



## **REQUEST FOR QUOTATIONS (RFQ)**

**Description of Services: Provision of Job Evaluation for the NHFC**

**RFQ Number: NHFC\_HO/02/02**

**Request date: 15 February 2022**

**Closing date: 24 February 2022 (No late submissions will be considered)**

**Closing Time: 11H00**

### **COMPULSORY REQUIREMENTS**

The following copies must be attached when returning the RFQ:

- Certified Copy B-BBEE Certificate/ Affidavit, failing which no preferential points will be awarded.
- Valid TCS pin.
- Proof of CSD registration
- Submission of the following Signed and Completed Standard Bid Documents (SBD) Forms which are attached to this request:
  - SBD 4: Declaration of Interest
  - SBD 6.1 Preference Points Claim Form in terms of preferential procurement
  - SBD 7.2 Contract Form – Rendering of Services
  - SBD 8: Declaration of Bidder's Past SCM Practices
  - SBD 9: Certificate of Independent Bid Determination

- Price(s) quoted must be firm and inclusive of VAT (If VAT registered) and inclusive of all costs.
- All quotes must be prepared according to the scope of work.

The assessment of the submission will be based on the above-mentioned documentation.

The quotation must be submitted via email to [Quotations@nhfc.co.za](mailto:Quotations@nhfc.co.za)

Enquiries regarding the RFQ must be directed to the below persons in writing only:

**SCM Enquiries**

SCM Official: Pabalelo Shirindza

Email: [PabaleloS@nhfc.co.za](mailto:PabaleloS@nhfc.co.za)

**NB:**

**SPECIAL CONDITIONS:**

- Quotations must be submitted in the bidder's company letterhead.
- No pre-payments are allowed, awarded bidder will be paid within 30 days after receipt of invoice.
- Price(s) quoted must be valid for at least Sixty (60) days from the date of your offer and be according to the RFQ document.
- Quotation submitted should be based on scope of work. Failure to adhere to scope of will render your quotation non-responsive.
- Recommended service provider will be evaluated on the Key Performance Indicators based on the Scope of Work indicated.
- Payments will be made upon completion of project

## SPECIFICATIONS

### Provision of Job Evaluation for the NHFC

#### 1. INTRODUCTION

The National Housing Finance Corporation (NHFC) was established by the National Department of Human Settlements as a development finance institution (DFI) in 1996, with the principle mandate of broadening access to affordable housing finance for the low- and middle-income households.

NHFC is a national public entity, the NHFC adheres to the regulatory framework of the Public Finance Management Act (PFMA) of 1999.

The NHFC provides wholesale funding in the affordable housing market mainly to social housing institutions, non-banking retail intermediaries, privately owned property developers, construction companies and investors. It also provides loans and other form of wholesale funding (equity and quasi equity) to certain niche businesses that are in the affordable housing market.

#### 2. BACKGROUND OF REQUEST FOR QUOTATION (RFQ)

The NHFC has broadened its mandate and reviewed its business and operating model as it seeks to deepen its reach, scope and coverage to the lowest end of the housing market. In recognition of the current DFI consolidation process and the need to prepare for future skills requirements of the consolidated NHFC and Human Settlement Development Bank, the Corporation needs to align the skill set of its employees and to reposition itself to be able to respond appropriately to its mandate.

Job evaluation is a systematic and orderly process of determining the worth of a job in relation to other jobs. Every job has its own characteristics, which vary in degrees according to qualifications, skill, experience etc on the part of operators performing the jobs within the organisational structure.

To this end the NHFC seeks the services of a company that will conduct job evaluation exercise for positions in their company establish the real worth of Executive jobs in the organisation.

### **3. PURPOSE OF REQUEST FOR QUOTATION (RFQ)**

The purpose of this RFQ is to appoint a competent service provider to evaluate jobs at the NHFC using the Tuned Assessment of Skills Knowledge (TASK) grading system for jobs below the executive level and EQUALVAL for executive management for a period of three (3) years.

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

The alignment of positions within the NHFC plays an important part in the achievement of the NHFC goals and mandate. In recent times the NHFC has restructured its teams to include new positions as well as realigned positions. As a result of the alignment, the company would like to appoint a service provider who will from time-to-time assist in the evaluation of position in the company to ensure better service delivery to its internal stakeholders.

The scope of work for this project:

- Analyse and validate job profiles
- Undertake Job Evaluation pre interview questionnaire
- Evaluate jobs as per the approved job profiles to confirm the internal relative job size
- Evaluate jobs using a TASK and EQUALVAL Grading System
- Present job evaluation results to the Job Evaluation Committee
- Train and transfer skills on Job Evaluation

### Expected Output/ Deliverables

The key expected deliverables of the exercise will include:

- Inception report on the job evaluation, giving detailed methodology used in undertaking this assignment including work plan.
- The number of roles to be graded will be as and when required over a three (3) year period. The levels include (Top Management, Senior Management, Professionals, Administrators)

### Expected Output/ Deliverables

The key expected deliverables of the exercise will include:

- Inception report on the job evaluation, giving detailed methodology used in undertaking this assignment including work plan,
- Evaluate and Draft Job evaluation report for approval by the Executive Manager: HR

While the number of evaluations required is not known, the pricing should assume that 200 will be performed over the 3 year period. 10% of these should be priced as executive evaluations.

### EXPERTISE AND CAPACITY

The key criteria to be considered for the suitability to the service provider include: - The appointed service provider will have to:

- Have exceptional expertise in Human Resources consulting of more than five (5) years
- Knowledge of and at least five (5) years' experience in conducting Job Evaluation for the Public Services and Private Sector.
- Specialisation among other in Job Evaluation, Human Resources Management and Organisational Development theory, methodology and practice
- Knowledge of the Patterson, TASK and EQUALVAL grading system
- Analytical skills
- Facilitation and presentation

NB: Proposals should be able not only to provide what is mentioned above but also indicate areas of importance pertinent to the process.

#### **4.2 Term of appointment**

The estimated period of the Job Evaluation contract will be for a period three (3) years from the time the contract is signed and concluded, as and when job evaluation is required.

#### **4.3 Lockdown Operations Provisions**

Kindly note that due to the Lockdown Regulations, NHFC will be operating remotely, therefore service providers should make required provision of virtual meetings and virtual trainings.

## 5 EVALUATION CRITERIA

### Price and Preference Evaluation

Evaluation of bids received will be conducted in three (3) phases as follows:

#### Phase 1 – Compulsory Requirements

Bidders will first be evaluated in terms of the gatekeeper/minimum requirements on page 1 of this document. Bidders who do not fulfil all the requirements or do not submit the required documents will not proceed to the next phase of functionality. Those who fulfil all the requirements or have submitted the required documents will be further evaluated on functionality.

#### Phase 2 – Functionality

Functionality is worth 100 points. The minimum threshold is 70 points. Bidders who score less than 70 points on functionality will therefore be disqualified. Those who score more than 70 points will be further evaluated in terms of price and preference points (i.e., on the B-BBEE status level of contributor). The functionality evaluation is broken down as follows:

| <b>Past Relevant Experience</b><br><br><b>Bidders must have specific experience to carry out the scope of work required and submit at least five (5) recent reference letters in respect of related service undertaken. Reference letters for previously completed work must be on referee official letterhead, signed and contact details must be provided.</b> | <b>Total – 30 points</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Five (5) signed or more reference letters to be submitted from companies where experience in Human Resources Consulting or Job Evaluation, Human Resources Management or Organisational Development Theory projects have been conducted                                                                                                                          | 30 Points                |

|                                                                                                                                                                                                                                       |                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Three (3) to Four (4) reference letters to be submitted from companies where experience in Human Resources Consulting or Job Evaluation, Human Resources Management or Organisational Development Theory projects have been conducted | 20 Points                |
| One (1) to Two (2) reference letters to be submitted from companies where experience in Human Resources Consulting or Job Evaluation or Human Resources Management or Organisational Development Theory projects have been conducted  | 10 Points                |
| Non-Submission                                                                                                                                                                                                                        | 0 Points                 |
| <b>Key Personnel</b><br><b>Bidders must submit the CV and qualifications for the team and team lead to be used in this project. Bidders must submit the following sources of evidence:</b>                                            | <b>Total 20-Points</b>   |
| Team Lead with relevant qualification in Human Resources Consulting, Job Evaluation or Human Resources Management or Organisational Development with CV demonstrating more than 8 -10 relevant experience                             | 20 points                |
| Team Lead with relevant qualification in Human Resources Consulting, Job Evaluation or Human Resources Management or Organisational Development with CV demonstrating more than 5 -7 relevant experience                              | 10 points                |
| Team Lead with relevant qualification in Human Resources Consulting, Job Evaluation or Human Resources Management or Organisational Development with CV demonstrating with 0 -4 relevant experience                                   | 5 points                 |
| Non-Submission                                                                                                                                                                                                                        | 0 points                 |
| <b>Project Approach and Methodology</b><br><b>Bidder must submit a comprehensive project plan indicating the readiness to deliver as per the required deliverables indicated in the scope of work.</b>                                | <b>Total – 50 points</b> |
| <b>Excellent Methodology</b>                                                                                                                                                                                                          | 50 points                |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <p>Bidder to submit comprehensive project plan indicating readiness to deliver as per the required scope of work and deliverables.</p> <ul style="list-style-type: none"> <li>• Understanding of terms of reference &amp; brief</li> <li>• Demonstrated understanding of the NHFC</li> <li>• Quality of strategic methodology and approach</li> <li>• Applicability of strategic methodology and approach</li> <li>• Demonstrable experience in the identified area(s) of job evaluation processes</li> </ul> |                   |
| <p><b>Good Methodology</b></p> <p>Bidder to submit comprehensive project plan indicating readiness to deliver as per the required scope of work and deliverables.</p> <ul style="list-style-type: none"> <li>• Understanding of terms of reference &amp; brief</li> <li>• Quality of strategic methodology and approach</li> <li>• Applicability of strategic methodology and approach</li> </ul>                                                                                                             | 35 points         |
| <p><b>Poor Methodology</b></p> <p>Bidders demonstrate no understanding of</p> <ul style="list-style-type: none"> <li>• Terms of reference &amp; brief</li> <li>• Quality of strategic methodology and approach</li> <li>• Applicability of strategic methodology and approach</li> </ul>                                                                                                                                                                                                                      | 5 points          |
| Non-Submission                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 0 Points          |
| <b>Total</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>100 points</b> |
| <b>Minimum Threshold</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>70 points</b>  |

## Pricing Schedule

Quoted price should be in line with the scope of work on page 4.

|                   | Year 1 – Quoted<br>price including VAT | Year 2 – Quoted<br>price including VAT | Year 3 – Quoted<br>price including VAT |
|-------------------|----------------------------------------|----------------------------------------|----------------------------------------|
| Top Management    |                                        |                                        |                                        |
| Senior Management |                                        |                                        |                                        |
| Professionals     |                                        |                                        |                                        |
| Administrators    |                                        |                                        |                                        |
| Training          |                                        |                                        |                                        |

### Phase 3 – Price and Preference

Bidders will be evaluated in terms of Price and Preference points (B-BBEE status level of contributor). As per the table below, price is evaluated over 80 points and preference points over 20:

| B-BBEE Status Level<br>Of Contributor | Number of Points       |
|---------------------------------------|------------------------|
|                                       | Bids up to R50 million |
| 1                                     | 20                     |
| 2                                     | 18                     |
| 3                                     | 16                     |
| 4                                     | 12                     |
| 5                                     | 8                      |
| 6                                     | 6                      |
| 7                                     | 4                      |
| 8                                     | 2                      |
| Non-Compliant contributor             | 0                      |

## DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, 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 an advertised competitive bid, a limited bid, a proposal or written price quotation). 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<sup>2</sup>, member):

.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:

.....

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.

<sup>1</sup>"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.

<sup>2</sup>"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? | <b>YES / NO</b> |
|-----|----------------------------------------------------------------------------------|-----------------|

2.7.1 If so, furnish the following particulars:

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

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

.....

Position occupied in the state institution: .....

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?

YES / NO

2.7.2.1 If yes, did you attach 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**

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

2.10 Are you, or any person connected with the bidder,  
 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? **YES/NO**

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.

National Housing Finance Corporation

| Full Name | Identity Number | Personal Income Tax<br>Reference Number | State Employee Number/<br>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 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 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
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

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

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 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    |

- 1.5 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.
- 1.6 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 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 bid under consideration  
 $P_t$  = Price of bid under consideration  
 $P_{\min}$  = 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 (90/10 system) | Number of points (80/20 system) |
|------------------------------------|---------------------------------|---------------------------------|
| 1                                  | 10                              | 20                              |
| 2                                  | 9                               | 18                              |
| 3                                  | 6                               | 14                              |
| 4                                  | 5                               | 12                              |

|                           |   |   |
|---------------------------|---|---|
| 5                         | 4 | 8 |
| 6                         | 3 | 6 |
| 7                         | 2 | 4 |
| 8                         | 1 | 2 |
| Non-compliant contributor | 0 | 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:

- What percentage of the contract will be subcontracted.....%
- The name of the sub-contractor.....
- The B-BBEE status level of the sub-contractor.....
- 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:

| <b>Designated Group: An EME or QSE which is at last 51% owned by:</b> | <b>EME</b><br>√ | <b>QSE</b><br>√ |
|-----------------------------------------------------------------------|-----------------|-----------------|
| 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                                |                 |                 |
| <b>OR</b>                                                             |                 |                 |
| 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: .....

-----

**SBD 7.2**

**CONTRACT FORM - RENDERING OF SERVICES**

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

**PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)**

I hereby undertake to render services described in the attached bidding documents to NHFC in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number ..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.

The following documents shall be deemed to form and be read and construed as part of this agreement:

Bidding documents, viz

Invitation to bid;

Tax clearance certificate;

Pricing schedule(s);

Filled in task directive/proposal;

Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the

Preferential Procurement Regulations 2011;

Declaration of interest;

Declaration of bidder's past SCM practices;

Certificate of Independent Bid Determination;

Special Conditions of Contract;

General Conditions of Contract; and

Other (specify)

I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.

I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

WITNESSES

1 .....

2 .....

**SBD 7.2**

**CONTRACT FORM - RENDERING OF SERVICES**

**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

I..... in my capacity as.....

accept your bid under reference number .....dated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).

An official order indicating service delivery instructions is forthcoming.

I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

| DESCRIPTION OF SERVICE | PRICE (ALL APPLICABLE TAXES INCLUDED) | COMPLETION DATE | B-BBEE STATUS OF CONTRIBUTION | MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable) |
|------------------------|---------------------------------------|-----------------|-------------------------------|--------------------------------------------------------------------|
|                        |                                       |                 |                               |                                                                    |

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT .....ON.....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

1 .....

2

## DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Standard Bidding Document must form part of all bids invited.  
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.
2. 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.
3. 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  | <p>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?</p> <p>(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).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</p> | <p>Yes</p> <input type="checkbox"/> | <p>No</p> <input type="checkbox"/> |

|       |                                                                                                                                                                                                                                                                                                                                                                                                        |                                 |                                |
|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|--------------------------------|
| 4.1.1 | If so, furnish particulars:                                                                                                                                                                                                                                                                                                                                                                            |                                 |                                |
| 4.2   | Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?<br>The Register for Tender Defaulters can be accessed on the National Treasury's website ( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ) by clicking on its link at the bottom of the home page. | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.2.1 | If so, furnish particulars:                                                                                                                                                                                                                                                                                                                                                                            |                                 |                                |
| 4.3   | Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?                                                                                                                                                                                                                     | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.3.1 | If so, furnish particulars:                                                                                                                                                                                                                                                                                                                                                                            |                                 |                                |
| 4.4   | Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?                                                                                                                                                                                                                                      | Yes<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.4.1 | If so, furnish particulars:                                                                                                                                                                                                                                                                                                                                                                            |                                 |                                |

### CERTIFICATION

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

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

### **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> Collusive bidding is a per se prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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<sup>3</sup> 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.

<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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.
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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder