



REQUEST FOR PROPOSAL (RFP/11/2023)

APPOINTMENT OF A SERVICE PROVIDER FOR IT SECURITY SERVICES AND SUPPORT FOR A PERIOD OF TWELVE (12) MONTHS

CLOSING DATE: 08 DECEMBER 2023

TIME: 16H00

1. INTRODUCTION

Brand South Africa, previously known as the International Marketing Council of South Africa (IMC) was established in 2002 and tasked with leading the global and domestic marketing of our nation's Brand. The primary object of the Trust is to develop and implement a pro-active and coordinated marketing and communication and reputation management strategies for South Africa.

Brand South Africa's international mandate is to build South Africa's Nation Brand reputation in order to improve the country's global competitiveness, reflecting a great focus on driving international investment and trade.

Domestically, Brand South Africa's mandate is to build pride & patriotism amongst South Africans and contribute to social cohesion and nation brand ambassadorship, giving our country a consolidated and clear brand image. This involves the creation of a unified message and promise that becomes identifiable with South Africa, thereby building credibility, conviction and committed patronage.

Brand South Africa is also the central hub of national reputation and competitiveness intelligence. This intelligence is vital for articulating, aligning and mobilising key messages about the nation for the use and benefit of all stakeholders and strategic partners.

2. WHO WE ARE

Brand South Africa is a Schedule 3A Public Entity, which was established in terms of the Brand South Africa Trust Deed, which is governed by the Trust Property Control Act No.57 of 1988 and the Public Finance Management Act, No.1 of 1999. The organisation reports to the Department of Communication, from which it receives its budget.

3. PURPOSE

The purpose of Brand South Africa is to develop and implement pro-active and coordinated marketing, communication, and reputation management strategies for the country.

4. MISSION

To achieve our purpose, we will embark on the following execution mission:

- Develop and articulate a South African national brand identity that will advance South Africa's long-term positive reputation and global competitiveness.
- Seek to build individual and institutional alignment to and support for the brand in South Africa and pride and patriotism amongst South African.
- Build awareness and the image of the Nation Brand in other countries.
- Seek the involvement and cooperation of various government departments, civil society, business and the non-government sector.

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Email: info@brandsouthafrica.com | Website: www.brandsouthafrica.com

Acting Chief Executive Officer: Ms Sithembile Ntombela



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5. SCOPE OF WORK

Brand South Africa seeks to appoint a reputable service provider for IT security services for a period of twelve (12) months. The services will include support of the already installed application and commissioning of the new security tools (See table below).

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Item	Products and Services	Description	Software
1.	Establish Secure Configurations	Supply and install the software to assist with the creation and implementation of CIS secure configuration benchmark for all servers and workstations in use by Brand SA.	ManageEngine Vulnerability Manager Plus (Supply and configure)
2.	Asset management	<p>Licence, Support and maintain an asset management solution which at minimum comply with the following requirements:</p> <ul style="list-style-type: none"> • Hardware (physically and logically) records: <ul style="list-style-type: none"> ◦ Network address ◦ Hardware address ◦ Machine name ◦ and allows for the population of additional fields e.g. ◦ Data asset owner ◦ Allocated Business Unit ◦ Financial information • Software discovery and inventory system for operating systems and applications which at minimum track and record: <ul style="list-style-type: none"> ◦ Name; ◦ Version; ◦ Publisher; and ◦ Install date. • Unauthorized software is either removed or the inventory is updated in a timely manner. • Ongoing management and maintenance support 	Manage Engine Asset manager (Licence Renewal)
3.	Network access Control	Supply and implement a network access control system which at minimum: <ul style="list-style-type: none"> • Ensure that unauthorized assets are either removed from the network, quarantined or the inventory is updated in a timely manner. • Utilize port level access control, following 802.1x standards, to control which devices can authenticate to the network. The authentication system shall be tied into the hardware asset inventory data to ensure only authorized devices can connect to the network. 	ManageEngine Endpoint Central and Network Access Control (Supply and Configure)

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4.	Continuous vulnerability and compliance management	<p>Licence, Support and Maintain a continuous vulnerability and compliance management system which at minimum:</p> <ul style="list-style-type: none"> • Vulnerability management: <ul style="list-style-type: none"> ○ Utilize an up-to-date SCAP-compliant vulnerability scanning tool to automatically scan all systems on the network on a weekly or more frequent basis to identify all potential vulnerabilities on the organization's systems. ○ Perform authenticated vulnerability scanning with agents running locally on each system or with remote scanners that are configured with elevated rights on the system being tested. ○ Utilize a risk-rating process to prioritize the remediation of discovered vulnerabilities. • Configuration compliance: <ul style="list-style-type: none"> ○ Security Content Automation Protocol (SCAP) compliant configuration ○ monitoring system to verify all security configuration elements, catalogue ○ approved exceptions, and alert when unauthorized changes occur. • Ongoing management and maintenance support 	GFI Languard (Licence Renewal)
5.	Two factors authentication	<p>Licence, Support and Maintain a two-factor authentication system which at minimum:</p> <ul style="list-style-type: none"> • Authenticate and encrypt channels for all administrative account access. • Ongoing management and maintenance support 	Delinea Thycotic server (Licence Renewal)
6.	Third generation firewall	<p>Licence, Support and Maintain an internal firewall to segregate the corporate data network from existing default gateway. The firewall should at minimum:</p> <p>Implement a DMZ.</p> <ul style="list-style-type: none"> • Cater for intrusion detection services. 	Fortigate - Support only

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		<ul style="list-style-type: none"> • Cater for intrusion prevention services. • Ongoing management and maintenance support 	
7.	Centralised log Aggregation	<p>Licence, Support and Maintain a centralised log aggregation system which at minimum:</p> <ul style="list-style-type: none"> • Log management systems to ensure adequate storage space for the logs are considered. • Appropriate logs are being aggregated to a central log management system for analysis and review. • Automated threshold definitions to identify anomalies or abnormal events. • Ongoing management and maintenance support 	ManageEngine Log360 (Supply and Configure)

6. PROJECT DELIVERABLES

The duration of this contract is 12 (Twelve Months)

6. EVALUATION CRITERIA

Table 1 - Mandatory Evaluation

ITEM	EVIDENCE	(x)	
Service Providers must be an accredited manage-engine installers. Failure to provide this will result in immediate disqualification from the process.	Letter of proof from accredited manage-engine.	Yes	No

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- a) A minimum of 70 points out of 100 points on technical capability; will be the cut off to qualify for further evaluation. Those who qualify will be assessed using the 80/20 preference points system for Price and Specific Goals as per the Preferential Procurement Regulations of 2022 (PPR 2022)
- b) Brand South Africa will analyse and assess technical capability and therefore the bidder should demonstrate the following:

7.1. Table 1- Technical Evaluation Criteria

TECHNICAL EVALUATION CRITERIA		
CRITERIA	SUB-CRITERIA	POINTS
Approach and Methodology	<p>Detailed approach, methodology and process to be adopted in the IT Security Services deployment. Each deliverable will be weighted as follows. (60)</p> <ol style="list-style-type: none"> 1) Establish secure configurations and Network Access - (10) 2) Asset management - (5) 3) Vulnerability assessment - (10) 4) Software distribution - (10) 5) Two-factor authentication - (5) 6) Centralised Log aggregation - (10) 7) A costed Project plan to be linked to the deliverables and outputs. (10) 	60
Organisational experience and capability	<p>The service provider must have a minimum experience in providing the IT Security services.</p> <ul style="list-style-type: none"> • 0-2-year experience - (0) • 3-5 Years' experience - (5) • 6-9 Years' experience - (7) • 10 and more years' experience - (10) <p>NB: Bidders must provide a detailed company profile showing the years of experience. This may be verified by Brand SA evaluation committee.</p>	10
Contactable References	<p>The service providers must demonstrate their experience in similar projects and illustrate their understanding of the services required, including at least, a minimum of four client reference letters</p> <p>.</p>	10

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	<ul style="list-style-type: none"> • 0 - 3 client reference letters - (0) • 4 - 5 client reference letters - (5) • More than 5 client references - (10) 	
Capacity and experience of the Project Lead	<p>CV of the Proposed Team demonstrating a minimum of 5 years technical experience in similar projects.</p> <ul style="list-style-type: none"> • Project Lead (10) <ul style="list-style-type: none"> ○ Curriculum Vitae with a minimum of Five (5) Years relevant experience ○ Relevant Qualification • Security Specialist or analyst (5) <ul style="list-style-type: none"> ○ Curriculum Vitae with a minimum of Five (5) Years relevant experience ○ Relevant Qualification • Accounts Manager (5) <ul style="list-style-type: none"> ○ Curriculum Vitae with a minimum of Five (5) Years relevant experience ○ Relevant Qualification <p>NB: Bidders are to submit CV's and Copies of Qualifications of the above. Failure to provide both CV's demonstrating five (5) years experience will result in no points being scored.</p>	20
TOTAL POINTS		100

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7.2. Table 2 - Price and Specific Goals

The average rate price for each services costed will be utilized to determine the bid price.

The evaluation for Price and Specific Goal shall be based on the 80/20 PPPFA Principle and the points for evaluation criteria are as follows:

Table 2 - Price and Specific Goals		
CRITERIA	SUB-CRITERIA	WEIGHTING / POINTS
Price	Detailed budget breakdown	80
Specific Goals	Specific Goal	20
TOTAL		100

NB: Price and specific goals points will be calculated as described in the Preferential Procurement Regulations of 2022. SBD 6.1 form must be used to claim points for specific goals for the company. A copy of CSD report and certified copy of B-BBEE certificate or Sworn Affidavit must be submitted as proof of specific goals. When the said documentation is not provided as proof the company will automatically score zero points for specific goals. Brand SA may request further information if clarity is needed.

7. INSTRUCTIONS TO BIDDERS

7.1. Terms and Conditions

Brand South Africa reserves, under exceptional circumstances, the rights to extend the closing date. All proposals and all subsequent information received from bidders will not be returned.

The adjudication process does not represent a commitment on the part of the Brand South Africa to proceed further with that proposal or of any other bidder.

The price quoted must be valid for at least 90 days.

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7.2. Changes to this RFQ document

Brand South Africa reserves the right to make changes on this RFQ Document. All changes will be communicated to those firms that have responded to the RFQ. No reliance shall be placed on other information or comment from any other person.

7.3. Confidentiality

Any information relating to the submissions, through the process or otherwise shall be treated in strict confidence.

7.4. Other matters

Brand South Africa reserves the right not to enter into any relationship and no correspondence pertaining to submissions will be entered into.

If Brand South Africa does not accept any proposal, it will declare this RFQ call process closed and may then elect to:

- Proceed on a completely different basis; and
- Not to appoint any respondent in the event it deems proposals not appropriate.

Brand South Africa will not accept any responsibility for costs incurred by bidders in preparing and submitting proposals.

Brand South Africa reserves the right to engage in processes to validate all claims made in the proposal.

8. PAYMENT STRUCTURE

8.1. Brand South Africa undertakes to pay in full within thirty (30) days, all valid claims for work done to its satisfaction upon presentation of a substantiated claim/invoice.

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8.2. Payments will only be made on the basis of the work completed (milestones/ deliverables) as per the project implementation plan to be agreed at the inception of the project.

9. GENERAL

9.1. Below are compulsory requirements for this service:

It is important to note that the successful bidder will work under the supervision of a Brand South Africa representative, abide by Brand South Africa's Code of Conduct, and other organisational guidelines.

9.2. Kindly submit the following document:

- **(SARS Pin Number/ Tax Clearance Certificate).**
- **National Treasury Central Supplier Database Report.**
- **Completed and signed SBD forms.**
- **Completed and signed POPIA PROTECTION OF PERSONAL INFORMATION ACT, 2013 (POPIA)**
- **Quotation on Company Letterhead**

10. CONTACT DETAILS FOR INFORMATION

10.1. Further information regarding technical matters can be sent via email to:

tebogog@brandsouthafrica.com or tel: 011 483 0122.

10.2. Further information regarding supply chain matters can be send via email to:

quotations@brandsouthafrica.com or ntiyisom@brandsouthafrica.com or at tel: 011 483 0122.

11. SUBMISSIONS OF PROPOSALS

11.1. Proposals should be submitted on or before the **08 December 2023** by no later than **16H00** to the following address: ntiyisom@brandsouthafrica.com

11.2. The selection of the qualifying bid/quotations will be at the Brand South Africa's sole discretion. Brand South Africa does not bind itself to accept any particular bid/quotations, and reserves the right not to appoint the bidder.

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SBD 3

PRICING SCHEDULE

Note:

- 1 Bidder must complete the pricing as per the table below
- 2 All pricing will be according to the Scope of work
- 3 Line Prices are all **VAT EXCLUDING**, and **TOTAL PRICE** is **VAT INCLUSIVE**

The following pricing schedule needs to be completed in line with the required deliverables (where applicable) and return a part of the tender submission.

ITEM NO	DESCRIPTION	Initial Fee Structure		Ongoing Support and Maintenance Cost		
		Product/Setup cost (Once Off)	License Fee (1 year)	Support		
1.	Establish Secure Configurations	YES	YES	YES		
2.	Asset management	N/A	YES	YES		
3	Network access control	YES	YES	YES		
4	Continuous vulnerability and compliance management	N/A	YES	YES		
5	Software distribution and configuration management system	N/A	YES	YES		
6	Two factor authentications	N/A	YES	YES		
7	Centralised log aggregation	YES	YES	YES		
	Totals					
	TOTAL BIDDING PRICE VAT EXCLUSIVE					

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	15% VAT					
	TOTAL BIDDING PRICE VAT INCLUSIVE					

NB:

- **BIDDERS ARE EXPECTED TO QUOTE ACCORDING TO THE SCOPE OF WORKS ABOVE**
- **BIDDERS ARE EXPECTED TO PROVIDE A DETAILED BREAK DOWN OF COSTS ON COMPANY LETTER HEAD**

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BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship

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

with any person who is employed by the procuring institution? **YES/NO**

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2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

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

institution in relation to this procurement process prior to and during the bidding

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process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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SBD 6.1

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

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

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

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to invitations to tender:
 - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2 **To be completed by the organ of state**
(delete whichever is not applicable for this tender).
 - a) The applicable preference point system for this tender is the **90/10** preference point system.
 - b) The applicable preference point system for this tender is the **80/20** preference point system.
 - c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
- 1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
 - (a) Price; and
 - (b) Specific Goals.

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1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

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

2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

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3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
100 % Black owned	N/A	10		
Exempted Micro Enterprise (Annual Turnover less the R 10 000 000)	N/A	10		

Brand South Africa

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Acting Chief Executive Officer: Ms Sithembile Ntombela



Inspiring new ways

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and

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directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

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PROTECTION OF PERSONAL INFORMATION ACT, 2013 (POPIA)

I/we as Band South Africa's potential service provider hereby:

- grant my/our voluntary consent to Brand South Africa to collect, process and use my/our personal information in accordance with the provisions of POPIA;
- confirm that I/we understand and acknowledge that my/our personal information may be used by Brand South Africa in order to discharge its public and/or statutory duties;
- grant our consent to Brand South Africa that my/our personal information may be disclosed to third parties in consistence with Brand South Africa's statutory duties; and
- confirm that I/we are aware that there may be circumstances during which Brand South Africa will not need my/our express consent to process my/our personal information, such as during litigation or the information is already in the public domain.

Should any of my / our personal information change, I/ we shall promptly inform Brand South Africa by contacting accounts@brandsouthafrica.com

SIGNED AT _____ ON THIS _____ DAY OF _____ 202_____

FULL NAMES AND SURNAME: _____

CAPACITY OF THE SIGNATORY: _____

SIGNATURE: _____

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