

**THIS INVITATION IS FOR SERVICE PROVIDERS REGISTERED
ON THE CENTRAL SUPPLIER DATABASE**

**REQUEST FOR QUOTE
PROFESSIONAL SERVICES**

RFQ NUMBER: BS/2022/RFQ1070

ADVERT DATE 01 AUGUST 2022

CLOSING DATE 16 AUGUST 2022

CLOSING TIME 13H00

DESCRIPTION:

**APPOINT A SUITABLY QUALIFIED SERVICE
PROVIDER IN SOUTH AFRICA TO PROVIDE AN
INTEGRATED CLOUD-BASED SUBSCRIPTION
SERVICE FOR EMAIL SECURITY, ARCHIVING AND
CONTINUITY**

1. BANKSETA BACKGROUND'

The Banking Sector Education and Training Authority (BANKSETA) is the SETA for banking and alternative industry. It is a statutory body established through the Skills Development Act of 1998 as amended by the Skills Development Act, 26 of 2011 to enable its stakeholders to advance the national and global position of the banking and alternative banking sector. As guided by its mandate, the BANKSETA is as such an agent of transformation and seeks to promote employment equity and broad-based BEE through skills development.

For further details on the BANKSETA, visit www.bankseta.org.za and review the [BANKSETA annual report under publications](#).

2. BACKGROUND TO THIS ASSIGNMENT

The BANKSETA seeks to protect email communication between the BANKSETA personnel and Stakeholders. The solution must be resilient to cyber and provide the following capabilities (i) Secure Email Gateway, (ii) Targeted Thread Protection, (iii) Browser Isolation, (iv) Internal Email Protection, (v) Cyber Graph (vi) DMARC Analyzer, (vi) Brand Exploit Protect, (vii) Email Continuity and Recovery, (viii) Web Threats & Shadow IT, (ix) Privacy and Encryption, and (x) Governance and Compliance.

The BANKSETA currently uses Microsoft Office 365 exchange online with 150 mail box subscriptions.

- 2.1 The purpose of the project is to appoint a suitably qualified and capable South African Service Provider for provision of an integrated cloud-based subscription service for email security, archiving and continuity for a period of three (3) years.
- 2.2 The objectives of the project are to:
 - 2.2.1 Supply, install, configure, maintain, and manage the deployment of the solution.
 - 2.2.2 Provide workshop training to three (3) ICT personnel.
 - 2.2.3 Provide license subscription, unlimited software support and maintenance for three (3) years.
 - 2.2.4 Provide and report on monthly review and health system checks
 - 2.2.5 Provide and report on system availability of at least 97%

3. SCOPE AND DELIVERABLES

- 3.1 The scope of work is to provide a one solution for an integrated cloud-based subscription service that has email security, archiving and continuity solutions for up to 150 mailboxes with 20GB per user and a 10TB for companywide archiving.

The solution should have the following functionalities:

- 3.1.1 Secure Email Gateway
- 3.1.2 Targeted Thread Protection
- 3.1.3 Browser Isolation
- 3.1.4 Internal Email Protection
- 3.1.5 CyberGraph – Optional
- 3.1.6 DMARC Analyzer - Optional
- 3.1.7 Email Continuity and Recovery
- 3.1.8 Web Threats and Shadow IT
- 3.1.9 Privacy and Encryption
- 3.1.10 Governance and Compliance

3.2 The service provider should provide for:

- 3.2.1 User awareness workshop trainings
- 3.2.2 Portal access for user accounts management (add/modify/remove)
- 3.2.3 Portal access to review configurations
- 3.2.4 Reports for periodic requirements (daily/weekly/monthly) on capacity and availability.

4. DURATION

The duration of the project is three (3) years. The contract should include software support and maintenance

5. PRICING STRUCTURE

- 5.1 The quoted prices will remain fixed for each year per the pricing sheet for the duration of the contract.
- 5.2 The attached pricing sheets (Appendix A) should be completed in full. The BANKSETA will not entertain pricing adjustments after the signing of contract, and it is therefore important that all pricing elements are disclosed.
- 5.3 The pricing sheet should show VAT separately.
- 5.4 Sufficient detail should be included to enable the BANKSETA to fully understand the make-up of the overall pricing.
- 5.5 All pricing assumptions, excluded costs and estimated costs should be clearly documented. The BANKSETA assumes that the pricing document as supplied is complete and covers all costs associated with this project.

6. SUBMISSION REQUIREMENTS

RFQ CLOSING		
CLOSING DATE	CLOSING TIME	MODE OF SUBMISSION
16 AUGUST 2022	13:00 hours	ELECTRONIC PDF SENT TO: JACKIEK@BANKSETA.ORG.ZA COPY SCM@BANKSETA.ORG.ZA

7. ENQUIRIES/COMMUNICATION

Contact person for enquiries regarding the RFQ document:

Mr Jackie Kwinika

Title: Specialist: Supply Chain Management Unit

Email: jackiek@bankseta.org.za copy scm@bankseta.org.za

All clarifications or enquiries must be made in writing and received by the BANKSETA at least 3 working days before closing date of the RFQ. Telephonic requests for clarification will not be accepted.

8. RFQ EVALUATION/ADJUDICATION

Submissions will be evaluated in three phases:

8.1 Compliance/eligibility evaluation. Submissions that do not pass the compliance/eligibility evaluation will be disqualified from participating in the next evaluation stage.

8.2 Technical/Functionality evaluation. Submissions that do not meet the minimum

threshold indicated in clause 11 will not participate in the final phase of evaluation

8.3 Price and BBBEE Evaluation. Bidders will be appointed based on the highest score.

9. COMPLIANCE STATUS

- 9.1 The BANKSETA before making an award, shall check on the Central Supplier Database CSD whether;
- a) the bidder's tax status is compliant,
 - b) the bidder or any of its directors are not listed / indicated as restricted from doing business with the public sector, and/or are person(s) prohibited, and
 - c) the bidder's directors are not employees of the state and have no conflict of interest in the BANKSETA, or if a director is an employee of the state, they have written authority to do work with the state as required by legislation.
- 9.2 The BANKSETA will not award any bids to service providers who do not comply with the above.

10. COMPLIANCE/ELIGIBILITY CRITERIA FOR EVALUATION

Respondents who do not meet the requirements below or do not submit the documents required **will be** immediately disqualified.

NB: (For Joint Venture (JV) submissions each partner to the JV must submit all documents listed below).

N.B All relevant forms/documents as prescribed by the PFMA Regulation: Framework for Supply Chain Management accompanying this document must be completed in full and signed where applicable by a duly authorized official of the primary contractor / bidder.

Item	Description
1.	Submission of proposal document (response document) and pricing schedule –Annexure A
2	Submission of the following fully completed and signed returnable documents: <ul style="list-style-type: none"> - SBD 4 Declaration of interest - SBD 6.1 Preference Point Claim Form
3	Submission of service provider's Central Supplier Database report
4	Submission of service provider's valid Microsoft Messaging Certification
5	Submission of service provider's valid Microsoft Partner Certification
6	Completion and submission of the specification document attached as Annexure B and submission of the relevant catalogue.

	<p>The specifications of the products proposed should meet the minimum specification per clause 3 - scope and deliverables.(as shown on page 2 of this document)</p> <p>Bidders are required to complete the specification checklist per annexure B and attach a catalogue of the fully compliant proposed solution to support the checklist.</p>
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11. TECHNICAL/ FUNCTIONALITY EVALUATION

The functionality will be evaluated as per the criteria contained in the table below:

CRITERIA	Weighting /Percentage
1. Certification for the team assigned to the project Team leader or team member certification in the proposed solution	40
<p>The copies of a valid certification of the Team Leader or a team member assigned to work on the proposed solution should be submitted.</p> <p>The BANKSETA will award points as follows should the team leader or member possess:</p> <p>a) Valid certification of the team leader / member on the proposed solution attached = 5 points</p> <p>b) Team leader or member does not hold the relevant certification and/or documents submitted are not certified =0 Points</p> <p>BANKSETA will verify the certification of short listed bidders before award.</p>	
2. Experience of the Team Leader or team member assigned to work on the proposed Solution Experience of the Team Leader or team member in a one solution for an integrated cloud-based subscription service that has email security, archiving and continuity solutions	30
<p>The CV of the team leader or a team member working on the proposed solution should be submitted which clearly indicated the relevant number of years' experience working on the solution.</p> <p>BANKSETA will evaluate as follows:</p> <p>a) 5 years or more experience relevant experience = 5 Points</p> <p>b) 3 Years to less than 5 years' relevant experience = 3 Points</p> <p>c) 1 Year to less than 3 years' relevant experience = 1 Point</p> <p>d) Less than 1 year's relevant experience = 0 points</p> <p>Should the service provider submit more than one CV, the member with the most experience will be considered</p>	
3. References of the service provider Track record and experience of the bidder	30

<p>The bidder should provide and attach formal reference letters from South African public entities/government institutions (National, Provincial and Local Government) where the bidder has previously provided or is currently providing work/services of a one solution for an integrated cloud-based subscription service that has email security, archiving and continuity solutions</p> <p>The letters should</p> <ol style="list-style-type: none"> 1. Be on the client's company letterhead, 2. show contactable details (being the contact's name, phone and/or email address) 3. show relevant work/services of a one solution for an integrated cloud-based subscription service that has email security, archiving and continuity solutions executed and 4. Be signed. 5. Show the years the service was rendered. <p>The reference letters should show that the work was done not later than five (5) years from the RFQ closing date (Reference letters must not be for services rendered and completed earlier than August 2017):</p> <p>BANKSETA will evaluate as follows:</p> <ol style="list-style-type: none"> a) Three (3) or more reference letters = 5 points b) Two (2) reference letters = 4 points c) One (1) reference letters = 3 points e) No reference letters = 0 points 	
Total available	100
Minimum threshold to pass technical/functional evaluations	75

The minimum threshold for technical / functional evaluation is 75%. Any bidder scoring less than 75% will be disqualified from further evaluation.

12 FUNCTIONALITY WILL BE EVALUATED USING THE FOLLOWING FORMULA:

$$Pf = (So/Ms) \times Ap$$

Where:

- Pf – is the percentage scored for functionality for the particular criteria by Request for Proposal under consideration.
- So – is the total score evaluated by BANKSETA for each criterion or sub-criterion in question

- Ap – is the percentage allocated for functionality for the particular criteria.
- Ms – is the maximum score possible for each criteria which is 5.

12.1 Each technical /functional evaluation criteria shows how it will be evaluated out of a maximum of 5 points.

12.2 The score evaluated by the BANKSETA per each criterion is divided by 5 and then multiplied by the weight of the criterion or sub-criterion to arrive at the percentage for that criterion.

12.3 The percentages for all criteria are added together to reach the final overall percentage.

12.4 Any proposals not meeting a minimum threshold of **75 percent** or 75 weighting on functionality will be disqualified.

13. PRICE AND PREFERENCE POINTS FORMULA

The RFQ will be evaluated based on the 80/20 price/preference point principle being:

Price	BBEEE Preference points	Total Points
80	20	100

80 Points for price and 20 points for BBEE preference points using the formula.

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

Where

Ps = Points scored for price of bid under consideration.

Pt = Price of bid under consideration.

Pmin = Price of lowest acceptable bid.

POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

The ICT Sector BBEE Certificate or a Sworn Affidavit for the exempted bidders to be attached and will be used for the preference points evaluation.

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12

5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

The points scored by a bidder in respect of the B-BBEE contribution will be added to the points scored for price in order to arrive at the overall score.

Points will be rounded off to the nearest 2 decimals.

In the event that two or more tenders have scored equal total points, the contract will be awarded to the bidder scoring the highest number of points for the specified goals or B-BBEE contribution.

14. RFQ CONDITIONS

14.1 BANKSETA reserves the right to withdraw or amend terms of reference by notice in writing by advertising in the media in which the RFQ was originally advertised prior to the closing date.

14.2 BANKSETA reserves the right not to award or partially award this RFQ.

14.3 The cost of preparing the applications will not be reimbursed.

14.4 The BANKSETA reserves the right to conduct a due diligence (including site visits, capacity, assessment and financial capability assessment) on short listed RFQ submitters before award and/or contracting.

14.5 BANKSETA reserves the right to verify the information submitted and request for further information during evaluation of the proposal.

14.6 BANKSETA shall not be liable for any direct, indirect, consequential or other losses or damages including loss of profit that may be incurred by any person including, but not limited to, an Applicant, Short Listed Applicant or Successful Applicant, or any director, officer or associated company thereof, as a result of any reliance on or use of information supplied in response to this RFQ or as a result of the RFQ process contemplated in this RFQ document.

14.7 BANKSETA makes no representations, undertakings or warranties whatsoever to any person in respect of the RFQ or any information contained in the RFQ.

14.8 This RFQ is confidential and proprietary to BANKSETA and may not be used, reused, copied or distributed for any purpose, other than in relation to the RFQ process, without BANKSETA's prior written consent.

14.9 POPIA - The Protection of Personal Information Act, ("POPIA") includes the right to protection against unlawful collection, retention, dissemination and use of personal information.

BANKSETA complies with POPIA in collecting, processing and distributing of Personal Information, which include cooperation with the Regulator as provided for in the act.

15. REVIEW PROCESS

- 15.1 In order to evaluate and adjudicate proposals effectively, it is imperative that applicants submit responsive applications. To ensure an application will be regarded as responsive it is imperative to comply with all conditions pertaining to the application and to complete all the mandatory fields and questionnaires.
- 15.2 All applications duly lodged as per the submission requirements will be evaluated in accordance with the stipulated evaluation criteria.
- 15.3 All proposals will go through RFQ Evaluation Committee (RFQEC) for evaluation on functionality
- 15.4 The proposals from RFQEC will be tabled before the Bid Adjudication Committee (BAC).
- 15.5 The validity period of proposals is **90 days** after closing.

16. REASONS FOR REJECTION

- 16.1 Applicants shall not contact BANKSETA on any matter pertaining to the application from the time the application is closed to the time the application has been adjudicated. The results of the RFQ will be published by the BANKSETA on portal any other platform which was advertised. Any effort by an applicant to influence the evaluation, application comparisons or application award decisions in any matter, may result in rejection of the applicant concerned.
- 16.2 BANKSETA shall reject a submission if the applicant has committed a proven corrupt or fraudulent act in competing for a particular contract.

17. JOINT VENTURE

- 17.1 In the case of a Joint Venture, the following will be Applicable:
- 17.2 Each JV Member must have a its CSD report showing its tax matters to be
- 17.3. Submission of a signed Joint Venture Agreement by the JV Partners and attached to this RFQ document; and

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 State institution

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

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.

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 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

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.

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) the 80/20 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

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

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

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

2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc}
 \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
 P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)
 \end{array}$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

7. SUB-CONTRACTING

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

(**Tick applicable box**)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(**Tick applicable box**)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		

Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

- 1.
- 2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS