



REQUEST FOR PROPOSALS

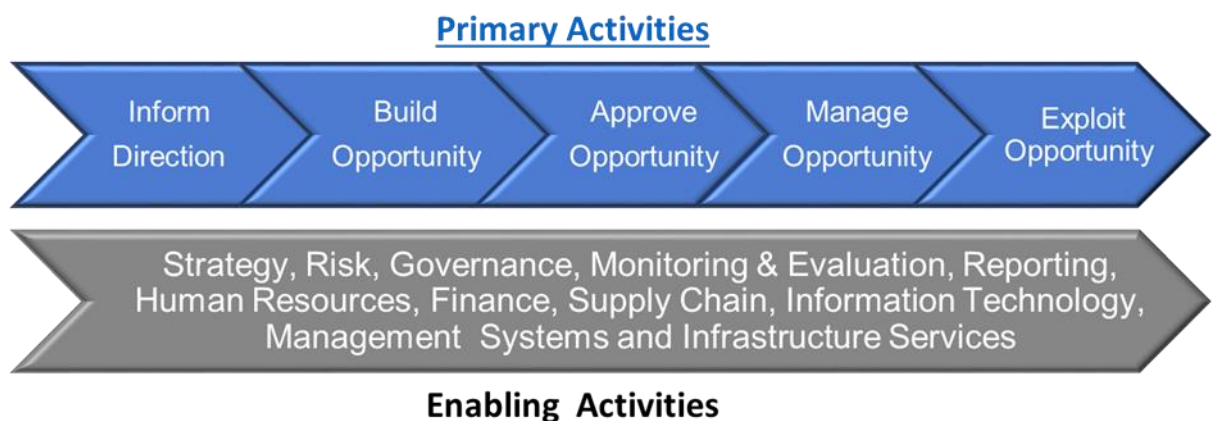
**FOR APPOINTMENT OF A SERVICE PROVIDER TO UNDERTAKE THE LANDSCAPE
ANALYSIS AND DEVELOP A BIOENTREPRENEURSHIP PROGRAMME FOR
IMPLEMENTATION BY THE TECHNOLOGY INNOVATION AGENCY**

Issue Date: 03 October 2024

Response Deadline: 17 October 2024

1. INTRODUCTION

- 1.1 The National System of Innovation in South Africa is still very young and fragmented and the flow of technology and information amongst people, enterprises and institutions is limited. The inability of academic research to reach the market as products and services is limiting economic development especially about technology innovation.
- 1.2 Technology Innovation Agency (TIA, organisation) an entity of the Department of Science and Innovation (DSI) was established in terms of the TIA Act (Act No. 26 of 2008), with the objective to stimulate and intensify technological innovation in order to improve economic growth and the quality of life of all South Africans by developing and exploiting technological innovations, as the value chain depicted below.



2. PURPOSE

TIA would like to request for a suitably qualified and experienced consultant or an institution which will demonstrate the ability to engage the relevant stakeholders to solicit inputs and undertake a landscape analysis to develop a national Bio-entrepreneurship programme that will be hosted and managed by the Technology Innovation Agency (TIA).

3. **BACKGROUND**

The present use of the term bio-entrepreneurship refers to the use of any idea from biology that can be utilised to serve humanity and acquire profit by establishing a business. Furthermore, and as referenced from literature, bio- ntrepreneurship involves building an enterprise that can develop and commercialise the products of biotechnology.

In the past financial years, TIA has previously hosted a number of programmes to support entrepreneurs in the life sciences or technology and innovation space. In addition, TIA has also conducted a study to review the performance of some of these programmes. One of the observations that was made in the report is the general need to support technology-based business enterprises in managing a new company and that the funding support after such programmes are crucial to the success of these technology-related start-ups.

It is as a result of this outcome and additional recommendations that were highlighted in the previous study including the support that TIA is rendering to bio-based enterprises in line with government's policies on the Bioeconomy Strategy, STI-Decadal Plan-2022-2032 etc, that TIA seeks the expertise of a Service Provider to develop a bio-entrepreneurship programme. The Service Provider will undertake a landscape analysis of the activities related to the bio-entrepreneurship support in South Africa, engage the relevant stakeholders to solicit their inputs and based on the outcome of the analysis, develop a national bio-entrepreneurship programme for implementation by the Technology Innovation Agency.

4. SCOPE OF WORK

In relation to the detailed proposal, the Service Provider will be expected to deliver on the following objectives:

- a) Undertake a national landscape analysis to understand the current role players providing bio-entrepreneurship support such as Universities, Incubators, Accelerators and various providers of mentorship programmes such as Venture Studios.
- b) Engage with providers and recipients of bio-entrepreneurship support to understand the strengths and limitations of existing offerings and to determine if existing programmes are effective.
- c) Based on inputs from stakeholders assess if there is a need for a new and/or improved bio-entrepreneurship programme including the opportunities for collaborations between providers of existing programmes.
- d) Solicit inputs from stakeholders on the design of the bio-entrepreneurship programme to be established. Considerations are:
 - i. protection of ideas, understanding of intellectual property rights (IPR), knowledge of the legal implications associated with IPR;
 - ii. consumer analysis, validation of marketing assumptions and identifying important market segments;
 - iii. recognising regulatory and reimbursement environment in local and international markets;
 - iv. understanding regulatory approval for their product or service;
 - v. knowledge about stages of new product development;
 - vi. understanding management of R&D portfolio, innovation and business plan development writing;
 - vii. learning about the manufacturing of products;
 - viii. developing and interpreting capitalisation tables, interpretation of basic finances and deal negotiation;
 - ix. accessibility of bio-innovations to developing countries (costing and developmental priorities);
 - x. hands-on wet lab management; and
 - xi. mentor, entrepreneur-in-residence and coach participation.

- e) How the bio-entrepreneurship programme should be implemented financed and how its outputs and impact should be measured.
- f) While the programme is meant to consider and address challenges experienced by entrepreneurs locally, an analysis of appropriate international offerings to assess how effective bio-entrepreneurship programmes are rendered elsewhere in the world (United States and Canada, Europe and Japan, Hong Kong, Australia, Singapore, Korea, China and India for example) should also be incorporated in the study. A mix of formal and short courses, as well as fellowships, would be considered and would include aspects of workforce development. Examples are:
 - i. <https://seed.nih.gov/entrepreneurial-training/bioecapstone>
 - ii. <https://www.innovation.uzh.ch/de/training-courses/bei-program.html>
 - iii. <https://www.cbs.dk/en/study/graduate/msc-in-business-administration-and-bioentrepreneurship>
 - iv. <https://kscste.kerala.gov.in/bioentrepreneurship-certification-programme/>
 - v. <https://case.edu/step/entrepreneurial-biotechnology>
 - vi. <https://www.ntu.edu.sg/sbs/admissions/programmes/graduate/research/curriculum-course/bs7016-bioentrepreneurship>.
- g) Draw up a proforma budget required to establish and implement this programme over five (5) years and beyond.

EXPECTED OUTPUT

The outputs expected of the Service Provider will include the following:

- a) Stakeholder consultation sessions (physical and/or online) with various players from the NSI such as HEIs, Science Council, Start-Ups, Venture Capital Companies, Accelerators, Incubators, Mentorship programmes etc. to establish the bio-entrepreneurship programme.
- b) Design a comprehensive bio-entrepreneurship programme based on consensus from stakeholders and informed by credible trends from international experience this will inform the design, curriculum and the operational and delivery model of the programme as well as the metrics of measuring its outputs and impact.

- c) Following the various consultations and benchmarking exercise, draw up a financial plan and/or budget (5-year projections) related to the establishment and the implementation of the programme.

5. PROPRIETARY INFORMATION

TIA considers this Request for Proposal (RFP) and all related information, either written or verbal, which is provided to the Bidder, to be proprietary to TIA. It shall be kept confidential by the Bidder and its officers, employees, agents and representatives.

The Bidder shall not disclose, publish, or advertise this specification or related information in part or to any third party without the prior written consent of TIA. This applies regardless of whether the recipient of this RFP responds with a proposal or not.

6. ENQUIRIES & RESPONSES

Mapule.msiza@tia.org.za

7. MEDIUM OF COMMUNICATION

All documentation submitted in response to this RFP must be in English.

8. VERIFICATION OF DOCUMENTS BY THE SERVICE PROVIDERS

Respondents should check the numbers of the pages to satisfy themselves that none is missing or duplicated. No liability will be accepted by TIA regarding anything arising from the fact that pages are missing or duplicated.

9. SUBMISSIONS OF RFQs

- 9.1 The proposal should be submitted to: mapule.msiza@tia.org.za
- 9.2 It is the responsibility of the prospective supplier to ensure that the proposal is submitted by 17 October 2024 @ 14:00pm

10. GENERAL TERMS AND CONDITIONS

- 10.1 The Respondent is responsible for all costs incurred in the preparation and submission of the proposal
- 10.2 Kindly note that TIA is entitled to:
 - 10.2.1 Amend any RFQ conditions, validity period, specifications, or extend the closing date and/or time of RFQs before the closing date. All Respondents, to whom the RFQ documents have been issued, will be advised in writing of such amendments in good time;
 - 10.2.2 Verify any information contained in a proposal;
 - 10.2.3 Not to appoint any bidder;
 - 10.2.4 Vary, alter, and/or amend the terms of this RFQ, at any time prior to the finalisation of its adjudication hereof;
 - 10.2.5 An omission to disclose material information, a factual inaccuracy, and/or a misrepresentation of fact may result in the disqualification of a proposal, or cancellation of any subsequent contract.
 - 10.2.6 TIA reserves the right not to accept the lowest proposal or any proposal in part or in whole. TIA normally awards the contract to the Bidder who proves to be fully capable of handling the contract and whose Proposal is technically acceptable and/or financially advantageous to TIA. Appointment as a successful contractor shall be subject to the parties agreeing to mutually acceptable contractual terms and conditions. In the event of the parties failing to reach such agreement within 30 days from the appointment date, TIA shall be entitled to appoint the contractor who was rated second, and so on.
 - 10.2.7 TIA also reserves the right to award this RFQ as a whole or in part without furnishing reasons.
 - 10.2.8 TIA also reserves the right to cancel or withdraw from this RFQ as a whole or in part without furnishing reasons and without attracting any liability.
 - 10.2.9 The Bidder hereby offers to render all of the services described in the attached documents (if any) to TIA on the terms and conditions and in accordance with the specifications stipulated in this RFQ documents (and which shall be taken as part of, and incorporated into, this proposal at the prices inserted therein).

- 10.2.10 This proposal and its acceptance shall be subject to the terms and conditions contained in this RFQ document.
- 10.2.11 The Respondent shall prepare for a possible presentation should TIA require such and the Respondent shall be notified thereof no later than 4 (four) days before the actual presentation date.
- 10.2.12 Validity period: 90 days
- 10.2.13 Failure to comply with any of the terms and conditions as set out above will invalidate the Proposal.
- 10.2.14 TIA's decision on proposals received shall be final and binding

11. MANDATORY REQUIREMENTS

Bidders will be disqualified if they don't meet the following requirements:

- Bidders who do not submit any reference letters
- Bidders who are not registered on the Central Supplier Database
- Bidders who are not Tax compliant by the time TIA appoints.

12. EVALUATION CRITERIA

In addition to the requirements as stated, all proposals will be evaluated based on evaluation criteria below, and the 80/20 preferential point system. To assess which proposals will best suit the corporate operational requirements of TIA, proposals will be assessed as follows:

No	Evaluation criteria	Scoring guide	Weighting	Max score
1	Team capability (relates to the experience and expertise of the core team). Resumes or the CVs submitted need to be clear regarding	5 = Resumes / CVs indicate 10 years or more of the biotechnology-related commercialisation experience. 4 = Resumes / CVs indicate 6-10 years of	0.2	5

No	Evaluation criteria	Scoring guide	Weighting	Max score
	quantifiable years of experience working on biotechnology-related commercialisation.	biotechnology-related commercialisation. experience 3 = Resumes / CVs indicate 3-6 years of biotechnology-related commercialisation. experience 2 = Resumes / CVs indicate 1-3 years of biotechnology-related commercialisation. t experience 0 = Experience not specified or unclear		
2	Client references letters of consultants or bidders who have undertaken work or study related to biotechnology related commercialisation or any type of work or study related to commercialisation, innovation and technology development (track record of the bidder over the last five years through the provision of reference letters indicating positive feedback) <u>Note: Bidders who do not submit any reference letters will be disqualified</u>	Score: 5 = 5 reference letters with positive feedback 4 = 4 reference letters with positive feedback 3 = 3 reference letters with positive feedback 2 = 2 reference letters with positive feedback 1 = 1 reference letter with positive feedback 0 = no reference letters provided	0. 2	5

No	Evaluation criteria	Scoring guide	Weighting	Max score
3	Quality of proposal: (a) a sufficiently detailed and high-quality activity-based plan aligned with activities and deliverables (b) full understanding of the work required (c) an appropriate approach, design and methodology proposed for the work (d) meets all specific requirements of the proposal and (e) a professionally laid up, well-written (minimal typos and grammatical errors and logically structured proposal)	5 = A proposal that meet all five proposal quality requirements 4 = A proposal that meets four of the five proposal quality requirements 3 = A proposal that meets three of the five proposal quality requirements 2 = A proposal that meets two of the five proposal quality requirements 1 = A proposal that meets one of the five proposal quality requirements 0 = A proposal that does not meet any of the five proposal quality requirements	0.2	5
4	Understanding of the bioentrepreneurship and its role in supporting bio-innovation and commercialisation in South Africa.	5 = Can describe bioentrepreneurship and its role in supporting the growth of the bio-innovation in South Africa 4 = can describe the main dynamics, strengths and weaknesses of bio-entrepreneurship support the South African NSI. 3 = able to describe the main organisations,	0.2	5

No	Evaluation criteria	Scoring guide	Weighting	Max score
		institutions, policies and processes of the South African NSI and how they support or hinder bio-entrepreneurship support 2 = is able to list the main organisations, institutions, policies and processes in the South African NSI that affect the bio-entrepreneurship support 1 = Describes only a narrow set of features of the South African NSI that have an impact on bio-entrepreneurship support 0 = No information provided or irrelevant / incorrect understanding		
5	Quality and relevance of submitted examples of the evaluation reports, relevant of the scope of work required (demonstrated high-quality experience in at least five related evaluations undertaken in the last 5 years) <u>Note: Bidders who do not submit any sample evaluation reports will be disqualified.</u> Examples of the previous evaluation studies/reports	5 = High-quality reports which are highly relevant to the scope of work 4 = Above-average quality reports which are predominantly relevant to the scope of work 3 = Adequate quality reports which are partially relevant to the scope of work 2 = Below average quality reports which are marginally relevant to the scope of work 1 = Poor quality reports which are mostly irrelevant to the scope of work 0 = No reports provided	0.2	5

No	Evaluation criteria	Scoring guide	Weighting	Max score
	should ideally be in the public domain and permission should have been granted by the previous clients to make such reports available to TIA only for the purpose of assessing the proposal/s that they have submitted to TIA			
	Total weighted score		100%	
	Minimum qualifying score (expressed as percentage)		70%	

13. SECOND STAGE: EVALUATION IN TERMS OF (80/20) PREFERENCE POINTS SYSTEM AS PER PPR 2022 (SPECIFIC GOALS)

Specific Goal	Points	Proof
At least 51% Black ownership	10	Share register / CSD report
Less than 51% Black ownership	0	
At least 51% Black women ownership	5	Share register / CSD report
Less than 51% Black women ownership	0	
At least one of the team members is youth	5	Copy of the ID of the youth team member
No team member is youth	0	

Total points for specific goals	20	
Price	80	Quotation
Total	100	

SBD4

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 interest¹ in the enterprise, employed by the state? YES/NO

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

Full Name	Identity Number	Name of State institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.2 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 consortium² will not be construed as collusive bidding.

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

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

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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.
5.2.1.6_TEM_TermsOfReference_V2.0_20220818 Page 16 of 26



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

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
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) “tender” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20 or 90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

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:

80/20 or 90/10

$$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) \quad \text{or} \quad P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
At least 51% Black ownership		10		

Less than 51% Black ownership		0		
At least 51% Black women ownership		5		
Less than 51% Black women ownership		0		
At least one of the team members is youth		5		
No team member is youth		0		

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:
.....

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole 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.

	
	SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME:	
DATE:	
ADDRESS:	
	
	

