999)
- 5.4. Labour Relations Act, 1995 (Act 66 of 1995)
- 5.5. Basic Conditions of Employment Act, 1997 (Act 75 of 1997)
- 5.6. Employment Equity Act, 1998 (Act 55 of 1998)
- 5.7. The Occupational Health and Safety Act, 1993 (Act 85 of 1993)
- 5.8. Protection of Personal Information Act, 2013

## **6. COMPULSORY REQUIREMENTS**

The service providers that submit proposals in terms of this RFQ will be required to comply with the following compulsory requirements: The documentation must be included with the quotation:

- 4.1. Valid current Tax compliance pin code as issued by the South African Revenue Services (SARS).
- 4.2. Valid current registration on the Central Supplier Database (CSD) showing a tax compliance status for the duration of the RFQ process. Proof of registration to be supplied with the quotation.
- 4.3. Completed and signed Standard Bidding Documents (SBD) as included in the document.
- 4.4. Company profile with Organogram must be submitted with the quotation.
- 6.1. At least five (5) years' experience with job evaluation and grading for public entities. At least three (3) reference letters, on the client letterhead, are required for each service provider for job evaluation and grading for a period of at least 3 years. The letters must contain the following information:
  - a) Name of the business (Client's company)
  - b) Job evaluation and grading done successfully
  - c) Contact person responsible for Job evaluation and grading at the client with the contact telephone number, cell phone number and e-mail address.
  - d) Rand value of job evaluation and grading performed
  - e) Period of contract

- 4.5. Proven track record on experience shall be supported by evidence of a track record for job evaluation and grading services. Minimum of five (5) years' experience is required for the company.
- 4.6. The General Conditions of Contract (GCC) issued by the National Treasury is applicable and forms part of the Request for Quotation (RFQ). A copy of the GCC can be obtained from [Microsoft Word - GCC inclusion of par 34 CIBD 24-5 .doc \(treasury.gov.za\)](#).
- 4.7. The consultancy team / job evaluation panel assigned to the job evaluation and grading project should involve consultants with knowledge, skills and experience in job evaluation and grading in public entities. CVs of key personnel that will be involved with the project must be included in the proposal. Where the combined CVs do not cater for at least 80% of the job evaluation and grading services, the supplier will be disqualified.
- 4.8. The Job grading must be done in terms of the Paterson Job Grading System that is currently used by the NHC.

## **7. DELIVERABLES**

- 5.1. Review of all NHC positions as per the organizational structure and provide feedback for each position. The consultant will be required to conduct job evaluation and grading in the following units, but are not limited to:
  - 7.1.1. National Heritage Council as a public entity
  - 7.1.2. Executive Management
  - 7.1.3. Secretariat
  - 7.1.4. Human Resource Management
  - 7.1.5. Financial Management
  - 7.1.6. Supply Chain Management
  - 7.1.7. Marketing and Communications
  - 7.1.8. Information and Communications Technology
  - 7.1.9. Internal Audit
  - 7.1.10. Heritage
  - 7.1.11. Living Heritage
  - 7.1.12. Funding
- 5.2. Design a questionnaire that contains a number of questions on elements of the following factors:
  - 7.2.1. Responsibility
  - 7.2.2. Thinking demands

7.2.3. Communication and contacts

7.2.4. Knowledge

7.2.5. Environmental demands

- 5.3. Conduct interviews with NHC employees on the work performed by each.
- 5.4. Collect data and conduct an analysis of the jobs. Evaluate the jobs with a prescribed evaluation system for public entities.
- 5.5. Propose changes to positions where applicable and provide the relevant job grading for each.
- 5.6. A report on the job evaluations, based on the analysis of employee discussions / meetings / interviews and duties required by each position.
- 5.7. A report in the number of posts evaluated, upgraded and downgraded per CORE, occupation and grade.
- 5.8. A report on the number of employees who were promoted as a result of posts that were upgraded, by race, gender and disability.
- 5.9. A report by CORE and occupation, the number of employees whose remuneration exceeds the grade determined by job evaluation and the reasons for each deviation.

## **8. REPORTING FORMAT**

Suppliers are required to report gaps and any variations on the policies in the following format:

- 8.1. Position
- 8.2. Reporting structure
- 8.3. Duties / Key performance areas
- 8.4. Findings
- 8.5. Grading
- 8.6. Recommendations

## **9. TIMEFRAME FOR DELIVERABLES**

The job evaluation and grading process to be completed by 31 March 2023. Suppliers are required to submit an implementation plan that provides insight and information on the methodology and approach to be followed, achievable timeframes and achievable milestones.

## **10. COST ESTIMATES**

- 8.1. All prices are fixed and in South African Rand (ZAR). No amendments to the price will be allowed after closure of the Request for Quotation (RFQ).
- 8.2. Cost estimates must be in line with the required deliverables and the project plan.

- 8.3. Service providers shall submit a detailed quotation. Failure to submit a detailed quotation will result in the proposal to be considered as a non-responsive quotation.

## 11. EVALUATION CRITERIA

All service providers and proposals will be evaluated according to the compulsory requirements, compliance with specifications, Price and their B-BBEE level of contribution. The 80/20 principle in terms of the Preferential Procurement Regulations will be applied.

B-BBEE points in terms of the Preferential Procurement Policy Framework Act Regulations will be allocated as follows:

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

NB: Original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a verification agency accredited by the South African National Accreditation System ("SANAS"). In the case of Exempt Micro Enterprises (EMEs) and Qualifying Small Enterprises (QSEs), an affidavit is to be submitted.

- 9.1. In the event of a Joint Venture or Consortium(s) / primary bidder with a sub-contractor, the following requirements will apply:

9.2.1. Bidders who wish to respond to this bid as a Joint Venture (JV) or consortium with B-BBEE entities / primary bidder with a subcontractor must state their intention to do so in their tender submission. Such bidders must also submit a signed JV / consortium / subcontracting agreement between the parties clearly stating the percentage (5) split of business (Internal audit fee and work) and the associated responsibilities of each party.

9.2.2. If such a JV or consortium / subcontracting agreement is unavailable, the directors must submit confirmation in writing of their intention to enter into a JV / consortium / subcontracting agreement should they be awarded business by NHC through this tender process. This written confirmation must clearly indicate the percentage (%) split of business (internal audit fee and work) and the responsibilities of each party. In such cases, before contracting, a signed copy of a JV / consortium / subcontracting agreement must be submitted to NHC.

9.2.3. A consortium or joint venture must submit a valid consolidated B-BBEE status level verification certificate.

## 12. NHC LIABILITY

The NHC does not bind itself to accept the lowest or any RFQ proposal, not to assign any reason for the rejection of a RFQ proposal, not shall it be responsible for or pay any expenses or losses that may be incurred by the prospective service provider in the preparation of this quotation

**13. VALUE ADDED**

- 11.1 Service providers are required to include a skills transfer plan for the NHC and provide an explanation, with the quotation, how skills transfer is proposed to be conducted.
- 11.2 Service providers are encouraged to indicate any value added services that may be offered to the NHC in line with the requirements as stated above.

## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

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

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

### 2. Bidder's declaration

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

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

FULL NAME	IDENTITY NUMBER	NAME OF INSTITUTE	STATE

---

<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

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

2.2.1 If so, furnish particulars:

.....  
.....

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

2.3.1 If so, furnish particulars:

.....  
.....

### **3 DECLARATION**

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

3.1 I have read and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win

---

<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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 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
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

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
<b>PRICE</b>	80
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

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



$$P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) \text{ or } P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

- P<sub>s</sub> = Points scored for price of bid under consideration  
 P<sub>t</sub> = Price of bid under consideration  
 P<sub>max</sub> = Price of highest acceptable bid

## 5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 5.1 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

## 6. BID DECLARATION

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

### 7. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 7.1 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.)

## 8. SUB-CONTRACTING

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

(Tick applicable box)

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

- 8.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted .....%  
 ii) The name of the sub-contractor.....

iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

**(Tick applicable box)**

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

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

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME ✓</b>	<b>QSE ✓</b>
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		
<b>OR</b>		
Any EME		
Any QSE		

**9. DECLARATION WITH REGARD TO COMPANY/FIRM**

9.1 Name of company/firm:.....

9.2 VAT registration number:.....

9.3 Company registration number:.....

**9.4 TYPE OF COMPANY/ FIRM**

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

**9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....  
.....  
.....  
.....

**9.6 COMPANY CLASSIFICATION**

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

9.8 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-BBEE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

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

<p>WITNESSES</p> <p>1. ....</p> <p>2. ....</p>
--

<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE: .....</p> <p>ADDRESS .....</p> <p>.....</p> <p>.....</p>
--