

**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>				
BID NUMBER:	RFQ/2023 - 304	CLOSING DATE:	19 January 2024	CLOSING TIME: <b>11H00</b>
<b>DESCRIPTION</b> REQUEST FOR PROPOSALS TO ASSIST THE NLC INTERNAL AUDIT WITH PROBITY AUDITS				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>				
NATIONAL LOTTERIES COMMISSION OFFICE				
333 GROSVENOR STREET,				
BLOCK D HATFIELD GARDENS,				
HATFIELD,				
PRETORIA				
0083				
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>		<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Penelope Soyingwa	CONTACT PERSON	Penelope Soyingwa	
TELEPHONE NUMBER	(012) 432 1414	TELEPHONE NUMBER	(012) 432 1414	
FACSIMILE NUMBER		FACSIMILE NUMBER		
E-MAIL ADDRESS	penelope@nlcsa.org.za	E-MAIL ADDRESS	penelope@nlcsa.org.za	
<b>SUPPLIER INFORMATION</b>				
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]		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	
	<input type="checkbox"/> Yes	<input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>				
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No		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 ]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>				
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO				
DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO				

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<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 2.3 BELOW.</b>	

## PART B TERMS AND CONDITIONS FOR BIDDING

### **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, 2017, 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 (SBD7).**

### **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 PIN 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.”

**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: .....



Info Centre: 086 00  
65383 web:  
[www.nlcsa.org.za](http://www.nlcsa.org.za)  
National Lotteries  
Commission (NLC)  
P.O Box 1556  
Brooklyn Square  
0083, Pretoria

## TERMS OF REFERENCE FOR THE REQUEST FOR PROPOSALS TO ASSIST THE NLC INTERNAL AUDIT WITH PROBITY AUDITS

<b>REQUEST FOR QUOTATION [RFQ]NO</b>	RFQ/2023-304
<b>RFQ DESCRIPTIONS</b>	REQUEST FOR PROPOSALS TO ASSIST THE NLC INTERNAL AUDIT WITH PROBITY AUDITS
<b>FOR DELIVERY TO</b>	<p>All submissions Must be addressed to Senior Manager: Supply Chain Management, National Lotteries Commission Submission of Quotation:</p> <p>333 Grosvenor Street Block D Hatfield Gardens Hatfield Pretoria 0183</p>
<b>ISSUE DATE</b>	09 January 2024
<b>CLOSING DATE</b>	19 January 2024
<b>CLOSING TIME</b>	11h00
<b>RFQ VALIDITY PERIOD</b>	The validity period of the quotation requested must be 90 days.
<b>E-MAIL ADDRESS</b>	<a href="mailto:penelope@nlcsa.org.za">penelope@nlcsa.org.za</a>
<b>NO HAND DELIVERED RFQ RESPONSES WILL BE ACCEPTED</b>	

# **TERMS OF REFERENCE FOR THE REQUEST FOR PROPOSALS TO ASSIST THE NLC INTERNAL AUDIT WITH PROBITY AUDITS**

## **SECTION 1: BACKGROUND, OVERVIEW AND RFP SCOPE OF REQUIREMENTS**

### **1. INTRODUCTION**

The National Lotteries Commission was established in terms of the Lotteries Act No. 57 of 1997, as amended (Lotteries Act) to regulate the National Lottery as well as other lotteries and societies.

The NLC aims to ensure that funds raised through the National Lottery are distributed equitably and expeditiously across South Africa in order to advance social upliftment of communities in need with the aim of addressing poverty and reducing inequalities in line with the National Development Plan.

The Commission is required to apply principles of openness and transparency in the exercise of its functions assigned to it in terms of the Lotteries Act No 57 of 1997.

### **2. BACKGROUND**

PFMA S(51)(1)(a) requires that “An accounting authority for a public entity must ensure that that public entity has and maintains effective, efficient, and transparent systems of financial and risk management and internal control. In line with the requirements of the Public Finance Management Act No. 1 of 1999 (“PFMA”) and Treasury Regulations, the NLC seeks to request a proposal from a suitable qualified internal audit service provider to assist the NLC’s Internal audit unit with Probity Audits.

### **3. OBJECTIVE**

The objective of this engagement is to assist NLC internal audit unit with providing independent scrutiny of procurement process of three tenders to ensure that:

- The procurement process has been consistent with the relevant legislature, circulars, practice notes, good practice expectations and NLC’s supply chain management policy; and
- A fair, equitable, transparent, competitive, and cost-effective procurement process has been followed, so that no parties are unfairly treated, and the process is conducted with the aim of creating a consistent framework for achieving good governance.

### **4. SCOPE OF WORK**

The specific scope designed for this assignment is as follows:

- Review the procurement plan and confirm whether the procurement event was budgeted for in line with the entity mandate, business objectives, and the nature of operations.
- Confirm that the bid specification committee was constituted as required by the SCM policy and appointed by the delegated official.
- Confirm that bid specifications were drafted in an unbiased manner and were not restrictive to a certain group of suppliers/service providers or specific supplier/ service provider.
- Confirm that bid specifications were appropriately approved prior to the tender being issued to the market and the approval was in accordance SCM process requirements.

## Evaluation

- Confirm that the evaluation and adjudication criteria applied is the same as indicated in the original request for proposal.
- Inspect evidence that the tender scoring is in line with the request for proposal.
- Confirm that the bidders submitted all the required declarations and documents.
- Confirm if there are no indicators of bid rigging that are supported by evidence.
  - Confirm that all bid evaluation committee members were appointed as required by the SCM policy.
- Confirm that the bid evaluation committee was composed as required by the SCM policy.
- Confirm if the bid evaluation committee was appropriately briefed of their roles and responsibilities before the evaluation.
- Confirm that all members of the bid evaluation committee declared their interest.
- Confirm that acceptable tenders qualified for administrative and pre-qualification requirements as indicated in the request for proposal.
- Confirm that tenders which failed to achieve the minimum qualifying score for technical and functionality were disqualified as unacceptable.
- Confirm that the points for price were correct awarded.
- Confirm that the points for B-BBEE were correctly awarded in accordance with the valid B-BBEE status level.
- Confirm the numerical accuracy of the automated scores of the bid evaluation committee members.
- Confirm that the tax affairs of the recommended bidder are in order.

## 5. DELIVERABLES

- The successful service provider to report directly to the Chief Financial Officer and the Head: Internal audit & advisory services will assist the service provider with administrative matters.
- The appointed service provider shall produce the following:
  - ✓ An engagement letter indicating detail of budget and timeframes and the detail scope for CAE approval.
  - ✓ Submit the report after completion of project signed by the engagement director/Audit partner to the Chief Financial Officer.

- ✓ Submit working papers after finalisation of this engagement within two weeks to Head: Internal audit & advisory service.

**Other requirements:**

- The staff should maintain their objectivity by remaining independent of the activities they audit.
- There must be professionally qualified project manager present throughout the duration of the audit.
- The NLC will not be billed for any unproductive or duplicated time spent on assignment, for any reason.
- Sufficient time must be spent on assignments to ensure that quality is maintained at the highest standards.

**6. DURATION OF THE PROJECT**

- The project is expected to start in January 2024 and the duration of the project is for a maximum period of 4 weeks.

## SECTION 2: NOTICE TO SERVICE PROVIDERS

### **1. Terms and conditions of Request for Proposals (RFP)**

- 1.1 This document may contain confidential information that is the property of the NLC.
- 1.2 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 proposal in response to this RFP without prior written permission from the NLC.
- 1.3 All copyright and intellectual property herein vests with the NLC.
- 1.4 Late and incomplete submissions will not be accepted.
- 1.5 No services must be rendered, or goods delivered before an official NLC Purchase Order form has been received.
- 1.6 This RFP will be evaluated in terms of the 80/20 preference point system.
- 1.7 Suppliers are required to register on the Central Supplier Database at [www.csd.gov.za](http://www.csd.gov.za).
- 1.8 Suppliers must provide their CSD registration number (and attach a CSD Registration report) and ensure that the tax matters are compliant.
- 1.9 All questions regarding this RFP must be forwarded to [penelope@nlcsa.org.za](mailto:penelope@nlcsa.org.za)
- 1.10 Any supplier who has reasons to believe that the RFP specification is based on a specific brand must inform the NLC via the email addressed in 1.9.

### **2. General rules and instructions**

#### 2.1 News and press releases

- 2.1.1 Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, the NLC.

#### 2.2 Precedence of documents

- 2.2.1 This RFP consists of several sections. Where there is a contradiction in terms between the clauses, phrases, words, stipulations, or terms and herein referred to generally as stipulations in this RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this RFP shall take precedence.
- 2.2.2 Where this RFP is silent on any matter, the relevant stipulations addressing such matter, and which appear in section 217 of the constitution of the republic shall take precedence. 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 the 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 the NLC.
- 2.2.3 It remains the exclusive domain and election of the NLC as to which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of the commission 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.

**2.3 Preferential procurement reform**

2.3.1 The Commission supports B-BBEE as an essential ingredient of its business. In accordance with government policy, the NLC insists that the private sector demonstrates its commitment and track record to B-BBEE in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices (SMME Development) etc.

**2.4 National Industrial Participation Programme**

2.4.1 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).

**2.5 Language**

2.5.1 Bids shall be submitted in English.

**2.6 Gender**

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

**2.7 Headings**

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

**2.8 Occupational Injuries and Diseases Act 13 of 1993**

2.8.1 The Bidder warrants that all its employees (including the employees of any subcontractor 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 RFP and/ or subsequent agreement. the commission 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 the commission.

**2.9 Processing of the Bidder's Personal Information**

2.9.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFP is collected and processed for the purpose of assessing the content of its tender proposal and awarding the bid. The Bidder is advised that Bidder Personal Information may be passed on to third parties to whom the commission is compelled by law to provide such information. For example, where appropriate, the commission is compelled to submit information to National Treasury's Database of Restricted Suppliers.

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

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

2.9.3.1 The commission personnel participating in procurement/award procedures; and

2.9.3.2 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 National

Treasury's e-Tender portal:

- 2.9.3.2.1 contract description and bid number.
- 2.9.3.2.2 names of the successful bidder(s) and preference points claimed.
- 2.9.3.2.3 the contract price(s) (if possible).
- 2.9.3.2.4 contract period.
- 2.9.3.2.5 names of directors; and
- 2.9.3.2.6 date of completion/award.
- 2.9.4 The commission will ensure that the rights of the Bidder and of its employees and representatives (i.e., the right of access and the right to rectify) are effectively guaranteed in accordance with the procedures as specified in the commission PAIA manual.
- 2.9.5 In signing this document, the Bidder consents to the use of its Personal Information for the purposes as specified in section 2.9.1 above.

### **3. Formal Briefing Session**

- 3.1 No briefing session.

### **4. Validity Period**

- 4.1 The Commission requires a validity period of 120 [one hundred and twenty] Business Days [from closing date] against this RFP.
- 4.2 Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions, if the internal evaluation process are not finalised within the validity period.

### **5. National Treasury's Central Supplier Database**

- 5.1 Bidders are required to self-register on 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.
- 5.2 The Commission may not award business to a bidder who has failed to register on the CSD.
- 5.3 Only foreign suppliers with no local registered entity need not register on the CSD.
- 5.4 The CSD can be accessed at <https://secure.csd.gov.za/>

### **6. Confidentiality**

- 6.1 Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding.
- 6.2 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.
- 6.3 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 RFP and in accordance with any applicable law.
- 6.4 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.

## **7. Communication**

- 7.1 Specific queries relating to this RFP should be submitted [penelope@nlcsa.org.za](mailto:penelope@nlcsa.org.za) before the closing date.
- 7.2 In the interest of fairness and transparency the NLC's response to such a query may be made available to other bidders.
- 7.3 It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the NLC in respect of this RFP between the closing date and the date of the award of the business.
- 7.4 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.

### STAGE 3: TECHNICAL EVALUATION

3.1 The following rating scale will be used to evaluate proposals:

**Table 1: Rating Scale**

Rating	Definition	Score
<b>Excellent</b>	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.	<b>5</b>
<b>Good</b>	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.	<b>4</b>
<b>Acceptable</b>	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.	<b>3</b>
<b>Minor Reservations</b>	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.	<b>2</b>
<b>Serious Reservations</b>	Satisfies the requirement with major reservations. Considerable reservations of the Service Provider's relevant ability, understanding, experience, skills, resource, and quality measures required to provide the goods / services, with little or no supporting evidence.	<b>1</b>
<b>Unacceptable</b>	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.	<b>0</b>

### 3.2 The evaluation for the technical and functional threshold will include the following:

### **Rating scale of 0 – 5 to be applied.**

CRITERIA	POINTS
<b>EXPERIENCE: ENGAGEMENT DIRECTOR/PARTNER – INTERNAL AUDIT &amp; ADVISORY</b>  Provide a comprehensive CV demonstrating experience of the Lead Director/Partner in overseeing / leading Internal audit and consulting engagements.	<b>Experience: Engagement Director/Audit Partner</b> The CV must demonstrate experience in managing internal audit engagements.  <b>Rating scale of 0 – 5 to be applied:</b> <ul style="list-style-type: none"> <li>• Above 10 years' internal audit experience on management level = <b>(5)</b></li> <li>• Above 8 – up to and inclusive of 10 years' internal audit experience on management level= <b>(4)</b></li> <li>• Above 5 up to and inclusive of 8 years' internal audit experience on management level = <b>(3)</b></li> <li>• Above 3 up to and inclusive of 5 years of internal audit experience on management level= <b>2</b></li> <li>• 1 - up to and inclusive of 3 years' internal audit experience on management level = <b>(1)</b></li> <li>• No experience on internal audit experience on management level=0</li> </ul> <b>Qualifications: Engagement Director/Audit Partner</b> Qualifications: Lead Director / Partner for Internal Audit <b>Rating scale of 0 – 5 to be applied:</b> <ul style="list-style-type: none"> <li>Relevant master's degree and CIA or CA(SA) = <b>(5)</b></li> <li>Relevant BCom (Hons) degree and CIA or CA (SA) and any additional relevant auditing professional certifications = <b>(4)</b></li> <li>Relevant BCom (Hons) Degree, CIA and CA(SA) = <b>(3)</b></li> <li>Relevant BCom(Hons) Degree= <b>2</b></li> <li>Relevant BCom Degree, CIA= <b>1</b></li> </ul>
	<b>15</b>

CRITERIA		POINTS
	No relevant qualification or no CIA or CA (SA) =0	
<b>QUALIFICATIONS: INTERNAL AUDIT MANAGER</b>  Provide a comprehensive CV demonstrating experience in overseeing / Managing Internal audit and consulting engagements.	<b>Experience: Internal Audit Manager X1</b>  The CV must, over and above internal audit experience, demonstrate experience in <u>managing probity audits</u> engagements.  <b>Rating scale of 0 – 5 to be applied:</b> <ul style="list-style-type: none"> <li>Above 5 years' probity audits management experience = <b>(5)</b></li> <li>Above 4 – up to and inclusive of 5 years' probity audit management experience = <b>(4)</b></li> <li>Above 3 – up to and inclusive of 4 years' probity audit management experience = <b>(3)</b></li> <li>Above 2 – up to and inclusive of 3 years' probity audit management experience = <b>(2)</b></li> <li>Less than 2 years' Probity Audit management experience = <b>(1)</b></li> <li><b>Less than 1 years Probity Audit management experience =0</b></li> </ul>	<b>10</b>
	<b>Qualifications: Internal Audit Manager X1</b>  <b>Rating scale of 0 – 5 to be applied:</b> Confirmation of IIA(SA) good standing membership letter AND <ul style="list-style-type: none"> <li>Relevant BCom (Hons) degree, CIA or CA (SA) and any additional relevant auditing professional certifications = <b>(5)</b></li> <li>Relevant BCom (Hons) degree and CIA or CA (SA) = <b>(4)</b></li> <li>Relevant BCom degree and CIA= <b>(3)</b></li> <li>Relevant BCom (Hons) = <b>(2)</b></li> <li>Relevant BCom=(1)</li> <li>No relevant qualification and confirmation of IIA(SA) good standing membership letter =<b>0</b></li> </ul>	<b>15</b>
<b>EXPERIENCE: INTERNAL AUDITOR</b>  Provide a comprehensive CV demonstrating experience of the	<b>Experience: Internal Auditors x3</b>  The CV must demonstrate experience in conducting internal audit engagements.  <b>Rating scale of 0 – 5 to be applied:</b> <ul style="list-style-type: none"> <li>Above 5 years' Internal Audit experience = <b>(5)</b></li> </ul>	<b>20</b>
		<b>30</b>

CRITERIA		POINTS
Internal Auditor in conducting Internal Audit Engagements.	<ul style="list-style-type: none"> <li>• Above 4 – up to and inclusive of 5 years' Internal audit experience =experience = <b>(4)</b></li> <li>• Above 3 – up to and inclusive of 4 years' Internal audit management experience = <b>(3)</b></li> <li>• Above 2 – up to and inclusive of 3 years' Internal audit management experience = <b>(2)</b></li> <li>• Less than 2 years' Internal Audit management experience = <b>(1)</b></li> <li>• Less than 1 year of internal Audit management experience = <b>0</b></li> </ul>	
	<p><b>Qualifications: Internal auditors x3</b></p> <p><b>Rating scale of 0 – 5 to be applied:</b> Confirmation of IIA(SA) good standing membership letter(s) AND</p> <ul style="list-style-type: none"> <li>• Relevant BCom(Hons) degree and CIA = <b>(5)</b></li> <li>• Relevant BCom Degree / BTech and Internal Audit Technician (IAT) / Professional Internal Auditor (PIA) certificate = <b>(4)</b></li> <li>• Relevant BCom Degree/ BTech = <b>(3)</b></li> <li>• Relevant Diploma= <b>(2)</b></li> <li>• No relevant Degree = <b>(0)</b></li> </ul>	10
<p><b>Service Provider experience in conducting probity audits.</b></p> <p>The service provider must demonstrate that they have the capacity to render the required services and demonstrate experience in probity audits by submitting a company profile and list clients where</p>	<p>Over and above internal audit experience, the bidder must demonstrate probity audit experience and/or supply chain management advisory services.</p> <p><b>Rating scale of 0 – 5 to be applied:</b></p> <ul style="list-style-type: none"> <li>• Above 4 years' experience in probity audits = <b>(5)</b></li> <li>• Above 3 – up to and inclusive of 4 years' experience in probity audits = <b>(4)</b></li> <li>• Above 2 – up to and inclusive of 3 years' experience in probity audits = <b>(3)</b></li> <li>• Above 1 – up to and inclusive of 2 years' experience in probity audits = <b>(2)</b></li> </ul>	10

CRITERIA			POINTS
probity audits were conducted.	<ul style="list-style-type: none"> <li>• Less than 1 year experience in probity audits = (1)</li> <li>• No experience in probity audits =0</li> </ul>		
<p><b>Written reference letters.</b></p> <p>The bidder must provide reference letters from at least three (3) contactable references, (different organizations) within the past seven (7) years from the closing of the Proposal. Letters from 1 organization will be considered as 1 reference. The reference letter must indicate in the letter the <b><u>probity audit and/or supply chain advisory services</u></b> you rendered. The reference letter must be signed and dated, on the company letter head and must have contactable email address);</p> <p>if the reference letter does not comply with the requirements, it will be not considered.</p> <p><b>No appointment letters from clients will be accepted as reference letters.</b></p>	<p><b>Probity audit experience or SCM advisory services</b></p> <p>Three (3) relevant reference letters = (5)</p> <p>Two (2) relevant reference letters = (3)</p> <p>One (1) relevant reference letter = (1)</p> <p><b>No relevant reference letter = (0)</b></p> <p><b>Rating scale of 0 – 5 to be applied:</b></p>	10	10
<p><b>Probity audit approach/ Methodology, comprehensive test plan and implementation plan</b></p>		20	20

CRITERIA		POINTS
<p><b>plan and implementation plan</b></p> <p>The bidder must provide a methodology/audit approach and a project implementation plan which details how the service will be carried out.</p> <p><b>NB! Refer to above paragraph relating to scope of work, deliverables, and duration of the project.</b></p>	Rating scale of 0 – 5 to be applied (see above table 1):	
<b>Total:</b>		<b>100</b>

## Stage 4: Pricing and Special goal

### Pricing Schedule: Please refer to Annexure A

The evaluation for Pricing and Special goal will include the following:

1. Procurement from entities who are at least 51% Owned	Sub - points for specific goals	Maximum points for specific goals
91% - 100%	10	10
81% - 90%	9	
71% - 80%	8	
61% - 70%	7	
51% - 60%	6	
41% - 50%	5	
0% - 40%	0	
<hr/>		
2. B-BBEE Status Level of Contributor		10
Level 1 - EME / QSE	10	
Level 2 - EME / QSE	9	
Level 1 - Generic / Level 3 EME / QSE	8	
Level 2 - Generic / Level 4 EME / QSE	7	
Level 3 - Generic / Level 5 EME / QSE	6	
Level 4 - 5 Generic / Level 6 EME / QSE	5	
Above Level 4 - 5 Generic / Level 6 EME / QSE	0	

## Stage 5: Due Diligence

NLC reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period. This may include site visits and requests for additional information.

## Stage 6: Contract and Award

The stage is for negotiation after receipt of formal tenders and before the conclusion of contracts with suppliers/contractors submitting the lowest acceptable tender with a view to obtaining an improvement in price, delivery or content, in circumstances which do not put other tenderers at a disadvantage or affect adversely their confidence or trust in the competitive system. Service Providers may be requested to provide their best and final offers based on contract negotiation.

## ANNEXURE A: PRICING SCHEDULE TEMPLATE

Financial/pricing information must be presented in a separate attachment from the Technical/Functional Response information.

## **Schedule A Pricing Proposal: Probity Audit for three (3) tenders**

## Disbursements

Resource	Level and Capacity	Return trip km	Number of days	Proposed Project budget			
				Total Kms	Rate/km		Cost (VAT incl)
	Engagement Director/Audit Partner x1						
	Audit Manager x1						
	Auditor 1						
	Auditor 2						
	Auditor 3						
				[B] Sub-total disbursements (Vat Incl)			R

[A] + [B] Grand-Total project fee (Vat Incl) | R

NB! Please note that budgeted hours are limited to 500hrs for this project.

**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>1</sup> in the enterprise, employed by the state? **YES/NO**

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

---

2.2 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.

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>2</sup> will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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3.5 2 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.

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



## 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
- 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 **80/20** preference point system.
  - b) The **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
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>



- 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 PREFERENCE POINT SYSTEMS

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

**80/20**

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



Where

$Ps$  = Points scored for price of tender under consideration

$Pt$  = Price of tender under consideration

$P_{min}$  = Price of lowest acceptable tender

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

### 3.2.1. POINTS AWARDED FOR PRICE

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

80/20

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


---



Where

Ps = Points scored for price of tender under consideration  
 Pt = Price of tender under consideration  
 Pmax = Price of highest acceptable tender

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 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 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 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 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.)***

1. Procurement from entities who are Black Owned	Sub - points for specific goals	Maximum points for specific goals	To be completed by a bidder
91% - 100%	10	10	
81% - 90%	9		
71% - 80%	8		
61% - 70%	7		
51% - 60%	6		
41% - 50%	5		
0% - 40%	0		
2. SMME's and B-BBEE Status Level of Contributor			
Level 1 - EME /QSE	10	10	
Level 2 - EME /QSE	9		
Level 1 - Generic / Level 3 EME / QSE	8		
Level 2 - Generic / Level 4 EME / QSE	7		
Level 3 - Generic / Level 5 EME / QSE	6		
Level 4 - 5 Generic / Level 6 EME / QSE	5		
Total points for special goals		20	
<b>Total points for price and special goals</b>		<b>100</b>	

## DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:  
.....

4.5. TYPE OF COMPANY/ FIRM

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

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

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

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

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

**DATE:** .....

**ADDRESS:** .....

.....

.....

.....



**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 NLC'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 chainmanagement 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, 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.
  
2. "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—
  - 2.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
  - 2.2 dissemination by means of transmission, distribution or making available in anyother form; or
  - 2.3 merging, linking, as well as restriction, degradation, erasure or destructionof information.
  
3. "Personal information" means information relating to an identifiable, living, naturalperson, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—
  - 3.1 information relating to the 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;
  - 3.2 information relating to the education or the medical, financial, criminal or employment history of the person;
  - 3.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
  - 3.4 the biometric information of the person;
  - 3.5 the personal opinions, views or preferences of the person;

- 3.6 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;
- 3.7 the views or opinions of another individual about the person; and
- 3.8 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.

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

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Signature of Designation person

## PART B

I, \_\_\_\_\_ (full names), duly authorized, hereby: Consent to the processing of my/our personal information for the application of procurement of goods and services, in line with the NLC supply chain management policy, in terms of section 11(1)(a) of POPIA.

SPECIFY GOODS AND SERVICES (Edit/Click on services not required):

- Product Information
- Product Updates
- Industry Newsletters
- Price Changes

Method of Communication will be via: Email/Postal

- Give my consent.

By Ticking the next box, I am aware that I am Digitally Signing this Consentrequest Form:

- 

Full Name:

Date:

### **WITHDRAWAL OF CONSENT ONCE GIVEN**

You may withdraw your consent at any time.

Write or email us at the address above, advising us of your consent withdrawal.