

RFP Number	SAC2610-016
RFP DESCRIPTION	APPOINTMENT OF A SUITABLY QUALIFIED INDEPENDENT SERVICE PROVIDER(S) TO RENDER INTERNAL AUDIT SERVICES
ISSUE DATE	13 OCTOBER 2026
BRIEFING SESSION	NONE
CLOSING DATE & TIME	TUESDAY, 30 OCTOBER 2026 @17:00
SUBMISSIONS	EMAIL TO: scm@sacnasp.org.za SUBJECT: SAC2610-016 INTERNAL AUDITORS

1. PURPOSE

The South African Council for Natural Scientific Professions (SACNASP) invites proposals from qualified and reliable service providers to supply internal audit services.

2. BACKGROUND

SACNASP is a regulatory entity of the Department of Science, Technology, and Innovation (DSTI) established by Section 2 of the Natural Scientific Professions Act 27 of 2003 (NSP Act) as amended.

In terms of Section 16 (1) of the Natural Scientific Professions Act (Act 27 of 2003), the Council must, within six months from the close of each financial year, provide the Minister with an annual report, including the annual financial statements regarding its activities during that financial year, for tabling in Parliament.

SACNASP therefore requires the services of Registered Auditors to perform the Internal Audit function for a period of three (3) years, commencing with the 2026/27 financial year-end.

Section 3.2 of the Governance Framework provides that the SACNASP Corporate Governance Structure comprises an Internal Audit function, which will provide independent assurance on the effectiveness of governance, risk management, and internal controls.

OBJECTIVE

The purpose is to appoint an independent and suitably qualified Internal Audit service provider to deliver risk-based assurance and advisory services on governance, risk management, and internal controls.

SCOPE OF WORK

SACNASP seeks to appoint a service provider to provide an internal audit function, including to:

- Provide a general Internal Audit application and control review
- Conduct an IT Governance Review
- Conduct a risk maturity assessment
- Analyse the findings of the risk maturity assessment and identify and present the Strategic Risks to the Council and a proposed way forward
- Advise on improvement actions and subsequently assess or monitor implementation, but Management remains responsible for implementation.
- Present a project plan on how to implement the improvement plans defined in the risk maturity assessment for sign-off by the Audit, Risk & ICT Committee.

3. DELIVERABLES

The Internal Audit function shall report functionally and directly to the Audit, Risk & ICT Committee and administratively to the Chief Executive Officer. The deliverables are as follows:

- Develop the risk-based Three-Year Strategic Internal Audit Plan and annual work program and present them to AR&ICT for review and approval.
- Develop the risk-based Annual Internal Audit Plan and present it to AR&ICT for review and approval.
- Develop and review the Internal Audit Charter annually and submit it to AR&ICT for consideration and approval.
- Develop and review the Internal Audit Methodology annually and present it to AR&ICT for approval.
- Assess the adequacy and effectiveness of SACNASP's Disaster Recovery and Business Continuity arrangements.
- Conduct internal audit engagements, including planning, execution, and reporting, in accordance with the approved Annual Internal Audit Plan and Internal Audit Methodology.
- Attend regular progress meetings and prepare periodic status reports for submission to AR&ICT.
- Compile and issue Internal Audit Reports for all completed audit engagements and facilitate discussions with Management and the relevant auditees.
- Attend quarterly AR&ICT meetings to present audit reports, key findings, emerging risks, and the status of management action plans.
- Conduct Probity Audits on procurement processes and bid evaluations identified in the approved Procurement Plan prior to contract award and report the outcomes to AR&ICT.

- Develop, maintain, and update the Audit Findings Register for all audit reports presented to AR&ICT; monitor the implementation of agreed management actions and provide quarterly progress reports to Management and AR&ICT.
- Maintain complete and accurate Internal Audit records in accordance with the approved Internal Audit Methodology and the organization's records management framework.
- Conduct follow-up reviews to verify the implementation and effectiveness of agreed corrective actions and report the results to Management and AR&ICT.
- Assess the adequacy and effectiveness of SACNASP's Risk Management Framework, including the Risk Appetite, Risk Tolerance and Risk Profile, and provide independent assurance and recommendations.
- Provide independent assurance and advisory services aimed at strengthening governance, risk management, and internal control processes across the organization.
- Identify emerging risks and control weaknesses and communicate these proactively to Management and AR&ICT for appropriate action.
- Internal Audit must report on its independence, resources, performance and compliance with applicable Institute of Internal Auditors (IIA) Standards and Code of Ethics, and provide for a private session with AR&ICT without Management

4. DURATION OF THE PROJECT

The contract will be for a period of three (3) years, commencing from the date of signing of the Service Level Agreement (SLA). Continuation into years 2 and 3 is subject to satisfactory performance of the Internal Audit function, with performance reviewed by AR&ICT in accordance with the Governance Framework and applicable contract-management requirements.

5. CONFIDENTIALITY AND NON-DISCLOSURE

The selected service provider will be required to sign a confidentiality and non-disclosure agreement to protect sensitive information related to the policy, procedure and standard operating procedure (SOP) development. No information will be shared with third parties without the written consent from SACNASP.

6. REQUIREMENTS FOR RFP

6.1. PHASE 1: MANDATORY REQUIREMENTS

Service providers who fail to meet the mandatory administrative requirements will be disqualified and excluded from further evaluation. Only responses that comply fully with all the listed administrative requirements will proceed to the next stage of technical/functional evaluation. Service Providers must submit the following documents:

- Proof of registration on the Central Supplier Database (CSD) held by the National Treasury (with a valid, active CSD number).
- Completed and signed Standard Bidding Documents (SBD forms):
 - SBD 4 – Declaration of Interest
 - SBD 6.1 – Preference Points Claim Form in terms of the Preferential Procurement Regulations, 2022.
 - SBD 8 – Declaration of Bidder's Past Supply Chain Management Practices
 - SBD 9 – Certificate of Independent Bid Determination
- Valid original SARS Tax Clearance Certificate or Tax Compliance Status (TCS) PIN.
- Valid B-BBEE Verification Document:
 - An original or certified copy of a valid B-BBEE Certificate, or an original affidavit signed and stamped by a Commissioner of Oaths in line with current B-BBEE regulations.
- Quotations must reflect the cost breakdown for the services, including professional fees and any disbursements. Prices quoted must be inclusive of VAT
- Valid proof of registration or membership in good standing with IIA SA/IRBA/SAICA, or another professional body approved by SACNASP as relevant to the internal audit services being procured.

Where the bidder relies on the registration or membership of a director, partner or proposed engagement partner to meet this requirement, proof of that individual's registration or membership in good standing must be submitted together with the bid.

Only bidders that comply with ALL the criteria set out in Phase 1 above will proceed to the Technical/Functional Assessment (Phase 2).

6.2. PHASE 2: TECHNICAL/FUNCTIONALITY ASSESSMENT

An assessment of functionality will be scored as per the scoring range below, and service providers must score a minimum of **70** or more to proceed to the next phase (3) of evaluation.

The following scoring system will be utilised for this evaluation:

Criteria	Details	Weight
Criterion 1: Company Experience The bidder must submit their company profile indicating the number of years the firm has been rendering Internal audit services including specialized skills, expertise, and value-added services. The company profile should clearly indicate the number of years the company has been in operation and for how many years the company has been offering Internal audit services.	1 to 3 years = 3 4 to 7 years = 6 8 to 10 years = 10 > 10 years = 15	15
Criterion 2: Experience in the Internal audit of public entities with Revenue >R15m. The Bidder should provide reference letters from different clients as evidence of the Internal audits conducted of entities with revenue above R15 million. The reference letters should include: • Project description • Revenue • Contactable reference The reference letters should not be older than five years, the letters should be on the letterhead of the previously serviced client and should indicate the name of the client, the title of the related work conducted, the year conducted, and the completed contactable reference name.	0 References = 0 1 – 2 References = 5 3 – 4 References = 10 5 – 6 References = 15 >6 References = 20	20

Criteria	Details	Weight
Criterion 3: Staff Compliment The bidder should clearly indicate the staff compliment of the company. The description should include office support as well as a description of the IT systems used to perform the audit.	0 to 10 staff = 5 11 to 30 staff = 10 31 to 50 staff = 15 >50 staff = 20	20
Criterion 4: Team Expertise Relevant qualifications and experience of key personnel involved in the Internal Audit services, including project managers, coordinators, ICT specialist and other critical roles.	Partner, Internal Audit Project Manager, Internal Audit Supervisor, Internal Auditor and ICT Specialist = 15 Partner, Internal Audit Project Manager, Internal Audit Supervisor, ICT Specialist and 2 Internal Auditors = 20 Partner, Internal Audit Project Manager, Internal Audit Supervisor, ICT Specialist and >2 Internal Auditors = 25	25
Criterion 5: Methodology and Approach The Bidder should provide a comprehensive project proposal following the specifications outlined in the Scope of Work.	No proposal or inadequate proposal = 0 Basic proposal with limited detail = 5 Partial proposal with examples but lacking detail = 10 Fully compliant proposal with detailed plan and examples = 20	20
Total		100

6.3. PHASE 3: EVALUATION CRITERIA

Formal quotations will be evaluated and adjudicated in terms of the 80/20 Preference Point System for Price and B-BBEE prescribed by the Preferential Procurement Policy Framework Act 2022 Regulations.

Price and B-BBEE

Criteria	Sub-criteria	Weighting/points
Price	Detailed budget breakdown	80
B-BBEE (Status Level Verification Certificate)	B-BBEE Level Contributor	20
Total		100

7. SUBMISSIONS

Submission must have a minimum of 5 documents organised and labelled as follows:

- 1) Mandatory Documents.
- 2) Company Profile.
- 3) Technical project proposal outlining methodology and timelines.
- 4) Pricing (if not included in the proposal).
- 5) References.

All documents should be forwarded via email to:

Email: scm@sacnasp.org.za

Tel: 012 748 6500

No late bids will be considered. Bids sent to any other email address other than the one specified above will be disqualified and will not be considered for evaluation. It is the bidder's responsibility to ensure that the bid is sent to the correct email address and on time.

All technical enquiries should be directed to:

Contact Person: Pontsho Mamabolo

Designation: Financial Accountant

Email: Pontsho.Mamabolo@sacnasp.org.za

SACNASP reserves the right to reject any or all proposals and to waive any irregularities or informalities in the proposals received. This RFP content provides a comprehensive outline for potential service providers to understand the organisation's requirements and submit proposals accordingly.

8. VALIDITY PERIOD

SACNASP requires a 90-Business-Day validity period from the closing date. Bidders are to note that they may be requested to extend the validity period of their response on the same terms and conditions if the internal processes are not finalised within that period. However, once the adjudication body has approved the process and awarded the business to the successful bidder, the successful bidder's response will remain valid until a final contract is concluded.



BIDDER'S DISCLOSURE

SBD 4

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, 1996 (Constitution), and further expressed in the various applicable legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.
- 1.2 If a person is 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. DECLARATION ON EMPLOYMENT BY ORGAN OF STATE

- 2.1 Is the bidder, or any of the directors / trustees / shareholders / members / partners of the bidder employed by an organ of state, as defined in section 239 of the Constitution?

YES/NO

- 2.2 If YES, furnish particulars of the names, individual identity numbers, in the table below:

Full Name	Identity Number	Name of organ of state

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

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

2.3.1 If so, furnish particulars:

.....

2.4 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**

2.4.1 If so, indicate all companies registered in the CSD in the table below:

Supplier registration number (M	Status (active/inactive/deleted)

Failure to disclose all CSD-registered active companies linked to all Directors will lead to disqualification.

3 GENERAL 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 to be false.

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor.

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, 1998 (Act No. 89 of 1998) and or may be referred to law enforcement agencies for criminal investigation and or may be restricted from conducting business with the state for a period not exceeding 10 years in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) or any other applicable legislation.

I CERTIFY THAT THE ABOVE IS CORRECT.

I ACCEPT THAT THE PROCURING INSTITUTION MAY REJECT THE BID OR TAKE APPROPRIATE ACTION AGAINST ME IF THIS DECLARATION IS FALSE.

.....
Signature

.....
Date

.....
Designation

.....
Name of bidder



SBD 6.1

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

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

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

1. GENERAL CONDITIONS

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

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

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

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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

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

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

The maximum points for this tender are allocated as follows:

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

2. DEFINITIONS

- (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) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“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 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

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

80/20 or 90/10

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{min} = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

Where

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

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

- 4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:
- i) The information furnished is true and correct;
 - ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
 - iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
 - iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

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



South African Council for Natural Scientific Professions

SBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		

4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME).....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION
FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION
PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder



SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused **the institution's supply chain management system and or committed fraud or any other improper conduct** in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;

5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

- (a) has been requested to submit a bid in response to this bid invitation;
- (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

SBD 9

6. 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.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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.

⁸ 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.

SBD 9

10. 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder