

THE APPOINTMENT OF A SERVICE PROVIDER TO EVALUATE THE NATIONAL LOTTERIES COMMISSION BOARD AND SUB-COMMITTEES

REQUEST FOR QUOTATION	RFQ 2025 – 004 -003
RFQ DESCRIPTIONS	APPOINTMENT OF A SERVICE PROVIDER TO EVALUATE THE NATIONAL LOTTERIES COMMISSION BOARD AND SUB-COMMITTEES
SUBMISSIONS	All submissions Must be addressed to Supply Chain Management, National Lotteries Commission Submission of Quotation through USB at the below address: National Lotteries Commission 333 Grosvenor Street, Block D, Hatfield GardensHatfield, Pretoria 0083
ISSUE DATE	04 April 2025
CLOSING DATE	10 April 2025
CLOSING TIME	11:00
RFQ VALIDITY PERIOD	The validity period of the quotation requested must be 120 days from the closing date

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO EVALUATE THE NATIONAL LOTTERIES COMMISSION BOARD AND SUB-COMMITTEES

SECTION 1: BACKGROUND, OVERVIEW AND RFQ/RFP SCOPE OF REQUIREMENTS

1. INTRODUCTION AND BACKGROUND

- 1.1. The National Lotteries Commission (The Commission) is a public entity established by Lotteries Act No. 57 of 1997, as amended to regulate the South African lotteries industry. The functions of the Commission can be divided into two categories, namely “regulation of National Lottery and other Lotteries” and “administration of the National Lottery Distribution Trust Fund (NLDTF)”. The Distributing Agencies (DAs) who are appointed by the Minister of Trade & Industry are responsible for the adjudication of the funding applications as per the Lotteries Act and applicable Regulations.
- 1.2. The Company Secretary’s (“CS”) Office is responsible for ensuring that the Commission and the Board conduct themselves in a way that is consistent with the recommendations outlined by the King IV Report on Corporate Governance for South Africa 2016 (“King IV”), and to assist the Board members with discharging their duties and responsibilities. King IV promotes good corporate governance as integral to running an organization and delivering governance outcomes such as ethical culture, good performance, effective control, and legitimacy.
- 1.3. King IV Report in principle 9 provides that “the governing body should ensure that the evaluation of its performance and that of its committees, its chair and its members, support continued improvement in its performance and effectiveness”. The King IV report further recommends that the Board conducts a formal performance evaluation at least every year, the Board should schedule in its annual work plan an opportunity to consider, reflect and discuss its performance.
- 1.4. It is on this basis that the NLC hereby wishes to appoint a qualified and experienced service provider to assess the effectiveness of the NLC Board and its committees.

2. PURPOSE AND SCOPE OF WORK

- 2.1. The objective of the Board Performance evaluation is to examine the roles and responsibilities of the Board, and the effectiveness of its committees and should go beyond a mere compliance process.
- 2.2. An assessment must adopt a substantial and rigorous review of its performance and efficacy to identify the core areas that require improvement and whether the Board has a healthy board dynamic. The Board Performance Evaluation should examine the roles and

responsibilities of the Board, the effectiveness of its committees, its relationship with key governance players and overall assess the key areas which impact its effectiveness.

2.3. The NLC Board comprises 6 Non-Executive Directors (5 Board Members and 1 Shareholder Representative from the Ministry of the DTIC). Furthermore, the Board Committees comprise of additional 4 Independent Non-Executive Directors, 3 for Audit and Risk and 1 Independent Non-Executive Director for Human Capital, Social and Ethics Committees.

2.4. The following should form part of the assessment: -

2.4.1. The Board assesses its overall performance and identifies its developmental areas.

2.4.2. Board & Committee Evaluation Questionnaire to assess the performance of the Board Committees. The Committee evaluation allows the governing body to evaluate the committee's contribution and effectiveness in fulfilling its mandate as constituted as follows:-

- Risk and Audit Committee with 5 members (2 Non-Executive Directors & 3 Independent Members);
- Finance Committee with 4 members (3 Non-Executive Directors and 1 Independent member);
- Human Capital & Nominations Committee with 4 members (3 Non-Executive Directors & 1 Independent Director);
- Social and Ethics Committee with 4 members (3 Non-Executive Directors & 1 Independent Director);
- Board Distribution Committee with 4 members which are Non-Executive Directors
- Board Review Committee with 6 Non-Executive Directors
- Board Legal, Regulatory and Compliance Committee with 4 Non-Executive Directors

2.4.3. Individual board evaluations provide insights into the competency and engagement levels of each Member of the Board or subcommittee.

2.4.4. Evaluation of the Sub Committee Chairpersons.

2.4.5. These also include specific evaluations of the office of the Chairperson, Company Secretary and Commissioner.

2.4.6. 360-degree individual and collective performance assessment and evaluation.

2.4.7. Individual Board Peer to-Peer rating and Self-Review.

3. DELIVERABLES

Deliverables by the successful Service Provider to

3.1. To provide for the summary of findings arising from Board Governance evaluation and recommendations thereto.

- 3.2. Results from the overall Board Evaluation Questionnaire, Board Committee Evaluations and individual Board members peer, self-assessment.
- 3.3. To provide final report and comprehensive recommendations for the Board and Committees consideration which include their respective developmental areas.
- 3.4. Any other matter worth bringing to the attention of the entity.

4. REPORTING REQUIREMENTS

- 4.1. The service provider will account at all material times to the Company Secretariat.

5. DURATION OF THE PROJECT

- 5.1. The project must be completed within two (02) months after the signing of the SLA by both parties and/or the issuing of an Official Order by NLC.

6. VALIDITY PERIOD

- 6.1. The Commission requires a validity period of 120 Days from the closing date against this RFQ/RFP.
- 6.2. Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions. A written letter will be sent to every bidder that responded to the bid. In terms of procedural fairness, the bidders will be allowed to respond, in writing, to the terms and conditions of the bid and the bid price. Such acceptance of the terms and conditions of the bid and bid price becomes legally binding in the procurement process. Any bidder, that did not respond to the extension of the bid validity period in writing, **WILL NOT** be considered further for the bid upon expiry of the initial validity period.

7. FORMAL BRIEFING SESSION

- 7.1. No briefing session.

SECTION 2: NOTICE TO SERVICE PROVIDERS

8. TERMS AND CONDITIONS OF REQUEST FOR QUOTATIONS (RFQ)

- 8.1. This document may contain confidential information that is the property of NLC.
- 8.2. No part of the contents may be used, copied, disclosed or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a quotation in response to this RFQ without prior written permission from NLC.
- 8.3. All copyright and intellectual property herein vests with NLC.
- 8.4. Late and incomplete submissions will not be accepted.

- 8.5. No services must be rendered, or goods delivered before an official NLC Purchase Order form has been received.
- 8.6. Suppliers are required to register on the Central Supplier Database at www.csd.gov.za, suppliers must provide their CSD registration number (and attach CSD Registration report) and ensure that the Tax Matters are compliant.
- 8.7. All questions regarding this RFQ must be forwarded to quotation@nlcsa.org.za, Johannah.baloyi@nlcsa.org.za and maureen@nlcsa.org.za within 2 days after the RFQ has been issued.

9. GENERAL RULES AND INSTRUCTIONS

- 9.1. News and press releases
 - 9.1.1. Bidders or their agents shall not make any news releases concerning this RFQ or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, NLC.
- 9.2. Precedence of documents
 - 9.2.1. This RFQ consists of several sections (see list). Where there is a contradiction in terms between the clauses, phrases, words, stipulations, or terms and herein referred to generally as stipulations in this RFQ and the stipulations in any other document attached hereto, or the RFQ submitted hereto, the relevant stipulations in this RFQ shall take precedence.
 - 9.2.2. Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that NLC may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by NLC.
 - 9.2.3. It, however, remains the exclusive domain and election of NLC as to which of these stipulations are applicable and to what extent. Bidders hereby acknowledge that the decision of NLC in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the Bidder(s). The Bidder(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.
- 9.3. Preferential procurement reform
 - 9.3.1. NLC shall apply the principles of the Preferential Procurement Policy Framework Act, (Act No.5 of 2000) to this proposal read together with the Preferential No. 5 of 2000) to this proposal read together with the Preferential Procurement Regulations published with effect from 16 January 2023 ("the Preferential Procurement

Regulations, 2022”).

9.4. National Industrial Participation Program

9.4.1. The Industrial Participation policy, which was endorsed by Cabinet on 30 April 1997, is applicable to contracts that have an imported content. The NIP is obligatory and therefore must be complied with. Bidders are required to sign and submit the Standard Bidding Document (SBD).

9.5. Language

9.5.1. Bids shall be submitted in English.

9.6. Gender

9.6.1. Any word implying any gender shall be interpreted to imply all other genders.

9.7. Headings

9.7.1. Headings are incorporated into this RFQ document and submitted in response thereto, for ease of reference only and shall not form part thereof for any purpose of interpretation or any other purpose.

9.8. Occupational Injuries and Diseases Act 13 of 1993

9.8.1. The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFQ and/ or subsequent agreement. NLC reserves the right to request the Bidder to submit documentary proof of the Bidder’s registration and “good standing” with the Compensation Fund, or similar proof acceptable to NLC.

9.9. Processing of the Bidder’s Personal Information

9.9.1. All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors (“Bidder Personal Information”) required under this RFQ/RFP is collected and processed to assess the content of its tender proposal and award the bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation, the Preferential Procurement Regulations, 2022. The Bidder is advised that Bidder’s Personal Information may be passed on to third parties to whom NLC is compelled by law to provide such information. For example, where appropriate, NLC is compelled to submit information to the National Treasury’s Database of Restricted Suppliers.

9.9.2. All Personal Information collected will be processed in accordance with POPIA and with the NLC Data Privacy Policy.

9.9.3. The following persons will have access to the Personal Information collected:

9.9.3.1. NLC personnel participating in procurement/award procedures; and

9.9.3.2. Members of the public: within seven working days from the time the bid is awarded, the following information will have to be made available on the National Treasury's e-Tender portal.

9.10. Rejection of all Bids/Quotations and Disclaimer

9.10.1. The NLC reserves the right to reject all bids when deemed necessary. This is justified when there is lack of effective competition, or bids/quotation are not substantially responsive.

10. SUPPLIERS PERFORMANCE

- 10.1. The National Lotteries Commission conducts regular performance reviews in accordance with the requirements for the classification of the contract and or stakeholder by making use of supplier evaluation forms. The evaluation is conducted against the deliverables or scope of the contract with a minimum of an annual review done for contracts longer than a year and a review at completion of contract for those contracts less than a year.
- 10.2. Ad-hoc performance reviews shall be conducted where non-performance is identified outside the review period.
- 10.3. Non-performance will be addressed with at least a formal letter advising specific non-performing areas and stating remedial action/s required within specific time frames. Non-adherence to remedial actions shall lead to escalating performance management actions which may include the termination of the contract.
- 10.4. Any party to this agreement may request to participate in a joint performance review where appropriate and seek continuous improvement opportunities.

11. NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE

- 11.1. Bidders are required to self-register on the National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.
- 11.2. The Commission may not award business to a bidder who has failed to register on the CSD.
- 11.3. Only foreign suppliers with no locally registered entity need not register on the CSD.
- 11.4. The CSD can be accessed at <https://secure.csd.gov.za/>

12. CONFIDENTIALITY

- 12.1. Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding.
- 12.2. The Commission reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.

- 12.3. The Bidder acknowledges that it will obtain and have access to personal information of The NLC and agrees that it shall only process the information disclosed by the NLC in terms of this bid award and only for the purposes as detailed in this RFQ/RFP and in accordance with any applicable law.
- 12.4. The Bidder shall notify the NLC in writing of any unauthorised access to personal information and the information of a third party, through cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such.

13. COMMUNICATION

- 13.1. Specific queries relating to this RFQ/RFP should be submitted to maureen@nlcsa.org.za and Johannah.baloyi@nlcsa.org.za before the closing date.
- 13.2. In the interest of fairness and transparency, the NLC's response to such a query may be made available to other bidders.
- 13.3. It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the NLC in respect of this RFQ/RFP between the closing date and the date of the award of the business.
- 13.4. Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

SECTION 3: EVALUATION CRITERIA

The NLC will evaluate all quotations in terms of the Preferential Procurement Regulation 2022 (PPR2022) using the price quoted and the special goal stated in this specification:

14. STAGE 1: TENDER CLOSING AND OPENING

Tender closing details

The deadline for RFQ/RFP submission is **10 April 2025 at 11:00** Standard South African Time. Any late RFQ/RFP will not be accepted. Tenders are to be submitted to the commissions tender box at the following physical address via **USB** to the below address.

**National Lotteries Commission
333 Grosvenor Street, Block D, Hatfield Gardens
Hatfield, Pretoria 0083**

- Financial/pricing information must be presented in a separate attachment from the Functional Response information. The onus is on the Bidder to ensure that all administrative and mandatory required documents are included in their submission.
- Submissions must be prominently marked with the full details of the tender namely Bidder's

Name, RFQ/RFP No and Title.

14.1. **BID FORMATS**

14.1.1. Bid submissions must be submitted in a PDF format that is protected from any modifications, deletions, or additions.

14.1.2. Financial/pricing information must be presented in a **separate folder** from the Technical/Functional Response information. The onus is on the Bidder to ensure that all mandatory required documents are included in the USB submission.

14.1.3. Submissions must be prominently marked with the full details of the tender namely Bidder's Name, Tender No and Tender Title.

14.1.4. Tender submissions received after the submission date and time will be declared late and will not be accepted for consideration by the NLC

14.1.5. The NLC will not be responsible for any failure or delay in the submission or receipt of the bid including but not limited to:

- Traffic.
- Struggling to find parking.
- Courier arriving late.

14.2. **STAGE 2: ADMINISTRATIVE COMPLIANCE**

All bid respondents must submit the relevant documents that comply with administrative compliance, which will include the following:

Evaluation Criteria	Supporting Document
SBD 1: Invitation to tender	Fully Completed Standard Bidding Documents
SBD 6.1: Preference points claim form in terms of the preferential procurement regulations 2022	Fully Completed Standard Bidding Documents
Bidder's tax compliance confirmation	Valid SARS Tax Pin
Whether Bidders is registered on CSD. Only foreign suppliers with no local registered entity need not register on the CSD-	Proof of Central Supplier Database (CSD) registration report.
Original signed consent form in terms of the Protection of Personal Information Act No.4 of 2013 (POPIA)	POPIA Consent Form
BBBEE Certificate in terms of Codes of Good Practice- Valid	A valid BEE Certificate/ Sworn Affidavit

Evaluation Criteria	Supporting Document
Returnable documents (standard bidding documents) and/or schedules were completed, duly signed by the authorised person.	SBD Forms duly completed and signed and pricing schedules.

14.3. STAGE 3: MANDATORY COMPLIANCE

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation. The Mandatory Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Document
1. In the event of the bidder being in a joint venture (JV), a signed JV agreement must be submitted (where applicable)	JV Agreement
2. Bidders must submit a fully completed declaration of interest form (failure to declare honestly will lead to bidder being disqualified)	SBD 4

14.4. STAGE 4 TECHNICAL EVALUATION

Table 1: Rating Scale

Rating	Definition	Score
Excellent	Exceeds the requirement. Exceptional demonstration by the Service Provider of the relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with supporting evidence.	5
Good	Satisfies the requirement with minor additional benefits. Above average demonstration by the Service Provider of the relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with supporting evidence.	4
Acceptable	Satisfies the requirement. Demonstration by the Service Provider of the relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods / services, with supporting evidence.	3

Rating	Definition	Score
Minor Reservations	Satisfies the requirement with minor reservations. Some minor reservations of the supplier's relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services, with little or no supporting evidence.	2
Serious Reservations	Satisfies the requirement with major reservations. Considerablereservations of the Service Provider's relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods / services, with little orno supporting evidence.	1
Unacceptable	Does not meet the requirement. Does not comply and/or insufficient information provided to demonstrate that the Service Provider has the ability, understanding, experience, skills, resource & quality measures required to provide the goods / services, with little or no supporting evidence.	0

EVALUATION CRITERIA

14.4.1. The following weighting system will apply and only bidders scoring a minimum of **70 points** or more will be eligible to be evaluated on stage 5 and bidders that fail to meet a minimum of 70 points will not be evaluated further on stage 5.

14.4.2. Points awarded will be allocated to the weighting. For example, if the weighting is 40, 5 points equates to 40. Only bidders that scored the minimum technical qualifying score of 70 and above will be evaluated further on Price and Special Goal.

Category	Criteria Description	Weightings (%)	Scoring Matrix (0 to 5)
Company Experience	<p>The bidder must provide details of workdone previously of a similar nature (<i>evaluation of board and committee effectiveness and recommendations</i>) undertaken by the bidder within the previous ten (10) years.</p> <p>Specific details must be given to indicate the extent to which these previous experiences relate to the work described in the TOR.</p> <p>Bidders are required to submit their company profile that contains the</p>	25%	<p>No Experience indicated = 0 Points</p> <p>Less than 1 year to less than 2 years of experience in evaluation of board and committee effectiveness and recommendations = 1 Point</p> <p>2 years to less than 4 years' of experience in evaluation of board and committee effectiveness</p>

Category	Criteria Description	Weightings (%)	Scoring Matrix (0 to 5)
	organizational structure, its size, staff complement, and experience.		<p>and recommendations = 2 Points</p> <p>4 years to less than 6 years of experience in evaluation of board and committee effectiveness and recommendations = 3 Points</p> <p>6 years to less than 8 years of experience in evaluation of board and committee effectiveness and recommendations = 4 Points</p> <p>8 years to 10 years and above of experience in evaluation of board and committee effectiveness and recommendations = 5 Points</p>
Key Personnel Experience and Capabilities	<p>Bidder needs to provide key personnel's proof of expertise with regards to the requirements of the services required as per the RFQ. The Key Personnel needs to have at least 8 years of experience in the field.</p> <p>Abbreviated Curriculum Vitae (CV's) of Key Personnel/ Project Leader and two (2) experienced resources who are going to be involved in the implementation of the Board and Sub-Committee</p>	25%	<p>Experience of the Team/Project Leader (Key Personnel):</p> <p>No CVs submitted = 0 points</p> <p>Less than 1 year to less than 2 years of experience in board and subcommittee evaluation experience and provide 2 resources and the Project Leader = 1 Point</p>

Category	Criteria Description	Weightings (%)	Scoring Matrix (0 to 5)
	<p>Evaluation Project, shall be included in your proposal.</p> <p>NB: The Key personel should be clearely marked with all their experience and qualifications including the 2 resources separatly</p>		<p>2 years to less than 4 years' of experience in board and subcommittee evaluation experience and provide 2 resources and the Project Leader = 2 Points</p> <p>4 years to less than 6 years of experience in board and subcommittee evaluation experience and provide 2 resources and the Project Leader = 3 Points</p> <p>6 years to less than 8 years of experience in board and subcommittee evaluation experience and provide 2 resources and the Project Leader = 4 Points</p> <p>8 years and more of experience in board and subcommittee evaluation experience and provide 2 resources and the Project Leader = 5</p>
Project Plan and Methodology of Board and Sub Committee	<p>The bidder must demonstrate knowledge of the key requirements and expectations mentioned in this document.</p> <p>The bidder must specifically address the following 5 factors:</p>	25%	<ul style="list-style-type: none"> • No plan provided = 0 • The bidder provides the project plan and methodology addressing 1 factor = 1 point

Category	Criteria Description	Weightings (%)	Scoring Matrix (0 to 5)
Evaluation.	<ul style="list-style-type: none"> ➤ Evaluation of the Individual Board Member provides insights into the competency and engagement levels of each member of the Board or Sub-committee. ➤ How to conduct the evaluation of the offices of the Chairperson, Company Secretary and Commissioner. ➤ Board & Committee Evaluation Questionnaire to assess the performance of the Board Committees. ➤ How to conduct the Individual Board Peer to Peer rating and self- review. ➤ How to structure the evaluation report that includes summary of findings arising from Board Governance evaluation and recommendations thereto. 		<ul style="list-style-type: none"> • The bidder provides the project plan and methodology addressing 2 factors = 2 points • The bidder provides project plan and methodology addressing 3 factors = 3 points • The bidder provides project plan and methodology addressing 4 to 5 factors = 4 points • The bidder provides project plan and methodology addressing all the 6 factors = 5 points
Contactable References	<p>Bidders must provide relevant contactable client references where their services can be verified.</p> <p>References should be presented in a form of a written letter on an official letterhead from clients where similar services have been provided and may not be older than three (3) years from the</p>	25%	<ul style="list-style-type: none"> • No relevant reference letters = 0 Points • 1 relevant reference letters = 1 Points 2 relevant reference letters = 2 Points 3 relevant reference

Category	Criteria Description	Weightings (%)	Scoring Matrix (0 to 5)
	<p>closing date of this request. The reference letters will be assessed based on experience of similar work done as required by the TOR. Reference letters must indicate the year in which the related service was rendered.</p> <p><i>Note to bidders: Valid multiple reference letters obtained from the same organization will count as 1 reference letter.</i></p> <p><i>Appointment letters will not be considered</i></p>		<p>letters = 3 Points</p> <p>4 relevant reference letters = 4 Points</p> <p>5 and more relevant reference letters = 5 . Points</p>
Total Weighting		100	
Minimum qualifying score required		70	

14.5. STAGE 5: EVALUATION OF PRICE AND SPECIFIC GOALS

Evaluation of Price and Specific Goals as Per PPR2022 The 80/20 Principle is based on Price and special goals for the NLC.

The following formula to be used to calculate the points out of 80 for price inclusive of all applicable taxes.

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

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

Ps = Points scored for price of bid under Consideration

Pt = Price of bid under consideration

Pmax = Price of highest acceptable bid

A maximum of 20 points to be awarded to a tenderer for the specific goal specified

DESCRIPTION	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence
1. Procurement from entities who are black Owned			
Tenderer who have 100% black Ownership	8	8	Copies of ID's/3 months CIPC Report from the closing date of the bid/ CSD Recent Report
Tenderer who have 51% to 99% black ownership	4		
Tenderer who have less than 51% black ownership	0		
2. Procurement from entities who are women Owned			
Tenderer who have 100% women ownership	4	4	B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who have 30% to 99% women ownership	2		
Tenderer who have less than 30% women ownership	0		
3. Procurement from Black Youth Ownership			
Tenderer who have 100% youth ownership	4	4	B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who have 30% to 99% youth ownership	2		
Tenderer who have less than 30% youth ownership	0		
4. Procurement from Disabilities Owned			
Tenderer who have 20% or more owners with disability	4	4	Letter from the Doctor confirming disability and CSD report
Tenderer who have less than 20% but more than 10% owners with disability	2		
Tenderer who have less than 10% owners with disability	0		

DESCRIPTION	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence
1. Procurement from entities who are black Owned		8	Copies of ID's/3 months CIPC Report from the closing date of the bid/ CSD Recent Report
Tenderer who have 100% black Ownership	8		
Tenderer who have 51% to 99% black ownership	4		
Tenderer who have less than 51% black ownership	0		
Total points for specific goals		20	

14.6. STAGE 5: DUE DILIGENT

14.6.1. The NLC reserves the right to undertake a due diligence exercise on the preferred bidder/s as part of a material risk evaluation aimed at determining to its satisfaction the validity of the information provided by the Bidder.

15. SECTION 4: INSTRUCTION AND CONDITIONS TO PROSPECTIVE SUPPLIERS

- 15.1. The cost of delivery, labor etc. must be included in this quotation.
- 15.2. Suppliers must keep all items listed below in stock.
- 15.3. NLC reserves the right to use the prevailing exchange rate at the time of procurement of goods. The parties agree that, at the time of the order, the Supplier will procure an agreed forward exchange contract for the foreign content of the applicable order. Suppliers are expected to take forward cover to cover the foreign exchange risk upon receipt of the order by NLC.
- 15.4. Only Suppliers who comply with Technical Specifications will be considered for further evaluation.
- 15.5. Suppliers are requested to attend a compulsory briefing session if applicable.
- 15.6. Inspection of goods prior to delivery will be conducted by the Department on request.
- 15.7. Fraudulent practices shall result in immediate disqualification.
- 15.8. Bidders may be requested, at the behest of the NLC, to submit via courier services to the SCM unit of the NLC, within a minimum of 3 working days from the date of request hard copy certified qualifications, memberships certificates, COIDA etc. which may have been requested for mandatory or functionality assessment.
- 15.9. Failure to submit the information within the requested period shall render the bidder non-responsive.

16. SECTION 5: CLARIFICATION / ENQUIRIES

Telephonic request for clarification will not be considered. Any clarification required by a prospective service provider regarding the meaning or interpretation of the Specification or any other aspects concerning the request is to be requested in writing (letter or e-mail) from the following contact persons.

Request Enquiries and Quotations to:

Name and Surname: SCM

E-mail: quotations@nlcsa.org.za, maureen@nlcsa.org.za and Johannah.baloyi@nlcsa.org.za

Tel: 012 432 1300/1470

Late submissions will not be accepted

The nlc is not obliged to accept the lowest bidder and reserves the right to accept any bid in whole or part

ANNEXURE A – PRICING SCHEDULE

APPOINTMENT OF A SERVICE PROVIDER TO EVALUATE THE NATIONAL

LOTTERIES COMMISSION BOARD AND SUB-COMMITTEES

Name of the Bidder _____

Description	Total amount excluding VAT
• PHASE 1	
<ul style="list-style-type: none"> Engagement between the office of the Chairperson, CS and project kick off. Exchange of statutory governing documents Board, Sub Committee and Individual evaluations / questionnaires Evaluation of the Sub Committee Chairpersons/ Office of the CS/ Office of the Chairperson / peer to peer rating 	R
• PHASE 2	
<ul style="list-style-type: none"> Report consolidation by the SP 	R
• PHASE 3	
<ul style="list-style-type: none"> To provide for the Summary of findings arising from Board Governance evaluation and recommendations thereto. Feedback engagements with the Board and Subcommittees Results from the overall Board Evaluation Questionnaire, Board Committee Evaluations and individual Board members peer, self-assessment. Conclusion of the report, including findings and recommendations handed over to the CS (close out report) 	R
• TRAVELING COSTS	
<ul style="list-style-type: none"> The above payments include any necessary travel / logistics that may be required to implement the entire project plan and supplier location. Although most meetings will be virtual 	R
Total cost excluding VAT	R
VAT @15%	R
Total cost including VAT	R

SCM: CONSENT REQUEST FORM

REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF PROCUREMENT OF GOODS AND SERVICES

APPLICATION, IN LINE WITH THE NLCS's SUPPLY CHAIN MANAGEMENT POLICY, IN TERMS OF SECTION 11(1)(a) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO.4 OF 2013) ("**POPIA**").

TO: _____

FROM: _____

ADDRESS: _____

Contact number: _____

Email address: _____

PART A

1. In terms of the PROTECTION OF PERSONAL INFORMATION ACT, consent for processing of personal information of a data subject (the person/entity to whom personal information relates) must be obtained for the purpose of processing of application for procurement of goods and services, in line with the NLC's supply chain management policy, and storage of your personal data by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMSs or e-mail, which is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by us (NLC). After you have indicated your wishes in Part B
2. you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.
3. "Processing" means any operation or activity or any set of operations, whether or not

by automatic means, concerning personal information, including—

- 3.1 The collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use.
 - 3.2 Dissemination using transmission, distribution or making available in any other form; or
 - 3.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.
4. “Personal information” means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—
- 4.1 Information relating to race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person.
 - 4.2 Information relating to the education or the medical, financial, criminal or employment history of the person.
 - 4.3 Any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person.
 - 4.4 The biometric information of the person.
 - 4.5 The personal opinions, views or preferences of the person.
 - 4.6 Correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence.
 - 4.7 The views or opinions of another individual about the person; and
 - 4.8 the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

Full names of the designated person on behalf of the Responsible Party

Signature of Designation person

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE NATIONAL LOTTERIES COMMISSION

BID NUMBER:	RFQ2025-004-003	CLOSING DATE:	10 APRIL 2025	CLOSING TIME:	11:00
DESCRIPTION	THE APPOINTMENT OF A SERVICE PROVIDER TO EVALUATE THE NATIONAL LOTTERIES COMMISSION BOARD AND SUB-COMMITTEES				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
NATIONAL LOTTERIES COMMISSION (NLC), BLOCK D, HATFIELD GARDENS, 333 GROSVENOR STREET, HATFIELD, PRETORIA					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Maureen Senytsi OR Johannah Baloyi		CONTACT PERSON		
TELEPHONE NUMBER	0124321470		TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	maureen@nlcsa.org.za and Johannah.baloyi@nlcsa.org.za		E-MAIL ADDRESS		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?					

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM.**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

☐ YES ☐ NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA?

☐ YES ☐ NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

PART B: TERMS AND CONDITIONS FOR BIDDING

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE:

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offer 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 is 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**
- 2.2** If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietors/directors/trustees/shareholders/members/ partners or any person having a controlling interest in the enterprise, in the table below.

Full Name	Identity Number	Name of State institution

- 2.3** Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

- 2.3.1** 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.

- 2.4** 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**

2.4.1 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 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, or 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 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 about 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.
-

SBD4

- 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, suspicious bids will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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

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

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems apply 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

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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

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

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

80/20

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{\min} = Price of lowest acceptable tender

Specific Goals	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence	Number of points claimed (80/20 system) (To be completed by the tenderer)
1. Procurement from entities who are black Owned			Copies of ID's/ CIPC Report CSD Recent Report	
Tenderer who have 100% black Ownership	8	8		
Tenderer who have 51% to 99% black ownership	4			
Tenderer who have less than 51% black ownership	0			
2. Procurement from entities who are women Owned			B-BBEE Certificate / B-BBEE Sworn Affidavit	
Tenderer who have 100% women ownership	4	4		
Tenderer who have 30% to 99% women ownership	2			
Tenderer who have less than 30% women ownership	0			
3. Black Youth Ownership			B-BBEE Certificate / B-BBEE Sworn Affidavit	
Tenderer who have 100% black youth ownership	4	4		
Tenderer who have 30% to 99% black youth ownership	2			
Tenderer who have less than 30% black youth ownership	0			
4.Procurement from Disabilities			Letter from the Doctor confirming disability and CSD report	
Tenderer who have 20% or more owners with disability	4	4		
Tenderer who have less than 20% but more than 10% owners with disability	2			

Specific Goals	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence	Number of points claimed (80/20 system) <i>(To be completed by the tenderer)</i>
Tenderer who have less than 10% owners with disability	0			
Total points for specific goals		20		

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 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—
- 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
 - 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 the 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 the state: Where the 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.) Please complete this table for claiming points.

5. DECLARATION ABOUT COMPANY/FIRM

5.1. Name of company/firm.....

5.2. Company registration number:

5.3. TYPE OF COMPANY/ FIRM

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

[TICK

APPLICABLE BOX]

5.4 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, qualify 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 the 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:

