



BREED-GOURITZ
C A T C H M E N T M A N A G E M E N T A G E N C Y

**REQUEST FOR PROPOSAL (RFP):
INTERNAL AUDIT SERVICES FOR A
PERIOD OF 36 MONTHS**

**BID Number –
RFP 2022/02**

DOCUMENT INFORMATION SHEET

Title of Document	REQUEST FOR PROPOSAL (RFP): INTERNAL AUDIT SERVICES AT BREED-GOURITZ CATCHMENT MANAGEMENT AGENCY FOR A PERIOD OF 36 MONTHS
Type of Document	Request for Proposal
Document Number	RFP 2022/02
Technical Specifications Prepared	Bid Specification Committee
Department	Finance
Prepared for	Breede-Gouritz Catchment Management Agency
Date of Issue (Available)	5th September 2022
Closing Date	26th September 2022



REQUEST FOR PROPOSAL

Internal Audit Services for Breede-Gouritz Catchment Management Agency
For A Period Of 36 Months

Procurement Number: RFP 2022/02

The Breede-Gouritz Catchment Management Agency is established under the Schedule 3A public entity responsible for the Breede-Gouritz Water Management Area (WMA). It reports to the Department of Water and Sanitation. As part of performing its mandate and complying with the PFMA, National Treasury Regulations and the Public Audit Act, the entity is hereby inviting suitably and qualified audit firms (preferable registered in terms of the Public Accountant and Auditors Act- whose members belong to a recognised professional body) to submit their proposals for the provision of Internal Audit services for a period of 36 months.

INVITATION AND SCOPE OF SERVICES

The Breede-Gouritz Catchment Management Agency is inviting Internal Audit Services For A Period Of 36 Months.

GENERAL CONDITIONS

- (a) Preference will be given to respondents who comply with the Breede-Gouritz Catchment Management Agency Supply Chain Management Policy & Procedures.
- (b) Preferential Procurement Policy Framework Act (PPPFA) principles and its Regulations, as updated, shall apply, whereby submissions will be evaluated according to the provisions of that Act, its Regulations and the Public Finance Management Act (PFMA).
- (c) Bidders must submit a valid BBBEE Verification Certificate from SANAS Accredited Verification Agency to be eligible for empowerment points. The Exempted Micro Enterprises (EME) may submit an affidavit from the Commissioner of Oath confirming its and turnover and black shareholding.
- (d) The following preferential point system will only be applied when the threshold of 70% for the technical functionality is reached.

(e) The following preferential point system will be applied when calculating the final scores:

(f) Price - 80,

(g) BBBEE Status - 20.

The value of this bid is estimated not to exceed R 50 000 000 (all applicable taxes included) and therefore the 80/20 point system shall be applicable.

Request for Proposal (RFP) documents can be downloaded on e-Tender Portal and at the Breede-Gouritz Catchment Management website (www.breedegouritzcma.co.za). Documents will be available from **12H00 on the 5th September 2022**

One original completed bid document shall be placed in a sealed envelope clearly marked: **“RFP 2022/02 “INTERNAL AUDIT SERVICES FOR BREEDE-GOURITZ CATCHMENT MANAGEMENT AGENCY FOR A PERIOD OF 36 MONTHS”**. The bidder must submit one original completed bid document and four copies of the original bid document.

The closing date and time for the receipt of completed bids is 26th September 2022 before 12h00noon

Failure to provide any mandatory information required in this Bid will result in the submissions being deemed null and void and shall be considered non-responsive. Respondents must include their Tax Compliance Pin Number and/ or CSD Registration printout with their submissions in order to be considered.

Telegraphic, telexed, facsimiled or e-mail submissions will not be accepted. No late submissions will be considered.

Submission requirements:

Proposals should be submitted enclosed in a sealed envelope marked (RFP 2022/02) Proposal for Internal Audit Services and deposited into the tender box at the reception of Breede-Gouritz Catchment Management Agency offices, Corner of Mountain Mill & East Lake Road

OR

Post it to: Attention: Acting: Chief Executive Officer, RFP 2022/02 Proposal for Internal Audit Services; Private Bag X3055, Worcester, 6850

Enquiries should be directed to Mr Gerhard De Bruijn (Finance Manager) & Ms Aureca Jansen (Finance Officer) at 023 346 8000 or gbruijn@bgcma.co.za ; ajansen@bgcma.co.za

<i>The BGCMA reserves the right not to accept the lowest proposal in part or in whole or any proposal.</i>
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1. BACKGROUND

The Breede-Gouritz Catchment Management Agency (BGCMA) is a water management institution that was established in terms of section 78 of the National Water Act 36 of 1998 and is operational in the Breede-Gouritz Water Management Area (WMA). BGCMA falls under Schedule 3A of the Public Finance Management Act (PFMA). The Breede Gouritz CMA reports to the Department of Water and Sanitation as part of performing its mandate and complying with the PFMA, National Treasury Regulations and the Public Audit Act.

The Breede-Gouritz Catchment Management Agency (BGCMA) was established in 2014 (Government Notice 412, 23 May 2014) by extending the boundary and area of operation of the Breede-Overberg Catchment Management Agency in terms of Section 80 of the National Water Act, 1998 (Act No 36 of 1998) (NWA). The BGCMA is a lead agent for water resources management within the Breede-Gouritz Water Management Area (BGWMA). The BGWMA is bounded by the Indian Ocean to the South, the Berg-Olifants Water Management Area to the west, the Orange WMA to the north and the Mzimvubu-Tsitsikamma WMA to the east.

The BGCMA falls largely within the Western Cape Province. The BGCMA has 2 offices, the main office is based in Worcester and the satellite office is in George area. The BGCMA gives effect to its function to investigate and advise water users on the protection, conservation, management, and control of water resources in a cooperative manner. The BGCMA facilitates cooperative governance of water resources through the linking of National, Provincial and Local Government as well as a host of sector partners and stakeholders.

2.FUNCTIONS

The BGCMA has the following inherent functions in terms of section 80 of the National Water Act:

- Investigate and advise interested persons on water resource management.
- Compilation of the CMS
- Co-ordinate related activities of water users and WMIs
- Promote co-ordination of implementation of any applicable development plan.
- Promote community participation in water resource management.

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3.VISION

- Quality water for all, forever

4.MISSION

- To manage our water resources responsibly, through continuous engagement with all stakeholders and to devolve decision making to the lowest level for the benefit of all water users in the Breede-Gouritz area, including the environment.

ADMINISTRATIVE MANDATORY REQUIREMENTS

The information contained in the Table below is mandatory and will be used in assessing the responsiveness of bidders. Failure to submit and complete all mandatory information will result in submissions being deemed null and void and shall be considered “non – responsive” and therefore not considered.

DESCRIPTION	MINIMUM PROOF REQUIRED	TICK SUPPLIED	
		YES	No
Tax Compliance Status	CSD Tax Compliance Proof of CSD registration number		
Completed and signed Compulsory Declaration of Interest Form			
SBD1	Completed, signed and submitted		
SBD 3.3	Completed, signed and submitted		
SBD 4	Completed, signed and submitted		
SBD 6.1	Completed, signed and submitted		
SBD 8	Completed, signed and submitted		
SBD 9	Completed, signed and submitted		
Company registration certificate CIPRO / CIPC	Company registration documents / certificate from CIPRO / CIPC		
Certified copy of B-BBEE contribution level certificate	Submitted BBBEE Verification Certificate from SANAS		
Company profile	Detailed company profile		
Financial Statements (valid year is between 2018 to 2021)	Financial Statement for the last 3 financial years (Financial statement signed off by an independent professional accountant)		
Valid COIDA certificate	Valid COIDA certificate		
Declaration of Tenderer Is the form duly completed and signed?	Declaration of Tenderer Is the form duly completed and signed?		
Minimum qualification Certified Internal Auditor or CA/SA designation.	Proof of certification of CA/SA with SAICA or proof of certification as CIA with IIA		
CISA certificate	Proof of CISA certificate with ISACA		

N.B: Failure of bidders to meet all the above mandatory requirements will result in submissions being deemed null and void and shall be considered “non – responsive” and therefore not considered.

5.OBJECTIVES OF THE INTERNAL AUDIT FUNCTION

- a) The internal Audit Activity is an independent appraisal function established within the Breede Gouritz Catchment Management Agency to examine and evaluate the economy, effectiveness and efficiency of its activities as a service to management and the Audit Committee.
- b) The primary role of the internal audit function is to assist the Agency in the effective discharge of its responsibilities, by furnishing it with analyses, appraisals, recommendations, counsel, and information concerning the activities reviewed.
- c) According to the Public Finance Management (Act No. 1 of 1999) Chapter 6 Section 51, each public entity must have an internal audit unit. This service may be outsourced if the public entity requires assistance with its capacity.
- d) To have access to different specialized expertise it was decided to outsource the internal audit function with an internal audit service provider.
- e) The service provider will assist the Water board to accomplish the internal audit service objectives, and to assist in complying with the relevant legislation such as the PFMA, Water services act, Treasury regulations, etc.
- f) The audit activity will report directly to the Chief Executive Officer and the Audit Committee.
- g) The successful bidder will be required to perform a combination of the following audit services: Each accounting cycle audited every quarter must be audited
 - Financial Auditing (All accounting cycle)
 - Performance Auditing (including performance information)
 - Operational audits
 - Audit of supply chain and Revenue (receivable) compliance
 - Compliance Auditing
 - Follow-up audits
 - Forensic Auditing
 - Investigation of Irregular expenditure
 - Project Assurance
 - Combined Assurance Audits
 - Computer (IT) Auditing including General IT Control reviews, Application Control reviews, Computer Aided Auditing Technique (CAATs) reviews, cyber security and business continuity reviews
 - HR Audits
 - Risk management

All reviews must meet the International Standards for the Professional Practice of Internal Auditing and Code Ethics of the Institute of Internal Auditors.

6.SCOPE OF THE WORK

In line with best practice the internal audit and risk management functions have been separated. The appointed service provider will be required to review Breede-Gouritz Catchment Management Agency's risk management and governance processes, and perform the following functions:

- a) Develop a three-year internal audit strategic plan. The plan should take into account the assurance activities of relevant internal and external assurance providers. Based on this requirement, the successful service provider will be expected to work with the Agency to

coordinate and develop a comprehensive and integrated assurance plan for the Agency.

- b) Develop a detailed risk based annual plan indicating the scope for each assignment.
- c) Provide a proposed timeline for the period of the project.
- d) Propose annual budgets for the duration of the project.
- e) Discuss coverage plans with management and the audit committee.

6.1 The firm will be further required to do the following:

- a) Perform risk-based internal audit control and compliance reviews in terms of the proposed internal audit plan.
- b) Perform audits in compliance with the Institute of Internal Auditors' standards on internal auditing.
- c) Plan and perform computer-based audits.
- d) Undertake performance review audits
- e) Ensure that line management is fully aware of the implications of the audit findings on business operations and the subsequent recommendations.
- f) Provide a final report on the outcome and findings of audits, including recommendations and agreed management corrective action for internal audit follow-up.
- g) Provide risk mitigation and control advice to management regarding the management of risks, with a summarised report to both executive management and the audit committee.
- h) Provide summary reports to the audit committee on high-risk findings.
- i) Attend relevant audit committee and executive management meetings and provide ~~feedback~~ on audits completed and the management of risks.
- j) Provide an overall annual conclusion for the audit committee on the audited control environment.
- k) Review of interim and annual financial statements to comply with GRAP.
- l) Work closely with the external auditors and other assurance providers to ensure that there is synergy of approach with little duplication of effort.
- m) Provide and implement a formal skills transfer process to relevant Agency staff
- n) Have the capacity to deal with any special internal audit projects.
- o) Provide value-added services to management on how to improve the internal control environment
- p) Provide mentorship to internal audit interns and employees tasked with internal audit functions

6.2 Fraud and irregularities

In planning and conducting its work, the internal audit service provider should seek to identify serious defects in the internal controls, which might result in possible malpractices. Any such defects must be reported immediately to the Chief Executive Officer and/or Audit Committee, without disclosing these to any other staff. This also applies to instances where serious fraud and irregularities is uncovered

7. TECHNICAL SPECIFICATIONS

Expected Outcomes and Deliverables Performing audit assignments Each assignment should at least consist of the following: • Pre-audit survey • Audit planning memorandum • Minutes of entrance meeting • Risk assessment document • System descriptions • Audit programs • Sampling methodology • Mechanisms for follow up on matters previously reported and feedback to the Audit Committee • Mechanism to ensure that working papers are reviewed at the appropriate level. • Record of work performed • Audit of work performed • Audit finding and recommendations • Reporting (draft internal audit report and final internal audit report) • Follow up of previous audit findings.

8. REPORTING REQUIREMENTS

The structure of the report is to be as follows:

- Introduction • Audit objective and scope • Background • Executive summary highlighting significant findings • Findings, recommendations and agreed management action (including implementation dates) • All audits are to be carried out according to the Internal Risk Based Audit Plan approved by the Audit Committee • Conclusion

The auditor is to deliver to the CFO, CEO and chairperson of the Audit Committee an electronic copy and one signed copy of the final report to the CFO and CEO for record keeping purposes.

9. STRUCTURE OF PROPOSAL

The bid must be structured in the following sequence when submitted. Each section/heading must be clearly marked for ease of reference. The headings required are:

1. Company Profile/s
2. Proposal
3. Implementation Plan
4. Organogram
5. CV's
6. Project Experience (Portfolio of Evidence)
7. Compulsory Documents (Checklist)
8. Special Conditions of Tender
9. Functionality assessment
10. Presentation
11. Pricing Schedule

10. PROJECT LOCATION

The Agency's head office is situated in Worcester and one sub-office in George.

11. IMPORTANT BACKGROUND INFORMATION

Breede Gouritz Catchment Management Agency is situated at the Breede Gouritz Catchment Management Area with its head office in Worcester. We have around 8000+ customer base. The estimated number of creditors is around 125. We have around 72 employees in total. For detail financial information and non-financial information please check our latest annual report

12. DURATION OF CONTRACT

The contract is expected to run for 36 Months, commencing on the date of signing the Service Level Agreement. It will, however, be renewable annually and this will be subject to a review of the previous year's performance against the Internal Audit Plan.

The successful bidder should be able to start from October/November 2022.

BGCMA reserve the right to cancel the contract should there be any valid reasons to do so.

13. FUNCTIONALITY

Phase 2: Technical Functionality Compliance.

Bidders must score at least 70 out of 100 in respect of functionality to qualify for advancement to Phase 3. A bidder that scores less than 70 out of 100 will be regarded as submitting a non-responsive bid and will be disqualified. Bidders who fail to obtain a minimum score for each criterion will be disqualified.

1 = poor, 2 = average, 3 = good, 4 = very good, and 5 = excellent

A bidder must meet 70 out of 100 on technical mandatory requirements.

Functionality evaluation will be based on the following criteria:

No.	Functionality	Criteria/ Guide		Max Weight	Score Claimed
1	Company Experience			30	
	Company profile including demonstrated experience in providing internal audit services in the water sector and/or public sector, with a minimum of five traceable reference letters from previous water sector and/or public sector, clients relevant to this tender including the start and completion dates of the contracts. Failure to include the start and end dates will result in the reference letter not being considered. Only a completed year/s of experience will be considered. The reference letters should be on the client's letterhead stating the below experience	1 to 2 years relevant experience	1		
		3 to 4 years relevant experience	2		
		5 to 6 years relevant experience	3		
		7 to 10 years relevant experience	4		
		>10 years relevant experience	5		
2	Team Capabilities:			35	
	2.1 Project Director/partner, 10 Points				
	2.1Project Director/Partner: Minimum qualification Certified Internal Auditor or CA/SA designation.	1 to 2 years relevant experience	1		
		3 to 4 years relevant experience	2		
		5 to 6 years relevant experience	3		
		7 to 10 years relevant experience	4		
		>10 years relevant experience	5		
	2.2 Internal Audit Manager, 10 Points				
	2.2 Internal Audit Manager: Minimum qualification Certified Internal Auditor or CA/SA designation	1 year relevant experience	1		
		2 to 3 years relevant experience	2		
		4 to 5 years relevant experience	3		
		6 to 9 years relevant experience	4		
		>10 years relevant experience	5		
	2.3 Internal auditor, 10 Points				
	2.3 Internal Auditor: Minimum diploma or equivalent in internal audit or finance.	1 year relevant experience	1		
		2 to 3 years relevant experience	2		

No.	Functionality	Criteria/ Guide		Max Weight	Score Claimed
		4 to 5 years relevant experience	3		
		6 to 9 years relevant experience	4		
		>10 years relevant experience	5		
	2.4 Information systems auditor, 5 Points				
	Information System Auditor: CISA qualification	1 year relevant experience	1		
		2 to 3 years relevant experience	2		
		4 to 5 years relevant experience	3		
		6 to 9 years relevant experience	4		
		>10 years relevant experience	5		
	Attach organogram which clearly outline the role of the team and the indication staff that will be allocated to BGCMA. Bidders to include comprehensive CVs.				
3	Project plan and methodology			35	
	Project / Audit plan and audit methodologies in line with the task description outlined under project scope/ task description, with clear milestones and timeframes for each task to be completed. Audit methodology should be properly outlined (please refer to the scope of work) .				
	No project/audit plan and audit methodology	1			
	Project/Audit plan provided with no clear deliverables, audit methodology & timeframes/milestones.	2			
	Project/Audit plan provided with clear deliverables, audit methodology & timeframes/milestones	3			
	Project/Audit plan provided with audit methodology, deliverables, timeframe/milestone & management of the project. A sample/example of detailed audit report and audit strategy.	4			
	Project/Audit plan well broken down with methodology, deliverables, timeframe/milestone, quality assurance & management of the project including staff deployment to each activity/ deliverables. A sample/example of a detailed audit report and audit strategy.	5			
All documents in support of the various sections above must be submitted in order to claim the maximum . Missing or incomplete documentation will result in a zero score for the relevant section.					
TOTAL				100	

14. Company Experience

This refers to the details of the company (Supplier) and the services they are offering. Specific details required are as follows:

- The nature and location of the company, its history and when it was registered (Supplier must specify)
- The company's core business e.g., provision of internal audit services preferably in the water sector or/and public government sector (Supplier must specify)
- Positive reference letters from previous clients relevant to this tender.
- We reserve the right to do reference check to confirm the letters provided

15. Team experience

Specific details required here are:

- The consultant's internal audit experience preferably in the water sector and/or public government sector.
- experience in conducting audits required (See Scope of Work paragraph);
- Attach organogram with staff indicated that will be allocated to BGCMA
- Capacity to service Breede-Gouritz Catchment Management Agency

16. Qualifications of the team members

A mix of qualifications of the team members and specify the role of each member (especially lead auditors/Directors).

Assessment of the condensed curricula vitae of personnel who will be assigned to the Breede-Gouritz Catchment Management Agency:

- Partners/Directors – CIA or CA
- Manager/s – Qualified professional Auditors
- IT specialised auditor/s with CISA

17. Project plan and Methodology

Specific details required here are:

- Include sample of internal audit reports;
- Use of electronic internal audit software to perform audits (CAATs, ACL etc.)
- Demonstrate understanding of the requirements of this tender (Scope of Work)
- Sufficient Project hours
- Innovations introduced
- Any other relevant info

EVALUATION CRITERIA

Phase 1: Technical Evaluation

The evaluation of the technical part of the proposal will be on the basis of the candidate's responsiveness to the terms of reference, as well as the application of the evaluation criteria and points system as indicated below. Each responsive proposal will be given a technical score.

Criteria	Weight	Score (1-5)
Company Experience	30	
Team Capabilities	35	
Project plan and Methodology	35	
TOTAL	100	
Minimum Threshold for Functionality	70	

The proposals will receive further consideration if they score at least 70% minimum points out of the 100% for functionality

Phase 2: Pricing and BEE Evaluation

The following 80/20 criteria will be used for the evaluation of the proposals:

Pricing : 80 points

B-BBEE Points : 20 points

Quantitative Assessment

Bids that achieve the minimum technical requirement will be further adjudicated on Price and BEE status. The method of scoring Financial Proposals and the BEE Verification Certificate is described in the attached Preference Points Claim document (SBD 6.1).

The allocation of tender adjudication points for this Contract shall be as follows:

Area of Adjudication	Maximum Points
Tendered Price (S_P)	80
Empowerment Objectives (S_E)	20
Total Points (S)	100

SPECIFIC CONDITIONS

Respondents should complete all the returnable SCHEDULEs/SBD forms listed below.

RETURNABLE SCHEDULES

(All ANNEXUREs must be completed and returned by the Supplier(s) when submitting the bid.)

RETURNABLE SCHEDULE 1: Invitation to Bid (SBD 1)
RETURNABLE SCHEDULE 2: Pricing Schedule (SBD 3.3)
RETURNABLE SCHEDULE 3: Declaration of Interest (SBD 4)
RETURNABLE SCHEDULE 4: Preference Points Claim Form (SBD 6.1)
RETURNABLE SCHEDULE 5: Contract Form (SBD 7.2)
RETURNABLE SCHEDULE 6: Supplier(s)'s Past Supply Chain Management Practices (SBD 8)
RETURNABLE SCHEDULE 7: Certificate of Independent Bid Determination (SBD 9)

TERMS AND GENERAL CONDITIONS

- (a) All submissions must be received by the Breede-Gouritz Catchment Management Agency no later than **12h00, Monday the 26th day of September 2022**. Respondents must submit their proposals before the closing date and time. No late submissions will be considered;
- (b) All submissions and subsequent information received will become the property of the Breede-Gouritz Catchment Management Agency and will not be returned;
- (c) Failure to complete all supplementary information will result in submissions being deemed null and void and shall be considered “non-responsive” and therefore not considered;
- (d) Telegraphic, telexed, faxed or e-mailed submissions will not be accepted;
- (e) Service Providers should submit 5 Copies of proposals, one copy should be an original and clearly marked **Original** and the remaining can be the copies of the Original.

“RFP 2022/02 –**REQUEST FOR PROPOSAL (RFP): INTERNAL AUDIT SERVICES AT BREEDE – GOURITZ CMA FOR A PERIOD OF 36 MONTHS**” at the Tender Box of BGCMA at Cnr Mountain Mill and East Lake road; Worcester; 6850.

Proposals may also be posted to: **Attention: Acting: CHIEF EXECUTIVE OFFICER ;RFP 2022/02 Proposal for Internal Audit ;Private Bag X3055,Worcester ,6850.**

- (f) Respondents or their representatives (including the courier services) must ensure that they register their submissions in the Lodging Sheet at the Reception Desk of the above-mentioned Breede-Gouritz CMA Office, wherein they will indicate the name of the person delivering the submission, the number of copies submitted, the time and date of submission and sign the document.
- (g) All enquiries and submissions regarding this Request for Tender (RFP) must be directed to:
- Mr Gerhard de Bruijn or Ms Aureca Jansen at Supply Chain Management Unit Number: 023 – 346- 8000; Email: gbruijn@bgcma.co.za and/ or ajansen@bgcma.co.za
- (h) The contact persons reflected above shall be the only point of contact for this contract. Failure to observe this requirement might lead to immediate disqualification of the respondent;
- (i) The Breede-Gouritz CMA reserves the right not to accept any submission
- (j) Bidders must comply with Regulation 13(c) of the Public Service Regulations, 2016 which states that “an employee in the public service shall not conduct business with any organ of state or be a director of a public or private company conducting business with an organ of state, unless such employee is in an official capacity a director of a company listed in ANNEXURE 2 and 3 of the PFMA”
- (k) Submission of a Request for Proposal and its subsequent receipt by the Breede-Gouritz CMA does not represent a commitment on the part of the Breede-Gouritz CMA to proceed further with any Respondent or any project;

- (l) No costs incurred by the Respondents in the preparation of their submission will be reimbursed;
- (m) Public Liability - Breede-Gouritz CMA shall not be liable in respect of any claims, damages, accidents, etc. to persons, properties, vehicle rights, etc. that may arise from the carrying out of this contract.
- (n) Tender prices must remain valid for a period of 120 days (calculated from closing date of the bid).

DISQUALIFICATION

(a) It must be stressed that any queries relating to this request must be addressed only to gbruijn@bgcma.co.za and/ or ajansen@bgcma.co.za who are identified as contact persons for this contract; Mr G de Bruijn or Ms A Jansen: Supply Chain Management Unit Contact Number: 023 – 346 8000. The queries must be in writing addressed to the above-mentioned officials. The queries must be sent to the above-mentioned officials before **19th September 2022**

- (a) Respondents are not to communicate in any manner or form whatsoever with members of Breede-Gouritz Catchment Management Agency's personnel about the RFP until the preferred Supplier(s) has been selected and the procurement process completed;
- (b) Respondents are advised that should there be any contact with Breede-Gouritz Catchment Management Agency's staff and the Adjudication Team which could in any way be seen or deemed to constitute a conflict of interest, bribe or otherwise influence the process and the outcome thereof, will result in immediate disqualification;
- (c) Misrepresentation of information presented to the Breede-Gouritz Catchment Management Agency, be it on capability statement or empowerment credentials will also lead to disqualification of the respondent.

RETURNABLE SCHEDULE 1: INVITATION TO BID AND THE TERMS AND CONDITIONS OF BIDDING (SBD 1)

SBD1

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE BREEDE-GOURITZ CATCHMENT MANAGEMENT AGENCY

BID NUMBER:	RFP 2022/02	CLOSING DATE:	26 th September 2022	CLOSING TIME:	12H00
DESCRIPTION	REQUEST FOR PROPOSAL (RFP): INTERNAL AUDIT SERVICES AT BREEDE- GOURITZ CMA FOR A PERIOD OF 36 MONTHS				

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).

BID RESPONSE DOCUMENTS BE DEPOSITED IN THE BID BOX SITUATED AT

Breede-Gouritz Catchment Management Agency
Cnr Mountain Mill & East Lake Roads
Worcester
6850

SUPPLIER(S) INFORMATION

NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	☐ Yes	
	☐ No			☐ No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	☐	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	☐	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	☐	A REGISTERED AUDITOR			
		NAME:			

[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 [IF YES ENCLOSE PROOF]	☐ No ARE YOU A FOREIGN BASED SUPPLIER(S) FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes [IF YES ANSWER PART B:3 BELOW]	☐ No
SIGNATURE OF BIDDER		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)				
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)		
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT/ PUBLIC ENTITY		CONTACT PERSON		
CONTACT PERSON		TELEPHONE NUMBER		
TELEPHONE NUMBER		FACSIMILE NUMBER		
FACSIMILE NUMBER		E-MAIL ADDRESS		
E-MAIL ADDRESS				

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER(S) DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 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 LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER(S) DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN MANUFACTURERS

- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
 - 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
 - 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
 - 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO
- IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.**

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID

RETURNABLE SCHEDULE 2 – PRICE SCHEDULE

BIDDER: _____

It is understood that internal audits are based on hourly rates and that budgets should be compiled based on the estimated hours as indicated below. Financial proposals will be compared based on estimated amounts and estimated hours. An assessment will be made if the hours proposed below will be sufficient enough to cover the detailed scope of work. Firms are required to submit a table of hourly rates as per the table below. Rates should be **inclusive** of overheads **and** VAT (but exclusive of disbursements and related VAT). If a particular category does not exist for the firm, it can be omitted. The rates below are indicative .

Item (where applicable)	Hourly Rate (including overheads and VAT)
Engagement Partner	R
Partner	R
Senior Manager	R
Manager	R
Assistant Manager	R
Supervisor	R
Senior Auditor	R
Trainee Auditor	R
Specialists (e.g. tax, technical)	R
Average Total per hour	R

The table is for indicative rates only and will not be used in the Pricing Schedule.

Team Composition mix

It is recognised that it is difficult for a prospective bidder to be firm about the extent of the work based solely on the terms of reference. However, to assist with assessments, a firm must provide a typical distribution of time for members of the audit team on a job of this nature. This should be expressed in percentages of the total person-hours billed on a typical job (see table below, which is indicative only and not binding on the firm).

Item (where applicable)	Typical Percentage of Total Hours on Project
Engagement Partner	%
Partner	%
Senior Manager	%
Manager	%
Assistant Manager	%
Supervisor	%
Senior Auditor	%
Trainee Auditor	%
Specialists	%
TOTAL	100

The table is for indicative hour composition only and will not be used in the Pricing Schedule.

The financial proposal should be based on the audit budget detailed in terms of budgeted hours for each type of audit. Please populate the table below.

BGCMA	Internal Audit costing							
Audit Area	Budgeted hours	Budgeted Amounts	Budgeted hours	Budgeted Amounts	Budgeted hours	Budgeted Amounts	Total Budgeted hours	Total Budgeted Amounts
	Year 1		Year 2		Year 3			
Accounts receivables linked with billing/revenue	280		280		280			
Cash management, petty cash	12		12		12			
Accounts payables linked to SCM and expenditure management	250		250		250			
Payroll	36		36		36			
SCM and compliance	100		100		100			
Assets management	36		36		36			
Irregular expenditure, Fruitless and wasteful	80		80		80			
Corporate Governance (one audit per year)	12		12		12			
Human resource and performance management	36		36		36			
Strategic planning and Quarterly performance information (AOPO)	100		100		100			
Operational audits (including Technical audits and projects) (two audits per year)	100		100		100			
Other Compliance matters	100		100		100			
Follow-up audits	60		60		60			
Combined Assurance Audits (review of interim and annual financial statement)	16		16		16			
ITC audits (all types of controls at	80		80		80			

BGCMA	Internal Audit costing							
Audit Area	Budgeted hours	Budgeted Amounts	Budgeted hours	Budgeted Amounts	Budgeted hours	Budgeted Amounts	Total Budgeted hours	Total Budgeted Amounts
	Year 1		Year 2		Year 3			
least two audits per year)								
Internal Audit Plan	40		40		40			
Auditcom and board meetings (3 meetings per annum with the maximum of 3 hours per meeting)	36		36		36			
Enterprise wide risk management	80		80		80			
Other	40		40		40			
Total	1474		1474		1474			
VAT								
Total Budget								
<i>The above audits are the minimum requirements, however you are allowed to be innovative without reducing the scope of work.</i>								
<i>The estimated hours provide a guideline of hours required to perform the audit.</i>								
<i>The costing will be used as a basis of the award,however this will be limited to budget available.</i>								

NB. Please note that payment will be done per deliverable. The costing should be all inclusive. No travel allowance will be claimed separately.

Pricing Instructions:

By signing the Price Schedule, a bidder warrants that:

- 2.1.1 the relevant quotation is correct;
- 2.1.2 the rates(s) and prices(s) quoted cover all the work/item(s) specified in the quotation document;
- 2.1.3 the rate(s) and price(s) cover all the Supplier(s)'s obligations under a resulting contract, including all disbursements;
- 2.1.4 any mistakes and/or omissions regarding rate(s) and price(s) or errors in calculation shall be at the Supplier(s)'s risk.
- 2.1.5 Bidders must show VAT payable separately on the Price Schedule.

SIGNED at _____ **(place) on the** _____ **day of** _____ **(month),**
20_____

Signature

Date

Print name: _____
On behalf of the Supplier(s) (duly authorised)

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER:	BID NO.:
CLOSING TIME 12:00	CLOSING DATE.....

OFFER TO BE VALID FORDAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
------------	-------------	--

1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project. R.....
3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)
4. PERSON AND POSITION

	HOURLY RATE	DAILY RATE
-----	R-----	-----
-----	R-----	-----
-----	R-----	-----
-----	R-----	-----
-----	R-----	-----
5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

-----	R-----	----- days
-----	R-----	----- days
-----	R-----	----- days
-----	R-----	----- days
- 5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
-----	-----	-----	R.....
-----	-----	-----	R.....
-----	-----	-----	R.....
-----	-----	-----	R.....

TOTAL: R.....

pplicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund tions and skills development levies.

- .2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....			R.....
.....			R.....
.....			R.....
.....			R.....
TOTAL: R.....			

6. Period required for commencement with project after acceptance of bid
7. Estimated man-days for completion of project
8. Are the rates quoted firm for the full period of contract? *YES/NO
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.
-
-
-

*[DELETE IF NOT APPLICABLE]

Any enquiries regarding bidding procedures may be directed to the –
(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:

Or for technical information –

(INSERT NAME OF CONTACT PERSON)

Tel:

RETURNABLE SCHEDULE 3: DECLARATION OF INTEREST (SBD 4)

1. 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.

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

- 1.1 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:

- 1.1.1 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;
I provincial legislature;
- (d) national Assembly or the national Council of provinces; or
I 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 attached proof of such authority to the bid document?

YES / NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

.....

.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?

YES / NO

2.8.1 If so, furnish particulars:

.....

.....

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?

YES / NO

1.1.1 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.

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

1 DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.

3 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

RETURNABLE SCHEDULE 4: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017 (SBD 6.1)

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

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

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

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:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(***Tick applicable box***)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

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

Designated Group: An EME or QSE which is at last 51% owned by:

EME
✓

QSE
✓

Black people
Black people who are youth
Black people who are women
Black people with disabilities
Black people living in rural or underdeveloped areas or townships
Cooperative owned by black people
Black people who are military veterans

OR

Any EME

Any QSE

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

- ☐ Supplier(s)
- ☐ Supplier(s)
- ☐ Professional Supplier(s)
- ☐ Other Supplier(s)s, 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.
.....

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

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

NAME OF FIRM

DATE

WITNESSES

1

2

DATE:

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity
as.....
accept your bid under reference numberdated.....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)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

DATE:

RETURNABLE SCHEDULE 6: DECLARATION OF SUPPLIER(S)'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD 8)

- 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 Manufacturers 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 <i>audi alteram partem</i> rule was applied). The Database of Restricted Manufacturers 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:
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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

RETURNABLE SCHEDULE 7: CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ 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(s) of goods and services if the Supplier(s) committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

SBD 9 :- CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;

- (d) the intention or decision to submit or not to submit, a bid;
- (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
- (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

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

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder