Atlantis Foundries
William Gourlay Road
Atlantis Industria
Cape Town, South Africa, 7349
Email: info@atlantissez.co.za
www.atlantissez.com

REQUEST FOR QUOTATION
PROVISION OF TAX ADVISORY SERVICES FOR A PERIOD OF 3 YEARS.

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE ASEZ					
BID NUMBER:	RFQ 010 2023 CS	CLOSING DATE:	4 September 2023	CLOSING TIME:	14h00
DESCRIPTION	PROVISION OF TAX ADVISORY SERVICES FOR A PERIOD OF 3 YEARS.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)*					
Tender Box, Reception area, Atlantis Foundries, William Gourlay Road, Atlantis Industria, Cape Town, South Africa, 7349					
OR EMAILED TO					
Kayleen Swartz at: kayleen@atlantissez.co.za					
BRIEFING SESSION	No	**COMPULSORY**	N/A		
BRIEFING SESSION DETAILS		N/A			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**			
CONTACT PERSON	Kayleen Swartz	CONTACT PERSON	Saadiqa Dangor – Financial Controller		
TELEPHONE NUMBER		TELEPHONE NUMBER			
E-MAIL ADDRESS	kayleen@atlantissez.co.za	E-MAIL ADDRESS	saadiqaa@atlantissez.co.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 No:	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]					
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 PART B:3]
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.**					

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 NOT EXPECTED TO EXCEED R500 000 INCLUDING VAT FOR THE DURATION OF THE CONTRACT**
1.4.	**PRICE(S) QUOTED MUST BE FIRM AND MUST BE INCLUSIVE OF VAT.**
1.5.	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.
1.6.	**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 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."

1. INTRODUCTION

CONTEXTUALISING THE ATLANTIS SPECIAL ECONOMIC ZONE

The Atlantis Special Economic Zone Company SOC Ltd (ASEZCo) is a state-owned company established in terms of terms Section 25 of the Special Economic Zones Act (Act 16 of 2014) and listed as a provincial government business enterprise in terms of the Public Finance management Act (Act No 1 of 1999). The ASEZCo is a greentech zone, which focusses on attracting companies and investors which contribute to zero carbon emissions, resource-efficiency, and socially inclusive investment. It is building a sustainable manufacturing environment and actively explores how to also run a zero carbon, resource efficient and socially inclusive zone. In doing so it contributes directly to the objectives of the "just transition". The entity has ambitious goals such as building skills and enterprises in and around the Atlantis environment for application in the green economy, generating and supplying renewable energy to its future investors, being a net-zero water user and having no waste go to landfill.

It seeks to leverage its status as a Special Economic Zone ("SEZ') program, as well as its location and historical attributes to provide an attractive greentech investment destination for industrial development. The ASEZCo utilises an array of national and local incentives, as well as active partnerships, to stimulate investment and job creation in areas of greentech manufacturing and industry.

The Atlantis Economic Zone emerged out of a partnership between national, provincial, and local government who sought to revitalise Atlantis as a key industrial node in the region and capture the developmental opportunities presented by the Renewable Energy Independent Power Producer Programme (REIPPP). All this with the aim of creating employment, enabling smart green economic growth, upliftment of the Atlantis area, and attracting foreign direct and domestic investment.

The Atlantis SEZ (ASEZ) was designated in October 2018 by the Department of Trade and Industry and opened by the President of the Republic of South Africa in December 2018. As a greentech SEZ, it seeks to contribute significantly to South Africa's green economic growth and to the Western Cape's ambition to be a leading green technology region in South Africa. These objectives will, in part, be achieved by leveraging the infrastructure support and incentives available to companies in terms of the national SEZ program and policy framework for the stimulation of investment and job creation in areas of green technology.

2. SPECIFICATION

2.1. BACKGROUND AND CONTEXT

ASEZCo seeks to appoint a capable service provider to provide the below services for a period of 36 months from the date of award. A detailed report should be provided for each engagement in relation to these services with recommendations that are supported by the prevailing tax legislation.

DELIVERABLES

2.2. CORPORATE INCOME TAX (estimated hours -20 hours per annum)

2.2.1.Tax Advisory

Due to the complex nature of ASEZCo's business as well as the ever-changing South African tax legislation, ASEZCo has identified the need to consult and seek the technical opinions on tax matters relating to corporate tax on an adhoc basis. Therefore, the service providers will be required to provide advisory services in the form of second technical opinions on the correct tax treatment of transactions. Furthermore, advice on reviews and opinions will be sought on any direct dispute that might arise with SARS.

2.2.2 Tax Return

The appointed service provider will be engaged to:

- Review in detail the Income tax computation and the related supporting schedules for compliance with the applicable Income tax law (ensuring that income is correctly accounted for, and the deductions and allowances are correctly claimed).
- Review the Income Tax Return (IT12EI) and the related supporting schedule prior to filing with SARS.
- On-going support in relation to queries raised by SARS and External Auditors relating to the tax computation.
- Review of additional schedules as may be required by the Commissioner of SARS

NB: THIS WILL BE REQUIRED PRIOR TO SUBMISSION TO THE AUDITORS ON AN ANNUAL BASIS.

2.2.3 Dispute resolution

ASEZCO will require the service provider to assist with resolving disputes with SARS. The assistance in this regard will entail:

- Notice of objection/s
- Alternative Dispute Resolution (ADR)
- Preparation for SARS audit
- Responding to SARS auditing queries

2.3 VAT ADVISORY SERVICES (estimated hours -20 hours per annum)

ASEZCo is a registered VAT vendor and requires, on an adhoc basis, technical advice on complex VAT matters to ensure on going compliance with provisions of the VAT Act as amended from time to time. The service provider will be engaged to assist with the below:

- Detailed transactions review and analysis to ensure correct treatment in line with the provisions of the VAT Act and acceptable practice by SARS.
- Assistance and support in securing VAT rulings from SARS.

2.4 EMPLOYEE TAX (estimated hours -10 hours per annum)

ASEZCo has a total staff compliment of approximately 30 employees, who are paid using the HR Focus payroll system. The appointed service provider is expected to have technical expertise in relation to all taxes levied via the payroll, namely PAYE, Skills Development Levy, Unemployment Insurance and Workman's compensation.

The range of services that are sought on an ad-hoc basis include:

- Opinions on the taxation of employee fringe benefits and allowances
- Assisting with employees' tax calculations (i.e., EMP 201, EMP 501 etc)
- Liaising with SARS to resolve issues relating to employees tax affairs

NB: ASEZCo will take on the role of the Public Officer and will communicate with the relevant service providers where they need representation in line with the provisions of the Tax administration Act.

2.5 DURATION

The duration of the contract will be for thirty-six (36) months.

3. *EVALUATION CRITERIA*

1. **Administrative evaluation**
    a. This RFQ must be completed and signed.
    b. A valid CSD report must be accompanied as a supporting document
    c. A valid BEE certificate or BEE affidavit must be accompanied as a supporting document
    d. Registration with applicable bodies is beneficial and will be viewed as an advantage.
    e. Any supporting documentation required.

2. **Technical Evaluation**.
    a. Bidders should also achieve a minimum score of 70 points to be evaluated on pricing and BBBEE. The bidder must provide proof to support the relevant criteria stipulated below to qualify for the points. Should the bidder fail to provide proof, they will score zero points for that section.

Item	Criteria	Weighting

1	**Team Experience** The following should be submitted to demonstrate the team member's experience: **Engagement leader** An engagement team leader, who is a registered tax practitioner with SARS and is affiliated to a relevant tax professional body (SAIT, SAICA etc), with at least 15 years tax experience, of which 5 years should be on engagement leadership role in the government tax or similar industry. **5**- Engagement team leader who is a registered tax practitioner with SARS and is affiliated to a relevant tax professional body with 15 or more years tax experience (CV) and 5 years' experience in an engagement leadership role in the government tax industry on similar services. **(25 points)** **4**- Engagement team leader who is a registered tax practitioner with SARS and is affiliated to a relevant tax professional body with 12 years tax experience (CV) and less than 4 years' experience in an engagement leadership role in the government tax industry on similar services. **(20 points)** **3**- Engagement team leader who is a registered tax practitioner with SARS and is affiliated to a relevant tax professional body with 9 years tax experience (CV) and less than 3 years' experience in an engagement leadership role in the government tax industry on similar services**. (17,5 points)** **2**- Engagement team leader who is a registered tax practitioner with SARS and is affiliated to a relevant tax professional body with 6 years tax experience (CV) and less than 2 years' experience in an engagement leadership role in the government tax industry on similar services. **(7,5 points)** **1**- Engagement team leader who is a registered tax practitioner with SARS and is affiliated to a relevant tax professional body with 3 years tax experience (CV) and less than 1 year experience in an engagement leadership role in the short-term insurance industry on similar services**. (0 points)**	**25**

	Other team members At least three team members with a combined tax of at least 12 years of which five years should be in the government tax industry or financial services industry. • **5**- More than 3 team members with a combined tax experience of more than 12 years of which more 5 years is in the government tax industry or financial services industry. **(15 points)** • **4**- 3 team members with a combined tax experience of least 10 years of which 4 years is in the government tax industry or financial services industry. **(12 points)** • **3** – 2 team members with a combined tax experience of 9 years of which 3 years is in the government tax industry or financial services industry. **(10,5 points)** • **2** - 1 team member with a combined tax experience of 6 years of which 2 years is in the government tax industry or financial services industry**(4,5 points)** • **1**- No team member with a combined tax experience of 3 years of which 1 year is in the government tax industry or financial services industry. **(0 points**)	**(15)**
2	**Client references** Client reference letters should be provided, covering services rendered (2013-2022). The client reference letters should be signed, be on the letter head of the client and have the organization's name, address and contact details. • **5** =Four or more relevant reference letters. **(20 points)** • **4** = Three relevant reference letters **(16 points)** • **3** = Two relevant reference letters. **(14 points)** • **2** = One relevant reference letter. **(6 points)** • **1** = No relevant reference letters **(0 points)**	**(20)**

3	**Methodology and approach** A brief understanding of the required services to be provided, together with a detailed project plan, methodology and approach that will be followed in rendering the required services. The following should be covered: • Service management and quality control procedures. (**10 points)** • Turn-around times for completion of services from time of request, including a plan to ensure effective and efficient communication. (**20 points)** • Indication of how the engagement team has ensured that its knowledge in relation to each category of services is up to date with the latest development in tax legislation. (**10) Points).** **The following will be used to allocate points for each of the requirements above:** • **5** = excellent understanding of all requirements: service management and quality control procedures, turn-around times and the engagement leaders' development in tax legislation. **(40 points)** • **4** = Very good understanding of at least 2 of the requirements: the service management and quality control procedures, turn-around times and the engagement leaders' development in tax legislation. **(32 points)** • **3** = Good understanding of the at least one of the requirements: service management and quality control procedures, turn-around times and the engagement leaders' development in tax legislation. **(28 points)** • **2** = Average understanding of any one of the requirements: service management and quality control procedures, turn-around times and the engagement leaders' development in tax legislation. **(12 points)** • **1** =Weak, insufficient understanding of none of the requirements: the service management and quality control procedures, turn-around times and the engagement leaders' development in tax legislation. (**0 points)**	**40**

Note: Bidders that achieved a minimum score of 70 points in technical evaluation, will be considered for the next level (price and BEE) of the evaluation process

3. PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

OFFER TO BE VALID FOR 60 DAYS FROM THE CLOSING DATE OF BID.

ALL DELIVERY COSTS MUST BE INCLUDED IN THE BID PRICE, FOR DELIVERY AT THE PRESCRIBED DESTINATION.

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

DESCRIPTION	YEARS	RESOURCES	RATES(based on estimated hourly rates at section 2)	TOTAL COST (VAT INCL.)
Tax Advisory	**Year 1**			
	Year 2			
	Year 3			
Tax Return	**Year 1**			
	Year 2			
	Year 3			

Dispute resolution	**Year 1**			
	Year 2			
	Year 3			
Vat Advisory Services	**Year 1**			
	Year 2			
	Year 3			
Employee Tax services	**Year 1**			
	Year 2			
	Year 3			
Total Bid price (Vat incl.)				

The total estimated cost of the contract will not exceed R 1 000 000.00 **(One Million Rand)** including VAT and all disbursement. This does not mean that costs must be inflated to come in below the above threshold, this amount is a guide that differentiates procurement method thresholds.

Please append an official quotation on your company letterhead as well.

COMPANY STAMP

4. 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 **YES / NO**

presently employed by the state?

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**

<u>(Note: Failure to submit proof of such authority, where</u>

<u>applicable, may result in the disqualification of the bid.</u>

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, **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

5. 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)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)……………………………………. 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 .

2. The following documents shall be deemed to form and be read and construed as part of this agreement:
   (i) 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;

   (ii) General Conditions of Contract; and
   (iii) Other (specify)

3. 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.

4. 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 fulfillment of this contract.

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

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

NAME (PRINT) ……………………………

CAPACITY ……………………………

SIGNATURE ……………………………

WITNESSES
1

NAME OF FIRM ……………………………

DATE …………………………

6. CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY (ASEZ)

1. I…………………………………………………………………in my capacity as..Accept your bid under reference number ……..………………………………date……………………………………..for the rendering of services indicated hereunder and/or further specified in the annexure(s).

2. An official order indicating service delivery instructions is forthcoming.

3. 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)**	**B-BBEE STATUS LEVEL OF CONTRIBUTION**	**MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)**

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

SIGNED AT ………………………………………ON………………………………

NAME (PRINT) ………………………………………….

SIGNATURE ………………………………………….

WITNESSES

1

OFFICIAL STAMP

7. 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, 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**

8. 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.

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.
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.

[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.

………………………………………………	…………………………………
Signature	Date
………………………………………………	…………………………………
Position	Name of Bidder

9. NATIONAL TREASURY GENERAL CONDITIONS OF CONTRACT (NT GCC)

NATIONAL TREASURY GENERAL CONDITIONS OF CONTRACT (NT GCC)

*Please refer to the of website of the National Treasury' for the general conditions of contract http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20of%20Contract-%20Inclusion%20of%20par%2034%20CIBD.pdf

I confirm that I have read and understand the conditions set out in the above link in terms of the General Conditions of Contract am duly authorized to sign this contract.

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

NAME (PRINT) ………………………………………..

SIGNATURE ………………………………………..

WITNESSES
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