



EXPRESSION OF INTEREST:

POTENTIAL BIDDERS ARE REQUIRED TO NOTIFY THE LAND BANK SUPPLYCHAIN DEPARTMENT VIA E-MAIL OF THEIR INTENTION TO TENDER FOR THE ABOVE MENTIONED TENDER
NOTIFICATION OF INTENT TO BID FOR THIS TENDER WILL ALLOW THE SUPPLY CHAIN DEPARTMENT TO SHARE CRITICAL INFORMATION DURING THE DURATION OF THE TENDER
POTENTIAL BIDDERS ARE TO SUBMIT THE FOLLOWING DETAILS VIA E-MAIL TO NMAHARAJ@LANDBANK.CO.ZA
NAME OF COMPANY:
CONTACT PERSON(S):
PHONE:
CSD REGISTRATION NUMBER:
BBBEE LEVEL:
E-MAIL ADDRESS:



REQUEST FOR PROPOSAL

INVESTMENT CONSULTANT TO PROVIDE INVESTMENT ADVISORY SERVICES TO THE LBI FOR A PERIOD OF 3 YEARS

T15/06/22

The Land and Agricultural
Development Bank of South Africa
P O Box 375 Pretoria 0001
272 Lenchen Avenue, Lakefield Office Park,
Building A, First Floor,
Die Hoewes, Centurion
Telephone (012) 686 0500 Toll-free
0800 00 52 59
E-mail address: info@landbank.co.za Web
address: www.landbank.co.za
**Registered credit provider: Reg
number NCRCP18**

Directors: Ms NR Nkosi (Chairperson), Mr AL Makenete (Deputy Chairperson), Ms KH Mukhari (Acting Chief Executive Officer), Ms ME Makgatho, Dr JF Kirsten, Ms TN Mashanda, Ms NP Motshegoa, Ms D Maithufi, Ms E Pillay, Dr MM Tom and Mr DW Van der Westhuizen

Ms D Kobe (Acting Chief Financial Officer) and Mr Mashumi K Mzaidume (Company Secretary)



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1. **INVITATION TO TENDER**

Tender Number	T15/06/22
Title of this RFP	INVESTMENT CONSULTANT TO PROVIDE INVESTMENT ADVISORY SERVICES TO THE LBI FOR A PERIOD OF 3 YEARS
Issue Date	27 June 2022
RFP Closing Time & Date	25 July 2022, 11:00
Delivery Address	Land Bank Head Office, Tender Box
	Lakefield Office Park
	Building A, First Floor
	272 Lenchen Avenue (Cnr of Lenchen Avenue and West Avenue)
	Die Hoewes, Centurion
Originals to be submitted	1 Original proposal
Copies to be submitted	1 soft copy (USB)
Tender Validity Period	120 business days from the closing date



2. OVERVIEW OF LAND BANK

Established in 1912 to promote agricultural and rural development, the Land Bank provides production, instalment sale finance, and medium-term or mortgage loans to emerging and commercial farmers. From time to time, the Bank also administers other government programmes, such as drought relief schemes and flood assistance. The Land Bank is wholly-owned by the South African government, and is in turn the sole shareholder of LBIC and LBLIC, which provide insurance products in the agricultural sector.

The Bank's objectives flow from the Land Bank Act, No. 15 of 2002, and are aligned with government policies and the country's socio-economic needs. The Bank is expected to play a pivotal role in advancing agriculture and rural development. Its broad mandate, as expressed in the Land Bank Act, covers 11 objectives:

- Equitable ownership of agricultural land, in particular increasing the ownership of agricultural land by historically disadvantaged persons
- Agrarian reform, land redistribution or development programmes aimed at historically disadvantaged persons
- Land access for agricultural purposes
- Agricultural entrepreneurship
- Removal of the legacy of racial and gender discrimination in agriculture
- Enhancing productivity, profitability, investment and innovation
- Growth of the agricultural sector and better use of land
- Environmental sustainability of land and related natural resources
- Rural development and job creation
- Commercial agriculture
- Food security

The company has experienced a period of success over a number of years until 2006 when the National Credit Act was enacted. The changing circumstances and opportunities dictated that the company changes its business model and to market to business out of the Land Bank.

Land Bank Insurance Company SOC Limited ("LBIC") and Land Bank Life Insurance Company SOC Limited ("LBLIC") are wholly-owned subsidiaries of the Land Bank and conduct short-term insurance and long-term insurance respectively in the South African agricultural sector.



LBIC offers crop insurance and asset insurance to the agricultural sector, while LBLIC offers credit life products to the agricultural sector. LBIC operates in a volatile environment and therefore its investments are crucial in the financial sustainability and solvency of the company. LBLIC has built up a significant asset portfolio overtime and the company now derives its income mainly from investments. The management of the investments consists of the Investment and Actuarial Committee ("IAC"), a sub-committee of the LBIC/LBLIC Board of Directors ("the Board"), who is responsible for the investment policy and investment managements which are approved by the Board.

3. BACKGROUND AND SCOPE OF WORK

INTRODUCTION

The Land and Agricultural Development Bank of South Africa (Land Bank) invites service providers to bid for the rendering of investment advisory services. The potential service provider should provide investment advisory services to LBIC and LBLIC for a period of three ("3") years. The 3-year contractual period will be reviewed annually. The Land Bank is therefore inviting parties with the relevant expertise and resources to submit proposals for the following service required.

Scope of Work

The investment consultant will provide both companies with the following services at a minimum:

Service	Description
Investment Strategy and Portfolio construction	<ul style="list-style-type: none"> • Providing advice with respect to the setting, reviewing and enhancing the Investment Policy Statement annually; • Assist in the development, setting, review, enhancement, implementation and monitoring of the Investment Strategy at least on an annual basis; • Develop, assist, review and enhance the stochastic asset-liability modelling exercise to determine LBIC/LBLIC optimal asset allocation in achieving the stated investment objectives at least every three years or earlier if the business environment or risk profile has changed; • Advice on the strategic and tactical asset allocation and advice where and when the specialist or the balanced approach may be more appropriate; • Assistance in the formulation and reviewing of both companies Investment Policy and other related policies; and, • Conducting asset class building block optimization.
Asset Manager Research, Selection, Monitoring and Performance	<ul style="list-style-type: none"> • Assist in current and potential asset manager and product provider selection by performing a reasonable due diligence; • Review existing asset management services and provide feedback to the IAC quarterly; • Setting appropriate benchmarks for the purpose of performance monitoring; • Review and monitor the performance of asset managers both on a qualitative and quantitative basis;



	<ul style="list-style-type: none"> • Ensuring that appropriate mandates are in place with the asset managers, including declaration of any breaches of the Investment Policy; • Asset manager analysis and advising the IAC on investment products; • Request asset managers to report on their observance of Code for Responsible Investing in South Africa ("CRISA") principles; • Reporting on the performance and risks of each asset manager compared to peer group asset managers; • Conduct a full review of the investment mandates with asset managers; • Negotiate mandates and fees on the company's behalf, subject to the company's final approval; • Performing due diligence on current and potential service providers including alternative investments and administrators; • Assist with regulatory reporting through requesting and maintaining complete and accurate quarterly investment data for the purposes of SAM quarterly returns with the asset managers timeously; • Provision of the annual investment information required for the drafting of the Annual Financial Statements.
Transition asset management	<ul style="list-style-type: none"> • Coordinate and report on asset transitions from time to time; and, • Liasing with asset administrators with regards to changes in the portfolios.
Risk monitoring and reporting on market and credit risk	<ul style="list-style-type: none"> • Preparing monthly market risk reports according to the investment policy; • Preparing monthly credit risk reports according to credit risk policies; and, •
Market Risk Calculation Tool	<ul style="list-style-type: none"> • Assist the Company in the market risk capital requirement calculation through the development and provision of an appropriate Market Risk Calculation Tool to enable the LBIC/LBLIC to calculate and report on the market risk capital requirement quarterly and annually.
Performance monitoring and reporting	<ul style="list-style-type: none"> • Preparing monthly, quarterly and annual risk and performance reports according to the investment mandates, strategic asset allocation benchmark and relative to a peer group; • Monthly monitoring of investment performance and provide feedback on possible findings; • Monitoring of securities lending policies and programs; • Quarterly reports and presentations (if required) to the IAC; and, • Full transaction cost analysis of all mandates.
Asset management fee checks	<ul style="list-style-type: none"> • Review asset management fee calculations on a monthly basis; • Review performance fee invoices; and, • Check disclosure of implicit and explicit Rand fees on each asset manager.
Attendance of meetings	<ul style="list-style-type: none"> • Attend IAC meetings on a quarterly basis as required by the company, to address any investment related matters; • Attend any asset manager workshops; and; • Attend Ad hoc meetings as and when requested.
Communication	<ul style="list-style-type: none"> • Providing advice to Management and IAC on investment matters as and when required; • Advise on compliance matters; • Communicate matters of the Investment Policy, manager research and manager performance in line with the Investment Management Agreements ("IMAs") and Investment Policy as requested;



	<ul style="list-style-type: none"> Engage with the LBIC/LBLIC stakeholders and service providers to ensure the smooth operations of the investments; Liaise with relevant role players, IAC Chairman and members on a regular basis; and, Provide investment related input for all communication to the Bank.
Investment training	<ul style="list-style-type: none"> Perform training as relevant on related investment as and when required.

These deliverables are not exhaustive, as such the service provider would be expected to give guidance and offer advice on any areas that may not have been listed in the list above, which the service provider reasonably believes are necessary and relevant to the company's circumstance.

Bidders are requested to demonstrate their responses on the scope of work items listed above.

4. FUNCTIONAL EVALUATION

The Technical Evaluation will follow a two staged functional evaluation.

Bidders must meet a minimum of 60 points out of a possible 80 points in Phase 1 in order to proceed to Stage 1B evaluation (presentations).

Bidders must meet a minimum of 15 points out of a possible 20 points in Phase 2 in order to proceed to the price and preference evaluation.

Only bidders that meet an overall minimum threshold of 75 points out of a possible 100 points (i.e. "Technical Evaluation = 60 out of 80 points" and "Presentations = 15 out of 20 points") will proceed to the next phase of evaluations, Price and Preference Evaluation.

FIRST PHASE: TECHNICAL EVALUATION CRITERIA

In this phase, bidders are evaluated based on the functional criteria set out below. The bidder is expected to obtain the minimum technical threshold of sixty (60) points out of a possible eighty (80) from the evaluation of proposals to thereafter qualify for presentations.

ITEM	CRITERIA	DESCRIPTION	WEIGHTS
1	CONSULTING EXPERIENCE ON SIMILAR WORK PREVIOUSLY CONDUCTED	<ul style="list-style-type: none"> The service provider must have experience of having provided investment advisory services for similar work done before, accompanied by a written list of references on work done with prior or current insurers, by providing contactable references. <p>Bidders should have a good balance of experience on long-term insurers and short-term insurers. Scoring will be approached as follows:</p> <ul style="list-style-type: none"> >7 years' experience and above = 5 rating >5 < 7 years' experience = 4 rating >3 < 5 years' experience = 3 rating >2 < 3 years' experience = 2 rating 2-year experience and less = 1 rating 	20

Minimum score required to move onto the next phase of the tender (Presentations): 60 points out of a possible 80 points



RATING METHOD TO BE USED FOR THE TECHNICAL EVALUATION:

<u>Points</u>	<u>Interpretation</u>
0	Non Responsive
1	Poor
2	Average
3	Good
4	Very good
5	Excellent

PHASE II: BIDDER PRESENTATIONS

The second part of the functional evaluation will include a presentation by the Bidders. Bidders would also be required to further elaborate on their response to each technical evaluation criteria item. Failure by bidders to provide a demonstration that addresses and meets all the requirements of the demonstration shall be rendered as non-responsive.

Only bidders that meet a minimum of 60 points out of the possible 80 points of the technical evaluation will move on to the presentation phase. Bidders will be required to demonstrate the requirements and capabilities listed on the scope of work. Only those Bidders which score 15 points or higher out of a possible 20 points during the presentation will proceed to the next stage of Price and Preference Evaluation.

Presentation	POINTS
<ul style="list-style-type: none"> The Evaluation Criteria for Phase 2: Presentation has not been defined due to the specific nature of clarification points post Phase 1 evaluation. An update of the evaluation criteria will be circulated to shortlisted bidders upon completion of Phase 1 evaluation. 	20

Note: Minimum threshold of 75% applies i.e. 15 points

RATING METHOD TO BE USED FOR THE PRESENTATION EVALUATION:

<u>Points</u>	<u>Interpretation</u>
0	Non Responsive
1	Poor
2	Average
3	Good
4	Very good
5	Excellent

Only bidders that meet an overall minimum threshold of 75 points out of a possible 100 points (i.e. "Technical Evaluation = 60 out of 80 points" and "Presentations = 15 out of 20 points") will proceed to the next phase of evaluations, Price and Preference Evaluation.



5. **FINANCIAL EVALUATION**

Phase 3: PRICE AND PREFERENCE EVALUATION

This phase is the final stage in the evaluation process and only successful bidders that have met the minimum requirements in the functionality phase will be considered. In this phase only price and B-BBEE will be considered. To qualify for B-BBEE points a valid B-BBEE certificate needs to be submitted with this bid.

Land Bank will evaluate all tenders in terms of Preferential Procurement Policy Framework Act No 2000 of 2017 (PPPFA). The scoring methodology will apply. A copy of the PPPFA regulations can be downloaded from www.treasury.gov.za

The 80/20 preference point system will be utilised for this tender

Bidders are required to complete Annexure I SBD 6.1 in full to ensure all BBBEE and sub-contracting information are submitted at the time of the bid closing

6. **COSTING**

Bidders must submit a detailed and signed Pricing Schedule.

All pricing shown must EXCLUDE VAT, with the VAT components being as shown separately on all costed/priced items/services.

All pricing assumptions, excluded costs and estimated costs must be clearly documented.

Land Bank will not entertain any price adjustments for it assumes that the pricing document as supplied is complete and covers all costs associated with these services.

Description	Year 1	Year 2	Year 3	Cumulative Total (Ex. VAT)
Investment Strategy and Portfolio construction				
Asset Manager Research, Selection, Monitoring and Performance				
Provision of an appropriate Market Risk Tool for market risk capital requirement				
Transition asset management				
Risk monitoring and reporting on market and credit risk				
Performance monitoring and reporting				
Asset management fee checks				
Attendance of meetings				
Communication				
Investment training				



Other:				
Total Advisory Cost				

***All pricing excludes VAT**

Bidders are required to provide a comprehensive price schedule. Please note that on the electronic submission, the price schedule will need to be a on soft copy excel sheet. (Annexure N)

7. TERMS OF CONTRACT

Before the tender will be awarded, the successful tenderer will be required to enter into a service level agreement (SLA) with the Land Bank. The SLA will form the contractual basis for the delivery of the service as well as how performance will be measured and will include the General Conditions of Contract.

8. GENERAL MANDATORY CONDITIONS

Responses must be concise outlining a detailed cost structure. All tenderers responding to this request for Proposals must provide the following statutory compliance documentation in order to be considered:

- Completed Vendor Accreditation Form
- Proof of registration to the Central Supplier Database (CSD)
- Cancelled cheque and/or stamped letter from the Bank
- All Supplier information and declaration of Interest forms must be properly completed, signed and stamped by a Commissioner of Oaths
- Any false declaration of information will result in the exclusion of the proposal from consideration
- Bidders to submit a tax compliance status (TCS) pin issued by SARS along with a valid tax clearance certificate
- A BEE certificate from a SANAS accredited rating agency or Affidavit substantiating the bidders B-BBEE rating
- Certified copy of Identity Documents of Shareholders/Directors
- In the case of Consortium or Joint Venture, bidders are required to provide copies of signed agreements stipulating the work split
- The Land Bank may invite bidders for an oral interview prior to the approval of a bid. Land Bank will not be liable for the costs incurred by the tenderer in connection with such interview.



9. SUBMISSION REQUIREMENTS

- Any service provider requiring clarification on any matter whatsoever, including questions relating to the specifications required of the service provider to perform this project or the tender and evaluation process must do so via e-mail and address such request to nmaharaj@landbank.co.za (Nikita Maharaj).
- Proposals may be deposited in or couriered to the tender box at the reception area of Land Bank Head Office, Lakefield Office Park, Building A, First Floor, 272 Lenchen Avenue (Cnr of Lenchen Avenue and West Avenue), Die Hoewes, Centurion on or before on or before 25 July 2022, 11:00am

10. FICA AND COMPLIANCE CHECKS

Land Bank, in its capacity as an accountable institution, has a duty to verify the identity of all its clients in compliance with the Financial Intelligence Centre Act No 38 of 2001 (FICA).

The Land Bank shall thus conduct a comprehensive PEP screening on the successful bidder and therefore requests all bidders to submit the Know Your Customer (KYC) documents as listed in Annexure D of this RFP document.

11. TERMS OF CONTRACT

Before the tender will be awarded and before the commencement of any work, the successful tenderer will enter into a Service Level Agreement with the Land Bank which will form the contractual basis for the delivery of the services as well as how performance will be measured and will include the General Conditions of the Contract.

The Service Provider will not proceed with any work, tasks or requests without being in possession of a duly signed Service Level Agreement or any other form of agreement, letter of intent, communicated to the Service Provider from the Land Bank Procurement Department.

Should the Service Provider commence with any work without a signed Service Level Agreement, the Service Provider will be doing so solely at their own risk and Land Bank will not be liable or be under any obligations whatsoever.



SUGGESTED COMPILATION OF BIDS

PLEASE ENSURE THAT THE SEPARATE ANNEXURES/FILES ARE NAMED ACCORDINGLY ON YOUR USB AND HARD COPY SUBMISSION

Name of Firm	
CSD Registration Number	
Contact Person	
Contact Number	
Physical Address	
E-mail Address	
Administrative	
Annexure A: Vendor Accreditation Form	
Annexure B: Declaration of Interest Form	
Annexure C: Covenant of Integrity Declaration	
Annexure D: Land Bank FICA requirements	
Annexure E: Terms and Conditions	
Annexure F: Service Provider Agreement *This is included for informative purposes and does not need to be completed. *Successful bidder(s) will enter into the service provider agreement attached in this RFP, with the addition of their proposed financial submission, services, time lines, etc.	
Annexure G: Bribery & Corruption Declaration	
Annexure H: SBD 1 Tax Compliance	
Annexure I : SBD 6.1 Preference Points Claim Form In Terms Of The Preferential Procurement Regulations 2017	
Annexure J: SBD 8 Declaration Of Bidder's Past Supply Chain Management Practices (Not applicable)	
Annexure K: SBD 9 Certificate Of Independent Bid Determination (Not applicable)	
Annexure L: Valid BBBEE Certificate or Affidavit	
Annexure M: Tax compliance status (TCS) pin issued by SARS along with a valid tax clearance certificate	
Annexure N: Cancelled cheque and/or stamped letter from the bank confirming banking details	
Annexure O: National Treasury's CSD Proof of registration	
Annexure P: Financial Proposal (In Microsoft Excel)	
TECHNICAL AND QUALIFYING CRITERIA DOCUMENTATION	
Annexure Q: Valid Broad-Based Black Economic Empowerment (B-BBEE) Certificate	
Annexure R: Consulting Experience On Similar Work Previously Conducted	
Annexure S: Methodology And Approach	
Annexure T: Consulting Team Profile	



ANNEXURE A

**Vendor information sheet**

SAP Registration number _____

1. Registration name of company _____

2. Company registration number _____

3. VAT number _____

4. Company details	Street address	Postal address
Building/complex _____	PO Box _____	
Street name _____	City _____	
Suburb _____	Code _____	
City _____	Suburb _____	
Code _____		
Telephone no _____	Contact person _____	
Fax no _____	Direct Tel _____	
E-mail _____	Direct Fax _____	

5. Payment terms _____

6. Payment must be made in (currency) _____

7. Bank detail Please attach banking details on an original letterhead signed by CEO/Director/s appearing on the letterhead.

Bank name _____	Branch _____
Type of account _____	(eg. Current account; Cheque account, Savings account, e.t.c)
Account number _____	Branch code _____

8. Contact person for Account queries	Name <u>Ms. Jeanette Raphalalani</u>
Cell no _____	Tel no
E-mail <u>njraphala@landbank.co.za</u>	Fax no _____

9. How much is the company's annual turnover? : R _____

10. Share holding - (Please list Share holders with their % of share holding)

Title	Name	Identity number	Race	% share holding

11. Business indicator - mark with (X) in the bracket	
HDP - Historically Disadvantaged Persons ()	INT - International business ()
EXB - Existing business ()	JVB - Joint venture business ()

12. Additional

List the commodities / service that you currently supply to Land Bank

Currently providing	Can provide

I the undersigned, confirm that the information provided on this vendor information sheet is accurate and contains no misrepresentations or omissions, and is based on current information known to me. I also undertake to immediately inform the Land Bank of any changes to the above furnished information. The Land Bank is hereby allowed to verify any of the details provided.

Name _____	Signature _____
Designation _____	Date _____

FOR OFFICE USE ONLY (LAND BANK)

Procurement Department

Name & Signature _____ Date: _____



ANNEXURE B 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?

YES/NO

- 2.2.1 If so, furnish particulars:

.....
.....

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 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 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.

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.



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



ANNEXURE C

CONVENANT OF INTERGRITY

I, the undersigned,

_____ (Full Names)

do hereby make oath and state as follows:

1. I am:
 - 1.1. an adult male/female aged _____;
 - 1.2. presently employed as/carrying on business as _____ situated at _____.
2. The facts stated herein are both true and correct and within my personal knowledge and belief unless otherwise stated.
3. I hereby confirm that:
 - 3.1. I am duly authorised to depose to this affidavit;
 - 3.2. neither myself nor anyone acting on behalf of the tenderer is, or will be, engaged in any Prohibited Practice as defined in 4 below in connection in respect of any tendering process or in the provision of services and/or goods;
 - 3.3. I will immediately inform Land bank of any instance of any such Prohibited Practice which comes to my attention and/or the attention of the tenderer and/or its employees or agents concerning the following;
 - 3.3.1. if any of the tenderer's directors, employees or agents has been convicted in any court for any offence involving a Prohibited Practice in connection with any tendering process and/or the provision of goods or services during the 5 (five) years immediately preceding the date of this affidavit; and/or
 - 3.3.2. if any of the tenderer's directors, employees or agents is dismissed or resigns from the tenderer's employment on grounds of being implicated in any Prohibited Practice.
 - 3.4. I will provide Land Bank with full details of such conviction, dismissal or resignation and the measures taken to ensure that neither the tenderer nor any of its directors, employees or agents commits any Prohibited Practice in future.
 - 3.5. In the event that the tenderer is awarded any business by land bank, the tenderer grants Land bank or its employees and/or agents the right of inspection of its records. The tenderer shall preserve such records in accordance with applicable law but in any case for at least 3 (three) years after conclusion of each transaction contemplated under the Request for Tender.
4. I acknowledge that for all purposes under this affidavit, the following terms and/or expressions below shall bear the meanings set out hereunder:
 - 4.1. "Corrupt Practice" means the offering, giving or promising of any improper advantage to influence the action of a Public Official, or the threatening of injury to his person,



employment, property, rights or reputation, in connection with any procurement process or in the execution of any contract in order that any person may obtain or retain business improperly or obtain any other improper advantage in the conduct of business;

- 4.2. "Fraudulent Practice" means a dishonest statement or act of concealment which is intended to, or tends to, improperly influence the procurement process or the execution of a contract to the detriment or potential detriment of land bank or is designed to establish tender prices at non-competitive levels and/or to deprive land bank of the benefits of fair and open competition, and includes collusive practices (whether before or after tender submission) among tenderers or between a tenderer and a consultant or any employees or agents of Land bank;
- 4.3. "Public Official" means any person holding a legislative, administrative, managerial, political or judicial post in any country, or exercising any public function in any country or a director or employee of a public authority or of a legal person controlled by a public authority of any country, or a director or official of a public international organisation; and
- 4.4. "Prohibited Practice" means an act that is either a Corrupt Practice or a Fraudulent Practice.
5. I/We consent that Land Bank will process (by collecting, using, storing or otherwise dealing with) my/our personal information and that of third parties which I/we provide, for the purposes of providing services and products to me/us. The personal information will be processed in accordance with the requirements of the law. All personal information I/we provide to Land Bank is given voluntarily. However, if I/we withhold any personal information requested; withhold consent for or object to the processing of my/our personal information, this may result in Land Bank not establishing or continuing a relationship.

DEPONENT

Thus done and signed at _____ on this the _____ day of _____,

the Deponent having acknowledged that:

1. he/she knows and understands the contents of this declaration;
2. he/she has no objection to taking the prescribed oath; and
3. he/she considers the prescribed oath to be binding on his/her conscience.

Commissioner of Oaths Stamp	_____
	COMMISSIONER OF OATHS

	FULL NAMES

	CAPACITY



	<hr/> <p>BUSINESS ADDRESS</p>
--	-------------------------------



ANNEXURE D

Land Bank, in its capacity as an accountable institution, has a duty to verify the identity of all its clients in compliance with the Financial Intelligence Centre Act No 38 of 2001(FICA).

Know Your Customer (KYC) documents are required for each client transaction. The requirements for each entity type are listed below.

Individuals

- Green, bar-coded Identity document **(also used for PEPs/Sanctioned screening purposes)** if not available valid reason why identity document could not be provided together with a valid Passport or valid driver's licence
- Valid Passport (for foreign nationals)
- Proof of physical residential address
- Authority to act (if applicable) : power of attorney / letter of appointment from the court and Identity document, physical residential address and contact details of persons authorised to act
- Birth certificate (for minors under 18 years) and proof of authority (where minor is assisted by legal guardian)

Unlisted Companies

South African

- Certificate of Incorporation (CM1 or CoR 15.1/CoR 14.1)
- Certified copy of Change of Name, if applicable (CM9 or CoR 9.1 or 2)
- Notice of Registered Office and Postal Address (CM22 or CoR 21)
- Current list of Directors (CM29 or CoR 39) **(also used for PEPs/Sanctioned screening purposes)**
- Authority to act : Directors' Resolution and/or Delegation of Authority
- In respect of the Principal Executive Officer , each Director, each Authorised person, and each shareholder holding more than 25% of the voting rights of the company:
 - Certified copy of the Identity document
 - residential address and contact details
- Proof of physical business address and trading/operating name
- **Beneficial ownership (warm body that owns the company) of the company. If the shareholder is another company, provide shareholder details and beneficial ownership. Process continues till we establish the ultimate beneficial owner. If the shareholder is a trust, the trust deed needs to be provided to identify and verify all trustees, founders and beneficiaries to the trust.**

Foreign

- Official Document of Incorporation (or CoR 17.1)
- Registration Certificate (CoR 17.3)
- If trading in RSA, documents for RSA unlisted companies
- Authority to act : Directors' Resolution
- Identity document/Passport, details of physical residential address and contact details of related parties and persons authorised to act **(also used for PEPs/Sanctioned screening purposes)**
- Proof of physical business address and trading/operating name



Listed Companies

- Registration Certificate (Registrar of Companies or equivalent regulator- foreign companies)
- Documentary evidence of listing (printout from the official website of the stock exchange on which the entity is listed is required)
- Authority to act : Directors' resolution
- Identity document proof of residence and contact details of persons authorised to act(**also used for PEPs/Sanctioned screening purposes**)

Close corporations (CC)

- Founding Statement and Certificate of Incorporation (CK1)
- Amended Founding Statement (CK2), (If applicable)
- Authority to act : Members' Resolution
- Identity document, physical residential address and contact details of each member, persons authorised to act and of the Person Exercising Executive control over the CC. (**also used for PEPs/Sanctioned screening purposes**)
- Proof of physical business address and trade name

Conversion of Close Corporation (If a Close Corporation converts to another entity type, the following forms are applicable)

- Form CoR 18.1 – Application to convert a Close Corporation
- Form CoR 18.3 – Registration Certificate

Trusts

- Trust Deed or other Founding Document
- A Foreign Trust: an official document reflecting appointment of Trustees issued by an authority in the country where the Trust is created
- Authority to act : Letter of Authority from the Master of the High Court and Trustees' Resolution
- Identity document, physical residential address and contact details of each trustee, each beneficiary, the founder and the persons authorised to act(**also used for PEPs/Sanctioned screening purposes**)
- Proof of registered address of Master of High Court (stamp on letter of authority)

Partnerships

- Partnership Agreement
- Authority to act: Partners' Resolution
- Identity document, physical residential address and contact details of all the partners and persons authorised to act and of the Person Exercising Executive control of the partnership(**also used for PEPs/Sanctioned screening purposes**)

Professional partnerships

- (Certain Partnerships consisting of more than (20) partners which are incorporated in terms of Section 30(2) of Company's Act 61 of 1963 which are recognized in terms of the relevant Government Gazettes examples are: Attorneys, Notaries and Conveyancers, Public Accountants and Auditors, Medical Practitioners, Pharmacists, Professional Engineers, Quantity Surveyors, Stockbrokers and Architect)
- Registration certificate (provide proof of registration of the partnership by a regulatory body)
- Partners Resolution (Authority to act)



- Identity document residential and contact details for Persons Authorised to Act and of the Person Exercising Executive control of the partnership (**also used for PEPs/Sanctioned screening purposes**)
- Proof of physical business address

PEPS

Politically exposed person or PEP is the term used for an individual who is or has in the past been entrusted with prominent public functions in a particular country. The principles issued by the Wolfsberg Group of leading international financial institutions give an indication of best banking practice guidance on these issues. These principles are applicable to both domestic and international PEPs.

The following examples serve as aids in defining PEPs:

- Heads of State, Heads of Government and cabinet ministers;
- influential functionaries in nationalised industries and government administration;
- senior judges;
- senior political party functionaries;
- senior and/or influential officials, functionaries and military leaders and people with similar functions in international or supranational organisations;
- members of ruling or royal families;
- senior and/or influential representatives of religious organisations (if these functions are connected to political, judicial, military or administrative responsibilities).

According to the Wolfsberg principles, families and closely associated persons of PEPs should also be given special attention by a bank. The term "families" includes close family members such as spouses, children, parents and siblings and may also include other blood relatives and relatives by marriage. The category of "closely associated persons" includes close business colleagues and personal advisers/consultants to the PEP as well as persons, who obviously benefit significantly from being close to such a person.

A bank should conduct proper due diligence on both a PEP and the persons acting on his or her behalf. Similarly, KYC principles should be applied without exception to PEPs, families of PEPs and closely associated persons to the PEP.

Proof of physical residential/business address

Any one of the following documents reflecting the physical/business address is acceptable :

- Utility bill (must be less than 3 months old, unless otherwise specified)
- Current lease or rental agreement
- Bank statement
- Municipal rates and taxes invoice
- Valid television licence
- Mortgage statement
- Telkom account
- Valid motor vehicle licence
- Insurance policy
- Tax return (less than 1 year old)
- Letter from bank manager, medical practitioner, accountant, or attorney, on a formal letterhead, stating that they know the client for three years and confirming physical address
- Letter on letterhead, signed by board of trustees, directors' etc. confirming physical business address
- Correspondence from a body corporate or shareblock association
- Payslip or salary advice



All address verification documents must be valid and reflect the name and the current physical address of the client (legal property descriptions are also acceptable - e.g. erf/stand numbers).

Spouse/partner

Any of above documents for spouse, together with marriage certificate or if not available;

- Affidavit from person co-habiting with client, providing:

Name, identity number and physical residential address of client and co-habitant

Relationship between client and co-habitant

Confirmation that residential address is shared

Parent:

- Any of above documents for parent

- Must be accompanied by the child's birth certificate (for a minor)

If above documentation not available:

Visit to physical address by a Land Bank employee, or

Affidavit from client (as a last resort), providing:

- Name, identity number and physical residential address

- Confirmation that client resides at physical residential address

Trade name (if this is not reflected on the proof of physical business address)

Any one of the following documents reflecting the Trade Name is acceptable:

- An Original Company Letterhead
- Utility bill (less than three months old)
- Bank statement or financial statement from another financial institution (less than three months old)
- Valid lease or rental agreement (signed by all relevant parties)
- Municipal rates and taxes invoice (less than three months old)
- Mortgage statement from another financial institution (less than six months old)
- Telephone account i.e. a land-line or cell phone (less than three months old)
- An official tax return (less than one year old)
- An official tax assessment or official correspondence from the local revenue services (less than three months old)
- Valid television licence document
- A recent short-term insurance policy or a renewal letter (less than one year old)

Definitions

Principal Executive Officer

Refers to the principal executive officer such as the CEO, CFO, COO, MD, FD or any person who exercises executive control.

Authorised Persons

These are individuals who are authorised to act on behalf of the Company/Legal Entity and who are authorised to establish a relationship with Land Bank on behalf of the company/legal entity.



Authority of Individuals purporting to act on behalf of the Company/Legal Entity:

- Duly executed Board Resolution authorising the opening of an account/establishment of the business relationship/conclusion of the transaction and conferring authority on those who will establish the business relationship/conclude the single transaction; OR
- Certified extract of the minutes proving authority; OR
- Original letter signed by the company secretary on the official company letterhead

If a 3rd party is acting on behalf of the Client(Individual) the following is required:

- Proof of authority (i.e.) power of attorney, mandate, resolution, court order,
- Letters of appointment by the Master of the High Court
- Individual FICA above, for the person who is acting on behalf of the Client (together with all the FICA documentation of the Client)

Certified or Verified

We are required to hold originally certified/verified copies of the following documentation on record. Strictly, only clear, legible copies of identity and other documents will be accepted.

Please provide the original or certified copies of the following documentation for each shareholder holding 25% or more of voting rights at a general meeting of the company:

- South African (Pty) Company – Certificate of Incorporation and Notice of Registered Office and Postal Address, and a letterhead of the company;
- Listed Company – Latest Annual Report;
- Foreign Private Company: the official document reflecting the incorporation of the foreign company issued by the relevant registrar of companies or similar authority of the country of incorporation of the foreign company, reflecting the company's incorporation and bearing its name and number of incorporation and the address where it is situated for purposes of its incorporation, together with a letterhead of the company;
- Close Corporation – Founding Statement and Certificate of Incorporation and Amending Founding together with a letterhead of the close corporation.

By submitting your information as requested above, you consent that Land Bank will process (by collecting, using, storing or otherwise dealing with) the personal information and that of third parties which is provide, for the purposes of providing services and products. The personal information will be processed in accordance with the requirements of the law. All personal information provided to Land Bank is given voluntarily. However, if you withhold any personal information requested; withhold consent for or object to the processing of the personal information, this may result in Land Bank not establishing or continuing a relationship.