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TERMS OF REFERENCE:

TERMS OF REFERENCE FOR THE APPOINTMENT OF THE ACCREDITED VERIFICATION AGENCY TO ASSIST COMPANIES TRIBUNAL WITH THE B-BBEE COMPLIANCE REPORT AND CERTIFICATE FOR A PERIOD OF THREE (3) YEARS

RFQ NUMBER: 1303

CLOSING DATE: 02 April 2026 @11H00

VALIDITY PERIOD: 60 DAYS

NB: On the last page of this document the bidder needs to declare and indicate that they have read and understood the document in full.

Proposals must be submitted by email to scm@companiestribunal.org.za

TABLE OF CONTENTS

1. INVITATION	3
2. BACKGROUND	3
3. SCOPE OF WORK.....	3
4. DELIVERABLES.....	3
5. GENERAL REQUIREMENTS.....	3
6. EVALUATION PROCESS	4
7. VALIDITY OF PROPOSALS.....	8
8. PROPOSAL SUBMISSION REQUIREMENTS.....	8
9. PRICING.....	9
10. DISCLAIMER.....	9
11. NOTES TO BIDDERS	9
12. APPROVAL.....	10
13. DECLARATION BY THE BIDDER.....	10

1. INVITATION

The Companies Tribunal is inviting experienced service providers to submit their proposals to assist with the B-BBEE Compliance report and B-BBEE Certificate for a period of 3 years

2. BACKGROUND

The Companies Tribunal (the Tribunal) is an agency of the Department of Trade, Industry and Competition (the dtic). The Tribunal is established in terms of the Companies Act No 71 of 2008 (the Act) and its role is to adjudicate on applications and make orders in terms of the Act as well as resolve disputes through mediation, conciliation and arbitration.

3. SCOPE OF WORK

The BEE Verification agency will assess, verify and validate BEE information both disclosed and undisclosed BEE related information on measured entities. The verification thereof, should be based on the principles contained in the Broad-Based BEE Codes of Good Practice as well as the relevant gazetted industry charters.

The BEE Verification agency shall evaluate the BEE transactions/information to determine the contribution towards Black Economic Empowerment. The evaluation shall be based on all the relevant components of broad-based BEE and shall ensure that the transactions/information reflect the aims of these components in the empowerment of black people. This may include giving an indicative BEE score based on the information presented by a measured entity.

Review and analyse all procurement transactions and information relevant to the BEE elements, for the following financial years, 2025/26, 2026/27 and 2027/28 and submit a report in terms of section 13 (G) (1) of the B-BBEE Act read with regulation 12 (1) and (2) of the B-BBEE Regulations.

4. DELIVERABLES

4.1 Provide a report on B-BBEE compliance for each financial year and

4.2 Produce the B-BBEE certificate for CT for each financial year

5. GENERAL REQUIREMENTS

- History/background of the bidder including the number of years in operation specializing in B-BBEE verification functions
- Provide a list of similar projects undertaken at other organizations
- Provide CVs and certified qualifications of personnel
- Methodology to be undertaken in facilitating the project and proposed plan/program and timing showing how the project will be run from the facilitation to submission on deliverables
- Written and contactable reference letters from clients where a similar service has been rendered

6. EVALUATION PROCESS

CT will evaluate all proposals in terms of the Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). 3 phase evaluation criteria will be considered in evaluating the bid as follows:

a. Phase 1: Pre-Qualification Criteria (Mandatory requirements)

This stage checks and validates the bidder's compliance with legal requirements to conduct business with the government of South Africa.

All proposals duly lodged will be examined to determine compliance with bidding requirements and conditions (completion and attachment of compulsory documents). NB: No points will be allocated to this stage; however, bidders that do not comply with the Mandatory requirements below will be disqualified and will not advance to the next stage of evaluation.

Pre-Qualification Requirements	Check list √ Tick each box
SBD 1: Completed, attached and signed	
SBD 3.1: Completed, attached	
SBD 4: Completed, attached and signed	
SBD 6.1: Completed, attached and signed	
Terms of Reference document: Completed, attached and signed	
General Conditions of Contract: Initialled and attached	
Proof of registration on Central Supplier Database (managed by National Treasury) a report not older than a month of the date of submission must be submitted	
Accreditation Verification Certificate issued by South African National Accreditation System (SANAS)	

Note: All SBD forms must be submitted (signed) noting where it is not applicable. If any specific SBD form is not submitted, documentary proof clearly stating the reasons must be attached.

Failure to adhere to the above conditions will invalidate the proposal.

Bidders must also supply the following documents (where applicable).

Other Requirements	Check list √ Tick each box

Valid B-BBEE Certificate or (attach certified copy) or Sworn Affidavit	
Company Registration documents	

b. Phase 2: Functional/Technical Evaluation

Only bidders that have met the pre-qualification criteria will be evaluated for functional evaluation. In this phase the evaluation will be based on the bidder's responses in respect of the bid proposal. Prospective bidders who score a minimum of 70 points or more will be considered for the next phase 3 (Pricing and Specific Goals).

All proposals will be evaluated for functionality as follows:

Technical (Functionality) proposal		Maximum points to be awarded
1. Company Information and relevant experience: History/background of the bidder including the number of years in operation specializing in B-BBEE verification functions 1 – 4 years = 5 points 5 – 10 years = 15 points 11 years and above = 20 points		20
2. Competency requirements: Provide a list of similar projects undertaken at other organizations. Up to 5 = 5 points Up to 10 = 15 points Up to 15 = 20 points		20
3. Technical: Provide CVs and certified qualifications of personnel.		20
4. Methodology: The methodology to be undertaken in facilitating the project and proposed plan/program and timing showing how the project will be run from the facilitation to submission on deliverables (Compliance report and the certificate).		25
5. Reference: <ul style="list-style-type: none"> Written and contactable reference letters from clients where a similar service has been rendered. 1-3 reference letters – 5 points 4 -5 reference letters – 10 points 6 and above reference letters – 15 points 		15
Total technical points		100
Minimum threshold for technical (functionality)		70

A point scoring system would be utilized as follows:

Score	Description
1	Does not meet requirements, or no information supplied.
2	Meet some of the requirements
3	Almost meet all requirements
4	Fully meet all requirements
5	Exceeds all requirements

c. Phase 3: Price and Specific Goals

- All quotations up to the rand value of R 50 000 000.00 including all applicable taxes will be evaluated on the 80/20 principle as prescribed by the Preferential Procurement Policy Framework Act 5 of 2000 and its Regulations.
- **NB** - Bidders are required to submit original and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their bids to substantiate their specific goal as stated below. However, Bidders who do not submit B-BBEE Status Level Verification Certificates do not qualify for specific goals points, but they will not be disqualified from the bidding process.
- The lowest acceptable price will score 80 points, the 20 specific goals points will be allocated as follows:

SPECIFIC GOAL	TOTAL POINTS
Percentage (%) Black Ownership	Points (10)
91-100	10
81-90	9
71-80	8
61-70	7
51-60	6
41-50	5
31-40	4
21-30	3
11-20	2
1-10	1
0	0
Percentage (%) Ownership By Women	Points (4)
81-100	4
51-80	3
31-50	2
1-30	1
0	0
Percentage (%) Ownership By Youth	Points (4)
81-100	4

SPECIFIC GOAL	TOTAL POINTS
51-80	3
31-50	2
1-30	1
0	0
Percentage (%) Ownership By People living With Disability	Points (2)
51-100	2
1-50	1
0	0

7. VALIDITY OF PROPOSALS

- The Supplier is required to confirm that it will hold its proposal valid for **60 days** from the closing date of the submission of proposals.
- In exceptional circumstances, CT may solicit the bidder's consent to an extension of the period of the validity of the bid. The request and responses thereto shall be made in writing.

8. PROPOSAL SUBMISSION REQUIREMENTS

- All compulsory documents as stated under point 6 above.
- The bid proposal as per point 3 above
- In case of joint ventures, bidders must provide a clear agreement regarding joint venture/consortia.
- A trust, consortium or joint venture must submit a consolidated B-BBEE status level verification certificate.
- Bidders must submit 1 x original Bid document, and 1 x copy of the original.
- No late bids will be considered.
- It is the bidder's responsibility to ensure that the bid is sent to the correct physical address and that it is received by CT before the closing date and time in CT's dedicated tender box or physical address. The office hours are 08h00 to 16h00 from Monday to Friday, except on public holidays.

Proposals must be submitted by email to scm@companiestribunal.org.za

9. PRICING

- Only a firm pricing schedule will be accepted for this tender (Completed form SBD 3.1)
- The quoted price should be in South African Currency and must include all taxes.
- The quoted price must be valid for a period of 60 days from the closing date of the bid.
- The Tribunal will not be liable for any cost incurred in the preparation of proposals.
- Payment will be made within 30 days after receipt of the valid original tax invoice.

10. DISCLAIMER

The Tribunal reserves the right to

- Award the contract or any part thereof to one or more service providers
- Reject all bids
- Decline to consider any bids that do not conform to any aspect of the bidding process
- Request further information from any service provider after the closing date, for clarification purpose
- The Tribunal reserves the right at any time to visit the premises of the bid proposer if deemed necessary to ensure security of the information.
- Any false declaration of information will result in the exclusion of the bid proposal from consideration.

11. NOTES TO BIDDERS

This section outlines basic requirements that must be met. Failure to meet these requirements or part thereof may result in your proposal being excluded from the evaluation process


- Proposal documents must be submitted to the Tribunal
- The Tribunal will not be liable for any cost incurred by the bidder in the preparation of proposals

- Evaluation of proposals will be carried out by the Tribunal. The Bid Evaluation Committee will, if necessary, contact bidders to seek clarification on any aspect of the proposals.

Technical: Irene Mathatho OR e-mail to imathatho@companiestribunal.org.za

Supply Chain Management: Dikeledi Ratlhogo (012) 394 3680 OR email SCM@companiestribunal.org.za

12. APPROVAL

Approval			
	Name and Title	Signature	Date
Approved by:	MI MATHATHO ACTING COO	 Irene Mathatho 2026-03-06 13:02+02:00	06/03/2026

13. DECLARATION BY THE BIDDER

I, (Full names)
the undersigned certify that the information provided is true and correct, and understood the contents of the document in full.

SIGNATURE :

DATE: