

OUR REF RFQ 201179  
ENQUIRIES Lerato Monyepao  
TELEPHONE 012 428 6055  
DATE 18 January 2024

**RFQ 201179: APPOINTMENT OF TAX EXPERT FOR THE SABS AND IT'S WHOLLY OWNED SUBSIDIARY SABS COMMERCIAL SOC LTD FOR A PERIOD OF THREE (3) YEARS.**

**Dear Bidder**

The South African Bureau of Standards (SABS) hereby invites you to submit a quotation for the appointment of tax expert for the SABS and its wholly owned subsidiary SABS Commercial SOC Ltd for a period of three (3) years.

The details of the service to be provided is in the attached Request for Quote, **RFQ 201179**.

Please note the following:

- Scope of services specified on page 3-4
- Closing date specified on page 6
- SABS Procurement terms and conditions (accessed on the sabs website)
- **Bidder must submit the following documents with the quotation:**
  - Treasury Central Supplier Database (CSD) registration report
  - A valid copy of BBBEE certificate/Sworn Affidavit (to claim specific goal)
  - SBD 4 Bidder's Disclosure
  - SBD 6.1 Preference points claim form in terms of the Preferential procurement Regulation 2022
  - Non-disclosure agreement

**SOUTH AFRICAN BUREAU OF STANDARDS** – Established in terms of Section 2 of the Standards Act, 1945, as amended

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## **1. Background**

The SABS is a statutory body established in term of Standards Act, 1945 (Act No. 24 of 1945) and continues to operate in terms of the Standards Act, 2008 (Act No. 8 of 2008) as the national standardization institution in South Africa, mandated to:

- develop, promote and maintain South African National Standards;
- promote quality in connection with commodities; and
- render conformity assessment services and matters connected therewith.

The SABS is a Schedule 3B entity in terms of the Public Finance Management Act. SABS Commercial is a tax paying entity currently and SABS is a tax-exempt organization. Both entities are registered VAT vendors.

The SABS and SABS Commercial have adopted IFRS reporting framework and have a 31 March year-end.

## **2. Request for Quotation (RFQ)**

This RFQ serves as an invitation to submit a quotation for **the appointment of tax expert for the SABS and its wholly owned subsidiary SABS Commercial SOC Ltd for a period of three (3) years** to the SABS Standard Terms and Conditions, of which a copy is available on [www.sabs.co.za](http://www.sabs.co.za), [accessible through the link: https://www.sabs.co.za/Procurement/proc\\_toc.asp](https://www.sabs.co.za/Procurement/proc_toc.asp)

The Bidder is requested to supply its quotation, in writing, by the date specified. Should the Bidder require any clarification, the clarification should be submitted by e-mail to the Procurement Specialist identified in this document.

By submitting a quotation in response to this RFQ or participating in this RFQ process, the Bidder accepts that it is subject to and bound by all the terms and conditions contained in this RFQ document.

## **3. Confidentiality**

This document may not be used for any purpose by the Bidder other than for developing their response to it, and all reasonable efforts must be taken by the Bidder to ensure confidentiality of any information provided. This document and any other information of a confidential nature provided to the Bidder during the course of RFQ process are and will be covered by the non-disclosure agreement to be signed between the SABS and the Bidder.

## **4. No Contract**

Bidders shall note that this RFQ does not commit the SABS to any course of action resulting from the receipt of quotations and the SABS may, at its discretion reject any submission which does not conform to instructions and specifications which are contained herein or select a Bidder based upon its own unique set of criteria. The SABS also reserves the right not to select a bidder.

Nothing in this document shall be construed as a contract between the SABS and the Bidder, and no communication, whether verbal or written, by the SABS personnel or agents during the course of this process shall create such a contract in respect of the requirements specified in this RFQ.

#### **5. No Obligation to Proceed**

The SABS reserves the right to discontinue the RFQ evaluation process at any time and will not be responsible for any losses incurred by the Bidder as a result of discontinuance of the RFQ process.

#### **6. Validity of Proposals**

The Bidder's quotation shall remain valid for a period of one hundred and twenty (120) days from the closing date. The SABS may at any time prior to the expiry of the bid validity period, extend the above validity period by sixty (60) days by written notice to the Bidders. In that event, the SABS will not require any consent from the Bidders, and bidders will not be required or permitted to amend any of their quotations.

The SABS retains the right, but is under no obligation, to request Bidders to extend the validity periods of their quotations, prior to expiry thereof, if it has already invoked the extension referred to above and it is in the SABS' interest to further extend the bid validity period. Such request shall be in writing. The Bidder is not obliged to extend the validity period. Also, bidders will not be required or permitted to amend any of their quotations.

#### **7. Scope of Work**

The SABS requires services of a suitably qualified and experienced service provider who is a tax expert for the provision of tax and tax advisory services for the Group. The Service provider must be able to engage at different levels including at Executive and Board levels on tax matters. The service provider must be a firm, incorporated or registered as such in the Republic of South Africa.

The firm and the partners/directors must be in good standing with their professional body. The firm must also possess adequate and appropriate infrastructure and resources to be able to render the services efficiently.

The professionals of the service provider must possess at least a minimum experience of 3 (three) years' experience in providing taxation advice and demonstrate skills and capacity in one or more of the below-mentioned specialisations:

- Income tax (corporate taxes, provisional tax, donations tax, employees' tax, etc.).
- Indirect and other taxes (e.g. VAT, customs & excise duties/tax, etc.).
- Tax compliance.
- Tax management /planning consulting.
- Advice on company formation transactions, including mergers and acquisitions.
- Training on the relevant legislation.
- Resolving of tax issues with SARS where applicable.
- And other tax matters.

### **7.1 The tax services required includes but are not limited to:**

- Preparation or review of income tax returns including provisional tax returns.
- Review of deferred and income tax computations, and relevant disclosure for IFRS financial statements purposes when required.
- VAT review and recovery services, at least once annually during the contract period.
- Provide efficient and cost-effective ways to manage tax processes.
- Process enhancements – Automating tax processes.
- Training on the various tax related legislation and changes thereof.
- Successful bidder is to provide the value add that they will bring to the assignment.
- Advise on other tax matters as and when required.
- SARS dispute resolution processes where applicable.
- Assist with responding to tax related audit queries from external auditors and SARS, where required.
- Ensuring transfer of knowledge so that the SABS can be self-sufficient in all tax matters.

### **7.2 Requirements from Bidders**

Bidders are required to submit their response to all the information in this section:

- **Company Profile**

Provide the following:

- A detailed Company profile detailing the number of years' experience in taxation advisory services.
- Number of years' experiences dealing with public sector companies.
- Bidders to list the companies where similar services have been provided.

- **Team Qualifications and Experience**

- Bidders must provide a list of key personnel with a one (1) pager CV indicating qualifications, registration with professional bodies and relevant experience of the tax team;

- **Reference**

- Provide 5 (five) contactable reference letters from current/recent (not older than 5 years) clients where similar services was rendered.
- The reference letter must be on a company letter head and include the following:
  - Brief description of services rendered;
  - Duration of contract,
  - Quality of service;
  - Company address and contact person; and Performance;

### **7.3 Reservations**

The SABS expressly reserves the following rights:

- To reject all quotes and negotiate prices without foregoing quality.
- To request staff of a senior level to perform the assignment.

- To negotiate the price between 10 and 15%.
- To waive any or all irregularities in the proposals submitted.
- To retain the right not to select any Service Provider.

## 8. Functionality Evaluation

Selection Criteria			
	<b>Functionality will be measured on a scale of 1-3. Poor:1, Average:2, Excellent:3</b>	<b>sub weight</b>	<b>Weight</b>
<b>1</b>	<b>Company Experience</b>		<b>25%</b>
	Company's years experience in providing tax advisory service services (A detailed company profile to be provided indicating the number of years' experience in tax advisory services, listing the organisations where similar services have been provided)		
	No relevant experience	0	
	<5 years' experience	1	
	> 5 -15 Years	2	
	≥ 15 Years	3	
<b>2</b>	<b>Public Sector Experience</b>		<b>10%</b>
	Number of years' experience in tax advisory services relating to public sector entities ( A detailed company profile to be provided indicating the number of years' experience in tax advisory services, listing entities where similar services have been provided).		
	No relevant experience	0	
	< 5 Years	1	
	> 5 -10 Years	2	
	≥ 10 Years	3	
<b>3</b>	<b>Experience of proposed team</b>		
	Bidders must provide a list of key personnel with a one (1) pager CV indicating qualifications, registration with professional bodies and outlining experience in indirect tax, company taxes, employee taxes and/or similar services (number of years' experience must be indicated)		<b>15%</b>
	Consultants must be in possession of a valid Bachelor's Degree/equivalent or higher in TAX (Bidders to attach a copy of the qualification)		
	No team member with relevant qualification and/or relevant experience	0	
<b>3.1</b>	<b>Key personnel with experience in Income tax (Corporate taxes, provisional tax, donations tax, employees tax)</b>		<b>15%</b>
	< 5 years experience	1	
	>5 - 9 years experience	2	
	≥ 10 years experience	3	
<b>3.2</b>	<b>Key personnel with experience in Indirect and other taxes (e.g. VAT, customs &amp; excise duties/tax, etc.)</b>		<b>15%</b>
	< 5 years experience	1	
	>5 - 9 years experience	2	
	≥ 10 years experience	3	
<b>3.3</b>	<b>Key personnel with SARS dispute resolution experience</b>		<b>15%</b>
	< 2 years experience	1	
	>2 - 5 years experience	2	
	≥6 years experience	3	

4	References		
	Bidder must provide contactable reference letters where tax consultancy or advisory services were rendered (not older than 5 years) including brief description of services rendered, duration of contract, client contact details, and performance.		20%
	No references provided	0	
	1 – 2 references provided	1	
	3 - 4 references provided	2	
	≥ 5 References Provided	3	
			100%
Minimum threshold is 75%			

## 9. Timelines

MILESTONES	DATE AND E-MAIL ADDRESS
Closing Date and Time <b>No late submissions will be accepted.</b>	<b>29 January 2024 at 11:00 am</b>
Method of submission.	<p>Responses should be submitted via email  <a href="mailto:Lerato.Monyepao2@sabs.co.za">Lerato.Monyepao2@sabs.co.za</a></p> <p><b>Maximum size 14 MB, Proposals/ Bids must be submitted on PDF Files (compressed zipped folder if necessary), Proposals/Bids submitted via a link and/or “we transfer” <u>will not be accepted</u></b></p> <p><b><i>It is the Bidder’s responsibility to ensure that the quotation is received on time by SABS.</i></b></p> <p><b><i>It is the Bidder’s responsibility to ensure that the quotation is received on time by SABS.</i></b></p>

## 10. Quotation

The quotation should include but not limited to the following:

- Detailed quotation inclusive of VAT
- Disbursement cost (if applicable)
- All administrative cost such as accommodation, travel, for the duration of the contract must be indicated (If applicable)
- Fixed price, where foreign currencies are involved, bidders should make provision for forward cover.

## **11. Preference Points System**

Only Bidders who meet the minimum threshold of 75% on functional evaluation will be evaluated further on 80/20 preference points system of 2022. (Pricing and Specific Goal).

## **12. Contact information**

All enquiries regarding this RFQ must be e-mailed/directed to [Lerato.Monyepao2@sabs.co.za](mailto:Lerato.Monyepao2@sabs.co.za) and **012 428 6055**. Bidders must not contact any other SABS' personnel regarding this RFQ, as it may lead to the Bidder's disqualification. Also note that any canvassing by Bidders/Suppliers regarding this RFQ will result in disqualification.

## **13. Advance payment**

**The SABS** will not make an upfront or advance payment to a successful Bidder. Payment will only be made in accordance to the delivery of service or goods that will be agreed upon by the SABS and the successful Bidder.

## **14. Responsibility for costs**

**Under** no circumstances shall the SABS be responsible for any of the Bidder's costs associated with the preparation and/or submission of its quotation, including any costs incurred by the Bidder prior to the signature, by both parties, of an agreement resulting from a successful bid.

## **15. Bidder's contractual terms**

**The SABS** will not be bound by any legal or contractual terms as may be included in the Bidder's quotation, in response to this RFQ.

**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 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

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:

.....

.....

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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 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 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.

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<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.

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 2022/22 ON PREVENTING AND COMBATING ABUSE IN THE  
SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

## **NON-DISCLOSURE AGREEMENT:**

THIS AGREEMENT is made

BETWEEN

The South African Bureau of Standards (SABS), an Public Entity that continues to exist in terms of section 3 of the Standards Act 2008, whose principle place of business is at 1 Dr Lategan Road, Groenkloof, Pretoria, 0001, South Africa.

AND \_\_\_\_\_ ("the Supplier") whose registered office is at  
\_\_\_\_\_  
\_\_\_\_\_

(Hereinafter referred to as the "parties")

WHEREAS in the course of discussions and/or negotiations with the South African Bureau of Standards, the Supplier has received or may receive in future information relating to **(RFQ 201179)** to South Africa to the South African Bureau of Standards and other related information hereinafter referred to as "Confidential Information".

In consideration of the Supplier to-which the South African Bureau of Standards or any person affiliated with it, including its subsidiary, agent, representative(s) or such related entity may provide Confidential Information in connection with such discussions and/or negotiations to. Therefore, the parties wish to agree as follows:

1. The Supplier will maintain strictly secret and confidential all information relayed or transmitted to it in any manner or form and will not divulge any part of the Confidential Information directly or indirectly to any person, firm or entity (other than such of its employees who have a need to know the Confidential Information for the purposes of fulfilling the Supplier's obligation to the South African Bureau of Standards).
2. The Supplier shall not make copies of the Confidential Information or otherwise disseminate any of the Confidential Information (except as may be required to fulfil specific obligations towards South African Bureau of Standards) without South African Bureau of Standards express prior written consent.
4. This agreement applies to information whether such information is marked as or appears to be confidential and whether or not such information is of commercial use to South African Bureau of Standards or any other party.
5. This agreement shall not apply to information which:-
  - (a) the Supplier can show had been lawfully received by it prior to disclosure under this agreement.
  - (b) is in the public domain or becomes so otherwise than through breach of this agreement;

- (c) was disclosed to the Supplier by a third party who was under no obligation of confidence in respect thereof;
- 5. The South African Bureau of Standards retains ownership of Intellectual property rights on all material and processes relating to the service provided for and on its behalf by the supplier.
- 6. The Supplier shall observe its obligations under this agreement until expiry of a period of 12 months from the date of signature.

IN WITNESS WHEREOF the parties hereto have executed this agreement in duplicate.

Signed at..... on this.....day of .....2024

On behalf of the South African Bureau of Standards ..... (signature) Lerato Monyepao

Witness 1. .....

Witness 2. .....

Signed at..... on this.....day of .....2024

Signed on behalf of the Supplier, duly authorised thereto..... (signature)

..... (name) ..... (title)

Witness 1. .....

Witness 2. .....

## **SBD 6.1**

### **PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022**

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2023**

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#### **1. GENERAL CONDITIONS**

- 1.1 The following preference point systems are applicable to invitations to tender:
  - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2 **To be completed by the organ of state**
  - a) The applicable preference point system for this tender is the **80/20** preference point system.
- 1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
  - (a) Price; and
  - (b) Specific Goals.
- 1.4 **To be completed by the organ of state:**  
The maximum points for this tender are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	80
<b>SPECIFIC GOALS</b>	20

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 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

$$Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right) \text{ or } Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

#### 3.2.1. POINTS AWARDED FOR PRICE

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

80/20

or

90/10

$$Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right) \text{ or } Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
  - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable

tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

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

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

*(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.*

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
100% Black Ownership		20		
At least 51% or more black ownership		10		
Less than 51% but more than 0% black ownership		5		
0% black ownership		0		

## **DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole proprietor
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....