



## REQUEST FOR QUOTATION (RFQ)

(Over R30 000 up to a transaction value of R1 000 000 VAT included)

### APPOINTMENT OF A MEDIA BUYING COMPANY FOR A PERIOD OF SIX (06) MONTHS RFQ NO: LTAQ024-22/23

Kindly furnish us with a written quotation as detailed in the enclosed schedule.

The quotation must be submitted on the letterhead of your business and submitted into the quotation box not later than **23 November 2022 @ 12H00 AT THE LTA'S QUOTATION BOX, AT ERF 92/688 portion 2, EXT 4, N1 MAIN ROAD, SOUTHERN GATEWAY, POLOKWANE, 0699**

**EMAIL SUBMISSIONS WILL NOT BE ACCEPTED**

The following conditions will apply:

- 1) Price(s) quoted must be valid for at least sixty (60) days from date of your offer.
- 2) Price(s) quoted must be firm and inclusive of VAT.
- 3) A firm delivery period must be indicated.
- 4) The bid will be evaluated in terms of administrative compliance, functionality and the 80/20 preference point system as prescribed in the Preferential Procurement Regulations (2017), and for this purpose the enclosed forms SBD 3.1, SBD 4, & SBD 6.1, must be scrutinized, completed and submitted together with your bid.
- 5) The successful bidder will be the one scoring the highest points in terms of the Preferential Procurement Regulations (2017).

<b>ISSUED BY:</b>  THE CHIEF EXECUTIVE OFFICER LIMPOPO TOURISM AGENCY P.O. BOX 2814 POLOKWANE 0700  Tel: (015) 293 3600    Fax: (015) 293 3651	<b>CONTACT PERSON (SPECIFICATION)</b>  MR MIKE TAUATSOALA  Tel: 082 886 3294  E-mail: <a href="mailto:miket@golimpopo.com">miket@golimpopo.com</a>	<b>CONTACT PERSON (BID ADMINISTRATION)</b>  MS SEWELA NYAKA  Tel: 015 293 3600 (Ext 3729)  E-mail: <a href="mailto:sewe1an@golimpopo.com">sewe1an@golimpopo.com</a>
<b>Name of Bidder:</b> _____  <b>BID AMOUNT: R</b> _____		



## **TERMS OF REFERENCE:**

### **APPOINTMENT OF A MEDIA BUYING COMPANY FOR A PERIOD OF SIX (06) MONTHS**

#### **1. INTRODUCTION & BACKGROUND**

Limpopo Tourism Agency is a schedule 3c entity mandated in terms of Limpopo Tourism Act of 2009, as amended, to amongst other things to promote and offer a sustainable and diverse tourism experience through strategic marketing (destination marketing) and support and facilitate tourism development programmes, collaborations with stakeholders and sectors transformation.

Limpopo Tourism Agency (LTA) hereby request for proposals from experienced media buying companies to secure space for distribution of various messages for a period of six (06) months. The company or service provider will be utilised as and when there is a projected to be undertaken.

The media buying agent will be required to manage the buying of media space on behalf of LTA as and when required. LTA may specify which media outlet to be used for the specific target audiences through the placement of such media items. This will include sourcing of media space within the following media types:

##### **1.1. Print Newspapers e.g.**

- National Weekly newspapers, Regional daily newspapers, Local daily newspapers, Weekly newspapers & Weekend newspapers.

##### **1.2. Magazines e.g.**

- Niche magazines, National magazines, Regional magazines & Local magazines

### **1.3. Community Media e.g.**

- Radio, Print, University/College campus Radio Stations & University/College campus newspapers, or cross border print media for promoting tourism in Limpopo.

### **1.4. Radio (National and Regional) e.g.**

- Free to air radio stations & Commercial radio stations

### **1.5. Television channels**

- Any television channel at any given time the Agency might need for coverage.

### **1.6. Social Media Influencers**

- For purposes of creating more awareness and increasing the Agency's national footprint about its brand there will from time to time be a need for social media influencers with a good following and to increase its following on various social media platforms, that is, Facebook, Twitter and Instagram.

## **2. OBJECTIVE**

- Increase brand visibility and ensure Limpopo remains top of mind during all the campaigns for the duration of appointment.
- Create awareness about Limpopo as a tourism destination.
- Inspire travellers to book their next domestic holiday in Limpopo.
- Stimulate call to action (i.e. drive conversion).

## **3. SCOPE OF WORK**

**LTA requires the media buying services as per specification below:**

- Media planning for seasonal campaigns, editorial production and media reporting in publications.
- Media logging for interviews with all Radio Stations identified in paragraph 1.4 above.
- Placing adverts on print media, commercial, national and community radio stations, as well as television channels.

- Care must be taken to comply with existing protocols regarding the pandemic and its associated regulations [e.g. regulations around inter-provincial travel].
- The company will also be expected to provide proof of previous work done and experience.
- Drafting a close-out report at the end of each campaign.
- Appointing and managing digital media influencers for various activities.

It should be noted that from time to time when a service is required, LTA will provide the necessary content to the appointed company for details.

#### **4. SPECIAL CONDITIONS**

- 4.1. The period of the contract will be for a period of six (06) months.
- 4.2. The Limpopo Tourism Agency reserves the right to reject any proposal/bid that is found to be inadequate or non-complaint to the Terms of Reference.
- 4.3. The bidder should possess knowledge of the entity's activities and environment in which it operates.
- 4.4. The successful bidder must sign a Service Level Agreement (SLA) with the Entity.
- 4.5. The bidder may not intend to assign, in whole or in part, any of its obligations to perform in terms of the contract to any third party, unless the Entity has prior to the assignment, consented in writing to the assignment.
- 4.6. The bidder may not intend to cede his/her right to payment in terms of the contract to a third party without the prior written consent of the Entity. A bidder may not by means of cession, cede any obligations to perform in terms of a contract to any third party.

#### **5. COMPETENCE REQUIREMENTS OF MEDIA BUYING COMPANY**

The bidder should meet the following competency requirements:

- a) Media planning experience.
- b) Public relations Experience

- c) Media relations experience
- d) Experienced in using a variety of marketing tools, especially digital marketing and activations.
- e) Ability to deliver content within strict deadlines.

#### A. EVALUATION METHODOLOGY

In accordance with the Preferential Procurement Regulations, 2017, the bid evaluation process shall be carried out in three Phases namely:

- Phase 1 : Administrative Compliance
- Phase 2 : Evaluation on Functionality
- Phase 3 : Evaluation in terms of Price and Preference Point Systems

**Phase 1 : Administrative Compliance** (Submission of compulsory proposal requirements by bidders and compliance to specification.)

The first phase of evaluation is checking and verification of all mandatory documents to be submitted by the bidders and compliance to specification.

**If any of the following Bid Forms are not completed and signed or handed in with your proposal on closing date and time, your proposal will be immediately disqualified.**

- **SBD 3.1** (Pricing Schedule) Make sure it is completed
- **SBD 4** (Declaration of Interest) Make sure it is signed.
- **SBD 6.1** (Preference claim form) Original BBBEE Sworn Affidavit or copy of BBBEE certificate to be submitted. Failure to submit, bidders will forfeit BBBEE Level of Contributions Points;
- **PLEASE NOTE:**
  - a) the bidder or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;
  - b) the bidder has not:
    - i) abused the Supply Chain Management System; or ii) failed to perform on any previous contract and has been given a written notice to this effect;
  - c) All corrections and scratching are initialled;
  - d) Completion of the bid document using pencil not allowed, **BID DOCUMENT TO BE COMPLETED IN BLACK INK;**

- e) Scratching are done by putting a straight line through the corrected items;
- f) **THE USE OF CORRECTION FLUID WILL AUTOMATICALLY INVALIDATE YOUR BID;**
- g) Alterations to the bid document or **submission of a copy of the original bid document will invalidate the bid;**

## Phase 2: Functionality

The assessment on functionality will be done in terms of the evaluation criteria and minimum threshold as specified. The minimum qualifying score for functionality is **70%** as set out below.

Bidders who fail to achieve the minimum qualifying score on functionality will be disqualified for further evaluation of price and B-BBEE status.

Functionality assessment should be allocated as follows:

	FUNCTIONALITY CRITERIA		
	COMPONENTS	Weightings	
<b>A</b>	<b>COMPANY'S EXPERIENCE (Detailed company profile must be submitted)</b>		<b>30%</b>
	Number of years the bidder has been operating in communication, PR , marketing and events environment. <ul style="list-style-type: none"> <li>• 05 + Years</li> <li>• 4-3 Years</li> <li>• 2-1 years</li> <li>• Less than 1 Year</li> </ul> <b>portfolio of evidence of work done implementing marketing communication &amp; events campaigns (ATL, BTL and digital activations)</b>	30 20 10 0	
<b>B</b>	<b>PROVEN TRACK RECORD IN SIMILAR PROJECTS</b>		<b>30%</b>
	Signed reference letters on valid letterheads that prove experience of the company. All references will be confirmed. <b>Reference letters must indicate the contract period, value, and contract description.</b> <ul style="list-style-type: none"> <li>• More than Five or more reference letters</li> <li>• Four reference letters</li> <li>• Three reference letters</li> <li>• Two reference letters</li> <li>• Less than two reference letters</li> </ul>	30 20 10 05 02	

<b>C</b>	<b>FINANCIAL ABILITY TO EXECUTE THE PROJECT</b>		<b>20%</b>
	Submission of letter from the Bank (we reserve the right to verify) Bank rating A Bank rating B Bank rating C Bank rating D Banking rating E downwards	<b>20</b> <b>15</b> <b>10</b> <b>05</b> <b>0</b>	
<b>D</b>	<b>PREVIOUS PROJECTS EXECUTED IN SIMILAR PROJECTS</b>		<b>20%</b>
	<ul style="list-style-type: none"> <li>• R500 000 or more</li> <li>• Between R300 000 - R400 000</li> <li>• Between R299 000 and R100 000</li> <li>• R100 000 - R50 000</li> <li>• Below R50 000</li> </ul> <b>Attach appointment letters/ orders</b>	<b>20</b> <b>15</b> <b>10</b> <b>05</b> <b>02</b>	

All Bidders who score **Less than 70%** on functionality will not be considered for further evaluation on Price and BBEE.

### **Phase 3 : Evaluation in terms of Price and Preference Point Systems**

Only bids that achieve the minimum qualifying score/percentage for functionality will be evaluated further in accordance with the 80/20 preference point system prescribe in Preferential Procurement Regulations 6 and 7.

#### **Step 1: Calculation of Points for Price**

- 1) The PPPFA prescribes that the lowest acceptable bid will score 80 points for price. Bidders that quoted higher prices will score lower points for price on a pro-rata basis.
- 2) **When calculating prices:**
  - a) Unconditional discounts will be taken into account for evaluation purposes; and
  - b) Conditional discounts will not be taken into account for evaluation purposes but would be implemented when payment is affected.
- 3) The formulae to be utilized in calculating points scored for price is as follows:

**80/20 Preference point system (for acquisition of goods or services for a Rand value equal to or above R30 000 and up to R50 million) (all applicable taxes included)**

Where:

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

Ps= Points scored for price of tender under consideration.

Pt= Price of tender under consideration.

Pmin= Price of lowest acceptable tender.

- 4) Points scored must be rounded off to the nearest 2 decimal places.

## Step 2: Calculation of points for B-BBEE status level of contributor

Points will be awarded to a bidder for attaining the B-BBEE status level of contributor in accordance with the table below:

B-BBEE STATUS LEVEL CONTRIBUTOR	NUMBER OF POINTS (80/20 SYSTEM)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant	0

## Calculation of total points scored for price and B-BBEE status level of contributor.

The points scored for price will be added to the points scored for B-BBEE status level of contributor to obtain the bidders' total points scored out of 100.



## PRICING SCHEDULE

**APPOINTMENT OF A MEDIA BUYING COMPANY FOR A PERIOD OF SIX (06) MONTHS**

BID NO.: LTAQ024-22/23

CLOSING TIME: 12:00 PM

CLOSING DATE: 23 NOVEMBER 2022

NB: OFFER TO BE VALID FOR 60 DAYS FROM THE CLOSING DATE OF BID.

Description	% (INCL. VAT)
Media buying services (FIXED TRANSACTION FEE PERCANTAGE (%))	

Note: The transaction fee must be a fixed percentage of the value or cost of the service provided by third party service providers

Company Name: \_\_\_\_\_

Contact Number: \_\_\_\_\_

Signature of Bidder: \_\_\_\_\_

Date: \_\_\_\_\_



## BIDDER'S DISCLOSURE

### SBD 4 FORM

#### 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 interest<sup>1</sup> 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

<sup>1</sup> 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.


2.2 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:

.....

.....

3.5 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 consortium<sup>2</sup> 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

<sup>2</sup> 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.

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

## 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 not exceed R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 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
<b>PRICE</b>	80
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

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:

80/20	or	90/10
$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	or	$P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$

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		NO	
-----	--	----	--

- 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		NO	
-----	--	----	--

- 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		
<b>OR</b>		
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-BBEE 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: .....

## **SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE**

I, the undersigned,

<b>Full name &amp; Surname</b>	
<b>Identity number</b>	

**Hereby declare under oath as follows:**

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member/director/owner of the following enterprise and duly authorised to act on its behalf:

<b>Enterprise Name</b>	
<b>Trading Name</b>	
<b>Registration Number</b>	
<b>Enterprise Address</b>	

3. I hereby declare under oath that:

- The enterprise is \_\_\_\_\_% black owned;
- The enterprise is \_\_\_\_\_% black woman owned;
- Based on the management accounts and other information available on the \_\_\_\_\_ financial year, the amount did not exceed R10,000,000.00 (ten million Rands);
- Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% black owned	<b>Level One</b> (135% B-BBEE procurement recognition)	
More than 51% black owned	<b>Level Two</b> (125% B-BBEE procurement recognition)	
Less than 51% black owned	<b>Level Four</b> (100% B-BBEE procurement recognition)	

4. The entity is an empowering supplier in terms of the **dti** Codes of Good Practice.
5. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
6. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

**Deponent Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Commissioner of Oaths**

**Signature & Stamp**