

BID DOCUMENT

BID NUMBER:	FIC/RFB/REC PANEL/8/2023/24
ISSUE DATE:	24 NOVEMBER 2023
COMPULSORY BRIEFING	07 DECEMBER 2023
SESSION DATE (VIRTUAL):	
CLOSING DATE FOR THE BID:	19 JANUARY 2024
CLOSING TIME FOR THE BID:	11:00
DESCRIPTION FOR THE BID:	REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF A PANEL OF RECRUITMENT AGENCIES AS SERVICE PROVIDERS FOR THE FINANCIAL INTELLIGENCE CENTRE FOR A PERIOD OF THIRTY-SIX (36) MONTHS.
SUBMITTING BIDS:	One (1) original and an electronic copy of the bid proposal must be handed in / delivered to: TENDER BOX FINANCIAL INTELLIGENCE CENTRE BYLSBRIDGE OFFICE PARK CNR JEAN AVENUE & OLIEVENHOUTBOSCH (13 CANDELA STREET, HIGHVELD EXT 73) HIGHVELD, CENTURION

Bidders are required to present their identity documents and/or valid driver's license at the main gate in order to gain entry within the FIC offices.

CSD NUMBER

.....

DOCUMENTS IN THIS BID DOCUMENT PACK

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PART A: SBD 1 INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FINANCIAL INTELLIGENCE CENTRE				
BID NUMBER:	FIC/RFB/REC PANEL/8/2023/24		CLOSING DATE:	19 JANUARY 2024
DESCRIPTION	REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF A PANEL OF RECRUITMENT AGENCIES AS SERVICE PROVIDERS FOR THE FINANCIAL INTELLIGENCE CENTRE FOR A PERIOD OF THIRTY-SIX (36) MONTHS			
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT				
RECEPTION, FINANCIAL INTELLIGENCE CENTRE				
BYLS BRIDGE OFFICE PARK, CNR JEAN AVENUE & OLVIEVENHOUTBOSCH (13 CANDELA STREET, HIGVELD EXT 73 CENTURION)				
HIGHVELD EXT 73				
CENTURION				
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Pelisa Landule	CONTACT PERSON	Pelisa Landule	
TELEPHONE NUMBER	012 641 6052	TELEPHONE NUMBER	012 641 6052	
FACSIMILE NUMBER	N/A	FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	Tenders@fic.gov.za	E-MAIL ADDRESS	Tenders@fic.gov.za	
SUPPLIER INFORMATION				
NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		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 No [IF YES ENCLOSURE 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 (SBD 7).**

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 CONSORCIA / 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:

PART C: SPECIAL CONDITIONS OF CONTRACT

In this document words in the singular also mean in the plural and vice versa and words in the masculine also mean in the feminine and neuter.

The General Conditions of Contract (GCC) will form part of this BID documents and may not be amended.

Special Conditions of Contract (SCC) relevant to this BID, compiled separately for this BID (if applicable) will supplement the General Conditions of Contract. Whenever there is a conflict, the provisions in the SCC shall prevail.

Copies of the GCC are available from the website

<https://www.treasury.gov.za/divisions/ocpo/sc/generalconditions/general%20conditions%20of%20contract.pdf>

SPECIAL CONDITIONS THAT THE BIDDER NEEDS TO TAKE NOTE OF:**1 FRAUD AND CORRUPTION**

1.1 All service providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

2 NEGOTIATION

2.1 The Financial Intelligence Centre has the right to enter into negotiation with a prospective contractor regarding any terms and conditions, including price(s), of a proposed contract.

2.2 The Financial Intelligence Centre shall not be obliged to accept the lowest of any bid, offer or proposal in part or in whole.

2.3 All respondents will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible person of both parties. The designated responsible person of the Financial Intelligence Centre is the Supply Chain Manager or his/her written authorised delegate.

3 REASONS FOR REJECTION

3.1 The Financial Intelligence Centre shall reject a proposal for the award of a contract if the recommended bidder/tenderer has committed a proven corrupt or fraudulent act in competing for the particular contract.

3.2 The Financial Intelligence Centre may disregard the BID of any bidder/tenderer if that bidder/tenderer, or any of its directors:

- 3.2.1 Have abused the SCM system of the Financial Intelligence Centre.
- 3.2.2 Have committed proven fraud or any other improper conduct in relation to such a contract.
- 3.2.3 Have failed to perform on any previous contract and the proof exists.

3.3 Such actions shall be communicated to the National Treasury.

4 PAYMENTS

The Financial Intelligence Centre (FIC) will pay the service provider the Fee as set out in the final contract. No additional amounts will be payable by the FIC to the Contractor.

4.1 The Contractor shall from time to time during the currency of the contract invoice The Financial Intelligence Centre for the services rendered. No payment will be made to the contractor unless an invoice complying with section 20 of the VAT Act No 89 of 1991 has been submitted to the FIC.

4.2 Payment shall be made into the bidder/tenderer's bank account normally 30 days after receipt of an acceptable, valid invoice. (Banking details must be submitted as soon as this BID is awarded).

4.3 The service provider shall be responsible for accounting to the appropriate authorities for its Income Tax, VAT or other amounts of money required to be paid in terms of applicable law.

5 PRESENTATION / DEMONSTRATION

5.1 The FIC reserves the right to request site visit/presentations/demonstrations from the short-listed bidder/tenderers if needed.

PART D: TERMS OF REFERENCE/MINIMUM SPECIFICATION FOR THE WORK

1 BACKGROUND TO THE FIC

- 1.1. The Financial Intelligence Centre (FIC) is South Africa's national centre for the receipt of financial data, analysis and dissemination of financial intelligence to the competent authorities.
- 1.2. The FIC was established by the Financial Intelligence Centre Act, 2001 (Act 38 of 2001) and has the mandate to identify the proceeds of crime, combat money laundering and terror financing. It does this by seeking to:
 - Supervise and enforce compliance with the FIC Act
 - Facilitate effective supervision and enforcement by supervisory bodies
 - Receive financial data from accountable and reporting institutions
 - Share information with law enforcement authorities, intelligence services, the South African Revenue Service, international counterparts and supervisory bodies
 - Formulate policy regarding money laundering and the financing of terrorism
 - Provide policy advice to the Minister of Finance, and
 - Uphold the international obligations and commitments required by the country in respect of anti-money laundering and combating financing of terrorism (AML/CFT)
- 1.3. The FIC Act introduces a regulatory framework of measures requiring certain categories of business to take steps regarding client identification, record-keeping, reporting of information and internal compliance structures. The Act obliges all businesses to report to the FIC various suspicious and certain other transactions. The FIC uses this financial data and available data to develop financial intelligence, which it is able to make available to the competent authorities and supervisory bodies for follow-up investigations or administrative action.

- 1.4. All accountable and reporting institutions are required to register with the FIC. The FIC and supervisory bodies have the authority to inspect and impose administrative penalties on non-compliant businesses. The Act also introduced an appeal process and an appeal board.
- 1.5. South Africa is a member of the Financial Action Task Force, the international body which sets standards and policy on anti-money laundering and for combating the financing of terrorism (AML/CFT). In addition, it is also a member of the Eastern and Southern Africa Anti-Money Laundering Group, a regional body of the FATF which aims to support countries in the region to implement the global AML/CFT standards.
- 1.6. The FIC is a member of the Egmont Group, which is made up of financial intelligence units from more than 160 countries. The primary aim of the organisation is to facilitate co-operation and sharing of financial intelligence information among its members.

2 BACKGROUND AND OBJECTIVES TO THE REQUIREMENT

- 2.1 The FIC's operations require the employment of scarce and specialised/critical skills. These skills, which are not readily available in the labour market, are required in order for the FIC to execute its mandate. To ensure that vacancies are filled expeditiously and to mitigate the adverse impact on operations, a need often arises to seek external support through partnering with recruitment agencies to assist with the sourcing of candidates.
- 2.2 The FIC, therefore, intends to establish a panel of recruitment agencies and invites reputable, experienced and innovative service providers to provide recruitment services and temporary employee solutions as and when required.

3 OBJECTIVES

- 3.1 The panel of recruitment service providers is required to ensure that the FIC, through its recruitment practices, acquires the right talent, in the right jobs and at the right time. The service providers will supplement the FIC's in-house recruitment capacity.

4 SPECIFICATIONS/ SCOPE OF WORK

- 4.1 The panel of service providers appointed will be expected to source and refer suitable candidates and/or temporary employee over a period of thirty-six (36) months. In sourcing candidates, the panel of service providers will be expected to perform the following duties as required:
- 4.2 Job advertisement - (*FIC Advertisement as per standard practice which may result in subsequent advertisement services being required from the service provider*)
- 4.3 Source suitable candidates for temporary, fixed-term and permanent appointments in one or more of the following categories:
 - 4.3.1 **Category A.** General professional roles namely (Finance, HR, SCM, Project Management, Legal and Communications)
 - 4.3.2 **Category B.** ICT Specialists and related roles
 - 4.3.3 **Category C.** Specialists related to the work of the FIC namely (Intelligence Analyst, Compliance, Legal and Policy, Inspector, Forensic Accountant, Data Technologist, Open-Source , Supervision and Enforcement)
 - 4.3.4 **Category D.** Management (middle , senior and executive roles).
- 4.4 Conduct reference/integrity checks (e.g. qualifications, criminal and credit) on request.
- 4.5 Eligible recruitment agencies are required to indicate one (1) or more categories for which they would like to be considered depending on their area(s) of specialisation. The responses must clearly indicate the categories as per Annexure A. Note that the FIC reserves the right to appoint more than one (1) recruitment agency per category

5 DURATION OF THE CONTRACT

- 5.1 The contract duration is for a period of thirty-six (36) months.

6 TECHNICAL QUESTIONS

- 6.1 Any technical questions regarding the above requirement can be forwarded to Tenders@fic.gov.za.

PART E: EVALUATION PROCESS

7 EVALUATION PROCESS

Compliance with minimum requirements and response requirements

All bids duly lodged will be examined to determine compliance with Bid requirements and conditions. Bids with obvious deviations from the requirements/ conditions will be eliminated from further evaluation.

Pre-selection

- The Supply Chain Management business unit will conduct pre-selection based on the following requirements:

No	Item	Mandatory (Yes / No)	Mandatory Requirement
1.	Central Supplier Database	YES	Bidders must be registered on the Central Supplier Database (CSD) that can be accessed via National Treasury Website – www.csd.gov.za prior to submitting a bid
2.	Standard Bidding Document (SBD) 4 Form	YES	SBD 4 form must be fully completed and signed where required.
3.	Annexure	YES	Service provider to indicate the categories they are applying for by completing Annexure A .
4.	Virtual compulsory briefing session	YES	Failure to attend the virtual compulsory briefing session will lead to disqualification of the bid

Note:

A bidder who fails to comply with **mandatory** requirements will be disqualified from further evaluation.

8 FUNCTIONALITY

- 8.1 All bids that complied with the pre-selection requirements will be evaluated further as follows:
- 8.2 Functionality will be done in terms of the evaluation criteria as set out below, where respondents who do not achieve the minimum score will be eliminated.
- 8.3 Bidders that achieve the minimum threshold of 75% on functionality (per category) will be included on the panel of service providers on a need basis, for a period of 36 months.
- 8.4 The minimum threshold for functionality is 75%. Bidders who fail to meet the minimum threshold will be disqualified and will not be included in the panel.
- 8.5 The table below explains the rating guideline for the evaluation of functionality criteria.

EVALUATION CRITERIA	WEIGHT	REFERENCE PAGE IN PROPOSAL
1. Bidder to provide company experience in recruitment of either one (1) or more categories as addressed in paragraph 4.2 above which must be indicated in the company profile.	20	
2. Bidders must provide written contactable positive reference letters (expressing satisfaction with services rendered) from previous and/or current clients. The positive reference letters from the clients, should not be older than 5 years as at date of submission of the bidders proposal, and must include: <ul style="list-style-type: none">• Company name• Company letterhead	70	

EVALUATION CRITERIA	WEIGHT	REFERENCE PAGE IN PROPOSAL
<ul style="list-style-type: none"> • Contact details • Name of positions which were successfully placed • Nature and efficiency of the service provided • Start date and end date • Signed by duly authorised person <p>Note: If the letter(s) do not include all of the above requirements it will not be accepted</p>		
<p>3. Provide a recruitment process which includes:</p> <ul style="list-style-type: none"> • the established structures processes; and • methodologies used in the recruitment for both permanent and temporary resources. <p>Failure to address any of the key performance areas as per 3 above will result in zero scoring.</p>	10	
Total	100	

Table below explains the rating guideline for the evaluation:

The table below explains the rating guideline for the above evaluation of functionality criteria.

Criteria	Points = 0	Points = 1	Points = 2	Points = 3	Points = 4	Points = 5
<p>Bidder to provide company experience in recruitment of either one (1) or more categories as addressed in paragraph 4.2 above which must be indicated in the company profile.</p> <p>WEIGHT = 20%</p>	0 years or less than one-year relevant experience	N/A	N/A	1 to 4 years of relevant experience	More than 4 to 8 years relevant experience	More than 8 years relevant experience
<p>Bidders must provide written contactable positive reference letters (expressing satisfaction with services rendered) from previous and/or current clients. The positive reference letters from the clients, should not be older than 5 years as at date of submission of the bidders proposal, and must include:</p> <ul style="list-style-type: none"> • Company name • Company letterhead • Contact details • Name of positions which were successfully placed • Nature and efficiency of the service provided • Start date and end date • Signed by duly authorised person <p>WEIGHT = 70%</p>	No reference letter or did not provide the required information	1 positive reference letter	2 positive reference letters	3 positive reference letters	4 positive reference letters	5 or more positive reference letters

Criteria	Points = 0	Points = 1	Points = 2	Points = 3	Points = 4	Points = 5
<p>Provide a recruitment process which include the following:</p> <ul style="list-style-type: none"> the established structures processes ;and methodologies used in the recruitment for both permanent and temporary resources: <p>Failure to address any of the key performance areas as per 3 above will result in zero scoring.</p> <p>WEIGHT = 10%</p>	Did not provide the required information or no submission	N/A	N/A	N/A	N/A	Recruitment process with the bullet points.

9 ADJUDICATION

The relevant award structure will consider the recommendations and make the final award. Bidders that achieve the minimum threshold of 75% on functionality (per category) will be included on the panel of service providers on a need basis, for a period of 36 months.

10 VALIDITY PERIOD

Validity period from date of closure is 90 days.

Bidders must hold their bids valid for acceptance by the FIC at any time within the requested validity period after the closing date of the tender.

Bidders may be requested to extend their validity period for a specified additional period. In such instances, tenderers will not be allowed to change any aspect of their tender, unless they are able to demonstrate that the proposed change(s) is as a direct and unavoidable consequence of FIC's extension of the validity period.

11 COMPULSORY VIRTUAL BRIEFING SESSION

A compulsory briefing session will be held to enable prospective bidders to understand the requirements in this bid document. This session will include a time slot for questions and answers. This will be a virtual session hosted by Microsoft Teams.

A virtual compulsory briefing session will be held under the following details:

Date:	07 December 2023
Time:	10h30 – 11h30
Venue / Platform	Microsoft Teams
Link to meeting:	Click here to join the meeting

ANNEXURE A

FUNCTIONAL AREAS OF EXPERTISE

Category	Description	YES	NO
Advert	Job Advertisement (FIC Advertisement as per standard practice which may result in subsequent advertisement services being required from the service provider)		
A	General professional roles namely: Finance, HR, SCM, Project Management, Legal and Communications)		
B	ICT Specialists and related roles		
C	Specialists related to the work of the FIC namely: (Intelligence Analyst, Compliance, Legal and Policy, Inspector, Forensic Accountant, Data Technologist, Open-Source, Supervision and Enforcement)		
D	Management (middle, senior, and executive roles).		

PART F: PRICING SCHEDULE

12 FINANCIAL PROPOSAL/ PRICING SCHEDULE

The financial proposal should include VAT and any other cost involved.

(a) Recruitment/ placement of candidates

- The quoted percentage placement fee should cover all the recruitment from inception to the end including advertising and close up reports, no further additional charges will be paid over and above the quoted percentage.
- The salary bands will only be indicated on the below table to bidders who attend the compulsory briefing session.
- FIC reserves the right to negotiate the quoted percentage placement fee before appointment.
- Bidders whose rates are above that of the market, will not be appointed for that job level.
- Percentage placement fees should also include disability placements.

Job Level	Salary Band	Year One (1)	Year Two (2)	Year Three (3)
9		Quoted percentage placement fee	Quoted percentage for placement fee	Quoted percentage for placement fee
10	%%%
11	%%%
12	%%%
13	%%%
14	%%%
15	%%%
16	%%%
17	%%%
18	%%%
19	%%%
20	%%%
22	%%%
23	%%%
24	%%%
25	%%%

(b) Advertising

- When the need arises, the invitations will be done by way of Request for Quotation (RFQ) process. The RFQ document will be compiled for each specific project and will contain the specifications and relevant standard bidding documents. The RFQ will be sent to all accredited panel members on the category specified above (Advertising).
- Service providers who provide acceptable quotation (meet the specification requirements) will be evaluated in accordance with the 80/20 preference points system.

PART G: STANDARD BIDDING DOCUMENTS (OVERLEAF)

1. Standard Bidding Document (SBD) 4 Form: Bidder's Disclosure
2. Standard Bidding Document (SBD) 6.1 Form: Preference Points Claim Form

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**

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.

SBD4

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

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

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

**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 system is applicable to invitations to this tender:

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

1.2 **To be completed by the organ of state**

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

1.3 Points for this shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 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 FIC requires of a tenderer to substantiate any claim in regards to preferences, by submitting their current/valid B-BBEE certificate or a sworn affidavit as prescribed by the B-BBEE codes of good practice.

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) “**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 80/20 points is allocated for price on the following basis:

80/20

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

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 2022, 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 that shall be supported by proof / documentation as stated in the conditions of this tender:

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) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
The B-BBEE Certificate is used as a measurement instrument for FIC's specific goals:	20 Maximum	
B-BBEE Status level of contributor: 1	20	
B-BBEE Status level of contributor: 2	18	
B-BBEE Status level of contributor: 3	14	
B-BBEE Status level of contributor: 4	7	
B-BBEE Status level of contributor: 5	4	
B-BBEE Status level of contributor: 6	2	
B-BBEE Status level 7 – 8 and non-compliant contributors	0	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.2. Name of company/firm.....

4.3. Company registration number:

4.4. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium
 One-person business/sole property
 Close corporation
 Public Company
 Personal Liability Company
 (Pty) Limited
 Non-Profit Company
 State Owned Company
[TICK APPLICABLE BOX]

4.5. 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: