

SSASSA 01 (QO)

INVITATION FOR QUOTATIONS

**THE SOUTH AFRICAN SOCIAL SECURITY AGENCY INVITES QUOTATIONS
FOR THE PROVISION OF *description of works***

Project title:	REQUEST FOR SUBSCRIPTION TO ONLINE LEGAL SEARCH DATABASE FOR A PERIOD OF ONE YEAR		
RFQ No:	43/22/ICT	Closing Date:	15 JULY 2022
Closing time:	11:00	Validity period:	30 days

1. COMPLETION OF QUOTATION/BID DOCUMENTS:**1.1 All quotations documents must be completed in ink.**

All quotations and completed SBD forms must be addressed to the South African Social Security Agency: hand delivered in a sealed envelope marked with the RFQ number stated above. **NB: PLEASE SIGN THE QUOTATION REGISTER AT RECEPTION. Quotations that are e-mailed to any other e-mail address other than the one mentioned above WILL not be considered.**

1.2 Where the quotations are above R 30 000 Vat inclusive, suppliers are encouraged to hand deliver their quotations and must be deposited in the QUOTATION BOX situated at the reception at **SASSA House, 501 Prondisa Building Cnr Steve Biko & Pretorius Streets, Arcadia, Pretoria 0083. Late quotations will not be considered.****1.3 This quotation is subject to the GCC (General Conditions of Contract) and any other special conditions of contract where applicable.****1.4 The taxes of the successful bidder must be in order, or satisfactory arrangements must be made with the Receiver of Revenue to meet the bidder's tax obligations. SARS PIN SHOULD BE SUBMITTED TOGETHER WITH THE QUOTATION FOR TAX COMPLIANCE VERIFICATION PURPOSE.****1.5 Your quotation must include costs breakdown and that is inclusive VAT inclusive, (where applicable)**

[*paying the right social grant, to the right person,
at the right time and place. NJALO!*]

South African Social Security Agency
Head Office

SASSA House • 501 Prondisa Building Cnr Beatrix & Pretorius Street
Pretoria • Private Bag X55662 Arcadia • Pretoria 0083
Tel: +27 12 400 2000 • Fax: +27 12 400 2257
www.sassa.gov.za

- 1.6 Quotations above R30 000 must be accompanied by an original or certified original B-BBEE certificate issued by SANAS accredited agencies. Exempted Macro Enterprise (EME's) must submit an original Sworn Affidavit signed by EME's representative and attested by commissioner of oath. Failure to submit will result into the supplier not awarded points for B-BBEE level of contribution.
- 1.7 Quotations equal to or above R30, 000 Vat inclusive shall be evaluated on 80\20 point system.
- 1.8 Suppliers to **indicate validity of quotation and delivery date for goods and services.**
- 1.9 The quotation must be detailed as per the SASSA attached specification and where the quotation is itemised, the supplier must indicate price for each line item. Failure to comply with this condition (paragraph 1.10) WILL result in the invalidation of your quotation.

2. DESCRIPTION OF SERVICE REQUIRED:

Description of Goods / Services	Quantity
REQUEST FOR SUBSCRIPTION TO ONLINE LEGAL SEARCH DATABASE FOR A PERIOD OF ONE YEAR	

NB: Please find attached SBD Forms and Detailed Specification or TOR's

3. ENQUIRIES RELATED TO DOCUMENTS MUST BE ADDRESSED TO:

BUYER:	L.MAKENA	Telephone no:	012 400 2306
Cell no:	N/A	Fax no:	

Name: L.MAKENA

Signature: 

Date: 04 JULY 2022



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SOUTH AFRICAN SOCIAL SECURITY AGENCY

**SPECIFICATION FOR ONLINE LEGAL RESEARCH DATABASE FOR THE SASSA FOR
A PERIOD OF 1 YEAR.**

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1. OVERVIEW OF SASSA

- 1.1 The South African Social Security Agency (SASSA), listed as a schedule 3A public entity in terms of the PFMA Act No. 1 of 1999 (as amended by Act 29 of 1999), is an extension of government's delivery arm that administers the delivery of grants to the poor in South Africa. Through SASSA, government must ensure improvement of the social security service delivery system.
- 1.2 SASSA (the Agency) aims to deliver quality and comprehensive social security services in partnership with non-governmental, community-based and faith-based organisations, business, civil society structures and labour movements.
- 1.3 The founding legislation of the Agency is the South African Social Security Agency Act, 2004 (SASSA Act). The SASSA Act makes provision for the effective management, administration and payment of social assistance and services through the establishment of the SA Social Security Agency.
- 1.4 The key functions of SASSA are the administration and payment of social grants and include:
 - 1.4.1 The processing of applications for social grants;
 - 1.4.2 Verification and approval of applications;
 - 1.4.3 On-going entitlement reviews of beneficiaries;
 - 1.4.4 Disbursement and payment of grants to eligible beneficiaries; and
 - 1.4.5 Quality service assurance ensuring compliance with norms and standards and fraud prevention and detection.
- 1.5 SASSA provides the following types of social grants:
 - 1.5.1 Old Age;
 - 1.5.2 War Veterans;
 - 1.5.3 Disability;
 - 1.5.4 Grant-in-Aid;
 - 1.5.5 Child support;
 - 1.5.6 Foster Child;
 - 1.5.7 Care Dependency;
 - 1.5.8 Social Relief of Distress.
- 1.6 SASSA also manages the correspondence and records related to these grants.

1.7 SASSA has the following tiers of operations:

1.7.1 Head Office;

1.7.2 Regional Offices (one per province);

1.7.3 District Office (one per district / metro municipality demarcation);

1.7.4 Local and Services Offices (one or more per municipal area, depending on the distance and population density).

2. PURPOSE

2.1 To solicit quotations from suitable Service providers or qualified individuals to supply SASSA with access to an Online Legal Research Database for a period of 1 year.

3 BACKGROUND

3.1 The range of services SASSA offers and the extensive legislative framework relevant to executing its mandate require access to an Online Legal research database that will assist the Agency with decision-making in line with latest industry developments and standards.

3.2 SASSA's Information Management Unit is responsible for the management of information resources and associated databases.

4 OBJECTIVES

4.1 To acquire access to an Online Legal research database that will assist SASSA with online research offering a collection of trusted legal commentary on all aspects of law, a complete collection of Acts, Bills, By laws, Gazettes and Case law in the fields of law, subordinate legislation and with their comparative versions for a period of 3 years.

5. SCOPE OF WORK AND EXPECTED DELIVERABLES

5.1 The Service provider is expected to supply SASSA with the following services:

5.1.1 To provide SASSA staff with access to an extensive and up to date online legal research database from their workstations for a period of 1 year.

5.1.2 The Service provider will provide implementation user support.

5.1.3 The Service provider will provide training to SASSA staff on the use of the system.

5.1.4 The Service provider will inform SASSA staff on new updates that have been installed on the database

5.1.5 The online Legal research database should at least cover at least 10 of the following subject areas:

- 5.1.5.1 Law of evidence
- 5.1.5.2 Civil Procedure;
- 5.1.5.3 Competition Law;
- 5.1.5.4 Constitutional and Administrative law;
- 5.1.5.5 Corporate law
- 5.1.5.6 Commercial law
- 5.1.5.7 Criminal Law
- 5.1.5.8 Criminal Procedure;
- 5.1.5.9 Intellectual Property
- 5.1.5.10 Law reports
- 5.1.5.11 Law of Persons and Family Law
- 5.1.5.12 Labour and Employment
- 5.1.5.13 Personal Injury and Delict
- 5.1.5.14 Tax law
- 5.1.5.15 Law of succession

5.1.6 The Online Legal research database should be accessible through the internet 24 hours a day, 7 days a week.

5.1.7 The solution of the service provider should have the ability to send notifications on the latest publications on the topics mentioned above.

5.1.8 The service provider must provide monthly reports on the utilisation of the Online Legal research database by SASSA users.

The database should have the following capabilities:

- The database coverage and currency of content should cover at least 10 of the above subject areas.
- User-friendly interface: The database must be easy to search content.
- Response time for content searches: It must be able to produce required content immediately
- Accuracy and verifiability of the information: The information must be properly referenced and verifiable.

6 SUPPORT

6.1 THE SCOPE OF THE SUPPORT

The South African Social Security Agency (SASSA) requires the successful service provider to provide support to users of the Online Legal research database.

A. OPTIMUM PERFORMANCE OF APPLICATION

It is crucial that the database operates at an optimum level to ensure excellent service delivery to end users within SASSA. This will include, but not limited to:

B. Proactive and continuous monitoring of performance on the database to identify bottlenecks and areas requiring optimisation TIMEOUS COMPLETION OF USER SUPPORT CALLS

All calls received will be attended to and completed in accordance with agreed service levels and processes to ensure:

- i. Staff are not negatively impacted – employees should not feel that their problems are not being treated with the urgency they deserve.
- ii. Staff empowerment – employees should be in a position to access the information that they need.
- iii. The service provider will be expected to troubleshoot and assist where users are unable to access the database.

7. The service provider should have the following attributes:

- i. Experience in providing Online Legal research Databases and associated solutions in the both the private and public sector;
- ii. Experience in providing training and support to the clients on a wide range of Online Legal research databases; and
- iii. Excellent understanding and knowledge of online legal research databases in both the public and private sectors

8. FINANCIAL PROPOSAL

8.1 Pricing

- I. The financial proposal should clearly identify costs for subscription to the Online Legal database described above and support service costs summarised into one global amount.
- II. All prices must include VAT in South African Rands.
- III. A detailed pricing proposal including VAT for each module delivered as well as rates for support time requested by the client (i.e. rates for ongoing support and annual escalation rates).

9. EVALUATION CRITERIA

All proposals will be evaluated in terms of the criteria stipulated in the bid document. The proposals will be evaluated in two stages:

Stage One –Phase 1: Compliance to the Special Conditions

Stage One – Phase 2: Administrative Compliance.

Stage Two – Price and BBBEE Status Level of Contribution.

9.1 Stage 1: Phase 1: Special Conditions

- The bidder must have an online legal database that contains a comprehensive and up to date information on the 15 subject areas listed under paragraph 5.1.5 of the TOR.
- The bidder must have a minimum of 03 years' experience in rendering services in the 15 Online Legal subject areas as per paragraph 5.1.5 of the TOR.

Failure to comply with the above-mentioned requirements will result in your proposal being disqualified.

9.2 Stage 1: Phase 2: Administrative Compliance

The bidder must submit the following:

- SARS Tax Compliance Status Pin.
- Fully complete and sign standard bidding documents (SBD)
- Complete and submit Annexure A Table of Experience
- Submit at least one (01) reference letter from the client where online legal database was provided. The reference letter must be in the client letterhead and signed by the client.

9.3. Price and BBEE Status Level of Contribution

9.3.1 Points will be awarded to a bidder for attaining the B-BBEE status level points for B-BBEE Status level of contributor.

9.3.2 Points will be awarded in accordance with the table below:

BBBEE 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

15 BROAD-BASED BLACK ECONOMIC EMPOWERMENT (B-BBEE) STATUS LEVEL VERIFICATION CERTIFICATES

- Bidders are required to submit proof of B-BBEE Status level of contributors. Proof includes original or certified and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their bids or price quotations, to substantiate their B-BBEE rating claims.
- Bidders who do not submit B-BBEE Status Level Verification Certificates or who are non-compliant contributors to B-BBEE do not qualify for preference points for B-

BBEE but will not be disqualified from the bidding process. They will score points out of 80 for price only and zero (0) points out of 20 for B-BBEE.

- A trust, consortium or joint venture (including unincorporated consortium and joint ventures) must submit a consolidated B-BBEE Status Level verification Certificate.
- Public entities and tertiary institutions must also submit B-BBEE Status Level Verification Certificates together with their bid.
- Bidders must ensure that the B-BBEE Status Level Verification Certificates submitted are issued by the following agencies:

Bidders other than EMEs

- (i) Verification agencies accredited by SANAS; or

Bidders who qualify as EMEs

- (i) Sworn affidavit signed by the EME representative and attested by a Commissioner of oaths.
- (ii) BBEE Certificate issued by Companies Intellectual Property Commission (CIPC)

STANDARD BIDDING DOCUMENT (SBD) 4

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 interest¹ in the enterprise, employed by the state? **YES / NO**
- 2.1.1** If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

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.

STANDARD BIDDING DOCUMENT (SBD) 4

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;

STANDARD BIDDING DOCUMENT (SBD) 4

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.5 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

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

STANDARD BIDDING DOCUMENT (SBD) 4

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

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 ACT.

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 ~~exceed~~/not exceed R50 000 000 (all applicable taxes included) and therefore the **80/20 / OR 90/10**... preference point system shall be applicable; or
- b) 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
PRICE	80/90
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20/10
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) **"price"** 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;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

or

90/10

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

3.2 DISPOSAL OF STATE ASSETS AND INCOME-GENERATING PROCUREMENT

3.3 POINTS AWARDED FOR PRICE

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

80/20

or

90/10

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \quad \text{or} \quad Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmax = Price of highest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of paragraphs 5.2 and 6.2 of the Addendum to the SASSA Supply Chain Management Policy, 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 3.1

- 6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 6.1 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.

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 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 sub-contracting with an enterprise in terms of the SASSA's Terms of Reference (TOR) or Specification:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are youth	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are women	<input type="checkbox"/>	<input type="checkbox"/>
Black people with disabilities	<input type="checkbox"/>	<input type="checkbox"/>
Black people living in rural or underdeveloped areas or townships	<input type="checkbox"/>	<input type="checkbox"/>
Cooperative owned by black people	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are military veterans	<input type="checkbox"/>	<input type="checkbox"/>
OR		
Any EME	<input type="checkbox"/>	<input type="checkbox"/>
Any QSE	<input type="checkbox"/>	<input type="checkbox"/>

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

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;
- 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.

WITNESSES

1.

2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....