REQUEST FOR BID
PROFESSIONAL SERVICES

BID NUMBER:	**BS/2021/RFB460**
Advert Date:	**Tuesday 23 November 2021**
Closing Date:	**Friday 14 January 2022**
Closing Time:	**11:00 hours**
DESCRIPTION:	**APPOINTMENT OF SERVICE PROVIDERS, INCLUDING INSTITUTIONS OF HIGHER LEARNING TO IMPLEMENT THE BANKSETA'S RESEARCH AGENDA**

NON COMPULSORY, VIRTUAL/ONLINE BRIEFING SESSION:	**30 November 2021** **11:00 hours**	Microsoft Teams Virtual link to be emailed to interested service providers

Respondent details
(Use this as a cover page for response document and envelope)

Company Name:	
Completed by:	
Company Postal address	
Email:	

<table>
<tr><td>Telephone:</td><td colspan="4"></td></tr>
<tr><td>Mobile number:</td><td colspan="4"></td></tr>
<tr><td>Date:</td><td colspan="4"></td></tr>
<tr><td>Research Category bidding for
A, B, C, D, E, F and G</td><td colspan="4"></td></tr>
<tr><td>Original copy of documents or copy – Mark with X</td><td>ORIGINAL</td><td></td><td>COPY</td><td></td></tr>
<tr><td colspan="5">Evaluation Process: : Applications will be evaluated based on the Mandatory and Functionality criteria, therefore each research proposal category should adhere and follow the criteria that they will be evaluated on</td></tr>
</table>

1. BANKSETA BACKGROUND

The Banking Sector Education and Training Authority (BANKSETA) is the SETA for banking and alternative industry. It is, a statutory body established through the Skills Development Act of 1998 as amended by the Skills Development Act, 26 of 2011 to enable its stakeholders to advance the national and global position of the banking and alternative banking sector. As guided by its mandate, the BANKSETA is as such an agent of transformation and seeks to promote employment equity and broad-based BEE through skills development.

For further details on the BANKSETA, visit www.bankseta.org.za

2. BACKGROUND OF THE PROJECT

BANKSETA would like to appoint experienced service providers including Institutions of Higher Learning to implement the BANKSETA’S research agenda from early 2022 up to early 2025. The appointed Research Partners will be responsible for conducting cutting-edge research on the following research topics listed below:

BANKSETA PROPOSED RESEARCH TOPICS FOR 2022-2025

Category A: **Management Development Models and Emerging Occupations**

Research Topic	Purpose	Leading Research Questions	Duration
Emerging and new occupations in the banking and alternative banking sectors	To determine the extent of the demand and the training needs.	What are the emerging occupations in the sector and how do they impact our skills supply pipeline? Who should supply these skills?	early 2022 to early 2024
New Management Development models for the banking and alternative banking sector	To identify skills that would equip the managers and executives of the banking and alternative banking sector with skills that fit the current demands.	What challenges are faced by leadership in today's banking sector? What leadership and managerial skills are needed in a continuously changing banking sector? What are the leadership strategies for the sustainability of the sector? What is the role of coaching, mentoring, leadership, and other HC-related skills, in developing the required competencies within Fintechs?	early 2022 to early 2024
Skills implications for the banking sector and skills development	To establish how banks could lend its local transaction data analytics and insights to help city planners plan and run services.	How could banks lend its local transaction data analytics and insights to help city planners plan and run services?	Early 2022 to early 2024

Category B: Regulatory analysis of the banking and microfinance sector

Research Topic	Purpose	Leading Research Questions	Duration
Regulatory analysis of the banking and microfinance and skills implications What are the skills need for Cooperatives and Regulation of Micro-finance	To determine the extent of regulation and its implications in the banking and micro-finance sector.	To what extent does regulation and its implications affect the banking and micro-finance sector? What are the skills needs for Cooperatives and the Regulation of Micro-finance?	early 2022 to early 2024

Category C: The Future of Work and Skills implications for banking sector

Research Topic	Purpose	Leading Research Questions	Duration
The future of work and new models for youth skills development in the banking sector	To determine the impact of robots, automation, and artificial intelligence as they perform more tasks and create massive disruption of jobs. To what extent will the wider array of education and skills-building programs will be created to meet new demands?	To what extent will the wider array of education and skills-building programs will be created to meet new demands? How best could we prepare our youth for all these changes? How can professional coaching be utilized to nurture and develop youth and new leadership talent for the future world of work?	early 2022 to - early 2024

Category D: **Investigating the value of a professional designation within banking**

Research Topic	Purpose	Leading Research Questions	Duration
Investigating the value of professional designations within the banking sector.	To investigate the value of a professional designation within banking	What is the value of a professional designation within the banking sector? Would a certificated Board Exam/Panel Interview assess our members elevate the status of our designations? What can be done to professionalise the banking sector?	early 2022 to early 2024

Category E: **Implications of COVID 19 to the banking and alternative banking sector**

Research Topic	Purpose	Leading Research Questions	Duration
The implications of drastic changes brought by COVID 19 to the workplace and skills development.	To analyse the implications of COVID 19 to the banking and alternative banking sector and skills development	What are implications of drastic changes brought by COVID 19 to the workplace and skills development?	early 2022 to early 2024

Category F: **Developing new qualifications in a fast-changing banking environment**

Research Topic	Purpose	Leading Research Questions	Duration
Meeting the demand of new skills through qualifications within the banking sector.	To explore how new qualifications in the banking sector can be made available within a short timeframe and the recognition of informal learning	How do we meet the demand of new skills through qualifications within the banking sector? Qualifications that fit the fast-changing banking sector? What training is required by the banking sector to create and support future fit employees? What ways and means of recognising informal learning effectively and easily through RPL? What best practices are out in the market to make the baking sector career related information available to the public?	early 2022 to early 2024

Category G: **Constraints in the SETA funding model and possible mitigating strategies**

Research Topic	Purpose	Leading Research Questions	Duration
Constraints in the SETA funding model and possible mitigating strategies.	To establish to what extent are the current funding opportunities constrained by current legislative frameworks and requirements.	To what extent are the current funding opportunities constrained by current legislative frameworks and requirements? What solutions can be considered to assist organisations during these tough economic conditions to achieve this via SETA discretionary grant funding? What can higher education institutions do to assist with this process quicker and not once the need is no longer present?	early 2022 to early 2025

3. OBJECTIVES.

The main objectives of the cutting-edge research are as follows:

3.1 To support the National Skills Development Plan (NSDP) goal of "creating a credible mechanism for skills planning.

3.2 To support the Department of Higher Education and Training (DHET) Post School Education and Training (PSET) Research Agenda and the Department of Higher Education and Training (DHET) Skills Planning Strategy.

3.3 To support the skills planning process for the banking and alternative banking sectors and.

3.4 To strengthen the strategy and efficiency of the BANKSETA.

4. SPECIFIC RESEARCH TOPICS AND QUESTIONS

4.1 There are seven categories of research topics. Its categories A, B, C, D, E, F and G

4.2 Each research topic will be guided by specific research questions that the Research Partners will have to generate to demonstrate their level of understanding of the research topics.

4.3 Service providers may bid for more than 1 category as per the research categories mentioned above.

4.4 Service providers should explicitly state research categories they are applying for.

4.5 All research proposals should focus and be specific to skills development in the banking and alternative/microfinance sector.

5. SCOPE OF WORK

5.1 The Research Partners will be required to conduct empirical research on a chosen research topic by using different research data collections tools and techniques. Activities will include:

- Detailed and clear research design and methodology of each chosen research topic.

The research methodology should include the following:

5.1.1.1 Application of research ethical principles throughout the study period;

5.1.1.2 Conduct research within a clearly defined study population;

5.1.1.3 Collecting research data using various research data collection methods;

5.1.1.4 Analysing data using various methods of data analysis;

5.1.1.5 Compilation a comprehensive Research Report on the chosen research topic;

5.1.1.6 Present research findings to the BANKSETA;

5.1.1.7 Report to the BANKSETA Head of Research at times prescribed to do so.

6. METHODOLOGY AND APPROACH

Both quantitative and qualitative research methodologies will apply to the research studies and each Research Partner should articulate a clear research methodology for the chosen research topic.

7. EXPECTED DELIVERABLES

A detailed research report on each of the research topics that will be structured as follows:

7.1 A full comprehensive research report

7.2 A separate executive summary report

7.3 Precise findings, conclusions, recommendations report

7.4 A PowerPoint presentation of the whole research report

7.5 A PowerPoint presentation on findings, conclusions and recommendations report

8. COMPETENCY AND EXPERTISE REQUIREMENTS

8.1 The Research Partner must have experience in conducting research within the financial, banking and regulatory sectors.

8.2 The Research Partner must provide a Project Team consisting of composition of the Research team (Study Director, Project Manager and 1 Research Team Member)

8.3 The Research Partner must provide a Research Project Plan

8.4 The Research Partner must provide a track record (Reference Letters)

9. TIMELINES OF THE PROJECT

The research should be initiated on the signing of the contract and be completed and delivered to the BANKSETA under agreed timelines but no later than 31 March 2025.

10. BANKSETA SPECIFIC REQUIREMENTS RELATING TO THE SCOPE OF THE PROJECT

The appointed provider must adhere to the following requirements:

10.1 Ability to meet BANKSETA deadlines. The service provider must adhere to the BANKSETA project timeline.

10.2 The service provider must be able to attend meetings at the BANKSETA when required.

12. DURATION OF THE CONTRACT

12.1 The contract will be valid from contract signing date by both parties to early 2025.

12.2 The last two months of 2025 will be for project closeout processes.

12.3 BANKSETA reserves the right to terminate or continue with the contract based on the yearly assessment of available and approved funds for all multiyear contracts.

13. PRICING STRUCTURE/GUIDELINES

13.1 Research Partners will be awarded up to a maximum of 3 categories.

13.2 The quoted prices will remain fixed for the duration of the contract.

13.3 The BANKSETA will not entertain pricing adjustments after the signing of the contract, and it is therefore important that all pricing elements are disclosed.

13.4 The pricing sheet all pricing should show VAT separately.

13.5 The Bidders are therefore required to indicate a total bidding price over a contract period.

13.6 Sufficient detail should be included to enable the BANKSETA to fully understand the make-up of the overall pricing.

13.7 All pricing assumptions excluded costs and estimated costs must be documented. The BANKSETA assumes that the pricing document as supplied is complete and covers all costs associated with this project.

14. SUBMISSION REQUIREMENTS

14.1 All submissions must be delivered in individual envelopes.

14.2 Respondents should take particular care to ensure that there are no discrepancies between all submissions presented to the BANKSETA.

14.3 The BANKSETA reserves the right to reject any submissions if there are discrepancies identified in the submissions thereto.

14.4 All bids must be submitted in a sealed envelope clearly state the bid description / title and reference number the bid.

14.4.1 The document must be submitted as follows:

One hardcopy must be the original submission, clearly marked "Original" and one (1) copied version of the original and a soft copy.

A. Envelope 1 – Original

B. Envelope 2 – Hard Copy of the original document and 1 Soft copy in a memory stick.

C. Envelope 3 – **Pricing include SBD1** – (invitation to bid)

- ✓ Each envelope must be marked with the following information;
- ✓ Description of the Submission: **APPOINTMENT OF SERVICE PROVIDERS INCLUDING INSTITUTIONS OF HIGHER LEARNING TO IMPLEMENT THE BANKSETA'S RESEARCH AGENDA.**
- ✓ Submission Bid Number: **BS/2021/RFB460**

14.5 Submissions that are faxed, sent via telex, and/ or electronic mail delivery will not be accepted.

14.6 All submissions received by BANKSETA will become the property of the BANKSETA and will not be returned to the respondent.

14.7 The submissions must be inserted into the SUBMISSION BOX available at the Reception Area of BANKSETA Offices at the following address: -

Building C2,Eco Origin Office Park, 349 Witch-Hazel Avenue, Eco Park, Centurion

14.8 NB: Service provider is required to sign a register on their submission.

14.9 Unsuccessful bidders will be informed in writing when the process is concluded.

14.10 A tender will be considered late if received after the specified date and time. Service providers are therefore strongly advised to ensure that Tenders be despatched allowing enough time for any unforeseen events that delay the delivery of the Tender.

15. ENQUIRIES/COMMUNICATION

Contact person for enquiries regarding the tender document:
Ms Yolanda Mutheiwana
Title: Specialist: Supply Chain Management Unit
Email: yolandam@bankseta.org.za

All clarifications or enquiries must be made in writing and received by the BANKSETA at least a week before closing date of the Tender. Telephonic requests for clarification will not be accepted.

Kindly email Ms. Yolanda Mutheiwana on
Email: yolandam@bankseta.org.za
To be sent link for the non-compulsory virtual briefing.

RFB TIMELINES

Activity	Time	Date
Non-compulsory, virtual Briefing	11:00	30 November 2021
Final questions and answers emailed to BANKSETA. Responses will be published on the website under the tender,	c.o.b	07 January 2022
Closing date	11h00	14 January 2022
Tender evaluation, Bidder Verification and Due Diligence	c.o.b	24 January – 04 February 2022
Clarification presentations by Service Providers if required/ Due Diligence	c.o.b	16 February 2022

Provisional Contract Award	c.o.b	04 March 2022
Contract Signatures	c.o.b	14 March 2022

16. TENDER EVALUATION/ADJUDICATION

Bids will be evaluated in three phases:

16.1 Compliance/eligibility evaluation. Bids that do not pass the compliance/eligibility evaluation will be disqualified from participating in the next evaluation stage.

16.2 Technical/Functionality evaluation. Bids that do not meet the minimum threshold indicated in clause 19 will not participate in the final phase of evaluation

16.3 Price and BBBEE Evaluation. Bidder will be appointed based on the highest score.

17. COMPLIANCE/ELIGIBILITY

Respondents who do not meet the requirements below **will be** immediately disqualified.

NB: (For Joint Venture (JV) submissions each partner to the JV must submit all documents listed below).

N.B All relevant forms/documents as prescribed by the PFMA Regulation: Framework for Supply Chain Management accompanying this document must be completed in full and signed where applicable by a duly authorized official of the primary contractor / bidder.

Item	**Description**
1.	Submission of proposal (response document) and pricing schedule – Annexure A
2.	Submission of the following fully completed and signed returnable documents: - SBD 1 Invitation to submission

	- SBD 4 Declaration of interest - SBD 6.1 preference point claim form - SBD 8 Declaration of respondents' past supply chain management - SBD 9 Certificate of independent bid determination
3.	Special Conditions that the bidder needs to accept by signing the last page.
4.	Submission of the service provider's Central Supplier Database report

18. COMPLIANCE STATUS

18.1 The bidders should be registered on the Central Supplier Database (CSD) operated by the National Treasury and available on the National Treasury website.

18.2 The BANKSETA before making an award shall check on the central supplier database (CSD) whether**;**

(a) the bidder or any of its directors are not listed / indicated as restricted from doing business with the public sector, and/or are person(s) prohibited,

(b) its directors are not employees of the state and have no conflict of interest in the BANKSETA,

(c) the bidder's tax status is compliant.

The BANKSETA will not award any bids to service providers who do not comply with the above.

19. TECHNICAL/ FUNCTIONALITY EVALUATION

The evaluation of the functionality of the Request for bid will be evaluated as per the criteria contained in the table below;

NB: Applications will be evaluated based on the below criteria, therefore each research proposal category should adhere to the following criteria that they will be evaluated based on:

CRITERIA	Weight/ Percentage
1. The Research Partner must have experience in conducting research within the financial, banking and regulatory sectors.	**25**
The bidder must provide samples of research studies conducted in financial, banking and regulatory sectors with special emphasise to the chosen research categories/topics. The research samples should show the following research pillars listed below: **Theoretical understanding of the chosen research categories/topics** **Research design and methodology** o Population for the study o Data collection methods (qualitative and quantitative) o Data analysis and presentation of finding methods o Report writing o Ethical principles to be considered On evaluation, the BANKSETA will award points as follows: • 1 sample evidence of research on financial, banking and regulatory sectors studied = 1 point • 2 samples evidence of research financial, banking and regulatory sectors studied = 2 points • 3 samples evidence of research financial, banking and regulatory sectors studied = 3 points • 4 samples evidence of research financial, banking and regulatory sectors studied =4 points • 5 or more samples evidence of research financial, banking and regulatory sectors studied = 5 points	
2. Experience and qualification of Project Team	**25**
The bidder must provide CVs and certification/qualifications of the full composition research team, demonstrating resources and capacity in undertaking the above-mentioned research topics The team should have the minimum qualifications and minimum	

composition of: - One Study Director / Team Leader with a PhD Qualification in any of the following fields: - One Project Manager with a minimum of a Masters Degree - One Research Team member with an undergraduate Qualification The qualifications above (PhD, or Masters or undergraduate) should be in any one or more of the following fields: -Accounting, -Finance /Financial management -Banking -Education -Commerce - Business, - -Economics - Law - Research - Project management - Risk management On evaluation, the BANKSETA will award points as follows: • Full composition of the Research team as per the minimum composition (Study Director/Team Leader, Project Manager and Research Team Members) with cvs submitted= 1 point • Relevant research team qualifications submitted (PhD, Masters and/or an undergraduate qualification) = 1 point • 3 years and above research experience of the Study Director reflecting on CV in addition to the minimum qualification= 3 points	
3. Research Project Plan	**25**
The bidder must submit a Research Project Plan that includes the	

following elements that should be relevant to the subject: • Background to the study • Literature review • Research design and methodology • Presentation of findings and report writing • Detailed costed project plan On evaluation, the BANKSETA will award points as follows: • Relevant Background to the study submitted = 1 point • Literature review (relevant to the study) submitted = 1 point • Research design and methodology submitted(relevant to the study) = 1 point • Presentation of findings and report writing submitted =1 point • Detailed costed project plan submitted =1 point	
4. Track record of bidder (Reference Letters)	**25**
The bidder should submit formal reference letters from clients were it has previously delivered relevant research assignments conducted in financial, banking and regulatory sectors. The reference letters should - Be on the client's letterhead, - Be signed and dated - Indicate the research work done, - Indicate the year the work was done, (please note that the work should have been done not later than five (5) years from the tender closing date) - Show the client contact details including contact name and telephone or email address. On evaluation, the BANKSETA will award points as follows:	

• 1 Reference Letter = 1 point • 2 Reference Letters = 2 points • 3 Reference letters = 3 points • 4 Reference letters = 4 points • 5 and more References letters = 5 points	
Total available	100
Minimum threshold to qualify	70

The minimum threshold for technical / functional evaluation is 70% or a weighting of 70.s. Any bidder scoring less than 70% or a weighting of 70 will be disqualified from further evaluation.

20. THE FUNCTIONALITY WILL BE EVALUATED USING THE FOLLOWING FORMULA:

Pf = (So/Ms) x Ap

Where:

Pf – is the percentage scored for functionality for that criterion by Request for Proposal under consideration.

So – is the total score evaluated for the criterion of the Request for Proposal in question.

Ap – is the percentage allocated for functionality for that criterion.

Ms – is the maximum score possible = 5.

20.1 Each technical /functional evaluation criteria shows how it will be evaluated out of a maximum of 5 points. i.e Ms =5 points

20.2 The score evaluated per criteria is divided by 5 and then multiplied by the weight of the criteria to arrive at the percentage for that criterion.

20.3 The percentages for all criteria are added together to reach the final percentage.

20.4 Any proposals not meeting a minimum threshold of 70% or weighting of 70 on functionality will not take part in the final price/preference evaluation.

21. PRICING WILL BE EVALUATED USING THE FOLLOWING FORMULA:

80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

Ps = Points scored for the price of a bid under consideration.

Pt = Price of a bid under consideration.

Pmin = Price of the lowest acceptable bid.

22. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	**20**
2	**18**
3	**14**
4	**12**
5	**8**
6	**6**
7	**4**
8	**2**
Non-compliant contributor	**0**

The points scored by a bidder in respect of the B-BBEE contribution will be added to the points scored for the price to arrive at the overall score.

Points will be rounded off to the nearest 2 decimals.

In the event that two or more tenders have scored equal total points, the contract will be awarded to the bidder scoring the highest number of points for the specified goals or B-BBEE contribution.

23. TENDER CONDITIONS

23.1 BANKSETA reserves the right to withdraw or amend terms of reference by notice in writing by advertising in the media in which the tender was originally advertised before the closing date.

23.2 BANKSETA reserves the right not to award this tender.

23.3 The cost of preparing the applications will not be reimbursed.

23.4 The BANKSETA reserves the right to conduct due diligence (including site visits, capacity, assessment and financial capability assessment) on shortlisted tenderers before contracting.

23.5 BANKSETA reserves the right to verify the information submitted and request for further information during the evaluation of the proposal.

23.6 BANKSETA shall not be liable for any direct, indirect, consequential or other losses or damages including loss of profit that may be incurred by any person including, but not limited to, an Applicant, Short Listed Applicant or Successful Applicant, or any director, officer or associated company thereof, as a result of any reliance on or use of the information supplied in response to this tender or as a result of the tender process contemplated in this tender document.

23.7 BANKSETA makes no representations, undertakings or warranties whatsoever to any person in respect of the tender or any information contained in the tender.

23.8 This tender is confidential and proprietary to BANKSETA and may not be used, reused, copied or distributed for any purpose, other than concerning the tender process, without BANKSETA's prior written consent.

24. REVIEW PROCESS

24.1 To evaluate and adjudicate proposals effectively, applicants must submit responsive applications. To ensure an application will be regarded as responsive it is imperative to comply with all conditions pertaining to the application and to complete all the mandatory fields and questionnaires.

24.2 All applications duly lodged as per the submission requirements will be evaluated in accordance with the stipulated evaluation criteria.

24.3 All proposals will go through the Bid Evaluation Committee (BEC) for evaluation on functionality

24.4 The proposals from BEC will be tabled before the Bid Adjudication Committee (BAC).

24.5 The validity period of proposals is 150 days after closing.

25. REASONS FOR REJECTION

25.1 Applicants shall not contact BANKSETA on any matter pertaining to the application from the time the application is closed to the time the application has been adjudicated. The results of the Tender will be published by the BANKSETA on portal any other platform which was advertised. Any effort by an applicant to influence the evaluation, application comparisons or application award decisions in any matter, may result in rejection of the applicant concerned.

25.2 BANKSETA shall reject a submission if the applicant has committed a proven corrupt of fraudulent act in competing for a particular contract.

26 JOINT VENTURE

26.1 In the case of a Joint Venture, the following will be Applicable:

26.2 Each JV Member must have a valid Tax Clearance Certificate issued by SARS;

26.3. Submission of a signed Joint Venture Agreement by the JV Partners and attached to this tender document; and

26.4 Submission of a Joint Venture BBBEE Rating Certificate.

27 POPIA

The Protection of Personal Information Act, ("POPIA") includes the right to protection against unlawful collection, retention, dissemination and use of personal information. BANKSETA complies with POPIA in collecting, processing and distributing of Personal Information, which include cooperation with the Regulator as provided for in the act".

SBD1

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (*BANK SETA*)					
BID NUMBER:	**BS/2021/RFB460**	CLOSING DATE:	14 January 2022	CLOSING TIME:	11h00 am
DESCRIPTION	**APPOINTMENT OF SERVICE PROVIDERS INCLUDING INSTITUTIONS OF HIGHER LEARNING TO IMPLEMENT THE BANKSETA'S RESEARCH AGENDA**				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)*					
Reception Area of BANKSETA Offices at the following address: -Eco Origin Office Park, Block C2, 349 Witch-hazel Avenue, Eco Park Estate, Highveld, Centurion,0144					

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**	
CONTACT PERSON	Yolanda Mutheiwana	CONTACT PERSON	Yolanda Mutheiwana
TELEPHONE NUMBER	011 805 9661	TELEPHONE NUMBER	011 805 9661
FACSIMILE NUMBER	n/a	FACSIMILE NUMBER	n/a
E-MAIL ADDRESS	Yolandam@bankseta.org.za	E-MAIL ADDRESS	Yolandam@bankseta.org.za

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		**OR**	CENTRAL SUPPLIER DATABASE	MAAA

				No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] ☐ Yes ☐ No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐Yes ☐No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES /WORKS OFFERED?**	☐Yes ☐No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO **IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.**					

PART B

TERMS AND CONDITIONS FOR BIDDING

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: …………………………………………...

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state[1], 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, shareholder[2]): ……………………………………..

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 **YES / NO** work outside employment in the public sector?

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:
……………………………………………………………………..
……………………………………………………………………..
……………………………………………………………………...

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

2.9.1If so, furnish particulars.
……………………………………………………………...
…………………………………………………………..….
…………………………………………………………………

2.10 Are you, or any person connected with the bidder, **YES/NO** aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

2.10.1 If so, furnish particulars**.**

……………………………………………………………
……………………………………………………………
……………………………………………………………

2.11 Do you or any of the directors / trustees / shareholders / members **YES/NO**
of the company have any interest in any other related companies
whether or not they are bidding for this contract?

2.11.1 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**

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

May 2011

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the **80/20** system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or

b) Either the **80/20** preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.2 Points for this bid shall be awarded for:

(a) Price; and

(b) B-BBEE Status Level of Contributor.

1.3 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	**100**

1.4 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.5 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

(a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

(b) “**B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

(d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

(e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.

(g) **“prices”** includes all applicable taxes less all unconditional discounts;

(h) **“proof of B-BBEE status level of contributor”** means:

1) B-BBEE Status level certificate issued by an authorized body or person;

2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;

3) Any other requirement prescribed in terms of the B-BBEE Act;

(i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: . = ………(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-

BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(***Tick applicable box***)

YES		NO	

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted..%

ii) The name of the sub-contractor……………………………………………………….

iii) The B-BBEE status level of the sub-contractor......................................……………..

iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	**EME √**	**QSE √**
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:…………………………………………………………………….

8.2 VAT registration number:……………………………………….…………………………

8.3 Company registration number:…………….……………………….…………………….

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation

- ☐ Company
- ☐ (Pty) Limited

[Tick applicable box]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

………
……
……
………………………..

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[*Tick applicable box*]

8.7 Total number of years the company/firm has been in business:…………………………

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

(a) disqualify the person from the bidding 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 bidder or contractor, its

shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

WITNESSES 1. …………………………………….. 2. …………………………………….	……………………………………… SIGNATURE(S) OF BIDDERS(S) DATE: ………………………………….. ADDRESS ………………………………….. ………………………………….. …………………………………..

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 *audi alteram partem* 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 ☐	No ☐

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 ☐	No ☐
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 ☐	No ☐
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 ☐	No ☐
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

I,THEUNDERSIGNED(FULLNAME)……………………………………………

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 bids[1] 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 *pe 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.

SBD 9

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 consortium[3] 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.

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 Name of Bidder

Js914w 2

SPECIAL CONDITIONS THAT THE BIDDER NEEDS TO COMPLY WITH.

NB: Complete only the part which is applicable for this tender.

	SPECIAL CONDITIONS	**CONFIRMATION**		
		Yes	**No**	**If no, indicate deviation**
1	**GENERAL**			
1.1	Respondents must indicate compliance or noncompliance on a paragraph-by-paragraph basis. Indicate compliance with the relevant special conditions by marking the YES box and noncompliance by marking the NO box. The bidder must clearly state if a deviation from these special conditions are offered and the reason therefore. If an explanatory note is provided, the paragraph reference must be attached as an appendix to the bid submission. Responses not completed in this manner may be considered incomplete and rejected. Answering questions or supplying detail by referring to other sections will not be accepted. Should respondents fail to indicate agreement/compliance or otherwise, BANKSETA will assume that the respondents is **not** in compliance or agreement with the statement(s) as specified in this request for quotation.			
2	**THE SPECIAL CONDITIONS OF REQUEST FOR QUOTATION, REQUEST FOR BID AND CONTRACT**			
		Yes	**No**	**If no, indicate deviation**
2.1	Special Conditions of Request for Quotation, Request for Bid and Contract has been noted.			

3	**GENERAL CONDITIONS OF CONTRACT**			
		Yes	**No**	**If no, indicate deviation**
3.1	The General Conditions of Contract must be accepted by signing the last page of this document.			
4	**ADDITIONAL INFORMATION REQUIREMENTS**			
		Yes	**No**	**If no, indicate deviation**
4.1	During evaluation of the responses, additional information may be requested in writing from respondents. Replies to such request must be submitted, within 5 (five) working days or as otherwise indicated. Failure to comply, may lead to your response being disregarded.			
5	**VENDOR INFORMATION**	**Yes**	**No**	**If no, indicate deviation**
5.1	**Vendor are encouraged to register on the Central Supplier Database (CSD) as an award cannot be made to a vendor who is not registered and tax compliant on CSD.**			

6	**CONFIDENTIALITY**			
		Yes	**No**	**If no, indicate deviation**
6.1	The response and all information in connection therewith shall be held in strict confidence by respondents and usage of such information shall be limited to the preparation of the response. Respondents shall undertake to limit the number of			

	copies of this document.			
6.2	All respondents are bound by a confidentiality agreement preventing the unauthorised disclosure of any information regarding BANKSETA or of its activities to any other organisation or individual. The respondents may not disclose any information, documentation or products to other clients without written approval of the accounting authority or the delegate.			
7	**INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT (Only applicable to services requiring IP)**			
7.1	Copyright of all documentation relating to this contract belongs to the client. The successful bidder may not disclose any information, documentation or products to other clients without the written approval of the accounting authority or the delegate.			
7.2	All the intellectual property rights arising from the execution of this contract shall vest in BANKSETA who shall be entitled to cede and assign such to the Department of Higher Education and Training (DHET) and the contractor undertakes to honour such intellectual property rights and all future rights by keeping the know-how and all published and unpublished material			

	confidential.			
7.3	In the event that the contractor or any project team member would like to use information or data generated by the project, for academic or any other purpose, prior written permission must be obtained from the client. Such permission will not be unreasonably withheld and if it is withheld, written reasons will be provided.			

7.4	BANKSETA shall own all deliverables produced by the Contractor during the course of, or as part of the contract whether capable of being copyrighted or not ("IP") and which are or may become eligible for copyright under the laws of the Republic of South Africa and which relates to the contract or which arises directly from this contract. This IP BANKSETA shall be entitled to freely cede and assign to the Department of Higher Education and Training. No other document needs to be executed to give effect to this session, assignment or transfer.			
7.5	The provisions of this clause 7 shall only apply to such IP that is created during the course and scope in terms of this contract.			

7.6	The contractor assigns to BANKSETA or the Department of Higher Education and Training, as BANKSETA directs, the rights conferred upon itself as author by section 20(1) of the Copyright Act, No 98 of 1978, as amended.			
7.7	The Contractor acknowledges and agrees that each provision of clause 7 is separate, severally and separately enforceable from any other provisions of this contract.			
7.8	The invalidity or non-enforceability of any one or more provision hereof, shall not prejudice or effect the enforceability and validity of the remaining provisions of this contract.			
7.9	This contract contains various stipulatio alteri in favour of the Department of Higher Education and Training, which rights shall continue in effect after termination of this contract, and which rights can be exercised and enforced at any time by the Department of Higher Education and Training.			
7.10	This clause 7 shall survive termination of this contract.			
8	**NON-COMPLIANCE WITH DELIVERY TERMS**			
		Yes	**No**	**If no, indicate deviation**
8.1	As soon as it becomes known to the contractor that he/she will not be able to deliver the services within the delivery period and/or against the quoted price and/or as specified, BANKSETA must be given immediate written notice to this effect.			

9	**WARRANTS and PAYMENTS**			
		Yes	**No**	**If no, indicate deviation**
9.1	The Contractor warrants that it is able to conclude this agreement to the satisfaction of the BANKSETA.			
9.2	The successful respondent IS NOT required to furnish to the purchaser a performance security.			
9.3	Although the contractor will be entitled to provide services to persons other than BANKSETA, the contractor shall not without the prior written consent of BANKSETA, be involved in any manner whatsoever, directly or indirectly, in any business or venture which competes or conflicts with the obligations of the contractor to provide Services.			
9.4	The BANKSETA will pay the contractor the fee as set out in the final contract. No additional amounts will be payable by the BANKSETA to the contractor.			
9.5	The Contractor shall from time to time during the currency of the contract, invoice the BANKSETA for the services rendered. No payment will be made to the contractor unless an invoice complying with section 20 of the VAT act No 89 of 1991 has been submitted to the BANKSETA.			
9.6	Payment shall be made into the contractor's bank account normally 30 days after the receipt of an acceptable and valid invoice. Banking details must be submitted with the contractor's first invoice. Proof of the banking details will be accepted in the following forms: Copy of a cancelled cheque; Letter from bank; Statement.			

9.7	The contractor shall be responsible for accounting to the appropriate authorities for its income tax, VAT or other monies required to be paid in terms of applicable law.			

9.8	No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this contract shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this agreement.			
10	**PARTIES NOT AFFECTED BY WAIVER OR BREACHES**			
		Yes	**No**	**If no, indicate deviation**
10.1	The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this contract by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof .			
10.2	No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this contract shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this agreement.			
11	**RETENTION**			
		Yes	**No**	**If no, indicate deviation**
11.1	On termination of this agreement, the contractor shall, on demand hand over all documentation provided as part of			

	the project and all deliverables, etc., without the right of retention, to BANKSETA.			
11.2	No agreement to amend or vary a contract or order or the conditions, stipulations or provisions thereof shall be valid and of any force and effect unless such agreement to amend or vary is entered into in writing and signed by the contracting parties. Any waiver of this requirement shall be in writing			
12	**Dispute Resolution**			
		Yes	**No**	**If no, indicate deviation**
12.1	If any dispute or difference of any kind whatsoever arises between the purchaser and the supplier in connection with or arising out of the contract, the parties shall make every effort to resolve amicably such dispute or difference by mutual consultation.			
12.2	If, after thirty (30) days, the parties have failed to resolve their dispute or difference by such mutual consultation, then either the Purchaser or the Supplier may give notice to the other party of his intention to commence with mediation. No mediation in respect of this matter may be commenced unless such notice is given to the other party. Such notice shall be in English.			
12.3	Notice of intention to commence with mediation shall be writing, in the English language, and served on the other party either personally, by			

	facsimile or electronic mail.			
12.4	If the parties are unable to agree on a mediator or to resolve any disputes by way of mediation within 14 days (fourteen days) of any party requesting in writing that the dispute be resolved by mediation, it may be settled in a South African court of law.			
12.5	All disputes shall be referred to mediation with an AFSA accredited and appointed mediator in accordance with the then current rules of the Arbitration Foundation of Southern Africa or its successor.			
12.6	Notwithstanding any reference to mediation and/or court proceedings herein, (a) the parties shall continue to perform their respective obligations under the contract unless they otherwise agree; and (b) the purchaser shall pay the supplier any monies due the supplier			
13	**FORMAT OF REQUEST FOR QUOTATION, REQUEST FOR BID AND CONTRACT**			
		Yes	**No**	**If no, indicate deviation**
13.1	Respondents must complete all the necessary quotation documents and undertakings required in this quotation document. Respondents are advised that their responses should be concise, written in plain English and simply presented. Respondents are to set out their quotation in the format prescribed in the RFQ/RFB documents:			

13.2	Respondents must complete and return Special Conditions of Contract.			

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NAME OF BIDDER

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SIGNATURE **DATE**