



REQUEST FOR QUOTATIONS (RFQ/24/2021)

IRREGULAR EXPENDITURE TRAINING

CLOSING DATE: 22 OCTOBER 2021

TIME: 16H00

1. INTRODUCTION

Brand South Africa, previously known as the International Marketing Council of South Africa (IMC), was established in 2002 and tasked with leading the global and domestic marketing of our nation's Brand. The primary object of the Trust is to develop and implement a pro-active and coordinated marketing and communication and reputation management strategies for South Africa.

Brand South Africa's international mandate is to build South Africa's Nation Brand reputation in order to improve the country's global competitiveness, reflecting a great focus on driving international investment and trade.

Domestically, Brand South Africa's mandate is to build pride & patriotism amongst South Africans and contribute to social cohesion and nation brand ambassadorship, giving our country a consolidated and clear brand image. This involves the creation of a unified message and promise that becomes identifiable with South Africa, thereby building credibility, conviction and committed patronage.

Brand South Africa is also the central hub of national reputation and competitiveness intelligence. This intelligence is vital for articulating, aligning and mobilising key messages about the nation for the use and benefit of all stakeholders and strategic partners.

2. WHO WE ARE

Brand South Africa is a Schedule 3A Public Entity, which was established in terms of the Brand South Africa Trust Deed, which is governed by the Trust Property Control Act No.57 of 1988 and the Public Finance Management Act, No.1 of 1999. The organisation reports to the Department of Communication, from which it receives its budget.

3. PURPOSE

The purpose of Brand South Africa is to develop and implement pro-active and coordinated marketing, communication and reputation management strategies for the country. Ensure a sustainable future for our children.

4. MISSION

To achieve our purpose, we will embark on the following execution mission:

- Develop and articulate a South African national brand identity that will advance South Africa's long-term positive reputation and global competitiveness.
- Seek to build individual and institutional alignment to and support for the brand in South Africa and pride and patriotism amongst South African.
- Build awareness and the image of the Nation Brand in other countries.
- Seek the involvement and cooperation of various government departments, civil society, business and the non-government sector.

5. TERMS OF REFERENCE / SCOPE OF WORK

- a) Brand South Africa hereby invites experienced and reputable service providers to submit quotations for IRREGULAR EXPENDITURE Course for Brand South Africa's 4 x **delegates**. The prospective service provider should have knowledge and experience Supply Chain Management related training. Service provider should be able to offer training that will ensure upon completion employee will be able to practically implement what has been learned.
- b) Course outcomes must include the following:
1. Drafting of Irregular expenditure checklist
 2. Consequence of irregular expenditures
 3. Procedures to investigate irregular expenditures
 4. Steps to prevent irregular expenditures
 5. How to best investigate irregular expenditures
 6. How to write irregular expenditure report
 7. Measurement taken to address matters of irregular expenditure
 8. Provide clarity on relevant legislation and regulations applicable to irregular, fruitless and wasteful, and unauthorised expenditure;
 9. Strengthen the internal control environment with regard to management of irregular, fruitless and wasteful, and unauthorised expenditure.

6. DELIVERABLES

- a) Course to be conducted online/virtually.
- b) Course Duration: 2 days.
- c) Continuous support after training.
- d) Course to be attended by 4x delegates.
- e) POE to be completed, assessed and moderated.
- f) Statement of results and certificate of competence to be issued.

7. EVALUATION CRITERIA

In order to facilitate a transparent selection process that allows equal opportunity to all bidders, Brand SA has a Supply Chain Management Policy that will be adhered to. Proposals will be evaluated in terms of the prevailing Supply Chain Management policy applicable to Brand SA and it should be noted that proposals will be assessed using the 80/20 formula (preference points system) for Price and B-BBEE as per the PPPFA Regulations.

Table 1- Price and B-BBEE

| CRITERIA | SUB-CRITERIA | WEIGHTING/ POINTS |
|--|---------------------------|-------------------|
| Price | Detailed budget breakdown | 80 |
| B-BBEE (Status Level Verification Certificate) | B-BBEE Level Contributor | 20 |
| TOTAL | | 100 |

8. INSTRUCTIONS TO BIDDERS

8.1 Terms and Conditions

Brand SA reserves, under exceptional circumstances, the rights to extend the closing date. All proposals and all subsequent information received from bidders will not be returned. The adjudication process does not represent a commitment on the part of the Brand SA to proceed further with that proposal or of any other bidder.

8.2 Changes to this RFQ document

Brand SA reserves the right to make changes on this RFQ Document. All changes will be communicated to those firms that have responded to the RFQ. No reliance shall be placed on other information or comment from any other person.

8.3 Confidentiality

Any information relating to the submissions, through the process or otherwise shall be treated in strict confidence.

8.4. Other matters

8.4.1 Brand SA reserves the right not to enter into any relationship and no correspondence pertaining to submissions will be entered into.

8.4.2 If Brand SA does not accept any proposal, it will declare the RFQ call process closed and may then elect to:

- Proceed on a completely different basis; and
- Not to appoint any respondent in the event it deems proposals not appropriate.

8.4.3 Brand SA will not accept any responsibility for costs incurred by bidders in preparing and submitting proposals.

8.4.4 Brand SA reserves the right to engage in processes to validate all claims made in the proposal.

8.4.5 Brand SA reserves the right to cancel the award if it is determined that the supplier/service provider recommended for award, has engaged in corrupt or fraudulent activities in competing for the contract in question. For the purposes of this RFQ, “fraudulent practice” means a misrepresentation of facts in order to influence a selection process or the execution of a contract to the detriment of the accounting officer/authority, and includes collusive practices among bidders/contractors (prior to or after submission of proposals) designed to establish prices at artificial, non-competitive levels and to deprive the accounting officer/authority of the benefits of free and open competition.

9. GENERAL

Below are compulsory requirements for this service:

9.1 It is important to note that the successful bidder will work under the supervision of a Brand SA representative, abide by Brand SA’s Code of Conduct, and other organizational guidelines.

9.2 Kindly submit the following documents:

- **Valid and Original or Certified B-BBEE Status Level Verification Certificates issued by the following agencies SANAS, IRBA or CCA.**
- **SARS Tax Pin.**
- **Completed SBD 4, 8 and 9**

10. CONTACT DETAILS FOR INFORMATION

10.1.1 Further information regarding technical matters can be sent to dudun@brandsouthafrica.com or tel: 011 483 0122/061 461 9537

10.1.2 Further information regarding supply Chain matters can be sent via email to: ntsepengl@brandsouthafrica.com or tel: 011 483 0122

11. SUBMISSIONS OF PROPOSALS

Proposals should be submitted on or before the **22 OCTOBER 2021** by no later than 16h00 to the following address: quotations@brandsouthafrica.com or ntsepengl@brandsouthafrica.com.

The selection of the qualifying bid/quotations will be at the Brand SA's sole discretion. Brand SA does not bind itself to accept any particular bid/quotations, and reserves the right not to appoint the bidder.

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
 - 2.1 Full Name of bidder or his or her representative:
.....
 - 2.2 Identity Number:
 - 2.3 Position occupied in the Company (director, trustee, shareholder²):
.....
 - 2.4 Company Registration Number:
 - 2.5 Tax Reference Number:
 - 2.6 VAT Registration Number:
 - 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or

(e) Parliament.

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

.....

Name of state institution at which you or the person connected to the bidder is employed :

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attached proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

.....

.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

.....

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.....

2.9 Do you, or any person connected with the bidder, have **YES / NO**

any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?
2.9.1 If so, furnish particulars.

3 Full details of directors / trustees / members / shareholders.

| Full Name | Identity Number | Personal Tax Reference Number | State Employee Number / Persal Number |
|-----------|-----------------|-------------------------------|---------------------------------------|
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4 DECLARATION

I, _____ THE _____ UNDERSIGNED
(NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

| Item | Question | Yes | No |
|-------|---|---------------------------------|--------------------------------|
| 4.1 | Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page. | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.1.1 | If so, furnish particulars: | | |
| 4.2 | Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page. | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.2.1 | If so, furnish particulars: | | |

| | | | |
|-------|--|---------------------------------|--------------------------------|
| 4.3 | Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.3.1 | If so, furnish particulars: | | |
| 4.4 | Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.4.1 | If so, furnish particulars: | | |

SBD 8

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME).....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS
DECLARATION FORM IS TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION
PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js365bW

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf

of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. 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 consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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 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.

SBD 9

10. 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.

.....
Signature

.....
Date

.....
Position
Js914w 2

.....
Name of Bidder