



# REQUEST FOR QUOTATION (RFQ)

RFQ NUMBER	RFQ 253 2022/23	
DATE ISSUED	07 February 2023	
PROJECT NAME/ DESCRIPTION OF GOODS, WORK OR SERVICES	Provision to Appoint One (01) Comprehensive Digital Evidence Review Platform for Pretoria Provincial Office.	
CLOSING DATE AND TIME	13 February 2023	11:00 am
RFQ VALIDITY PERIOD	30 Days (commencing from the official RFQ closing date)	
To be completed by the Bidder		
NAME OF A BIDDER/TENDERER		
TELEPHONE NUMBER		
EMAIL ADDRESS		
FACSIMILE NUMBER		
POSTAL ADDRESS		
PHYSICAL/STREET ADDRESS		
B-BBEE STATUS LEVEL OF CONTRIBUTION	LEVEL:	
EME OR QSE		
B-BBEE STATUS LEVELS <sup>1</sup>		

<sup>1</sup> A B-BBEE status level verification certificate/sworn affidavit-oath commissioned (for EME & QSE) must be submitted in order to qualify for preference points for B-BBEE)

**HEAD OFFICE-GAUTENG:** Rentmeester Building, 74 Watermeyer Street, Meyers Park, Pretoria, 0183 | **Eastern Cape:** Sanlam Park, 59 Western Avenue, Vincent, East London, 5247 | **Free State:** Telkom House (College Square), 195 Nelson Mandela Drive, Bloemfontein, 9300 **KwaZulu-Natal:** 10<sup>th</sup> Floor Liberty Towers, 214 Dr Pixley Kaseme Street, Durban Central, Durban, 4001 | **Limpopo:** Ground Floor, Moolman 500 Building, 31 Mark Street, Polokwane, 0070 | **Mpumalanga:** 4th Floor, Mbombela Centre, 25 Samora Machel Drive, Mbombela, 1200 | **Mthatha:** 13<sup>th</sup> Floor, PRD Building, Sutherland Street, Mthatha, 5100 || **Northern Cape:** 1<sup>st</sup> Floor, Southern Life Building, 62 Cnr. Chapel & Du Toitspan Street, Kimberly, 8301 | **North West:** 1<sup>st</sup> Floor, Protea Office Park, Sekame Road, Mahikeng, 2735 | **Western Cape:** 1<sup>st</sup> Floor, Gold Park Four Building, Raapenberg Road, Golf Park, Pinelands, 7405

Hotline: 0800037 774 | [www.siu.org.za](http://www.siu.org.za) | [info@siu.org.za](mailto:info@siu.org.za)

The State's preferred and trusted anti-corruption forensic investigation and litigation agency

<sup>1</sup> A B-BBEE status level: <i>Verification certificate or a sworn affidavit-oath commissioned (for EME &amp; QSE) must be submitted in order to qualify for preference points for B-BBEE)</i>			
<b>CONTACT PERSON:</b>  (FULL NAME OF BIDDER OR HIS/HER REPRESENTATIVE)			
<b>NATIONAL TREASURY-CENTRAL SUPPLIER DATABASE NUMBER: CSD MAAA</b>	<b>MAAA:</b>		
<b>SUPPLIER COMPLIANCE STATUS</b> <i>(Please tick appropriate box and submit proof)</i>	<b>TAX COMPLIANT AS PER CSD</b>		<b>TAX COMPLIANCE SYSTEM PIN</b>
	Yes	No	<input type="checkbox"/> Yes  <b>PIN NO:</b>
<b>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED?</b>	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES ENCLOSE PROOF]	<b>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS SERVICES/WORKS OFFERED</b>	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES ENCLOSE PROOF AND COMPLETE BELOW QUESTIONNAIRE]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b> <i>(To be completed by Foreign suppliers)</i>	<p>IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?  <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE A BRANCH IN THE RSA?  <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?  <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/>  YES <input type="checkbox"/> NO</p> <p>IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?  <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p><b>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 8. III BELOW.</b></p>		
<b>IDENTITY NUMBER</b>			

<b>POSITION OCCUPIED IN THE COMPANY (DIRECTOR, TRUSTEE, SHAREHOLDER)</b>		
<b>COMPANY REGISTRATION NUMBER</b>		
<b>VAT REGISTRATION NUMBER</b> <i>(If applicable)</i>		
<b>QUOTE PRICE (INCL VAT)</b>	<b>R</b>	
<b>SIGNATURE OF AUTHORISED PERSON</b> <i>(of the bidder)</i>		
<b>1. INTRODUCTION TO THE SIU</b>		
<p>The SIU is an independent statutory body established by proclamation R.118 of 31 July 2001, issued in terms of the Special Investigating Units and Special Tribunals Act No. 74 of 1996 as amended ("<i>the SIU Act</i>"). The purpose of the SIU is to investigate serious malpractices, maladministration and corruption in connection with the administration of State Institutions, state assets and public money as well as any conduct, which may seriously harm the interest of the public. Furthermore, the purpose of the SIU is to institute and conduct civil proceedings in any court of law or a Special Tribunal in its own name or on behalf of State Institutions.</p>		
<b>2. ELIGIBILITY/MANDATORY REQUIREMENTS</b>		
<b>ELIGIBILITY/MANDATORY REQUIREMENTS</b>	<b>Comply</b>	<b>Not Comply</b>
a) Proof of National Treasury Central Supplier Database (CSD Summary report)		
b) CSD Overall Tax Status must be compliant (Tax Compliant)		
c) Conformance to the Scope of Work/ Terms of Reference (ToR)		
<b>NB: Failure to submit/or reflect the above eligibility requirements and conformance to the scope of work may result in non-compliance and will lead to the bid being disqualified.</b>		
<b>3. BACKGROUND</b>		
<p>Provision to Appoint One (01) Comprehensive Digital Evidence Review Platform for Pretoria Provincial Office.</p>		

4. EXPECTED DELIVERABLES
<p>One (01) Comprehensive Digital Evidence Review Platform</p>
5. SCOPE OF WORK/ TERMS OF REFERENCE (TOR)
<p><b>One (01) COMPREHENSIVE DIGITAL EVIDENCE REVIEW PLATFORM:</b></p> <p>The Review Platform should have the following features, but not limited to: Cloud Hosting capabilities; On-site License (local); Processing of forensic images/load files; Web Based Solution; Anytime, anywhere access; Advanced Indexing capabilities; Comprehensive/advanced Search Filtering; De-Duplication; Optical Character Recognition (OCR) – Full-Text Extraction; Document Tagging; Document Tracking (User Activity Logs/Audit Logs); Comprehensive File Format Support including Cross-platform OS; Metadata extraction; Comments/Highlighting; Continuous learning (Artificial Intelligence); Pattern identification; Data Visualization, Machine Learning; Workflows tailored to suit evolving case demands; Redacting; Strict Digital Rights Management (DRM) – Permissions and Access Control; Batching; Report capabilities; Advanced Security.</p> <p>The Review Platform should include a 1 Year Perpetual &amp; SMS licence for 5 users and access to all updates, new features &amp; bug fixes for a period of 1 (one) year.</p> <p><b>N.B: Supplier must provide lead time for Delivery.</b></p> <p><b>Review Platform to be delivered at.</b></p> <p>Special Investigating Unit 74 Water Meyer Rentmeester Building Meyerspark Pretoria 0183</p>
6. CONTRACT PERIOD AND CONDITIONS
<ul style="list-style-type: none"> <li>(i) End user will communicate delivery time.</li> <li>(ii) Failure to deliver strictly on time as stipulated above.</li> <li>(iii) SIU reserve a right to cancel the PO if the quality of the product delivered is not satisfactory.</li> <li>(iv) SIU will not accept goods; as a result, the purchase order will be revoked/cancelled.</li> <li>(v) SIU will not be responsible for the cost incurred for preparation and delivery of unaccepted food.</li> </ul> <p>Therefore, a bidder is required to strictly adhere to the conditions of delivery.</p>
7. <u>CONDITIONS</u>
<p><i>Quotations above R30 000 will be evaluated on the basis of the 80:20-point system as stipulated in the</i></p>

**PLEASE NOTE THAT THE QUOTATION MAY BE REGARDED INVALID/DISQUALIFIED IN THE FOLLOWING INSTANCES:**

- a) *If the quotation page is not signed*
- b) *If the SBD 4: declaration of interest form is not completed and signed*
- c) *CSD tax clearance is non-compliant*
- d) *If SBD and/or information is proven incorrect.*
- e) *Late and incomplete submissions will not be accepted*
- f) *Service providers who are listed on the national treasury's database of restricted suppliers and defaulters*
- g) *Service providers who are under investigation of corrupt activities*
- h) *Appointment may be subjected to screening by the SIU internal integrity unit or vetting by the state security agency before commencements*

**8. TAX COMPLIANCE REQUIREMENTS**

- I. Bidders must ensure compliance with their tax obligations.*
- II. 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.*
- III. Application for Tax Compliance Status (TCS) pin may be made via e-filing through the SARS website [www.sars.gov.za](http://www.sars.gov.za).*
- IV. Bidders may also submit a printed TCS certificate together with the bid.*
- V. In bids where consortia / joint ventures / sub-contractors are involved, each party must submit a separate TCS certificate / pin / CSD number.*
- VI. Where no TCS is available but the bidder is registered on the central supplier database (CSD), a CSD number must be provided.*
- VII. 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."*

**9. TERMS AND CONDITIONS:**

- a) *Quotations must be submitted in the company letterhead*
- b) *All copyright and intellectual property herein rests with the SIU*
- c) *All goods or services purchased will be subject to SIU's conditions, policies and procedures.*
- d) *It is the responsibility of the bidder to ensure that the SIU is in possession of a compliant Tax Status documentations. The onus therefore rests on the bidder to ensure that the SIU is in receipt of a Compliant Tax Status as per CSD summary report.*
- e) *All purchases will be made through an official order form therefore; no goods must be delivered or render services before an official order has been received.*
- f) *To participate in SIU's Quotation of goods and/or services, vendors are advised to register on SIU's National Treasury Central Supplier Database (CSD)*
- g) *Bidder<sup>2</sup> certify that the information supplied is correct and I have read and understood SIU's Conditions and procedures and accept it.*
- h) *Bidder further certify that all the required information has been furnished and the relevant forms*

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<sup>2</sup> A bidder and/or service provider will be used interchangeably across the bid document

- completed and are herewith submitted as part of the bid.*
- i) Payments are effective within 30 days after receipt of invoice*
  - j) No late responses will be considered.*
  - k) All quotes should be accompanied by a valid BBBEE status Certificate with a SANAS logo or Sworn Affidavit by the Commissioner of Oaths with an SAPS Stamp for 80/20 evaluation criteria.*
  - l) Note that there are no pre-payments and payments will take place within 30 working days from the invoice date*
  - m) Successful bidders must be able to deliver the specified goods/services in full no later than stipulated date.*
  - n) Please do not hesitate to contact the undersigned for further information.*
  - o) When a bidder responds to this request for quotations, accept SIU's condition and also confirm that should he/she is successful, will be able to offer and deliver quality service*
  - p) SIU as a public entity is not allowed to do pre-payments, therefore when the bidder respond to this request, accept the quotation*
  - q) The appointed bidder is required to sign of the SBD document truthfully and in full*
  - r) Any bidder who has reasons to believe that the RFQ specifications is based on a specific brand must inform SIU on or before RFQ's closing date.*
  - s) Awarding of the quotation will be subject to the Service Provider's express acceptance of the SIU Supply Chain Management policy, general contract conditions and any other related general*
  - t) By responding to this RFQ document, a bidder commits to bind himself or herself by SIU's conditions which supersedes bidders' own quotation's conditions.*
  - u) Upon finalisation of the appointment, SIU may enter into a Service Level Agreement (SLA),*
  - v) SIU reserves the right to conduct its own internal tests and analysis on products/goods to ascertain the quality as per SABS compliance etc.*
  - w) No equipment, utensils or agents that may damage the buildings, fittings, persons shall be used. The SIU reserves the right to reject such conduct.*
  - x) Bids must be delivered by the stipulated time to the correct address. Late bids will not be accepted for consideration.*
  - y) All bids must be submitted on the official forms provided– (not to be re-typed) or in the manner prescribed in the bid document.*
  - z) This bid is subject to the preferential procurement policy framework act, 2000 and the preferential procurement regulations, 2017, the general conditions of contract (GCC) and, if applicable, any other special conditions of contract.*
  - aa) This RFQ is subject to Procurement General Conditions of Contract, (you may request a copy from SCM official or download from National Treasury's website.*
  - bb) The successful bidder will be required to fill in and sign a written contract form (SBD7.2).*

## 10. EVALUATION CRITERIA

SIU promotes the concept of "best value" in the award of contracts, as opposed to merely looking for the lowest price, which does not necessarily provide the best value. Best value incorporates the expertise, experience and technical proposal of the organisation and individuals who will be providing the service and the organisational capacity supporting the project team.

SIU is committed to achieving the government's transformation objectives in terms of the Preferential Procurement Policy Framework Act (PPPFA), SIU's Supply Chain Management Policies and National Treasury Practice and instruction note (s).

The value of this bid is estimated not to exceed R50 000 000.00 (all applicable taxes included) and therefore the 80/20 system shall be applicable. (This is by no means the budget of the project but the process threshold as per PPPFA) SIU's Supply Chain Management Policies and National Treasury Practice and instruction note (s).

*In determining a winning competitive bid, points must be calculated and given to respective bidders. 80 points are allocated towards price. 20 points are allocated towards bidders who assist in meeting the SIU's specific goals. The extent to which a bidder is able to assist the SIU in achieving its specific goals, which include the promotion of historically disadvantaged individuals, will be calculated in terms of:*

*the Broad-Based Black Economic Empowerment Act (B-BBEE Act) as well as any relevant Codes of Good Practice issued by the DTIC in terms of section 9 and 10 of the B-BBEE Act as per table below*

*In addition, the following specific goal will earn an additional two (2) points: More than 50% Black owned shareholding.*

The procedure for the evaluation of responsive bids<sup>3</sup> is Price, and Preference method.

The preference points evaluation of the responsive bids will be evaluated in terms of the 80/20 preference points systems, where the 80 points will be used for price and the 20 points (including the specific goal) will be awarded to a bidder for attaining the B-BBEE status level of contributor.

SIU promotes the concept of “best value” in the award of contracts, as opposed to merely looking for the cheapest price,

SIU is committed to achieving Government's transformation objectives in terms of the Preferential Procurement Policy Framework Act (PPPFA), *SIU's Supply Chain Management Policies and National Treasury Practice and instruction note (s)*.

## 11. PRICING SCHEDULE

**Price must include the entire scope of work and any other logistics or disbursement that assist the service provider in delivering the final product (s) to SIU as per the scope of work and within the set timelines.**

*Note: VAT must be included and disbursements on the final product.*

- Quotation must reflect a cost breakdown and prices quoted must be inclusive of VAT.

Item No	Deliverable/Description of Work/Services/Goods	Quantity	Pricing (Rand Value)
1			R
2			R
3			R
	<b>Total Bid Price</b>		

- A separate quote should be on bidders' letter head
- The Bidder must thus complete the attached schedule and return (No separate schedules permitted).
- All fee rates shall be quoted in the currency of the Republic of South Africa for the periods specified, and will be held to be firm for the period of the Bid.

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<sup>3</sup> Responsive bids, are those bids that meet the eligibility/mandatory/administrative criteria as set out on the bid document.

**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, 2022**

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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**

*(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
B-BBEE STATUS LEVEL OF CONTRIBUTOR	18
SPECIFIC GOALS	2
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 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:

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

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

### 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:

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

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:

B-BBEE Status Level of Contributor	Number of Points
1	18
2	14
3	12
4	10
5	8
6	6
7	4
8	2
Non-compliant contributor	0
<b>Additional Specific goal</b>	
More than 50% Black ownership	2
<b>Total Number of Possible Points</b>	<b>20</b>

- 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)
More than 50% Black ownership		2		

#### 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 propriety
- ☐ 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.

.....	
<b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....

## **SBD 4 - BIDDER'S DISCLOSURE**

### **1. PURPOSE OF THE FORM**

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

### **2. BIDDER'S DECLARATION**

- 2.1. Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>4</sup> in the enterprise,

\_\_\_\_\_

<sup>4</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.

employed by the state?

**YES/NO**

- 2.1.1. If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

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

- 2.2.1. If so, furnish particulars:

.....  
.....

- 2.3. Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

**YES/NO**

- 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>5</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.
- 3.5. 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.
- 3.6. 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.
- 3.7. 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

\_\_\_\_\_

<sup>5</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.

## 12. SPECIAL CONDITIONS

- a) Quotations to be returned to: **XXXXXX** - [rfq@siu.org.za](mailto:rfq@siu.org.za))
- b) Proposal submitted to the SIU becomes the property of the SIU. SIU is therefore not obliged to send it back to the bidder
- c) The service provider shall commit to post support service where and when required by SIU.
- d) Payment will be done on deliverables achieved, with payments done within 30 days of receipt of invoice.
- e) CSD Tax Compliance status must be found on the CSD Summary report

## 13. SUPPORTING DOCUMENTATION AND MINIMUM CRITERIA

- a. A B-BBEE status level verification certificate must be submitted in order to qualify for preference points for B-BBEE);
- b. send and the original will be requested from the recommended bidder) failure to attached will lead to disqualification.
- c. The quote must be valid for a period of 30 days
- d. All quotations must be accompanied by the following documents if you have not submitted the information before:
  - ❖ Central supplier database for Government (CSD)
- e. Quotation must reflect a cost breakdown, where applicable, prices quoted must be inclusive of VAT
- f. All pages of quotation must be signed by the responsible person
- g. SIU has the right to withdraw any quotation at any time within or outside the validity of the quotation.
- h. SIU reserves the right to invite suppliers/companies to present their bid proposals for final decision**

## 14. DECLARATION

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise:

- i) Confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- ii) Confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iii) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and ;
- iv) Confirms that the contents of this questionnaire/forms (SBD 4 and 6) are within my personal knowledge and are to the best of my belief both true and correct
- v) Accept that, in addition to cancellation of a contract, action may be taken against me should the Declaration prove to be false.

***Please note that if the supporting documentation is not provided then the submission will be classified as non-responsive.***

### Tender Conditions

#### 1. Disqualification

Please note that if a tender document is not filled in correctly or completely, or is delivered/send after the tender closing time, or CSD tax compliant status is not reflected on the CSD summary report will automatically disqualified the bid. Please return this document with the supporting documents including CSD Tax Compliance summary status report.

#### 2. Tender Document Submission

Faxed and emailed tender documents will be accepted. However, the onus is on the tenderer to ensure that complete faxed or email documents have been received by the SIU by the due time.

Please note that any alterations to the tender document other than filling in the tenderer's details and tender price will automatically disqualify the tenderer.

**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:** .....

**END**