



NAME OF BID	PROVISION OF PERCEPTION SURVEY
BID NO.	FSCA2022/23-T014
CLOSING DATE	04 APRIL 2023
CLOSING TIME	11h00 (South African Standard Time, obtained from Telkom SA SOC Limited by dialling 1026)

BIDDER NAME	
ID/REGISTRATION NUMBER	
CSD NUMBER	
CONTACT PERSON	
EMAIL ADDRESS	
TELEPHONE NUMBER	

**Riverwalk Office Park, Block B; 41 Matroosberg Road
(Corner Garsfontein and Matroosberg Roads)
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A. INTRODUCTION TO BID

1. Introduction

- 1.1 The Financial Sector Conduct Authority (FSCA) was established in terms of the Financial Sector Regulation Act No. 9 of 2017. It is responsible for market conduct regulation and supervision of the financial services industry. The objectives of the FSCA are to enhance and support the efficiency and integrity of financial markets, to protect financial customers by promoting their fair treatment by financial institutions, as well as providing financial customers with financial education. The FSCA is a Schedule 3A Public Entity, in terms of the Public Finance Management Act (PFMA).
- 1.2 The vision of the FSCA is to ensure an efficient financial sector where customers are informed and treated fairly and its mission is to ensure a fair and stable financial market, where consumers are informed and protected, and where those that jeopardize the financial well-being of consumers are held accountable. Visit the FSCA website, www.fsc.co.za for further information about the FSCA.
- 1.3 The FSCA operates from offices in Pretoria at Riverwalk Office Park; 41 Matroosberg Road; Ashlea Gardens Extension 6; Menlo Park; Pretoria.
- 1.4 All information, including personal information collected during this process will be treated as confidential, and processed in line with the FSCA Privacy Policy. For more information on how your personal information is processed and how you can exercise your rights in term of applicable information privacy laws, please visit the Privacy Policy on www.fsc.co.za.
- 1.5 Bidders are hereby invited for appointment of a service provider to provide Perception Survey services to the FSCA. The contract will commence on 1 June 2023 or earlier.
- 1.6 This bid is subject to the Preferential Procurement Policy Framework Act No. 5 of 2000 and the Preferential Procurement Regulations, 2022, Broad-Based Black Economic Empowerment Act, the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract. Where, however, the special conditions of contract conflict with the general conditions of contract, the special conditions of contract prevail.

2. Briefing session

- 2.1 A **non-compulsory briefing** session will be held on **14 March 2023** at **11h00** for a maximum of 1 (one) hour. Microsoft Teams link will be provided on the FSCA's website

2.2 **THE FSCA WILL NOT BE COMPELLED TO REPEAT ANY ISSUES ALREADY COVERED TO LATECOMERS, NOR OPEN ONCE THE SESSION IS CONCLUDED.**

3. Bid enquiries and questions

3.1 Enquiries relating to minor administrative issues with reference to the bid may be directed to:

Nobusi Mazwai/Jessie Myanga
Supply Chain Management Department
Tel no.: (012) 367 7847/ (012) 422 7519
E-mail: tenders@fsc.co.za

3.2 All questions relating to the contents of the bid (conditions, rules, terms of reference etc.) must be forwarded in writing via email to tenders@fsc.co.za by not later than 15 March 2023. Questions received after this date will not be entertained.

3.3 All questions must reference specific paragraph numbers, where applicable.

3.4 All enquiries (received on or before the closing date for enquiries) will be consolidated and the FSCA will publish one response document on the FSCA website (www.fsc.co.za) within three (3) working days after the date in indicated in paragraph 3.2.

3.5 No requests for information shall be made to any other person or place and in particular not to the existing provider of this service.

4. Bid submission

4.1 Bid documents may either be posted (preferably by registered mail) or placed in the bid box or couriered to the physical address. Bids submitted by means of e-mail, telex facsimile, electronic or similar means shall not be considered.

4.2 Complete documents with supporting annexures shall be packaged, sealed, clearly marked and submitted strictly as follows:

Bid No	FSCA2022/23-T014
Bid Name	PROVISION OF PERCEPTION SURVEY

4.3 The FSCA requires two (2) printed copies, one (1) original and one (1) copy and one electronic copy (in electronic storage media, preferably a CD or flash drive/memory stick) in PDF format all bound in a sealed envelope marked as stated in paragraph 4.2.

- 4.4 Bids must be properly packaged and deposited on or before the closing date and before the closing time in the bid box situated at the reception area of the FSCA. The physical address of the FSCA is as follows:

Financial Sector Conduct Authority
Riverwalk Office Park, Block B
41 Matroosberg Road (Corner Garsfontein and Matroosberg Roads)
Ashlea Gardens, Extension 6
Menlo Park
Pretoria, 0081

GPS Coordinates	
Latitude	-25.7843344
Longitude	28.268365

- 4.5 Bid documents may also be posted (preferably by registered mail) to:

PO Box 35655
Menlo Park
Pretoria
0102

- 4.6 Bid documents will only be considered if received by the FSCA on or before the closing date and time, regardless of the method used to send or deliver such documents to the FSCA.

- 4.7 **Late submissions will not be accepted.**

- 4.8 Bidders must initial each page of the bid document on the bottom right hand corner.

5. Pricing schedule

- 5.1 Only fixed prices will be accepted.
- 5.2 A pricing schedule must be submitted on a separate sheet from the technical proposal for ease of evaluation. The pricing schedule must be submitted adjacent to the SBD3.1 form in the bid proposal.

B. DEFINITIONS

6. Definitions

- 6.1 Unless inconsistent with or expressly indicated otherwise by the context.
- 6.1.1 **FSCA** shall mean the Financial Sector Conduct Authority or any successor in title.
- 6.1.2 **Contractor** shall mean the successful bidder whose bid has been accepted by the FSCA and shall include the bidder's personal representatives.
- 6.1.3 **Contract** shall include the General Conditions of Contract and Special Conditions of Contract, the specifications including any schedules attached to the specifications, and any agreement entered into in terms of these Special Conditions of Contract.
- 6.1.4 **Service** shall mean provision of perception survey for the FSCA.
- 6.1.5 **Person** includes any company incorporated or registered as such under any law, any body of persons corporate or unincorporated, any trust. Person, firm or company shall include an authorised employee or agent of such person.
- 6.2 Except where the context indicates otherwise, in this document the singular includes the plural, and with reference to gender, the one includes the other.

C. BID RULES

7. Capabilities and experience of bidders

- 7.1 Bidders are required to provide all information as necessary to demonstrate their capabilities and experience with regard to the requested services.

8. Form of bid

- 8.1 The bid shall be signed and witnessed on the form of bid incorporated herein. The schedule of services shall be fully priced in South African Rand to show the total amount of the bid and shall be signed. The certificates, schedules and forms contained in this document shall be completed and signed by the bidder in blue or black ink.
- 8.2 **Please note:** No correction fluid such as Tippex or similar product is allowed. All changes must be scratched out and a signature next to each change
- 8.3 Where the space provided in the bound document is insufficient, separate schedules may be drawn up in accordance with the prescribed formats. These schedules shall be bound with a suitable contents page and submitted with the bid documents.

9. Signing of bid

- 9.1 The bid must be signed by a person who is duly authorised to do so.

10. Bid all inclusive

- 10.1 The bidder must provide an all-inclusive fee statement in the bid.

11. Alterations to bid documents

- 11.1 No unauthorised alteration or addition shall be made to the form of bid, to the schedule of quantities of services to be rendered or to any other part of the bid documents. If any such alteration or addition is made or if the schedule of quantities of services to be rendered, or other schedules or certificates are not properly completed, such submission may be disqualified.

12. Qualifications on bid

- 12.1 Bids submitted in accordance with this bid document shall be without any qualifications.

13. FSCA'S rights

- 13.1 The FSCA is entitled to amend any bid conditions, bid validity period, bid specifications, or extend the bid's closing date, all before the bid closing date.

The FSCA reserves a right to extend the bid validity period before its expiry period. All bidders, to whom the bid documents have been issued and where the FSCA have record of such bidders, may be advised in writing of such amendments in good time and any such changes will also be posted on the FSCA's website under the relevant bid information. All prospective bidders should, therefore, ensure that they visit the website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.

- 13.2 The FSCA reserves the right not to accept the lowest priced bid or any bid in part or in whole.
- 13.3 The FSCA reserves the right to award this bid as a whole or in part.
- 13.4 The FSCA reserves the right to conduct site visits at bidder's corporate offices and/or at client sites if so required.
- 13.5 The FSCA reserves the right to consider the guidelines and prescribed hourly remuneration rates for consultants as provided in the National Treasury Instruction Note 02 of 2016/2017: Cost Containment Measures, where relevant.
- 13.6 The FSCA reserves the right to request all relevant information, agreements and other documents to verify information supplied in the bid response. The bidder hereby gives consent to the FSCA to conduct background checks on the bidding entity and any of its directors/trustees/shareholders/members.

14. Undertaking by bidder

- 14.1 By submitting a bid in response to this bid, the bidder will be taken to have offered to render all or any of the services described in the bid response submitted by it to the FSCA on the terms and conditions and in accordance with the specifications stipulated in this bid document.
- 14.2 The bidder shall prepare for a possible presentation should the FSCA require such and the bidder shall be notified thereof in good time before the actual presentation date. Such presentation may include a practical demonstration of products or services as called for in this bid.
- 14.3 The bidder agrees that the offer contained in its bid shall remain binding upon him and receptive for acceptance by the FSCA during the bid validity period indicated in this document and calculated from the bid closing date. Its acceptance shall be subject to the terms and conditions contained in this bid document read with the bid.
- 14.4 The bidder furthermore confirms that they have satisfied themselves as to the correctness and validity of their bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all their obligations under a resulting contract

for the services contemplated in this bid; and that they accepts that any mistakes regarding price(s) and calculations will be at their risk.

- 14.5 The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on them under the supply agreement and Service Level Agreement (SLA) to be concluded with the FSCA, as the principal(s) liable for the due fulfilment of such contract.
- 14.6 The bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with this bid will become FSCA property unless otherwise stated by the bidder/s at the time of submission.

15. Central supplier database

- 15.1 The FSCA will not award any bid to a supplier who is not registered as a prospective supplier on the Central Supplier Database (CSD) as required in terms of National Treasury Circular No. 3 of 2015/2016 and National Treasury SCM Instruction Note 4A of 2016/2017.
- 15.2 The supplier is responsible to continuously update their information, including personal information on the CSD to ensure that it is complete, accurate and not misleading.

16. Supplier performance management

- 16.1 Supplier Performance Management is viewed by the FSCA as a critical component in ensuring it acquires value for money and maintains good supplier relations between the FSCA and all its suppliers.
- 16.2 The successful bidder shall upon receipt of written notification of an award, be required to conclude an SLA with the FSCA (where applicable), which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor and assess the supplier's performance and ensure effective delivery of service, quality and value-add to the FSCA's business.
- 16.3 The successful bidder will be required to comply with the above conditions, and also provide a scorecard on how their product/service offering is being measured to achieve the objectives of this condition.

17. Cancellation of contract

- 17.1 If the FSCA becomes aware or is satisfied that any person (including an employee, partner, director or shareholder of the bidder or a person acting on behalf of or with the knowledge of the bidder), firm or company, amongst others:

17.1.1 is executing a contract with the FSCA unsatisfactorily,

- 17.1.2 has in any manner been involved in a corrupt act or provided a gift or remuneration in relation to any officer or employee of the FSCA, in connection with obtaining or executing a contract,
- 17.1.3 has acted in bad faith, in a fraudulent manner or committed an offence in obtaining or executing a contract,
- 17.1.4 has in any manner influenced or attempted to influence the awarding of an FSCA's bid,
- 17.1.5 has when advised that his bid has been accepted, given notice of his inability to execute or sign the contract or to furnish any security required,
- 17.1.6 has engaged in any anti-competitive behaviour, including having entered into any agreement or arrangement, whether legally binding or not, with any other person, firm or company to refrain from bidding for this contract, or relating to the bid price to be submitted by either party,
- 17.1.7 has disclosed to any other person, any information relating to this bid, except where disclosure, in confidence, was necessary to obtain quotations required for the preparation of the bid,

the FSCA may, in addition to any other legal recourse, which it may have, cancel the contract between the FSCA and such a person, firm or company and/or resolve that no bid from such a person will be favourably considered for a period, as prescribed by the National Treasury.

- 17.2 Any restriction imposed upon any person shall apply to any other person with which such a person is actively associated.

18. Applicable laws

- 18.1 The laws of the Republic of South Africa shall be applicable to each contract created by the acceptance of a bid and each bidder shall indicate an address in the Republic and specify it in the bid as his *domicilium citandi et executandi* where any legal process may be served on him.
- 18.2 Each bidder shall accept the jurisdiction of the courts of the Republic of South Africa.

19. Reasons for disqualification of bid

- 19.1 The FSCA reserves the right to disqualify any unacceptable bid as defined in the PPPFA Act and such disqualification may take place without prior notice to the offending bidder. The grounds for disqualification amongst others could include the following:

- 19.1.1 bidders who submit incomplete information and documentation as specified in the requirements of this bid document;
- 19.1.2 bidders who submit information that is fraudulent, factually untrue or inaccurate;
- 19.1.3 bidders who receive information not available to other potential bidders through any means;
- 19.1.4 bidders who do not comply with mandatory requirements, if stipulated in the bid document;
- 19.1.5 bidders who fail to attend a compulsory briefing session and sign bid register, if stipulated in the bid advert and/ or in this bid document; and/or
- 19.1.6 bidders who fail to comply with FICA (Financial Intelligence Centre Act) requirements (where applicable).

20. Delegation of authority

- 20.1 The FSCA may delegate any power vested in it by virtue of these Terms of Reference to an officer or employee of the FSCA.

21. Bid rules are binding

- 21.1 The bid rules as well as the instructions given in the official bid notice shall be binding on all bidders submitting bid applications for the service or services set out in the bid document.

22. Language of contract

- 22.1 The bid documents are drafted in English and any contract, which originates from the acceptance of the bid, will be interpreted and construed in English.

D. TERMS OF REFERENCE

23. Objectives

23.1 The broad objectives of this bid include:

23.1.1 To provide bidders with adequate information to understand and respond to the FSCA's requirements to appoint a service provider to conduct a Perception Survey on behalf of the FSCA for a period not exceeding 12 months.

23.1.2 To ensure uniformity in the responses received from each prospective service provider.

23.1.3 To provide a structured framework for the evaluation of proposals.

24. Background

24.1 The FSCA was established in April 2018 as the dedicated market conduct regulator for the financial sector in terms of the Financial Sector Regulation Act, No.9 of 2017 (FSR Act). According to the FSR Act, the mandate of the FSCA is to:

24.1.1 Protect financial customers by promoting their fair treatment by financial institutions.

24.1.2 Enhance and support the efficiency and integrity of financial markets.

24.1.3 Provide financial education and promote financial literacy; and

24.1.4 Assist in maintaining financial stability.

24.2 The FSCA recently adopted a new organisational strategy for 2022-2025, taking into consideration the achievements of the FSCA during the first three (3) years of its existence, as well as the evolving external environment and the risks and opportunities presented. The new strategy consists of five (5) strategic objectives:

24.2.1 Improve industry practices to achieve fair outcomes for financial customers;

24.2.2 Act against misconduct to support confidence and integrity in the financial sector;

24.2.3 Promote the development of an innovative, inclusive and sustainable financial system;

24.2.4 Empower households and small businesses to be financially resilient; and

24.2.5 Accelerate the transformation of the FSCA into a socially responsible, efficient and responsive organisation.

24.3 The FSCA has identified a need to conduct the Perception Survey in order to derive valuable insights into the experiences of the industry by customers and other stakeholders when dealing with the FSCA. The perceptions about the FSCA are a critical aspect of its ability to fulfil its mandate as a regulator of the financial sector; and in support of its strategic goals to maintain its integrity by monitoring, assessing, and developing strategies that will enhance better service, support, developing needs-based initiatives for implementation while continuously adapting to changes affecting the financial sector.

24.4 The aims of the Perception Survey, amongst others, is to enable the FSCA to:

24.4.1 Understand the needs and expectations of the FSCA customer and stakeholder.

24.4.2 To objectively evaluate the extent to which the organisation is positioned to deliver on the needs and interests of its key stakeholders.

24.4.3 To determine the best interventions necessary for the FSCA to manage its communication and engagements with respective stakeholders meaningfully and with expected added value.

24.4.4 To uphold the good standing and reputation of the organisation and thus enhance the overall credibility and ability to deliver on its mandate.

25. Purpose of the request for bid

25.1 The purpose of this bid is to appoint a contractor to conduct a Perception Survey on behalf of the FSCA for a period not exceeding 12 (twelve) months.

26. Scope of work

26.1 The contractor will be required to conduct the perception survey by performing the following:

26.1.1 Proposing the most appropriate research methods for the survey, including the customization of best practice methodologies to accommodate all the various stakeholder segments under the jurisdiction of the FSCA for approval by the FSCA.

26.1.2 Designing the format of the questionnaire/s and the number of questions to incorporate amongst others, general stakeholder needs, concerns, perceptions of the FSCA brand, its channels of engagement

and communication, processes, quality of services, awareness of policies, attitudes towards the regulatory and supervisory mandates, for approval by the FSCA.

- 26.1.3 Identifying the various stakeholder segments of the FSCA including Financial Services Providers (FSP's such as banks, insurers, financial advisors or practitioners, etc.); consumers of financial products and services (the public); other regulatory and supervisory bodies across the financial sector (NCR, Prudential Authority, Credit Ombuds, Banking Association of South Africa, etc.); strategic partners (e.g. financial literacy or consumer education specialists, regulatory experts, the national and provincial DET; media; service providers, etc.).
- 26.1.4 Establishing and preparing the samples to ensure optimal participation across the stakeholder segments to derive accurate conclusions. This must be done to comply with the applicable public policies of engagement, including the legal framework in relation to processing of private information, in-person interactions and other relevant protocols (e.g., POPI Act, ECTA, FSR Act, and any other regulatory requirements.)
- 26.1.5 Establishing a baseline of perceptions according to the segments of stakeholders.
- 26.1.6 Collecting, processing, coding, and analysing data in order to interpret the scientific findings in a comprehensible manner. This may require utilizing reliable metrics in order to accurately identify hotspot areas of improvement and/or maintenance of positive outcomes.
- 26.1.7 Presenting the analysis of the perception survey results to the FSCA with clear and actionable recommendations.
- 26.1.8 Preparing and submit a final research report with recommendations based on the findings.
- 26.1.9 Providing details of all associated costs for the project.

27. Special conditions

27.1 The following special conditions are applicable to this bid:

- 27.1.1 Subsequent to appointment, the suitable service provider will be required to enter into an agreement with the FSCA, stipulating the terms of engagement.
- 27.1.2 Service provider to at least familiarise themselves with the FSCA, its mandate, various stakeholders, policies and regulatory environment, organisational regulatory strategy and other useful information about

the organisation's stakeholders, all of which can be found on the FSCA website (www.fsca.co.za)

- 27.1.3 Service provider to put in place the necessary security mechanisms to ensure maximum protection and confidentiality of the data collected or processed during the project. The FSCA may at its own discretion vary, demand or recommend necessary amendments to the bidder's proposals and in consultation with service providers, in order to ensure maximum compliance with its requirements.
- 27.1.4 A bidder assigned any work may not cede, assign or sub-contract any part thereof to any person unless with the written consent of the FSCA or as may be required by the applicable laws.
- 27.1.5 The successful bidders will report directly to the Corporate Services Division and/or any person(s) delegated by the FSCA in respect of engagements or queries; and for the receipt and handling of all necessary approvals, progress reports and all administration pertaining to any particular aspect of, or the entire project.
- 27.1.6 In the event that a conflict of interest is discovered after appointment of the service provider, the FSCA reserves the right to summarily cancel the project and demand that all information, documents and property of the FSCA be returned forthwith.

28. Bid evaluation

28.1 The proposals will be evaluated as follows.

28.1.1 Evaluation Stage One: Compliance

Compliance with administrative requirements stated in the Standard Bidding Documents and the mandatory requirements as listed in paragraph 33 below. In this evaluation stage, all bidders that fail to provide the required information and documentation, will be disqualified from further evaluation.

28.1.2 Evaluation Stage Two: Functional evaluation (Desktop evaluation)

In this evaluation stage, bidders are expected to obtain a minimum of 80 out of 100 points to proceed to the next evaluation stage. Failure to obtain the prescribed minimum points will automatically disqualify the bid offer from proceeding to the next evaluation stage.

28.1.3 Evaluation Stage Three: Preference Point System

The 80/20 preference point system shall be applicable to this phase, where 80 points represent maximum obtainable points for the lowest acceptable price, and 20 points represents specific goals. Points will be awarded to a bidder for attaining the specific goal points in accordance with the table as listed in the bid documentation.

28.1.4 Evaluation Stage Four: Site Inspection

At the FSCA's discretion, a site inspection may be conducted at this stage. The FSCA will visit the selected bidders' premises with the objective of verifying information as contained in their respective bid documents. Should it be discovered during a site inspection or presentation that the information submitted by the bidder is inconsistent with what is on their current premises of business, such bidders will be disqualified.

29. Functional evaluation (Desktop)

29.1 The bid/proposal will be evaluated for functionality and be rated as follows:

Table 1

ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
A. Project Plan	A.1. Provide a comprehensive project plan detailing the methodologies to be applied for the execution of the project, key milestones as per the scope of work outlined above; and to demonstrate a clear understanding of the FSCA's requirements. The plan must also include timeline for executing the different stages of the survey.	A.1.1 The bidder did not provide a project plan.	0	40
		A.1.2 The bidder provided a project plan which does not meet all the requirements	1 – 3	
		A.1.3 The bidder provided a comprehensive project plan which meets or exceeds all the requirements.	4 – 5	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
B. Portfolio of Evidence	B.1 Provide a portfolio of evidence of past projects undertaken by the bidder where similar expertise referred to in the scope of work was delivered to corporate organisations. This portfolio must entail at least 3 case studies which outline: (i) Name of client, contact persons and verifiable contact details. (ii) Description of the works performed including methodologies, sample audience, questionnaire template, duration, summary findings. (iii) A client reference letter confirming the project scope on official letterhead	B.1.1 The bidder did not provide a portfolio of evidence.	0	30
		B.1.2 The bidder provided a portfolio of evidence which does not meet all the requirements	1 – 3	
		B.1.3 The bidder provided portfolio of evidence which meets or exceeds all the requirements.	4 - 5	

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ITEM	DESCRIPTION	DETAILED DESCRIPTION	RATING	WEIGHT
C. Company Profile	C.1 Bidders must submit a company profile detailing at least 5 years' experience in providing similar services to corporate clients.	C.1.1 The bidder did not submit company profile.	0	15
		C.1.2 The bidder provided company profile which does not meet all the requirements.	1 - 3	
		C.1.3 The bidder provided company profile which meets or exceeds all the requirements.	4 - 5	
D. Team Curriculum Vitae's	D.1.Bidders must submit detailed CVs of the project team, including listing of academic qualifications, certifications, experience, and roles in relation to the project	D.1.1 The bidder did not submit CV's of the project team	0	15
		D.1.2 The bidder provided detailed CV's of the project team, which do not meet all the requirements.	1 – 3	
		D.1.3 The bidder provided detailed CV's of the project team which meet or exceed all the requirements.	4 - 5	
Total				100

30. Preference point system

30.1 General conditions

30.1.1 The following preference point systems are applicable to invitations to tender:

30.1.1.1 the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

30.1.1.2 The applicable preference point system for this tender is the **80/20** preference point system.

30.2 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.

30.3 The maximum points for this tender are allocated as follows:

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

30.4 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.

30.5 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.

31. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

31.1 POINTS AWARDED FOR PRICE

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

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

80/20

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

Where

P_s	=	Points scored for price of tender under consideration
P_t	=	Price of tender under consideration
P_{min}	=	Price of lowest acceptable tender

32. POINTS AWARDED FOR SPECIFIC GOALS


32.1.1 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.

32.1.2 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.

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

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The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Youth has/have ownership of 51% or more of the enterprise shareholding	10	
Enterprises owned by 51% or more black people	10	
Note: In the event that the bidder is claiming specific goals, the FSCA will allocate points claimed, provided that proof of evidence such as valid BBBEE Certificates/sworn affidavits, CIPC etc. is attached. Failure to submit the acceptable verifiable proof will result in an allocation of 0 points.		

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

33. Standard bidding documents

- 33.1 The following compulsory additional information are required. Failure to complete, and supply any of these documents might lead to disqualification from this bid:

Table 2

Invitation to bid	SBD 1
Pricing Schedule	SBD 3.1/2/3
Bidder's Disclosure	SBD 4
Preference Points Claim Form for Preferential Procurement Regulations 2022 Should a bidder not complete and sign the SBD6.1, the bidder will be allocated 0.00 points for specific goals	SBD 6.1

34. Timeline of the bid process

- 34.1 The period of validity of the bid and the withdrawal of offers, after the closing date and time are 90 days, expiring on 03 July 2023. The project timeframes of this bid are set out below:

Table 3

STAGE	DESCRIPTION OF STAGE	ESTIMATED COMPLETION DATE (OR WORK WEEK ENDING)
1.	Advertisement of bid on Government e-tender portal / print media / Tender Bulletin	06 March 2023
2.	Briefing session	14 March 2023
3.	Questions relating to bid from bidder(s)	17 March 2023
4.	Bid closing date	04 April 2023
5.	Compliance: Bid Evaluation Committee	11 April 2023
6.	Functional Evaluation: (Desktop evaluation)	18 April 2023
7. a	Preference Point System: Bid Evaluation Committee	25 April 2023
8.	Bid Award: Bid Adjudication Committee	02 May 2023
9.	Notification of the outcome to the bidders	18 May 2023

- 34.2 All dates and times in this bid are South African Standard Time.

- 34.3 Any time or date in this bid is subject to change at the FSCA's discretion. The establishment of a time or date in this bid does not create an obligation on the part of the FSCA to take any action or create any right in any way for any bidder to demand that any action be taken on the date established. The bidder accepts that, if the FSCA extends the deadline for bid submission (the Closing Date) for

any reason, the requirements of this bid otherwise apply equally to the extended deadline.

E. STANDARD BIDDING DOCUMENTS**Standard Bidding Document (SBD 1)****PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FINANCIAL SECTOR CONDUCT AUTHORITY					
BID NUMBER:	FSCA2022/23-T014	CLOSING DATE:	04 APRIL 2023	CLOSING TIME:	11H00
DESCRIPTION	PROVISION OF PERCEPTION SURVEY				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Riverwalk Office Park, Block B					
41 Matroosberg Road (Corner Garsfontein and Matroosberg Roads)					
Ashlea Gardens, Extension 6, Menlo Park					
Pretoria, South Africa, 0081					
BIDDING PROCEDURE AND TECHNICAL ENQUIRIES MAY BE DIRECTED TO					
DEPARTMENT	Supply Chain Management Department				
FACSIMILE NUMBER	Not applicable				
E-MAIL ADDRESS	tenders@fsc.co.za				
TELEPHONE NUMBER	012 367 7847 / 012 422 7159				
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		

PROVISION OF PERCEPTION SURVEY

E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS


- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:.....
 (Proof of authority must be submitted e.g. company resolution)

DATE:

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Standard Bidding Document (SBD 3.1)

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 NO.: **FSCA2022/23-T014**

CLOSING TIME **11:00**

CLOSING DATE: **04 APRIL 2023**


OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

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

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Standard Bidding Document (SBD 4)

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 institution	State

- 2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

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.

YES/NO

2.2.1 If so, furnish particulars:

.....

.....

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

2.3.1 If so, furnish particulars:

.....

.....

3 DECLARATION

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

3.1 I have read and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or 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 institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any

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.

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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

STANDARD BIDDING DOCUMENT 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 applicable preference point system for this tender is the **80/20** preference point system.
- 1.2 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for price and specific Goals.
- 1.3 The maximum points for this tender are allocated as follows:
- | | POINTS |
|--|------------|
| PRICE | 80 |
| SPECIFIC GOALS | 20 |
| Total points for Price and SPECIFIC GOALS | 100 |
- 1.4 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.
- 1.5 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

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- 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).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

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

Where


Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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—
- (c) 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
- (d) 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,

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

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

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 (80/20 system)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Youth has/have ownership of 51% or more of the enterprise shareholding	10	
Enterprises owned by 51% or more black people	10	
Note: In the event that the bidder is claiming specific goals, the FSCA will allocate points claimed, provided that proof of evidence such as valid BBEE Certificates/sworn affidavits, CIPC etc. is attached. Failure to submit the acceptable verifiable proof will result in an allocation of 0 points.		

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 propriety
 - ☐ 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 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:	.....

F. ADMINISTRATIVE CHECKLIST

Hereunder is a checklist to ensure that the bid document is complete in terms of administrative compliance. Please ensure that the following forms have been completed and signed and that all documents, as requested, are attached to the tender document.

ITEM	DOCUMENT REFERENCE		ACTION TO BE TAKEN	YES/ NO
1.	SBD 1	Invitation to bid	Is the form duly competed and signed?	
2.	SBD 3.1	Pricing Schedule	Is the form duly competed and signed?	
3.	SBD 4	Declaration of Interest	Is the form duly competed and signed?	
4.	SBD 6.1	Preference Points Claim Form for Preferential Procurement Regulations 2022	Is the form duly competed, B-BBEE points claimed, and form signed?	
5.	B-BBEE status level verification certificate		Is proof of B-BBEE Status level of contributor attached?	
6.	Tender submission		<i>Two (3) printed copies. (Three original copies) submitted?</i>	
			One (1) electronic copy submitted?	

I, the undersigned (name)
 certify that the information furnished on this checklist is true and correct.

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of Bidder