



## REQUEST FOR QUOTATION (RFQ)

(Over R30 000 up to a transaction value of R1 000 000 VAT included)

### PROVISION OF BOARD EVALUATION SERVICES

RFQ NO: LTAQ006-22/23

Kindly furnish us with a written quotation as detailed in the enclosed schedule.

The quotation must be submitted on the letterhead of your business and submitted into the quotation box not later than **03 AUGUST 2022 @ 12H00 AT THE LTA'S QUOTATION BOX.**

The following conditions will apply:

- 1) Price(s) quoted must be valid for at least sixty (60) days from date of your offer.
- 2) Price(s) quoted must be firm and inclusive of VAT.
- 3) A firm delivery period must be indicated.
- 4) These quotations will be evaluated in terms administrative compliance, price and PPR 2017 preference point system.

**ISSUED BY:**

THE CHIEF EXECUTIVE OFFICER  
LIMPOPO TOURISM AGENCY  
P.O. BOX 2814  
POLOKWANE  
0700

Tel: (015) 293 3600 Fax: (015) 293 3651

**CONTACT PERSON (TECHNICAL)**

MR BIBI KOTSEDI

Tel: (015) 293 3631 / 072 249 7687

E-mail: [bibik@golimpopo.com](mailto:bibik@golimpopo.com)

**CONTACT PERSON (SCM)**

MS SEWELA NYAKA

Tel: (015) 293 3729 / 076 505 9286

E-mail: [sewe1an@golimpopo.com](mailto:sewe1an@golimpopo.com)

**Name of Bidder:** \_\_\_\_\_

**BID AMOUNT: R** \_\_\_\_\_



## TERMS OF REFERENCE

### PERFORMANCE EVALUATION OF BOARD MEMBERS

#### 1. INTRODUCTION

Limpopo Tourism Agency is a schedule 3C PFMA entity established in terms of Section 5 of the Limpopo Tourism Act No.2 of 2009, as repealed, to amongst others promote and offer a sustainable and diverse tourism experience through strategic marketing (destination marketing) and support and facilitate tourism development programmes, collaborations with stakeholders and sector transformation.

Section 66(1) of the Companies Act No.71 of 2008 provides “*the business and affairs of a company must be managed by or under the direction of its Board, which has the authority to exercise all of the powers and perform any of the functions of the company, except to the extent that this Act or the company’s Memorandum of Incorporation provides otherwise*”.

#### 2. BACKGROUND

Kind iv Report in principle 9 provides thus “*The governing body should ensure that the evaluation of its own performance and that of its committees, its chair and its individual members, support continued improvement in its performance and effectiveness*”.

The King iv report further recommends that the Board conducts a formal performance evaluation every two years, and during the alternate year, the Board should schedule in its annual work plan an opportunity to consider, reflect and discuss its performance. The reason for the gap between formal evaluations is to allow the Board sufficient time to address the findings of the previous evaluation.

#### 3. OBJECTIVE

The objective of the Board Performance evaluation is to examine the roles and responsibilities of the Board, the effectiveness of its committees and should go beyond a mere compliance process when conducting a Board Evaluation and should rather undertake

a substantiate and rigorous review of its performance and efficacy to really identify the core areas that require improvement and whether the Board has a healthy board dynamic.

The Board Performance Evaluation should examine the roles of responsibilities of the Board, the effectiveness of its committees, its relationship with key governance players and overall assess the key areas which impact its effectiveness.

#### **4. SCOPE OF WORK**

**The following should be assessed: -**

The Board as a whole (seven Board members and two non-voting (Chief Executive Officer and Chief Financial Officer)

- The Board assesses its overall performance and identifies its developmental areas.

##### **Committees**

- The Committee evaluation allow governing body to evaluate the committee's contribution and effectiveness in fulfilling its mandate as constituted as follows:-
  - ❖ Risk and Audit Committee with four (4) members.
  - ❖ Human Resources & Remunerations Committee with three (3) members.
  - ❖ Destination Marketing Committee with four (4) members.
  - ❖ Contracts Committee with four (4) members.

##### **Individual Board members**

- Individual board evaluations provide insights into the competency and engagement levels of each and member of the Board.
- These also include specific evaluations of the Chairperson and Company Secretary.

The area to be covered should in the main include review at high level, the governance aspects of the Board; -

- High level Board evaluation questionnaire - Board assessment.
- Board Committee Evaluation Questionnaire to assess the performance of the Board Committees.
- Individual Board Peer/ Self-Review questionnaire

##### **Deliverables**

- ❖ To provide for the Summary of findings arising from Board Governance evaluation and recommendations.
- ❖ The results of the Skills assessment.
- ❖ Results from the Board Evaluation Questionnaire, Board Committee Evaluations and individual Board members peer and self-assessment.
- ❖ Any other matter worth bringing to the attention of the entity.

## EVALUATION CRITERIA

### Minimum Requirements

Bidders must comply with all the minimum requirements as listed below. Failure to comply with any of the supporting documentation listed below will result in your bid being disqualified.

ITEM DESCRIPTION	
(a)	Bidder must complete and sign the bid forms in full.
(b)	Proof registration with Central Database System (CSD) must be attached to the bid.
(c)	Proof of registration with relevant registration bodies

### A. EVALUATION METHODOLOGY

In accordance with the Preferential Procurement Policy Framework Act, 2000 the bid evaluation process shall be carried out in three Phases namely:

- Phase 1: Administrative Compliance
- Phase 2: Evaluation on Functionality
- Phase 3: Evaluation in terms of Price and Preference

#### 1. Phase 1: Administrative Compliance

This is a first phase where service providers' proposals and attachments will be checked as per mandatory requirements in relation of supporting documents requested.

#### 2. Phase 2: Functionality

The assessment on functionality will be done in terms of the evaluation criteria and minimum threshold as specified. The minimum qualifying score for functionality is **70%** as set out below. Bidders who fail to achieve the minimum qualifying score on functionality will be disqualified.

**Functionality assessment should be allocated as follows:**

FUNCTIONALITY CRITERIA			
	COMPONENTS	Points Awarded	
<b>A</b>	<b>FINANCIAL ABILITY</b>		<b>10</b>
	Submission of letter from the Bank (we reserve the right to verify)		
	Bank rating A	<b>10</b>	
	Bank rating B	<b>08</b>	
	Bank rating C	<b>05</b>	

	Bank rating D Bank rating E Banking rating F downwards	03 02 0	
<b>B</b>	<b>PROVEN TRACK RECORD OF THE COMPANY</b> (Number of years active and experience gained in this field, to who services provided, and a record of services rendered complete with references. Provide documentation to confirm track record.)		<b>30</b>
	<ul style="list-style-type: none"> <li>• Five (5) letters of reference</li> </ul>	<b>30</b>	
	<ul style="list-style-type: none"> <li>• Four (4) letters of reference</li> </ul>	<b>20</b>	
	<ul style="list-style-type: none"> <li>• Three (3) letters of reference</li> </ul>	<b>10</b>	
	<ul style="list-style-type: none"> <li>• Two (2) letters of reference and less</li> </ul>	<b>0</b>	
<b>C</b>	<b>SKILLS AND QUALIFICATIONS</b> (Attach Company profile with list of CV's and copies of qualifications of key personnel that will be assigned to the internal audit contract.)		<b>40</b>
	<ul style="list-style-type: none"> <li>• Proof of registration with any relevant professional bodies for at least one key personnel assigned to the performance evaluation</li> </ul>	<b>20</b>	
	<ul style="list-style-type: none"> <li>• No proof of registration</li> </ul>	<b>0</b>	
	<b>A partner assigned to the project team should at least have a minimum of five years' experience in Board performance evaluation</b>		
	<ul style="list-style-type: none"> <li>• More than five (5) years' experience</li> </ul>	<b>20</b>	
	<ul style="list-style-type: none"> <li>• Minimum five years' experience</li> </ul>	<b>15</b>	
	<ul style="list-style-type: none"> <li>• Less than five (5) years' experience</li> </ul>	<b>0</b>	
<b>D</b>	<b>LOCALITY</b>		<b>20</b>
	<ul style="list-style-type: none"> <li>• Office situated in Limpopo Province</li> </ul>	<b>20</b>	
	<ul style="list-style-type: none"> <li>• Office situated outside Limpopo Province</li> </ul>	<b>10</b>	

The minimum qualifying score for functionality is **70%**.

### 3. Phase 3: Evaluation in terms of Price and Preference Point Systems

Only bids that achieve the minimum qualifying score/percentage for functionality will be evaluated further in accordance with the 80/20 preference point system prescribe in Preferential Procurement Regulations 6 and 7.

#### Step 1: Calculation of Points for Price

- 1) The PPPFA prescribes that the lowest acceptable bid will score 80 points for price.

Bidders that quoted higher prices will score lower points for price on a pro-rata basis.

**2) When calculating prices:**

- a) Unconditional discounts will be considered for evaluation purposes; and
- b) Conditional discounts will not be considered for evaluation purposes but would be implemented when payment is affected.

**3) The formulae to be utilized in calculating points scored for price is as follows:**

**80/20 Preference point system (for acquisition of goods or services for a Rand value equal to or above R30 000 and up to R50 million) (all applicable taxes included)**

Where:

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

P<sub>s</sub>= Points scored for price of tender under consideration.

P<sub>t</sub>= Price of tender under consideration.

P<sub>min</sub>= Price of lowest acceptable tender.

**4) Points scored must be rounded off to the nearest 2 decimal places.**

**Step 2: Calculation of points for B-BBEE status level of contributor**

Points will be awarded to a bidder for attaining the B-BBEE status level of contributor in accordance with the table below:

<b>B-BBEE STATUS LEVEL 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
<b>Non-compliant</b>	0

**Calculation of total points scored for price and B-BBEE status level of contributor.**

The points scored for price will be added to the points scored for B-BBEE status level of contributor to obtain the bidders' total points scored out of 100.



SBD 3.3

**PRICING SCHEDULE  
(Professional Services)**

NAME OF BIDDER: ..... BID NO.: LTAQ006-22/23  
CLOSING TIME: 12:00 CLOSING DATE: 12 JULY 2022

**OFFER TO BE VALID FOR 60 DAYS FROM THE CLOSING DATE OF BID.**

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)	
1. The accompanying information must be used the formulation of proposal			
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.		Bid Amount: R.....	
		Disbursement: R .....	
		VAT @15% R.....	
		Total Bid Amount R.....	
3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF			
4. PERSON AND POSITION	HOURLY RATE	DAILY RATE	
.....	R.....	.....	
.....	R.....	.....	
.....	R.....	.....	
.....	R.....	.....	
.....	R.....	.....	
5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT			
.....	R.....	.....days	
.....	R.....	.....days	
.....	R.....	.....days	
.....	R.....	.....days	

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc.) Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
TOTAL: R.....			

\*\* "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance contributions and skills development levies

5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost etc.) On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
TOTAL: R.....			

6. Period required for commencement with project after acceptance of bid .....

7. Estimated man-days for completion of project .....

8. Are the rates quoted firm for the full period of contract? \*YES/NO

9. If not firm for the full period, provide details of the basis on which adjustment will be applied for, for example consumer price index ...  
 .....  
 .....  
 .....  
 .....

Company Name: \_\_\_\_\_

Signature of Bidder: \_\_\_\_\_

Date: \_\_\_\_\_





## BIDDER'S DISCLOSURE

### SBD 4 FORM

#### 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 State institution

<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

<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.

or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

**I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF**

**PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING**

**ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE**

**FALSE.**

.....

Signature

.....

Date

.....

Position

.....

Name of bidder



## SBD 6.1

### PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017 (1)

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 **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the ..... 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
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
<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 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. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

#### 4. POINTS AWARDED FOR PRICE

#### 4.1 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**

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

$P_{min}$  = Price of lowest acceptable bid

#### 4.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME-GENERATING PROCUREMENT

#### 4.3 POINTS AWARDED FOR PRICE

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

**80/20**

**or**

**90/10**

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmax = Price of highest acceptable bid

#### 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		NO	
-----	--	----	--

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		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		
<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-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.

LT WITNESSES

- 1. ....
- 2. ....

ER

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

DATE: .....





## SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE

I, the undersigned,

<b>Full name &amp; Surname</b>	
<b>Identity number</b>	

**Hereby declare under oath as follows:**

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member/director/owner of the following enterprise and duly authorised to act on its behalf:

<b>Enterprise Name</b>	
<b>Trading Name</b>	
<b>Registration Number</b>	
<b>Enterprise Address</b>	

3. I hereby declare under oath that:
  - The enterprise is \_\_\_\_\_% black owned;
  - The enterprise is \_\_\_\_\_% black woman owned;
  - Based on the management accounts and other information available on the \_\_\_\_\_ financial year, the amount did not exceed R10,000,000.00 (ten million Rands);
  - Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% black owned	<b>Level One</b> (135% B-BBEE procurement recognition)	
More than 51% black owned	<b>Level Two</b> (125% B-BBEE procurement recognition)	
Less than 51% black owned	<b>Level Four</b> (100% B-BBEE procurement recognition)	

4. The entity is an empowering supplier in terms of the **dti** Codes of Good Practice.
5. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
6. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

**Deponent Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Commissioner of Oaths**

**Signature & Stamp**