

NATIONAL LOTTERIES COMMISSION

Registration number

REQUEST FOR PRICE PROPOSALS FOR THE APPOINTMENT OF A SERVICE PROVIDERS TO CALIBRATE PERFORMANCE MANAGEMENT SCORES FOR NATIONAL LOTTERIES COMMISSION.

BID PROCESS	BID REQUIREMENTS
Tender number	RFP/2022- 25
Bid Advertisement Date	27 July 2022
Closing date and time	8 August 2022 at 11:00 (South African Standard Time)
Tender validity period	60 business working days <i>from the closing date</i>
Compulsory Briefing meeting	No compulsory briefing session
Tenders are to be delivered to the following address on the stipulated closing date and time:	The original bid document must be submitted via memory stick (USB), Only electronic bid submissions will be accepted.

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REQUEST FOR PRICE PROPOSALS FOR THE APPOINTMENT OF A SERVICE PROVIDERS TO CALIBRATE PERFORMANCE MANAGEMENT SCORES FOR NATIONAL LOTTERIES COMMISSION.

SECTION 1: BACKGROUND, OVERVIEW AND RFP SCOPE OF REQUIREMENTS

1. INTRODUCTION

The National Lotteries Commission (The Commission) is a public entity established by Lotteries Act No. 57 of 1997, as amended to regulate the South African lotteries industry. The functions of the Commission can be divided into two categories, namely “regulation of National Lottery and other Lotteries” and “administration of the National Lottery Distribution Trust Fund (NLDTF)”.

The Distributing Agencies (DA's) who are appointed by the Minister of Trade & Industry are responsible for the adjudication of the funding applications as per the Lotteries Act and applicable Regulations.

2. BACKGROUND

In a bid to align NLC performance management processes to best practices, Human Capital Management requires the services of an expert in the calibration of Performance Management scores of the NLC during the Performance Management Moderation Committee meeting.

3. PURPOSE OF THE TERMS OF REFERENCE

The purpose of the terms of reference (TOR) is to a service provider to calibrate Performance Management scores for the NLC.

4. OBJECTIVES

The primary objective of this TOR is to appoint a service provider to calibrate Performance Management scores for the NLC.

5. RFP SCOPE OF REQUIREMENTS

- Alignment checks to APP
- Alignment of Objectives and Performance outcomes for the 2021/22 financial year performance.
- Review the 4th Quarter ICT AOP score.
- Calibration of performance scores (Annual Performance Plan & Annual Operational Plans)
- Calibration of Personal Performance Indicators (PPI) scores
- Presentation of report to the Performance Management Moderation Committee
- Presentation of the report to the Board HCM, Social and Ethics Committee
- Final Short-Term Incentives calculations.

6. DELIVERABLES

Calibration of the Performance Management scores for the NLC.

7. REPORTING REQUIREMENTS

The service provider will report to Human Capital Management Department.

8. DURATION OF THE PROJECT

The expected duration of the project is one (1) month after the signing of a Service Level Agreement (SLA).

SECTION 2: NOTICE TO BIDDERS

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

- 1.1 This document may contain confidential information that is the property of the NLC.
- 1.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFP without prior written permission from the NLC.
- 1.3 All copyright and intellectual property herein vests with the NLC.
- 1.4 Late and incomplete submissions will not be accepted.
- 1.5 No services must be rendered, or goods delivered before an official NLC Purchase Order form has been received.
- 1.6 This RFP will be evaluated in terms of the 80/20 preference point system prescribed by the Preferential Procurement Regulations, 2017.
- 1.7 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.
- 1.8 Suppliers must provide their CSD registration number (and attach a CSD Summary report) and ensure that their tax matters are compliant.
- 1.9 All questions regarding this RFP must be forwarded to Belina@nlcsa.org.za no later than within three days of the RFP closing date.
- 1.10 Any supplier who has reasons to believe that the RFP specification is based on a specific brand must inform the NLC via the email addressed in 1.9.

2. General rules and instructions

- 2.1 News and press releases
 - 2.1.1 Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, the NLC.
- 2.2 Precedence of documents
 - 2.2.1 This RFP consists of a number of sections. Where there is a contradiction in terms between the clauses, phrases, words, stipulations or terms and herein referred to generally as stipulations in this RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this RFP shall take precedence.
 - 2.2.2 Where this RFP is silent on any matter, the relevant stipulations addressing such matter, and which appear in the PPPFA shall take precedence. Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that the NLC may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by the NLC.
 - 2.2.3 It is acknowledged that all stipulations in the PPPFA are not equally applicable to all matters addressed in this RFP. It, however, remains the exclusive domain and election of the NLC as to

which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of the NLC in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the Bidder(s). The Bidder(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.

2.3 Preferential procurement reform

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

2.5 They shall apply the principles of the Preferential Procurement Policy Framework Act, (Act No. 5 of 2000) to this proposal read together with the Preferential No. 5 of 2000) to this proposal read together with the Preferential Procurement Regulations published in Government Notice No.32 in Government Gazette No. 40553 dated 20 January 2017("the Preferential Procurement Regulations, 2017").

2.6 Bidders must be registered with the central supplier database (CSD) and submit CSD report reflecting tax compliant.

2.7 National Industrial Participation Programme

2.8 The Industrial Participation policy, which was endorsed by Cabinet on 30 April 1997, is applicable to contracts that have an imported content. The NIP is obligatory and therefore must be complied with. Bidders are required to sign and submit the Standard Bidding Document (SBD).

2.9 Language

2.9.1 Bids shall be submitted in English.

2.10 Gender

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

2.11 Headings

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

2.12 Occupational Injuries and Diseases Act 13 of 1993

2.12.1 The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFP and/ or subsequent agreement. the NLC reserves the right to request the Bidder to submit documentary proof of the Bidder's registration and "good standing" with the Compensation Fund, or similar proof acceptable to the NLC.

2.13 Processing of the Bidder's Personal Information

2.13.1 All Personal Information of the Bidder, its employees, representatives, associates, and sub-contractors ("Bidder Personal Information") required under this RFP is collected and processed for the purpose of assessing the content of its tender proposal and awarding the bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation including the PPPFA read with the Preferential

Procurement Regulations, 2017. The Bidder is advised that Bidder Personal Information may be passed on to third-parties to whom the NLC is compelled by law to provide such information. For example, where appropriate, the NLC is compelled to submit information to National Treasury's Database of Restricted Suppliers.

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

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

2.13.3.1 The NLC personnel participating in procurement/award procedures; and

2.13.3.2 Members of the public: within seven working days from the time the bid is awarded, the following information will have to be made available on National Treasury's e-Tender portal:

2.13.3.2.1 contract description and bid number.

2.13.3.2.2 names of the successful bidder(s) and preference points claimed.

2.13.3.2.3 the contract price(s) (if possible).

2.13.3.2.4 contract period.

2.13.3.2.5 names of directors; and

2.13.3.2.6 date of completion/award.

2.13.4 The NLC will ensure that the rights of the Bidder and of its employees and representatives (i.e. the right of access and the right to rectify) are effectively guaranteed in accordance with the procedures as specified in the NLC PAIA manual.

2.13.5 In signing this document, the Bidder consents to the use of its Personal Information for the purposes as specified in section 2.9.1 above.

3. Formal Briefing Session

There will be no compulsory briefing session.

4. Validity Period

4.1 The NLC requires a validity period of 60 [one hundred and twenty] Business Days [from closing date] against this RFP.

4.2 Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions, if the internal evaluation process are not finalized within the validity period.

5. National Treasury's Central Supplier Database

- 5.1 Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.
- 5.2 The NLC may not award business to a bidder who has failed to register on the CSD.
- 5.3 Only foreign suppliers with no local registered entity need not register on the CSD.
- 5.4 The CSD can be accessed at <https://secure.csd.gov.za/>

6. Confidentiality

- 6.1 Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding.
- 6.2 The NLC reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.
- 6.3 The Bidder acknowledges that it will obtain and have access to personal information of The NLC and agrees that it shall only process the information disclosed by the NLC in terms of this bid award and only for the purposes as detailed in this RFP and in accordance with any applicable law.
- 6.4 The Bidder shall notify the NLC in writing of any unauthorized access to personal information and the information of a third party, through cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such

7. Communication

- 7.1 Specific queries relating to this RFP should be submitted lucky@nlcsa.org.za, before the closing date.
- 7.2 In the interest of fairness and transparency the NLC's response to such a query may be made available to other bidders.
- 7.3 It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the NLC in respect of this RFP between the closing date and the date of the award of the business.
- 7.4 Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

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Section 3: EVALUATION CRITERIA

The NLC will evaluate all proposals in terms of the Preferential Procurement Regulation of 2017 and Preferential Procurement Policy Framework Act. No. 5 of 2000 (PPPFA). The six (6) phase evaluation criteria will be considered in evaluating the proposals, being



Stage 1 : Tender Closing and Opening

1.1 Tender closing details

The deadline for Tender submission is 8 August 2022 Standard South African Time. Any late bids will not be accepted.

National Lotteries
Commission333 Grosvenor
Street
Block D, Hatfield
GardensHatfield,
Pretoria
0083

1.2 Bid Formats

Bid submissions must be submitted in a PDF format that is protected from any modifications, deletions, or additions.

Financial/pricing information must be presented in a separate attachment from the Technical/Functional Response information. The onus is on the Bidder to ensure that all mandatory and required documents are included in the electronic submission.

Submissions must be prominently marked with the full details of the tender namely Bidder's Name, Tender No and Tender Title.

Bidders are advised to email electronic submissions at least thirty minutes before the bid closing time to cater for any possible delay in transmission or receipt of the bid. The onus is on bidder to ensure that the bid is submitted on time via email

Tender submission emails received after submission date and time will be declared late bid submissions and will not be accepted for consideration by the NLC.

The NLC will not be responsible for any failure or delay in the email transmission or receipt of the email including but not limited to:

- ☐ Receipt of incomplete bid
- ☐ File size (must not exceed 30mb)
- ☐ Delay in transmission or receipt of the bid
- ☐ Failure of the Bidder to properly identify the bid
- ☐ Illegibility of the bid; or
- ☐ Security of the bid data.

Stage 2: Administrative Compliance

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation. The Administrative Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Document
1. Returnable documents (standard bidding documents) and/or schedules were completed, duly signed by the authorized person	Bid Proposal; Standard Bidding Document (SBD) Forms & Pricing Schedule
2. Signed consent form in terms of the Protection of Personal Information Act 4 of 2013 (POPIA) (Consent Forms Attached to the Bid as part of the SBDs).	Signed POPIA Consent Form
3. Registered with the central supplier database (CSD). Please submit the current summarised CSD Report which reflect tax clearance compliance status and valid tax clearance certificate with SARS Pin.	CSD, & SARS Pin

Stage 3: Technical evaluation

The evaluation for the Technical and Functional threshold will include the following:

Category & Criteria Description	Weighti-ngs (%)	Scoring Matrix (0 to 5)
1. Company Experience and Capacity	30%	
1.2 Witten reference letters Provide written reference letters for the work done on calibration of performance scores from contactable existing / recent clients (public / private sector) within the past 5 years. References should be presented in a form of a written letter on an official letterhead from clients where similar services (calibration of Performance Scores) have been provided, the date on the letters must not be older than two (2) years and must be signed. Letters must include the company name, contact name, address, phone number, duration of contract, value of the contract, a brief description of the services that you provided.	15%	- 0 reference letters for calibration of Performance Scores = 1 Point. - 1 relevant reference letters for calibration of Performance Scores = 3 Point. - 2 relevant reference letters for calibration of Performance Scores = 4 Points. - 3 relevant reference letters for calibration of Performance Scores = 5 Points.
1.2 Capacity to deliver The bidder must provide details of work of a similar nature (calibration of performance scores) undertaken by the bidder within the previous years. Specific details must be given to indicate the extent to which these previous experiences relate to the work described in the TOR. Bidders are required to submit their company profile. 1.2.1 Company profile (8%) The bidder is required to provide a company profile on its size, staff complement, infrastructure, location etc.	15%	- No information provided = 1 Point. - Company profile with relevant company experience in the calibration of performance scores for 1 – 3 years = 3 Points - Company profile with relevant company experience in the calibration of performance scores for 3 – 5 years = 4 Points. - Company profile with relevant company experience in the calibration of performance scores for 5 – 10 years = 5 Points.
2. Members Experience	30%	

Considers the technical and professional skills of the project team. Abbreviated Curriculum Vitae (CV's) of personnel involved with the implementation of the project, not longer than one page each, shall be included in an Appendix. Please provide with the CV's of a project team of 3 including the Project Leader (Project Manager). Abridged CV of the incumbent must be provided for the project team (Team leader & project team of 2 members).		- No Experience = 1 Point - 1 - 2 years of combined experience in the calibration of performance scores = 3 Point - 3 – 4 years of combined experience in the calibration of performance scores = 4 Points - 5 – 6 years of combined experience in the calibration of performance scores = 5 Points
3. Project Plan/ Methodology	40%	
Considers the responsiveness to the TOR, the level of detail in the proposal, attention to project management and innovative approaches and ideas. Respondent's responsiveness to and understanding of the assignment (methodology and proposed work plan). Project Plan / Methodology (service execution) The plan must include but not limited to the following: • Provide details about the processes of the company to handle the calibration of performance scores The bidder must provide a clear customer support plan for the duration of the term. • Technology solution i.e., calibration of performance scores, Reliability.		- No plan provided = 0 Point - The project leader demonstrates 1 exercise from the required list OR Poor project plan proposed = 1 Point. - The project leader demonstrates 1 exercise from the required list OR average project plan proposed = 2 Points. - The project leader demonstrates 1 exercise from the required list OR Fair project plan proposed = 3 Points. - The project leader demonstrates 1 exercise from the required list OR Good project plan proposed = 4 Points. - The project leader demonstrates 1 exercise from the required list OR Excellent project plan = 5 Points.
Total Weighting:	100	
Minimum qualifying score required:	70	

The evaluation for Pricing and B-BBEE will include the following

Evaluation Criteria	Final Weighted Scores																				
Price The following formula will be used to calculate the points out of 80 for price in respect of a tender with a Rand value equal to or above R30 000 and up to a Rand value of R50 million, inclusive of all applicable taxes: $P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$ Where: P_s = Score for the Bid under consideration P_t = Price of Bid under consideration P_{min} = Price of lowest acceptable Bid	80																				
B-BBEE - Scorecard The following table will be used to calculate the score out of 20 for BBEE level status as evidenced by the certificate or sworn affidavit <table><tr><th>B-BBEE Status Level of Contributor</th><th>Number of Points (80/20 system)</th></tr><tr><td>1</td><td>20</td></tr><tr><td>2</td><td>18</td></tr><tr><td>3</td><td>14</td></tr><tr><td>4</td><td>12</td></tr><tr><td>5</td><td>8</td></tr><tr><td>6</td><td>6</td></tr><tr><td>7</td><td>4</td></tr><tr><td>8</td><td>2</td></tr><tr><td>Non-Compliant Contributor</td><td>0</td></tr></table>	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	20
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																				
TOTAL SCORE:	100																				

Stage 5: Due Diligence

The NLC reserves the right to undertake a due diligence exercise on the preferred bidder/s as part of a material risk evaluation aimed at determining to its satisfaction, the validity of the information provided by the Bidder. Such exercise shall be fully documented and may include, but need not be limited to, all or any combination of the following:

- a) Physical inspection of the Bidder's offices, branches or other places
- b) Verification of accuracy, correctness and authenticity of information provided
- c) Validation of extent of compliance to the RFP requirements and evaluation criteria based on what has so far been found by the evaluation team
- d) Inquiry and reference checking with National Treasury Restricted Suppliers
- e) Inquiry and reference checking with previous clients on the performance on on-going or contracts completed, including physical inspections of previous works, as necessary;
- f) Financial Stability Assessments

Stage 6: Contract and Award

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

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Section 4: INVITATION TO BID (SBD 1)

PART A

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF							
BID NUMBER:	RFP/2022-025	ISSUE DATE:	27/07/2022	CLOSING DATE:	5/08/2022	CLOSING TIME:	11:00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDERS TO CALIBRATE PERFORMANCE MANAGEMENT						
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)							
.....							
.....							
.....							
.....							
BIDDING PROCEDURE ENQUIRIES MAY BEDIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACT PERSON	Lucky Lesufi			CONTACT PERSON	Mmama Matee		
TELEPHONE NUMBER	012 432 1309			TELEPHONE NUMBER	012 432 1338		
FACSIMILE NUMBER				FACSIMILE NUMBER			
E-MAIL ADDRESS				E-MAIL ADDRESS			
SUPPLIER INFORMATION							
NAME OF BIDDER							
POSTAL ADDRESS							
STREET ADDRESS							
TELEPHONE NUMBER	CODE			NUMBER			
CELLPHONE NUMBER							
FACSIMILE NUMBER	CODE			NUMBER			
E-MAIL ADDRESS							
VAT REGISTRATIO NNUMBER	☐	☐		☐	☐	☐	☐

|

SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA
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]

1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THEGOODS /SERVICES /WORKS OFFERED ?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	2 ARE YOU A FOREIGNBASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER QUESTIONNAIRE BELOW]
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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 FORA TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 BELOW.

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. TAX COMPLIANCE REQUIREMENTS

- 1.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 1.2 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.
- 1.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 1.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 1.5 IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 1.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THEBID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company

resolution)DATE:_____

Section 6: DECLARATION OF INTEREST (SBD 4)

Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder²):
.....

2.4 Company Registration Number:

2.5 Tax	Reference	Number:
.....		

2.6 VAT Registration Number:

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / personal numbers must be indicated in paragraph 3 below.

¹"State" means –

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

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

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

2.7.1 If so, furnish the following particulars:

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

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

Position occupied in the state institution:

Any other particulars:

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

2.7.2.1 If yes, did you 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 YES/NO

adjudication of this bid?

2.10.1 If so, furnish particulars.

.....
.....
.....

2.11 Do you or any of the directors / trustees / shareholders / members
of the company have any interest in any other related
companies whether or not they are bidding for this
contract?

YES/NO

2.11.1 If so, furnish particulars:

.....

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

Full Name	Identity Number	Personal Tax Reference Number	State Number Number	Employee / 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