



RFP REFERENCE NO: GGB/RFP/001/2022

**APPOINTMENT OF A SERVICE PROVIDER TO RENDER INTERNAL AUDIT SERVICES
FOR A PERIOD OF THREE YEARS (36 MONTHS)**

DATE OF ISSUE: 11 FEBRUARY 2022

CLOSING DATE: 11 MARCH 2022

CLOSING TIME: 11H00

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LIST OF ACRONYMS

AG	Auditor General
CPIX	Consumer Price Index
CV	Curriculum Vitae
GGB	Gauteng Gambling Board
HDI	Historical Disadvantaged Individual
MEC	Member of the Executive Council
P.a.	Per annum
PFMA	Public Finance Management Act
PPPFA	Preferential Procurement Policy Framework Act
PSP	Professional Service Provider
RFP	Request for Proposal
SARS	South African Revenue Service
SBD	Standard Bidding Document
SCM	Supply Chain Management
SMME	Small, Medium and Micro Enterprise
SP	Service Provider
TA	Technical Assistance
TOR	Terms of Reference as provided in RFP Part B (terms of reference)

DEFINITIONS.

In this Request for Proposal, unless a contrary intention is apparent:

Business Day means a day which is not a Saturday, Sunday or public holiday.

Bid means a written offer in a prescribed or stipulated form lodged by a Bidder in response to an invitation in this Request for Proposal, containing an offer to provide goods, works or services in accordance with the Terms of Reference as provided in RFP Part B.

Closing Time means the time, specified as such under the clause “Indicative Timetable” of this RFP Part A, by which Tenders must be received.

Evaluation Criteria means the criteria set out under the clause “Evaluation Criteria Format” of this RFP Part A.

GGB means the Gauteng Gambling Board; a PFMA Schedule 3(C) listed Provincial Public Entity, established in terms of the *Gauteng Gambling Act, no 4 of 1995 as amended*.

Intellectual Property Rights includes copyright and neighbouring rights, and all proprietary rights in relation to inventions (including patents) registered and unregistered trademarks (including service marks), registered designs, confidential information (including trade secrets and know how) and circuit layouts, and all other proprietary rights resulting from intellectual activity in the industrial, scientific, literary, or artistic fields.

Member means an employee of the GGB.

Proposed Contract means the agreement including any other terms and conditions contained in or referred to in this RFP that may be executed between the GGB and the successful Bidder.

Request for Proposal or **RFP** means this document (comprising each of the parts identified under RFP Part A, Part B and Part C) including all annexure and any other documents so designated by the GGB.

Services means the services required by the GGB, as specified in this RFP Part B.

Terms of Reference means any Terms of Reference or description of the GGB’s requirements contained in this RFP Part B.

State means the Republic of South Africa.

Statement of Compliance means the statement forming part of a Tender indicating the Bidders compliance with the Terms of Reference.

Bidder means a person or organisation that submits a Bid.

Tendering Process means the process commenced by the issuing of this Request for Proposal and concluding upon formal announcement by the GGB of the selection of a successful Bidder(s) or upon the earlier termination of the process.

Website means the website administered by GGB located at www.ggb.org.za

In this RFP, unless expressly provided otherwise:

A reference to:

- (a) “includes” or “including” means includes or including without limitation; and
- (b) “R” or “Rand” is a reference to the lawful currency of the Republic of South Africa.

RFP - PART A:

INTRODUCTION

The Gauteng Gambling Board is a statutory body established in terms of Section 3 of the Gauteng Gambling Act, No 4 of 1995, as amended (the Act).

The Board falls under the definition of “provincial public entity” in terms of Section 1 of the Public Finance Management Act, No 1 of 1999 (“PFMA”), and is listed in Schedule 3 to that Act as being one of the public entities in respect of which the legislation applies.

Prior to August 1996, betting on horse-racing and other sporting events was the only form of legal gambling in Gauteng. During August 1996, the Act was promulgated. This Act legalised other forms of gambling in the province and provided for the establishment of the GGB Board.

The following forms of activities are regulated by the GGB in Gauteng:

- Casino gaming
- Betting on horse-racing and sporting events
- Bingo
- Limited payout gaming machines (Route and site operators)
- The manufacturing and supply of gambling equipment

The GGB is inviting responses to this Request for Proposal (**reference number GGB/RFP/001/2022**) in order to appoint a suitably qualified and experienced service provider to render internal Audit services of this RFP PART B – Terms of Reference. The successful bidder is required to provide a detailed response to adequately roll out the strategy envisioned (a complete solution).

The appointment of a successful service provider is subject to the conclusion of a service level agreement between the GGB and the service provider.

1. PURPOSE

The purpose of this document is to present the Terms of Reference for the appointment of an independent internal audit service provider with the requisite expertise and track record that is able to provide and maintain a professional and comprehensive internal audit service function to the Board of the Gauteng Gambling Board (GGB).

The successful service provider will be appointed for a period of three years, commencing from the date of appointment and the signed Service Level Agreement.

2. OBJECTIVES

- 2.1. An effective Internal Audit function is meant to serve as corporate conscience and that as professional auditors, they must drive operational efficiency, internal controls, corporate governance and risk management. The service provider is expected to educate and make relevant recommendations to GGB Management, the Board, and to support the GGB in achieving its strategic goals and objectives.
- 2.2. The service provider is expected to have requisite knowledge, skills, and sufficient capacity to perform the assignment pursuant to the requirements of the Public Finance Management Act and have an in-depth knowledge of the latest standardised set by the International Financial Reporting Standards (IFRS) and Generally Recognised Accounting Practice (GRAP).
- 2.3. The Internal Audit function, although outsourced, must add value and be seen as a governance and assurance tool, that seeks to enhance the internal controls environment at a reasonable cost, as well as ensuring compliance to the provisions of the Public Finance Management Act, 1 of 1999, as amended, the applicable National Treasury Regulations, Risk Management Standards and Frameworks, the Standards of Professional Practice in Internal Audit (SPPIA) as set by the Institute of Internal Auditors, and the Companies Act No. 61 of 1973, as amended. This would include, amongst others, the application of the principles of the latest King Report on Corporate Governance, as well as any other related legislation, policies and frameworks.
- 2.4. The Board and Management of the GGB requires a pro-active Internal Audit function that is independent, understands the importance of corporate governance systems, risk management and use of robust internal audit methodologies and techniques that can function at an executive and operational level.

PROJECT TIMETABLE *

ACTIVITY	DATE
Advertisement of RFP	11 February 2022
Closing Date and Time	11 March 2022 @ 11:00

**This timetable is provided as an indication of the timing of the tender process. It is indicative only and subject to change by the GGB.*

SUBMISSION OF TENDERS

Hardcopy Submission

Physical Address of Tender Box	125 Corlett Drive, Waverly
Hours of access to Tender Box	During office hours only 08H00 – 16H30
Information to be marked on envelope containing Tender	Gauteng Gambling Board SCM Unit RFP Ref. No GGB/RFP/001/2022 Name of Bidder:

1. Bidders are to provide one (1) original and two (2) hard copies of the Bidders Response (Bid) plus one electronic copy in a CD/USB, failure to submit the documents per requirement above will lead to disqualification of the bid.
2. Bidders must include an electronic copy of the Bidders Response for each proposal in PDF or Microsoft Office 2010 format as part of the hardcopy submission. All responses must be submitted in a sealed envelope in accordance with the conditions of Tendering and on the official forms included in this document. **PLEASE DO NOT e-mail your responses**
3. All documents must be virus checked by the Bidder before lodgement. In this case of inconsistency between the electronic and hardcopy submissions, the hardcopy submission will prevail.

RULES GOVERNING THIS RFP AND THE TENDERING PROCESS

APPLICATION OF RULES

4. Participation in the tender process is subject to compliance with the rules contained in this RFP Part A.
5. All persons (whether a Participant in this tender process) having obtained or received this RFP may only use it, and the information contained therein, in compliance with the rules contained in this RFP Part A.
6. All Bidders are deemed to accept the rules contained in this RFP Part A.
7. The rules contained in this RFP Part A apply to:
 - a. the RFP and any other information given, received or made available in connection with this RFP, and any revisions or annexure;
 - b. the Tendering Process; and
 - c. any communications (including any briefings, presentations, meetings and negotiations) relating to the RFP or the Tendering Process.

REQUEST FOR PROPOSAL

STATUS OF REQUEST FOR PROPOSAL

8. This RFP is an invitation for service provider/s to submit a proposal(s) for the provision of the services as set out in the terms of reference (TOR) Terms of Reference contained in this RFP Part B. Accordingly, this RFP must not be construed, interpreted, or relied upon, whether expressly or implied, as an offer capable of acceptance by any person(s), or as creating any form of contractual, promissory or other rights.
9. No binding contract or other understanding for the supply of the Services will exist between the GGB and any Bidder unless and until the GGB has executed a formal written contract with the successful Bidder.

ACCURACY OF REQUEST FOR PROPOSAL

10. Whilst all due care has been taken in connection with the preparation of this RFP, the GGB makes no representations or warranties that the content in this RFP or any information communicated to or provided to Bidders during the Tendering Process is, or will be, accurate, current or complete. The GGB, and its officers, employees and advisors will not be liable with respect to any information communicated which is not accurate, current or complete.
11. If a Bidder finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the GGB (other than minor clerical matters), the Bidder must promptly notify the GGB in writing of such discrepancy, ambiguity, error or inconsistency in order to afford the GGB an opportunity to consider what corrective action is necessary (if any).
12. Any actual discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the GGB will, if possible, be corrected and provided to all Bidders without attribution to the Bidder who provided the written notice.

ADDITIONS AND AMENDMENTS TO THE RFP

13. The GGB reserves the right to change any information in, or to issue any addendum to this RFP before the Closing Date and Time. The GGB and its officers, employees and advisors will not be liable in connection with either the exercise of, or failure to exercise this right.

REPRESENTATIONS

14. No representations made by or on behalf of the GGB in relation to this RFP will be binding on the GGB unless that representation is expressly incorporated into the contract ultimately entered into between the GGB and the successful Bidder.

CONFIDENTIALITY

15. All persons (including all Bidders) obtaining or receiving this RFP and any other information in connection with this RFP or the Tendering Process must keep the contents of the RFP and other such information confidential, and not disclose or use the information except as required for the purpose of developing a proposal in response to this RFP.

COMMUNICATIONS DURING THE TENDERING PROCESS

REQUESTS FOR CLARIFICATION OR FURTHER INFORMATION

16. All communication and attempts to solicit information of any kind relative to this tender should be in writing and channelled to the Supply Chain Management Unit via email to: tenders@ggb.org.za
17. Any communication by a Bidder to the GGB will be effective upon receipt by the SCM Unit (provided such communication is in the required format).
18. The GGB has restricted the period during which it will accept questions or requests for further information or clarification and reserves the right not to respond to any enquiry or request, irrespective of when such enquiry or request is received. Such restricted times are Mondays to Thursdays from 9 am to 4H30 pm and on Fridays from 9 am to 3 pm. The GGB will only respond to such requests from **15 February 2022** until **9 March 2022** as the **11 March 2022** is the closing date for bids and bidders would then be too late to act upon responses.
19. Except where the GGB is of the opinion that issues raised apply only to an individual Bidder, questions submitted and answers provided will be made available to all Bidders by e-mail, as well as on the GGB's website without identifying the person or organisation which submitted the question. Such responses/clarifications will be posted on the GGB website no later than **09 March 2022 at 11:00**.
20. In all other instances, the GGB may directly provide any written notification or response to a Bidder by email to the address of the Bidder (as notified by the Bidder to the SCM Unit).
21. A Bidder may, by notifying the SCM Unit in writing, withdraw a question submitted in accordance with clause 30, in circumstances where the Bidder does not wish the GGB to publish its response to the question to all Bidders.

UNAUTHORISED COMMUNICATIONS

22. Communications (including promotional or advertising activities) with staff of the GGB or advisors assisting with the Tendering Process are not permitted during the Tendering. Nothing in this clause is intended to prevent communications with staff of, or advisors of the GGB to the extent that such communications do not relate to this RFP or the Tendering Process.
23. Bidders must not otherwise engage in any activities that may be perceived as, or that may have the effect of, influencing the outcomes of the Tendering Process in any way.

IMPROPER ASSISTANCE, FRAUD AND CORRUPTION

24. Bidders may not seek or obtain the assistance of employees, contractors, or advisors of the GGB in the preparation of their tender responses.
25. The GGB may in its absolute discretion, immediately disqualify a Bidder that it believes has sought or obtained such improper assistance.
26. Bidders are to be familiar with the implications of contravening the Prevention and Combating of Corrupt Activities Act, No. 12 of 2004 and any other relevant legislation.

ANTI-COMPETITIVE CONDUCT

27. Bidders and their respective officers, employees, agents and advisors must not engage in any collusion, anti-competitive conduct or any other similar conduct in respect of this Tendering Process with any other Bidder or any other person(s) in relation to:
 - a. The preparation or lodgement of their Tender
 - b. the evaluation and clarification of their Tender; and
 - c. the conduct of negotiations with the GGB.
28. For the purposes of clause 38, collusion, anti-competitive conduct or any other similar conduct may include disclosure, exchange and clarification of information whether or not such information is confidential to the GGB or any other Bidder or any other person or organisation.
29. In addition to any other remedies available to it under law or contract, the GGB may, in its absolute discretion, immediately disqualify a Bidder that it believes has engaged in any collusive, anti-competitive conduct or any other similar conduct during the entire Tendering Process.

COMPLAINTS ABOUT THE TENDERING PROCESS

30. Any complaint about the RFP or the Tendering Process must be submitted to the CEO in writing, (preferably by email), immediately upon the cause of the complaint arising or becoming known to the Bidder.
31. The written complaint must set out:
 - a. The basis for the complaint, specifying the issues involved;
 - b. how the subject of the complaint affect the organisation or person making the complaint;
 - c. any relevant background information; and
 - d. the outcome desired by the person or organisation making the complaint.
32. If the matter relates to the conduct of an official, employee or advisor of the GGB, the complaint should be addressed in writing marked for the attention of the Chief Executive Officer of the GGB, and delivered to the physical address of the GGB, as notified.

CONFLICT OF INTEREST

33. A Bidder must not, and must ensure that its officers, employees, agents and advisors do not, place themselves in a position that may give rise to actual, potential or perceived conflict of interest between the interests of the GGB and/or the Gauteng Provincial Government and the Bidders interests during the Tender Process.
34. The Bidders Response in this RFP Part C requires the Bidder to provide details of any interests, relationships or clients which may or do give rise to a conflict of interest in relation to the supply of the services under any contract that may result from this RFP.
35. If the Bidder submits its Tender and a subsequent conflict of interest arises, or is likely to arise, which was not disclosed in the Tender, the Bidder must notify the GGB immediately in writing of that conflict.
36. The GGB may immediately disqualify a Bidder from the Tendering Process if the Bidder fails to notify the GGB of the conflict as required.

LATE TENDERS

37. Tenders must be lodged by the Closing Time. Where a tender document is not in the tender box at the time of the bid closing, such a bid document will be regarded as a late bid. Late bids will not be considered.
38. Tenders lodged after the Closing Time or lodged at a location or in a manner that is contrary to that specified in this RFP will be disqualified from the Tendering Process and will be ineligible for consideration.
39. The determination of the GGB as to the actual time that a Tender is lodged is final. All Tenders lodged in the Tender Box after the Closing Time will be recorded by the GGB and will only be opened for the purposes of identifying a business name and address of the Bidder. The GGB will inform a Bidder whose Tender was lodged after the Closing Time of its ineligibility for consideration. The general operating practice is for the late tender to be returned within 5 (Five) working days of receipt or within 5 (Five) working days after determination not to accept a late tender.

BIDDERS RESPONSIBILITIES

45. Bidders are responsible for:
 - a. Examining this RFP and any documents referenced or attached to this RFP and any other information made or to be made available by the GGB to Bidders in connection with this RFP;
 - b. fully informing themselves in relation to all matters arising from this RFP, including all matters regarding the GGB's requirements for the provision of the Services, as well as general conditions and specific conditions of contract;

- c. ensuring that their Tenders are accurate and complete;
- d. making their own enquiries and assessing all risks regarding this RFP, and fully considering and incorporating the impact of any known and unknown risks into their Tender;
- e. ensuring that they comply with all applicable laws in regards to the Tendering Process particularly as specified by National Treasury Regulations, Guidelines, Instruction Notes and Practice Notes and other relevant legislation as published from time to time in the Government Gazette;
- f. Submitting an Original Valid Tax Clearance Certificate; and failure to provide the required information could result in disqualification of the bidder.

PREPARATION OF TENDERS

- a. Bidders must ensure that their Tender is submitted in the required format as stipulated in this RFP Part C; and
- b. all the required information fields in RFP Part C are completed in full and contain the information requested by the GGB.

Note to Bidders: The GGB may in its absolute discretion reject a Tender that does not include the information requested.

46. Unnecessarily elaborate responses or other presentations beyond that which is sufficient to present a complete and effective tender proposal are not desired or required. Elaborate and expensive visual and other presentation aids are not necessary.

ILLEGIBLE CONTENT, ALTERATION AND ERASURES

47. Incomplete Tenders may be disqualified or evaluated solely on information contained in the Tender.

48. The GGB may disregard any content in a Tender that is illegible and will be under no obligation whatsoever to seek clarification from the Bidder.

49. The GGB is entitled to amend any bid conditions, validity period, Terms of References, or extend the closing date of bids before the closing date. All bidders, to whom the bid documents have been issued, will be advised in writing of such amendments in good time to enable them to respond effectively / positively.

OBLIGATION TO NOTIFY ERRORS

50. Amended bids may be sent, together with the original bid, in an envelope marked "Amendment to bid" and should be placed in the bid box before the closing date and time. An amendment bids without the original bid document will not be considered.

RESPONSIBILITY FOR TENDERING COSTS

51. The Bidders participation or involvement in any stage of the Tendering Process is at the Bidders sole risk, cost and expense. The GGB will not be held responsible for, or pay for, any expense or loss that may be incurred by Bidders in relation to the preparation or lodgement of their Tender.
52. The GGB is not liable to the Bidder for any costs on the basis of any contractual, or promissory or restitutionary grounds whatsoever as a consequence of any matter relating to the Bidders participation in the Tendering Process, including without limitation, instances where:
- a. The Bidder is not engaged to perform under any contract; or
 - b. The GGB exercises any right under this RFP or at law.

DISCLOSURE OF TENDER CONTENTS AND TENDER INFORMATION

53. All Tenders received by the GGB will be treated as confidential. The GGB will not disclose any Tender contents and Tender information, except:
- a. As required by law;
 - b. for the purpose of investigations by other government authorities having relevant jurisdiction;
 - c. to external consultants and advisors of the GGB engaged to assist with the Tendering Process; or
 - d. for the general information of Bidders required to be disclosed as per National Treasury Regulations, Guidelines, Instruction Notes or Practice Notes.

USE OF TENDERS

54. Upon submission in accordance with the requirements of submission of Tenders, all Tenders submitted become the property of the GGB. Bidders will retain all ownership rights in any intellectual property contained in the Tender.
55. Each Bidder, by submission of their Tender, is deemed to have licensed the GGB to reproduce the whole, or any portion, of their Tender for the purposes of enabling the GGB to evaluate the Tender.
56. Further, in submitting a Tender, the Bidder accepts that the GGB shall, in accordance with the requirements of Treasury Regulation No. 16A.6.3(d) and the National Treasury Instruction Note on *Enhancing Compliance Monitoring and Improving Transparency and Accountability in Supply Chain Management*, publish (on the internet or otherwise):
- a. The names of all Bidders that submitted bids in relation to this RFP within 10 (Ten) working days after the closing date of this RFP, if the bid is above the threshold value of R1 000 000; and
 - b. on award of the bid, the name of the successful Bidder, the contract price, B-BBEE level of contribution status, the contract number and description of the contract awarded.

PERIOD OF VALIDITY

57. All Tenders received must remain valid and open for acceptance for a minimum of **90** (Ninety) days from the Closing Time. This period may be extended by written mutual agreement between the GGB and the Bidder.

STATUS OF TENDER

58. Each Tender constitutes an irrevocable offer by the Bidder to the GGB to provide the Services required and otherwise to satisfy the requirements of the Terms of Reference as set out in this RFP Part B.

59. A Tender must not be conditional on:

- a. The Board approval of the Bidder or any related governing body of the Bidder being obtained;
- b. the Bidder conducting due diligence or any other form of enquiry or investigation;
- c. the Bidder (or any other party) obtaining any regulatory approval or consent;
- d. the Bidder obtaining the consent or approval of any third party; or
- e. the Bidder stating that it wishes to discuss or negotiate any commercial terms of the contract.

60. The GGB may, in its absolute discretion, disregard any tender that is, or is stated to be, subject to any one or more of the conditions detailed above (or any other relevant conditions).

61. The GGB reserves the right to accept a Tender in part or in whole or to negotiate with a Bidder in accordance with the clause 81 (Unreasonable disadvantage) of this RFP Part A.

TENDER RESPONSE

COMPLIANCE WITH TERMS OF REFERENCE

62. Under Part C of this RFP, a Bidder must submit a tabulated statement showing its level of compliance to the Terms of Reference contained in this RFP Part B.

63. In particular, Bidders must state if they will not comply with the Terms of Reference, or will only comply with the Terms of Reference subject to conditions. Full details of the non-compliance (including the nature and extent of the non-compliance and any reasons for such non-compliance) must be stated in the space provided in the tabulated statement.

64. No response is required in respect of a particular section of the Terms of Reference where Bidders will comply with the Terms of Reference. Only sections that Bidders have not complied with, or will only comply with subject to conditions, should be noted in the tabulated statement.

65. The GGB is prepared to contemplate minor variations or departures from the Terms of Reference proposed by Bidders.

66. However, Bidders should note that significant or substantive variations or departures from the Terms of References will not be viewed favourably unless the Bidder is able to clearly demonstrate to the satisfaction of the GGB the necessity for such variations or departures.

Note to Bidders: The GGB will assume that a Bidders Response complies in all relevant respects with the Terms of Reference unless the Bidder states otherwise. Failure to notify the GGB of any non-compliance may result in a Bidders Response being disregarded.

GENERAL

67. Indefinite responses such as “noted”, “to be discussed” or “to be negotiated” are not acceptable.

68. Where the Bidder is unwilling to accept a specified condition, the non-acceptance must be clearly and expressly stated. Prominence must be given to the statement detailing the non-acceptance. It is not sufficient that the statement appears only as part of an attachment to the Tender, or be included in a general statement of the Bidders usual operating conditions.

69. An incomplete Tender may be disqualified or assessed solely on the information completed or received with the Tender.

INNOVATIVE SOLUTIONS

70. Bidders are encouraged to offer options or solutions which may, in an innovative way, contribute to the GGB’s ability to carry out its operations in a more cost-effective manner.

71. These options or solutions may be related to:

- a. The outputs, functional, performance and technical aspects of the requirement; or
- b. Opportunities for more advantageous commercial arrangements.

72. Any such options or solutions will be considered by the GGB on a “commercial in confidence” basis if so requested by the Bidder.

73. Where a Bidder submits an offer which meets the requirements of this RFP in an alternative and practical manner, the Tender must also include any supplementary material (including such pricing and costing details as may be necessary to enable the GGB to fully assess the financial impact of the alternative proposal), which demonstrates in detail that such an alternative will fully achieve and/or exceed all the specified requirements, together with references as to why the additional features may be advantageous.

74. The GGB reserves the right to consider such offers on their merits or not to consider them at all.

CONTRACT DISCLOSURE REQUIREMENTS

DISCLOSURE OF INFORMATION

75. The Conditions of Tendering include a provision for the disclosure of contract information (refer to this RFP Part A dealing with “Use of Tenders”).

76. If a Bidder wishes to withhold the disclosure of specific contract information, the Bidder must clearly outline how the release of this information will expose trade secrets, business strategy or unique methodologies that may expose the business unreasonably to disadvantage.

TRADE SECRETS

77. In considering whether specific information should be categorised as a trade secret, Bidders should assess:

- a. The extent to which it is known outside of the Bidders business.
- b. the extent to which it is known by the persons engaged in the Bidders business.
- c. any measures taken to guard its secrecy.
- d. its value to the Bidders business and to any competitors.
- e. the amount of money and effort invested in developing the information; and
- f. the ease or difficulty with which others may acquire or develop this information.

UNREASONABLE DISADVANTAGE

78. In determining whether disclosure of specific information will expose a Bidders business unreasonably to disadvantage, the following should be considered:

- a. Whether the information is generally available to competitors; and
- b. Whether it could be disclosed without causing substantial harm to the competitive position of the business.

GGB will consider these applications in the Tender evaluation and negotiations (if any) with Bidders.

EVALUATION OF TENDERS

EVALUATION PROCESS

79. Following the Closing Time, the GGB intends to evaluate the Tenders received.
80. Tenders will be evaluated against the Evaluation Criteria specified under the section “Evaluation Criteria Format”.
81. Without limiting the GGB’s rights in the RFP, the GGB may at any time during the Tendering Process choose to:
- a. Shortlist one or more Bidders; and
 - b. Accept one or more of the Tenders.
82. Unless the Evaluation Criteria explicitly require, the GGB may, but is not in any way bound to, shortlist, to select as successful, or to accept the Tender offering the lowest price.
83. Should the GGB choose to include a short-listing stage in its evaluation process, the GGB is not, at any time, required to notify Bidders or any other person or organisation interested in submitting a Tender.
84. A Bidders Response will not be deemed to be unsuccessful until such time as the Bidder is formally notified of that fact by the GGB. The commencement of negotiations by the GGB with one or more other Bidders is not to be taken as an indication that any particular Bidders Response has not been successful.

EVALUATION CRITERIA FORMAT

85. The evaluation criteria are weighted to reflect the importance of project requirements noted in the Terms of Reference.
86. In evaluating Bidders Responses, the GGB will have regard to:
- a. Specific evaluation criteria identified in the list below;
 - b. the overall value for money proposition presented in the Bidders Response; and
 - c. weighting assigned to any or all of the evaluation criteria specified below.
87. For the purposes of this RFP clause 90, ‘value for money’ is a measurement of financial and non-financial factors, including:
- a. Quality levels; and
 - b. performance standards.
88. Value for money will be assessed on a ‘whole of life’ basis (including the transitioning-in, the contract term and the transitioning-out phases of the relationship between the GGB and a Bidder), with a view to long-term sustainability of the value for money proposition and with a

focus on ensuring that value for money outcomes are promoted and protected following the conclusion of any contract that may result from this RFP.

89. Administrative compliance will be determined in accordance with the conditions listed in this RFP.

90. The evaluation criteria will be in line with the PPPFA, 2000 (Act No. 5 of 2000) and Preferential Procurement Regulations 2017 as amended.

91. Evaluation will be based on a point system and two-stage evaluation process. As a pre-requisite, a bid must comply with the requirements of the bid solicitation and meet the minimum threshold of the functionality evaluation criteria to be declared responsive and qualify to the next evaluation stage.

92. The value of this bid is estimated to be less than R 50 000 000.00 and therefore the 80/20 preference point system shall apply. The following is the weighting awarded for each element, and the threshold score.

Evaluation element	Weighting	Threshold score
Technical proposal (Functionality)	100	70 Points

Evaluation element	Weighting	Threshold score
Price proposal	80	N/A
BBBEE proposal	20	N/A
Total	100	

3. BID EVALUATION CRITERIA

Evaluation of the bids will be conducted in two stage as per Preferential Procurement Regulations, 2017 issued in terms of section 5 of the Preferential Procurement Policy Framework Act, Act number 5 of 2000 (PPPFA) as follows:

Stage One (1) will consist of the evaluation of bids on **Prequalification, Administrative Compliance and Functional Evaluation**. During these stages of evaluation, the bidder/s that do not meet the prescribed criteria or minimum threshold/s for functionality will be disqualified and will not be considered for further evaluation.

Stage Two (2) of the evaluation will be based on Price and Preference Point System, as per Regulation 6 of the PPR, 2017.

- Price = 80 points
- Preference = 20 points

STAGE 1A – Pre-qualification

STAGE 1B Administrative Compliance

STAGE 1C - Functionality evaluation

STAGE 2 - Price and Preference

8.1 Stage 1A: Prequalification

The Department has decided to apply pre-qualification criteria to advance designated groups as per Regulation 4.1(a) of the PPR, 2017. The following criteria will be applied to this tender with the specific conditions that interested bidders can respond to with the following requirements:

- A tenderer must be a **level 1 B-BBEE status level of contributor**.

The following documents must be submitted for the verification process of B-BBEE status level of contribution.

- Only B-BBEE Status Level Verification Certificates from B-BBEE verification agencies accredited by SANAS will be accepted.
- In the case of a trust, consortium, or joint venture all tenderers must submit a consolidated B-BBEE Status Level Verification Certificate issued by an agency accredited by SANAS.
- All tenderers who qualify as Exempted Micro Enterprises (EME) must submit an original and valid affidavit (DTI or CIPC format) or certified copies thereof, signed by the EME representative and attested by a Commissioner of Oaths.
- In the case of a Qualifying Small Enterprises (QSE):
 - If the bidding entity is more than 51% black owned, then an original and valid affidavit (DTI or CIPC format) or certified copies thereof, signed by the QSE representative and attested by a Commissioner of Oaths is required.
 - If the QSE is less than 51% black owned, then the bidding entity will be required to provide an original and valid B-BBEE Certificate or certified copies thereof.
- Sworn Affidavits and certification as a *“true copy of the original”*, must comply with the requirements outlined in the Justices of the Peace and Commissioners of Oaths Act, No.16 of 1963 and its Regulations promulgated in Government Notice GNR 1258 of 21 July 1972 Justices of the Peace and Commissioners of Oaths Act, No. 16 of 1963.

NB: A tender that fails to meet the abovementioned pre-qualifying criteria stipulated in the tender document is an unacceptable tender.

8.2 Stage 1B: Administrative Compliance.

It is compulsory to submit all listed SBD forms and they must be duly signed.

- Bidders must provide completed and signed SBD forms (SBD1; SBD4; SBD6.1; SBD7.2; SBD8; SBD9).
- Completed Annexure A - Pricing Proposal

Other Required Documents:

- Valid SARS Tax Compliance Status (TCS) Pin
- Proof of registration with the National Treasury Supplier Database (CSD)
- The latest audited Financial Statements for last two years are required.
- In case where a portion of work will be subcontracted, a tenderer must submit Service Level Agreement or Contract signed by all parties of their intention to subcontract and clearly indicate the percentage to be subcontracted by a tenderer.

Note: *Bidders must submit their SARS TCS PIN number and CSD Supplier number with their bid in order that the bidder's Tax Compliance Status can be verified. Should a bidder not be Tax Compliant at the time of verification, the bidder will be notified in writing of their non-compliant tax status and be requested to remediate their tax status within seven (7) working days. Failure to provide written proof of tax status remediation, within seven (7) working days of notification, will result in the rejection of the bid submitted by the Bidder.*

Submission requirements: The completed documents as well as detailed proposals, outlining the service to be provided, should include at least the following:

- Company Structure, Shareholders lists and levels of shareholding.
- Share certificates
- List of directors
- Company profile which includes years of experience
- Internal audit approach/methodology
- A proposed internal audit plan for a three-year period indicating possible auditable areas and costing of the plan (including all costs relating to the execution of the assignment)
- Quality control strategy

- Frequency of visits to the Board
- Fee structure in relation to Auditor General's tariffs; as well as the average rate
- A list of deliverables
- CV's (including certified copies of qualifications) of key personnel to be utilised in the provision of the services indicating their roles.
- Relevant client experience with nature of assignment and a minimum of three contactable references.
- Latest valid quality review certification by external body.
- Proof of company registration with IRBA, SAICA or IIA SA

8.3 Stage 1C - Functionality evaluation

8.4 Stage 2 - Price and Preference

The bid documentation and further details are obtained from:

E-mail: www.ggb.org.za or [etenders.gov.za/ tenders@ggb.org.za](mailto:etenders.gov.za/tenders@ggb.org.za)

Submissions must be delivered to:

Gauteng Gambling Board

Waverley Office Park Block 1A

125 Corlett Drive

Bramley

Reference: **GGB/RFP/001/2021**

Closing date for submission of proposals is **11 March 2022. At 11h00 am** and no late proposals will be accepted.

The bidders will be evaluated on price and preference according to the 80/20-point system in terms of the requirements of the preferential procurement policy framework Act (Act 5 of 2000) and the preferential procurement regulations 2017. The preference points will be allocated in terms of the BBBEE status level contributor as per the table below.

A maximum of 80 points will be allocated for price and a maximum of 20 points for preference. The price points and the preference points will be added together to obtain the total score out of 100 points. The bid that scores the highest overall points out of 100 points will receive the award.

The GGB may:

- a) negotiate a market-related price with the tenderer scoring the highest points or cancel the tender in line with Preferential Procurement Regulations 2017; regulation 6, subsection 9(a) and subsection 9(b);
- b) if the tenderer does not agree to a market-related price, negotiate a market-related price with the tenderer scoring the second highest points or cancel the tender;
- c) if the tenderer scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the tenderer scoring the third highest points or cancel the tender.

If a market-related price is not agreed as envisaged in paragraph (c) above, the GGB shall cancel the tender.

PLEASE NOTE: The minimum threshold for functionality evaluation is 70 points. Any bidder who fails to meet this minimum requirement shall be deemed non-responsive and disqualified from further evaluation.

CRITERIA FOR BREAKING DEADLOCK IN SCORING

GGB intends to select bidder who scored the highest points during the Stage 2 of: Evaluation.

In accordance with Regulation 10 of the Preferential Procurement Regulation, 2017,

- *“10.(1) If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for B-BBEE.*
- *10.(2) If functionality is part of the evaluation process and two or more tenderers score equal total points and equal preference points for B-BBEE, the contract must be awarded to the tenderer that scored the highest points for functionality.*

- 10.(3) *If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.”*

In accordance with Regulation 10.(1) of the PPR, 2017, the determining of Preference Point will be in line with Regulation 6.(2) of the PPR, 2017, to which the following table will be applied.

B-BBEE Status Level of Contributor	Number of Points
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

93. A minimum threshold for functionality of seventy (70) points is required. Bids that do not meet this threshold will automatically be disqualified from further evaluation.

94. Thereafter, only the qualifying bids will be evaluated in terms of the 80/20 preference point system, where a maximum of 80 points are allocated for price and a maximum of 20 points are allocated in respect of the level of B-BBEE contribution of the bidder.

PRICE EVALUATION

95. 80 points for price will be calculated on the bidder that qualified for functionality.

B-BBEE EVALUATION

96. 20 points are allocated to B-BBEE rating certificates and applicable points allocated in terms of the Preferential Procurement Regulation 2017 as indicated in the table below.

Bidders must submit valid BBEE Certificates

POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION.

97. The preference points claimed by each bidder for attaining the B-BBEE

Status Level of Contributor will be allocated to each qualifying bid when determining the total bid score under the preference points system. The points scored by a bidder in respect of the level of B-BBEE contribution contemplated in Annexure E, will be added to the points scored for price, calculated as described in Annexure E.

B-BBEE Status Level of Contributor	Number of points
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

CLARIFICATION OF TENDERS

98. The GGB may seek clarification from and enter into discussions with any or all of the Bidders in relation to their Tender. The GGB may use such information in interpreting the Tender and evaluating the cost and risk in accepting the Tender. Failure to supply clarification to the satisfaction of the GGB may render the Tender liable to disqualification.
99. The GGB is under no obligation to seek clarification of anything in a Tender and reserves the right to disregard any clarification that the GGB considers to be unsolicited or otherwise impermissible in accordance with the rules set out in this RFP.

DISCUSSION WITH BIDDERS

100. The GGB may elect to engage in detailed discussions with any one or more Bidders, with a view to maximising the benefits of this RFP as measured against the evaluation criteria and in fully understanding a Bidders offer.
101. In its absolute discretion, the GGB may invite some or all Bidders to give a presentation to the GGB in relation to their submissions, that may include a demonstration of software, programs or unique methodologies proposed, if applicable.
102. The GGB is under no obligation to undertake discussions with, or to invite any presentations from Bidders.
103. In addition to presentations and discussions, the GGB may request some or all Bidders to:
- a. Conduct a site visit, if applicable.
 - b. provide references or additional information; and/or
 - c. make themselves available for panel interviews.

SUCCESSFUL TENDERS

NO LEGALLY BINDING CONTRACT

104. Selection as a successful Bidder does not give rise to a contract (express or implied) between the successful Bidder and the GGB for the supply of the Services. No legal relationship will exist between the GGB and a successful Bidder for the supply of the Services until such time as a binding contract is executed by them.

PRE-CONTRACTUAL NEGOTIATIONS

105. The GGB may, in its absolute discretion, decide not to enter into pre-contractual negotiations with a successful Bidder.
106. A Bidder is bound by its Tender and all other documents forming part of the Bidders Response and, if selected as a successful Bidder, must enter into a contract on the basis of the Tender without negotiation.

NO OBLIGATION TO ENTER INTO CONTRACT

107. The GGB is under no obligation to appoint a successful Bidder or Bidders (as the case may be), or to enter into a contract with a successful Bidder or any other person, if it is unable to identify a Tender that complies in all relevant respects with the requirements of the GGB, or if due to changed circumstances, there is no longer a need for the Services requested, or if funds are no longer available to cover the total envisaged expenditure. For the avoidance of any doubt, in these circumstances the GGB will be free to proceed via any alternative process.
108. The GGB may conduct a debriefing session for all Bidders (successful and unsuccessful). Attendance at such debriefing session is optional.

ADDITIONAL RULES

109. It is a condition of the tendering process that Bidders will be required to complete all the forms annexed to this RFP Part C.
110. A Bidder who does not submit all the information as required by the GGB will be disqualified from the Tendering Process.

BIDDER WARRANTIES

111. By submitting a Tender, a Bidder warrants that:

- a. In lodging its Tender it did not rely on any express or implied statement, warranty or representation, whether oral, written, or otherwise made by or on behalf of the GGB, its officers, employees, or advisers other than any statement, warranty or representation expressly contained in the RFP;
- b. it did not use the improper assistance of GGB employees or information unlawfully obtained from the GGB in compiling its Tender;
- c. it is responsible for all costs and expenses related to the preparation and lodgement of its Tender, any subsequent negotiation, and any future process connected with or relating to the Tendering Process;
- d. it otherwise accepts and will comply with the rules set out in this RFP; and
- e. it will provide additional information in a timely manner as requested by the GGB to clarify any matters contained in the Tender.

GGB'S RIGHTS

112. Notwithstanding anything else in this RFP, and without limiting its rights at law or otherwise, the GGB reserves the right, in its absolute discretion at any time, to:

- a. Cease to proceed with, or suspend the Tendering Process prior to the execution of a formal written contract;
- b. alter the structure and/or the timing of this RFP or the Tendering Process;
- c. vary or extend any time or date specified in this RFP for all or any Bidder or other persons;
- d. terminate the participation of any Bidder or any other person in the Tendering Process;
- e. require additional information or clarification from any Bidder or any other person or provide additional information or clarification;
- f. call for new Tenders;
- g. reject any Tender received after the Closing Time;
- h. reject any Tender that does not comply with the requirements of this RFP; or
- i. consider and accept or reject any alternative tender.

GOVERNING LAWS

113. This RFP and the Tendering Process is governed by the laws / legislation applicable to public sector SCM in the Republic of South Africa.

114. Each Bidder must comply with all relevant laws in preparing and lodging its Tender and in taking part in the Tendering Process.

115. All tenders must be completed using the English language and all costing must be in South African Rand.

INCONSISTENCY

- 128 If there is any inconsistency between any parts of this RFP, a descending order of precedence must be accorded to:
- (a) the conditions of tendering in Part A and Part B of this RFP, and any annexure or attachments;
 - (b) the Bidders response in Part C of this RFP;
 - (c) any other part of this RFP, so that the provision in the higher ranked document, to the extent of the inconsistency, prevails.

TERMS OF REFERENCE

**INVITATION FOR PROPOSAL FOR THE OUTSOURCING OF THE INTERNAL AUDIT FUNCTION
FOR A PERIOD OF THREE YEARS**

4. BACKGROUND

The Gauteng Gambling Board is a statutory body established in terms of Section 3 of the Gauteng Gambling Act, No. 4 of 1995, as amended (the Act).

The Board falls under the definition of “Provincial Public Entity” in terms of Section 1 of the Public Finance Management Act, No. 1 of 1999, and is listed in Schedule 3 to that Act as being one of the public entities in respect of which the legislation applies.

The main function of the Board is to oversee and control gambling activities in Gauteng, including:

- Licensing of individuals and companies to conduct gambling related activities
- Registering of persons engaged in such activities
- Approving and registering all gambling devices
- Collecting appropriate taxes and levies for the Gauteng Province and other specified beneficiaries
- Ensuring compliance with all legislation in connection with gambling
- Advising the Members of the Executive Council of the Gauteng Provincial Government responsible for the administration of the Act on matters relating to gambling.

A copy of the Gauteng Gambling Board’s latest Annual Report is available on the website www.ggb.org.za.

5. PURPOSE

The purpose of this document is to present the Terms of Reference for the appointment of an independent internal audit service provider with the requisite expertise and track record that is able to provide and maintain a professional and comprehensive internal audit service function to the Board of the Gauteng Gambling Board (GGB).

The successful service provider will be appointed for a period of three years, commencing from the date of appointment and the signed Service Level Agreement.

6. OBJECTIVES

- 6.1. An effective Internal Audit function is meant to serve as corporate conscience and that as professional auditors, they must drive operational efficiency, internal controls, corporate governance and risk management. The service provider is expected to educate and make relevant recommendations to GGB Management, the Board, and to support the GGB in achieving its strategic goals and objectives.
- 6.2. The service provider is expected to have requisite knowledge, skills, and sufficient capacity to perform the assignment pursuant to the requirements of the Public Finance Management Act and have an in-depth knowledge of the latest standardised set by the International Financial Reporting Standards (IFRS) and Generally Recognised Accounting Practice (GRAP).
- 6.3. The Internal Audit function, although outsourced, must add value and be seen as a governance and assurance tool, that seeks to enhance the internal controls environment at a reasonable cost, as well as ensuring compliance to the provisions of the Public Finance Management Act, 1 of 1999, as amended, the applicable National Treasury Regulations, Risk Management Standards and Frameworks, the Standards of Professional Practice in Internal Audit (SPPIA) as set by the Institute of Internal Auditors, and the Companies Act No. 61 of 1973, as amended. This would include, amongst others, the application of the principles of the latest King Report on Corporate Governance, as well as any other related legislation, policies and frameworks.
- 6.4. The Board and Management of the GGB requires a pro-active Internal Audit function that is independent, understands the importance of corporate governance systems, risk management and use of robust internal audit methodologies and techniques that can function at an executive and operational level.

7. SPECIFICATIONS OF SKILLS REQUIRED.

- 7.1. The Service provider must propose a dedicated internal audit team who has a sound understanding of internal audit methodologies and techniques with practical experience on similar assignments, as well as a strong knowledge, skills and understanding of government processes, systems and practices.
- 7.2. The Engagement Partner/s must have a professional qualification of Chartered Accountant CA(SA) and/or Certified Internal Auditor (CIA).
- 7.3. Submission of an external Quality Assessment Report on previous work conducted.
- 7.4. Specialised skills which entails but is not limited to forensic audit and investigations as required.
- 7.5. IT and Cyber audit (minimum membership with ISACA and CISA certification)
- 7.6. IT governance with COBIT training.
- 7.7. Membership with any one of the following professional institutions, i.e. IRBA, SAICA or IIA SA.

8. OWNERSHIP OF WORKING PAPERS

- 8.1. The Board shall retain ownership of all working papers, charters and methodologies used during the period of appointment.
- 8.2. The paperwork generated in line with the scope of work must be processed in line with the Protection of Personal Information Act

9. SCOPE OF WORK AND DELIVERABLES

- 9.1. Conducting an annual risk assessment for the Board.
- 9.2. Developing an annual audit plan and three-year rolling plan for the Board based on the risk assessment results through discussion and agreement with the Auditor-General South Africa (AGSA), including the budget and costing of the plan. This will be completed on an annual basis.
- 9.3. Submitting the risk assessment and audit plans to the Chief Executive Officer (CEO) and the Audit and Risk Committee for approval.
- 9.4. Executing the approved annual audit plan as it relates to the period of service in accordance with the Standard for the Professional Practice of Internal Auditing
- 9.5. Reporting the results of audits to the Management and the Audit and Risk Committee (ARC) of the Board.
- 9.6. Auditing the performance information of the Board.
- 9.7. Performing any ad hoc request(s) subject to approval of the Audit and Risk Committee (ARC) of the Board.
- 9.8. Reporting the results of reviews and the progress against plan at each Audit and Risk Committee (ARC) meeting.
- 9.9. Fulfilling all requirements relating the internal audit as prescribed in terms of the Public Finance Management Act and the National Treasury Regulations.
- 9.10. Full management and administration of the internal audit function.
- 9.11. Conducting the internal audit assignments in terms of IIA Standards.
- 9.12. Provide assurance on the three-year business automation project implementation.
- 9.13. The following are the minimum business processes/auditable areas to be covered in the three-year rolling plan, however not limited to:

Table 1: Business processes/auditable areas

Ref #.	Business Process / Auditable Area	Audit review frequency
Management of the internal audit function		
1	Preparation of three-year rolling plan and annual operational audit plan	Annually
2	Preparation of internal audit pack and attending audit committee meetings	Quarterly
3	Review of the Internal Audit and Audit and Risk Committee Charters	Annually
Business Area/Auditable Process		
4	Review of Financial Controls	Annually
5	Revenue Management	Twice in 3 years
6	Supply Chain Management (including tender reviews as and when required)	Annually
7	Corporate Governance	Annually
8	Human Resources	Annually
9	Compliance Division: Audit	Twice in 3 years
10	Compliance Division: Gaming Control	Twice in 3 years
11	Information Technology General Controls (ITGC)	Twice in 3 years
12	Information Technology – Application Controls Review	Annually
13	Information Technology – Cyber Security	Twice in 3 years
14	Information Technology – Governance	Twice in 3 years
15	Licensing	Annually
16	SED and Responsible Gambling	Twice in 3 years
17	Legal	Twice in 3 years
18	Risk and Business Continuity	Annually
19	Audit of Predetermined Objectives	Quarterly
20	Review of Annual and Quarterly Financial Statements	Quarterly
21	Review of Annual Performance Plan	Annually

Ref #.	Business Process / Auditable Area	Audit review frequency
22	Follow Up on External and Internal Audit Reports and update of Audit Tracking Register	Quarterly

6.14 Estimated hours per year

Cost per hour	Year 1	Year 2	Year 3
Estimated hours per year for auditable areas	1300	1400	1100

Please note, bidders are required to complete and submit **Annexure – Pricing Proposal**, which is part of the mandatory criteria for paragraph 8.1.

10. SPECIAL CONDITIONS

- 10.1. All ad hoc assignments would be approved by the Audit and Risk Committee, a statutory, independent committee of the Board.
- 10.2. The contract will be for a period of three years commencing on the date of the signed Service Level Agreement and renewable annually based on performance.

11. BID EVALUATION METHODOLOGY.

Evaluation of the bids will be conducted in two stage as per Preferential Procurement Regulations, 2017 issued in terms of section 5 of the Preferential Procurement Policy Framework Act, Act number 5 of 2000 (PPPFA) as follows:

Stage One (1) will consist of the evaluation of bids on **Prequalification, Administrative Compliance and Functional Evaluation**. During these stages of evaluation, the bidder/s that do not meet the prescribed criteria or minimum threshold/s for functionality will be disqualified and will not be considered for further evaluation.

Stage Two (2) of the evaluation will be based on Price and Preference Point System, as per Regulation 6 of the PPR, 2017.

- Price = 80 points
- Preference = 20 points

STAGE 1A – Pre-qualification

STAGE 1B – Administrative Compliance

STAGE 1C - Functionality evaluation

STAGE 2 - Price and Preference

8.3 Stage 1A: Prequalification

The Department has decided to apply pre-qualification criteria to advance designated groups as per Regulation 4.1(a) of the PPR, 2017. The following criteria will be applied to this tender with the specific conditions that interested bidders can respond to with the following requirements:

- A tenderer must be a **level 1 B-BBEE status level of contributor**.

The following documents must be submitted for the verification process of B-BBEE status level of contribution.

- Only B-BBEE Status Level Verification Certificates from B-BBEE verification agencies accredited by SANAS will be accepted.
- In the case of a trust, consortium or joint venture all tenderers must submit a consolidated B-BBEE Status Level Verification Certificate issued by an agency accredited by SANAS.
- All tenderers who qualify as Exempted Micro Enterprises (EME) must submit an original and valid sworn affidavit (DTI or CIPC format) or certified copies thereof, signed by the EME representative and attested by a Commissioner of Oaths.
- In the case of a Qualifying Small Enterprises (QSE):
 - If the bidding entity is more than 51% black owned, then an original and valid sworn affidavit (DTI or CIPC format) or certified copies thereof, signed by the QSE representative and attested by a Commissioner of Oaths is required.
 - If the QSE is less than 51% black owned, then the bidding entity will be required to provide an original and valid B-BBEE Certificate or certified copies thereof.
- Sworn Affidavits and certification as a “*true copy of the original*”, must comply with the requirements outlined in the Justices of the Peace and Commissioners of Oaths Act, No.16 of 1963 and its Regulations promulgated in Government Notice GNR 1258 of 21 July 1972 Justices of the Peace and Commissioners of Oaths Act, No. 16 of 1963.

NB: A tender that fails to meet the abovementioned pre-qualifying criteria stipulated in the tender document is an unacceptable tender.

8.4 Stage 1B: Administrative Compliance

It is compulsory to submit all listed SBD forms and they must be duly signed.

- Bidders must provide completed and signed SBD forms (SBD1; SBD4; SBD6.1; SBD7.2; SBD8; SBD9).
- Completed Annexure A - Pricing Proposal

Other Required Documents:

- Valid SARS Tax Compliance Status (TCS) Pin
- Proof of registration with the National Treasury Supplier Database (CSD)
- The latest audited Financial Statements for last two years are required.
- In case where a portion of work will be subcontracted, a tenderer must submit Service Level Agreement or Contract signed by all parties of their intention to subcontract and clearly indicate the percentage to be subcontracted by a tenderer.

Note: *Bidders must submit their SARS TCS PIN number and CSD Supplier number with their bid in order that the bidder's Tax Compliance Status can be verified. Should a bidder not be Tax Compliant at the time of verification, the bidder will be notified in writing of their non-compliant tax status and be requested to remediate their tax status within seven (7) working days. Failure to provide written proof of tax status remediation, within seven (7) working days of notification, will result in the rejection of the bid submitted by the Bidder.*

Submission requirements: The completed documents as well as detailed proposals, outlining the service to be provided, should include at least the following:

- Company Structure, Shareholders lists and levels of shareholding.
- Share certificates
- List of directors
- Company profile which includes years of experience
- Internal audit approach/methodology
- A proposed internal audit plan for a three-year period indicating possible auditable areas and costing of the plan (including all costs relating to the execution of the assignment)
- Quality control strategy
- Frequency of visits to the Board

- Fee structure in relation to Auditor General's tariffs; as well as the average rate
- A list of deliverables
- CV's (including certified copies of qualifications) of key personnel to be utilised in the provision of the services indicating their roles.
- Relevant client experience with nature of assignment and a minimum of three contactable references.
- Latest valid quality review certification by external body.
- Proof of company registration with IRBA, SAICA or IIA SA

8.5 Stage 1C: Functionality Evaluation Criteria

A total of **100 points** is allocated for this stage of the evaluation. The minimum threshold for the evaluation is **70 points**. Any bidder who fails to meet this minimum requirement shall be deemed non-responsive and disqualified from further evaluation.

Ref	Evaluation Criteria	Points
1	Experience of the bidder (firm) in internal audit services. • 3 - 5 years' experience (2) • 6 - 9 years' experience (5) • 10 or more years' experience (10) Proof provided through Company Profile which must state how many years you have provided internal audit services and Company Registration documents	10
2	Experience of the firm in the internal audit of Public Sector • 0 letters equal to 0 points • 1 letters equal to 2 points • 2 letters equal to 5 points • 3 letters equal to 10 points • 4 letters equal to 15 points • 5 letters equal to 20 points <i>A minimum of three contactable reference letters from Public Sector Entities to be provided with relevant services rendered not dated not older than 4 years. A valid reference letter must include the following: Company letter heads with contactable details, Date of issue, Contract period, clear description of services that was rendered and the positive endorsement of the quality of that service and be duly signed.</i>	20
3	Partners experience <i>Partner to have a CA (SA) and/or CIA qualification with relevant experience. CV to be attached including relevant certified copies of qualification</i> • 6 - 9 years' experience (6) • 10 or more years' experience (15)	14

Ref	Evaluation Criteria	Points
	<i>No proof of qualification will score zero points</i>	
4	Internal Audit Senior Manager experience <i>Minimum qualification of a CA(SA) or CIA qualification with relevant experience. CV to be attached including relevant certified copies of qualification</i> • 6 - 9 years' experience (5) • 10 or more years' experience (10) <i>No proof of qualification will score zero points</i>	10
5	Internal Audit supervisor experience <i>Minimum qualification of an accounting degree (NQF level 7) with relevant experience. CV to be attached including relevant certified copies of qualification</i> • 2 - 5 years' experience (3) • 6 or more years' experience (5) <i>No proof of qualification will score zero points</i>	5
6	Internal Auditors <i>Minimum qualification of a diploma (NQF Level 6). CV to be attached including relevant certified copies of qualification</i> • 0 - 2 years' experience (2) • 3 or more years' experience (3) <i>No proof of qualification will score zero points</i>	3
7.1	IT Specialist experience <i>Minimum qualification of a CISA certification and membership with ISACA, with relevant experience. CV to be attached including relevant certified copies of qualification</i> • 3 - 5 years' experience (3) • 5 or more years' experience (6) <i>No proof of qualification will score zero points</i>	7

Ref	Evaluation Criteria	Points
7.2	IT governance audit experience <i>Minimum qualification of COBIT training, with relevant experience. CV to be attached including relevant certified copies of qualification</i> • 3 - 5 years' experience (2) • 5 or more years' experience (4) <i>No proof of qualification will score zero points</i>	4
8	Ability to provide quality Internal Audit Services 1. Submission of a detailed internal audit methodology: - To be implemented (3) - Timelines (2) - Reporting methods (2) 2. Relevant 3 year rolling audit plan with milestones including the minimum business processes/auditable areas as per paragraph 6.13 table 1 (8) 3. Relevant value added services that will enhance the internal control environment within the GGB (5) a. Additional hours b. Whistle blowing services c. Resource availability d. Forensic investigation and audit or similar e. IT Forensic services f. Business or audit functionality improvement No response (0) 1 value added service (1) 2 value added services (2) 3 value added services (3) 4 value added services (4) 5 value added services (5) 4. Quality assurance: - Latest valid quality review certification by external body (3) - Internal Quality Control strategies (2)	25
9	Ownership 100% women owned entity scores an additional 2 points	2

Ref	Evaluation Criteria	Points
	Proof to be provided through a company shareholder certificate	
	Total Points	100
	Minimum Threshold	70

8.6 Stage 2: Pricing and Preference Point System

This stage of the evaluation is based on the Price and Preference Point System, as per Regulation 6 of the PPR, 2017. The second stage of evaluation will be on the 80/20 preference point system in terms of which points are awarded to bidders, where 20 Points are allocated for Preference and 80 Points for Price only.

The contract will be awarded in terms of Preferential Procurement Policy Framework Act, (Act 5 of 2000) and the Black Empowerment Act (Act 53 of 2003).

- **Price = 80 points**
- **Preference = 20 points**

The following table show the allocation of BBEE points in terms of Status level

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

9 NOTES TO APPLICANTS:

- The Gauteng Gambling Board is committed to maximize the value obtained from the available internal audit service provider.
- Evaluation of proposals will be carried out by bid evaluation committee. The evaluators may, if required, contact parties who have submitted proposals to seek clarification of any aspect of a proposal.
- Gauteng Gambling Board has a discretion to condone immaterial non-compliance with the requirements of this specification.

Interested firms should submit their proposals to:

Gauteng Gambling Board

Waverley Office Park Block 1A

125 Corlett Drive

Bramley

The bid documentation and further details are obtained from:

Tender documents also available on www.ggb.org.za

E-mail: tenders@ggb.org.za

Submissions must be delivered to:

Gauteng Gambling Board

Waverley Office Park Block 1A

125 Corlett Drive

Bramley

Reference: **GGB/RFP/001/2021**

Closing date for submission of proposals is **11 March 2022. At 11h00am** and no late proposals will be accepted.

10 ANNEXURE A – PRICING PROPOSAL

The bidder is required to complete the following Price Proposal tables based on the information provided in paragraph 6.14. Business processes/auditable areas to be conducted over the three-year period. Rates should be inclusive of overheads and VAT. If particular resource categories do not exist for the bidder, it may be omitted. The rates provided by the bidder in their proposal will also be applied for any ad hoc assignments.

The proposed average rates should include any costs that will be incurred by the bidder, including travel and subsistence expenses. Only travelling for pre-approved sites visits other than to GGB's Head Office may be claimed at the actual cost in accordance with the National Treasury Cost Containment Directive.

Table 1: Overall hourly rate per resource level

Resource Description <i>(Where applicable)</i>	Year 1 Hourly Rate <i>(including overheads and VAT)</i>	Year 2 Hourly Rate <i>(including overheads and VAT)</i>	Year 3 Hourly Rate <i>(including overheads and VAT)</i>
Engagement Partner	R	R	R
Specialist IT Auditor	R	R	R
Senior Manager	R	R	R
Manager	R	R	R
Assistant Manager	R	R	R
Supervisor	R	R	R
Senior Auditor	R	R	R
Trainee Auditor	R	R	R

Table 2: Average hourly rate per Internal Audit and ICT Audit

Description	Year 1 Average Hourly Rate <i>(including overheads and VAT)</i>	Year 2 Average Hourly Rate <i>(including overheads and VAT)</i>	Year 3 Average Hourly Rate <i>(including overheads and VAT)</i>
Internal Audits	R	R	R
ICT Audits	R	R	R

Table 3: Combined average hourly rate.

Description	Estimated Weighted Work Allocation Per Year	Year 1 Average Hourly Rate <i>(including overheads and VAT)</i>	Year 2 Average Hourly Rate <i>(including overheads and VAT)</i>	Year 3 Average Hourly Rate <i>(including overheads and VAT)</i>
Internal Audits	80%	R	R	R
ICT Audits	20%	R	R	R
Combined Average Rate	100%	R	R	R

RFP - PART C:

BIDDERS DECLARATION

All responses must be provided within the specified boxes, must comply with the word and page limits imposed and must respond to this RFP Part B in accordance with the Conditions of Tendering in this RFP Part A. All Annexures form part of the Bidders Response and must be completed in full and signed.

BIDDERS DECLARATION	
I the undersigned _____ (full name) hereby certify that: ☐ I have read, understood and accept the conditions contained in this RFP. ☐ I have supplied all the required information, and all the information submitted as part of the RFP is true and correct.	
NAME OF THE BIDDER	
IDENTITY NUMBER	
POSITION	
AUTHORISED SIGNATORY	
DATE	

SBD 1

BIDDERS RESPONSE				
FULL NAME				
POSTAL ADDRESS				
PHYSICAL ADDRESS				
ENTITY REGISTRATION NUMBER				
VAT REGISTRATION NUMBER				
CONTACT PERSON'S FULL NAME				
TELEPHONE NUMBER 1	CODE		NUMBER	
TELEPHONE NUMBER 2	CODE		NUMBER	
FACSIMILE NUMBER	CODE		NUMBER	
CELLULAR PHONE NUMBER				
E-MAIL ADDRESS				
TAX CLEARANCE CERTIFICATE	YES		NO	
FULL NAME OF AUTHORISED AGENT				
TITLE OF AUTHORISED AGENT				
SIGNATURE OF AUTHORISED AGENT				
DATE OF SIGNATURE				
TOTAL BID PRICE				
CONFLICT OF INTEREST				
Provide details of any interests, relationships or clients which may give rise to a conflict of interest and the area of expertise in which that conflict of interest may arise.	<i>Complete as attached in SBD`S</i>			

TAX COMPLIANCE REQUIREMENTS

A tax compliance status pin issued by SARS is required.

**PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....	Bid number.....
Closing Time 11:00	Closing date.....

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

ITEM NO. INCLUDED)	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES
-----------------------	----------	-------------	---

-
- Required by:

 - At:

 -

 - Brand and model
 - Country of origin

- Does the offer comply with the specification(s)?
*YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery
- *Delivery: Firm/not firm
- Delivery basis

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

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

*Delete if not applicable

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf, the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
 - 2.1 Full Name of bidder or his or her representative:.....
 - 2.2 Identity Number:.....
 - 2.3 Position occupied in the Company (director, trustee, shareholder, member):.....
 - 2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:.....
 - 2.5 Tax Reference Number:.....
 - 2.6 VAT Registration Number:
 - 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in paragraph 3 below.
 - 2.7 Are you or any person connected with the bidder
YES/NO

Are you or any person connected with the bidder presently employed by the state? **YES/NO**

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member/Name of state institution at which you or the person connected to the bidder is employed:

.....

Position occupied in the state institution:

Any other particulars:

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

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES/NO**

2.7.2.1 If yes, did you attach proof of such authority to the bid document?
YES/NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

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

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous 12 months.

YES/NO

2.8.2 If so, furnish particulars:

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

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES/NO**

2.9.1 If so, furnish particulars.

.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? **YES/NO**

2.10.1 If so, furnish particulars.

.....

2.11 Do you or any of the directors / trustees / shareholders / members **YES/NO**
 of the company have any interest in any other related companies
 whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

.....

3 Full details of director /trustees/members/shareholders.

Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number / PERSAL Number

DECLARATION

I, THE UNDERSIGNED
(NAME).....

- ☐ CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 AND 3 ABOVE IS CORRECT.
- ☐ I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

NAME OF BIDDER	
IDENTITY NUMBER	
POSITION	
SIGNATURE OF AUTHORISED SIGNATORY	
DATE	

SBD 6.1

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).

1.2

- a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable: or

1.3 Points for this bid shall be awarded for:

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

1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

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

Where

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

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

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

5. BID DECLARATION

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

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

- 6.1 B-BBEE Status Level of Contributor: . = (maximum of 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.)

7. SUB-CONTRACTING

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

(Tick applicable box)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

- 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	☐	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 least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

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

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

.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

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

WITNESSES	
NAME OF BIDDER	
IDENTITY NUMBER	
POSITION	
AUTHORISED SIGNATORIES OF BIDDERS	
WITNESS 1	
WITNESS 2	
DATE	
ADDRESS	

I confirm that I am duly authorized to sign this contract.	
NAME OF BIDDER	
NAME (PRINT)	
POSITION	
AUTHORISED SIGNATORIES OF BIDDERS	
WITNESS 1	
WITNESS 2	
DATE	

DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This declaration is used by GGB 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.
- 2 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.
- 3 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

NO.	QUESTION	YES	NO
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers 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 Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.		
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?		
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?		
4.4.1	If so, furnish particulars:		

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.	
NAME OF THE BIDDER	
POSITION	
AUTHORISED SIGNATORY	
DATE	

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Standard Bidding Document 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 *per 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 (Annexure G) 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 GGB which wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

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

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 authorised 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 authorised 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 organisation, 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.
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 Terms of References 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, Terms of References 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.
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.

NAME OF BIDDER	
POSITION	
AUTHORISED SIGNATORY	
DATE	

CHECKLIST

Bidders are to use this checklist to ensure that the bid documentation is complete for administrative compliance. If any of the required documents are not submitted as prescribed may invalidate the bid proposal. The bidder is to indicate that the documentation is complete and included in the bid document by completing the table below.

ITEM	DESCRIPTION	YES	NO
1.	Is your Bidders Response completed in full and signed?		
2.	Have you submitted all attachments and additional information required?		
3.	SBD 1 (invitation to bid)		
4.	Tax compliance status pin issued by SARS		
5.	SBD 4 (Declaration of Interest)		
6.	SBD 6.1 (B-BBEE Certificate)		
8.	SBD 8 (Declaration of Bidder's past supply chain management practices)		
9.	SBD 9 (Certificate of Independent Bid Determination)		
10.	Supplier Database Consent Form		
11.	valid certificate of professional registration (SAICA/SAIPA/IRBA/CA (SA), CIA, CISA E.T.C).		
12.	Company Registration Documentation		
13.	Did you submit one (1) original and two (02) hard copies of the Bidders Response and one (1) on the USB or CD		
14.	Detailed Company Profile highlighting bidder's experience in their areas of expertise as per scope of work.		
15.	Five (5) reference letters from current and previous clients in law chosen indicating the name of the client; contact telephone numbers; description of work performed; and dates of engagement		
16.	Company Profile, an organogram or list of Partners or Directors, Associates, Candidates attorneys and ID Documents of Directors		
17.	Details of the probable team that will be tasked with the assignment. Information should include the name of employee; Job title; Short CV reflecting legal		

	qualifications; other professional qualifications and current and previous work experience.	
18.	Identification of tools and technologies developed and utilised by the firm to increase the efficiency and effectiveness of the legal service function	
19.	Transfer of skills - The bidder should demonstrate how it intends to assist GGB in building of the internal capacity and how it will transfer skills to GGB employees.	

Note: The submitted information must be accompanied with an index, and the bidding documents must be numbered, labelled and tabbed as per index.

125 CORLETT DRIVE
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2090
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SUPPLIER DATABASE CONSENT FORM

General: In order for the Gauteng Gambling Board ("**GGB**") to consider the supplier's (referenced below) response to an RFP to become a supplier to the GGB ("**RFP**") and/or to be included in the GGB's supplier database, it will be necessary for the GGB to process certain information which the supplier may share with the GGB for the purpose of the RFP, including personal information – which may include special personal information (all hereafter referred to as "**Personal Information**"). The GGB will process the supplier's Personal Information in accordance with the GGB Privacy Policy.

Access to supplier Personal Information and purpose specification: Personal Information will be processed by the GGB for purposes of assessing the supplier's submission in relation to the RFP and for registering the supplier on the GGB supplier database and may be shared and stored internally for the purposes of assessing current and future services required by the GGB. We may also share the supplier's Personal Information with third parties, both within the Republic of South Africa and in other jurisdictions, including to carry out verification and background checks. In this regard, the supplier acknowledges that the GGB's authorised verification agent(s) and service providers will access Personal Information and conduct background screening.

Consent: By ticking "Yes" and signing below, you agree and voluntarily consent to the GGB's processing of the supplier's Personal Information for the purposes of evaluating its RFP submission, including to confirm and verify any information provided in the submission and supplier gives the GGB permission to do so. The supplier understands that it is free to withdraw its consent on written notice to the GGB and the supplier agrees that the Personal Information may be disclosed by the GGB to third parties, including the GGB's affiliates, service providers and associates (some of which may

be located outside of the Republic of South Africa). Please note that if you withdraw your consent at any stage we may be unable to process the RFP or continue to retain the supplier details the GGB supplier database.

Yes ☐

No ☐

Supplier Name

Date

Signature

Authorised representative, who warrants that he/she is duly authorised