



REQUEST FOR BID SERVICES

BID DETAILS

BID NUMBER: SAHPRA/2021/INTERNAL AUDIT / RFB002

CLOSE **Date:** Monday 21 June 2021
 Time: 11:00

DESCRIPTION: REQUEST FOR BID TO PROVIDE INTERNAL
AUDIT SERVICES TO SAHPRA FOR A PERIOD ON
THREE (3) YEARS

BRIEFING SESSION: Yes ☐ No ☒ **X**
See Section A-1 Paragraph 2 on Bid Submission
Conditions and Instructions that the Bidder needs to
take note of.

DETAILS OF BIDDER

Organisation/ Individual:

Contact person:

Telephone/ Cell number:

E-mail address:

GLOSSARY

Award	Conclusion of the procurement process and final notification to the effect to the successful bidder
B-BBEE	Broad-based Black Economic Empowerment in terms of the Broad-based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003) and the Codes of Good Practice issued thereunder by the Department of Trade and Industry
Bid	Written offer in a prescribed or stipulated form in response to an invitation by SAHPRA for the provision of goods, works or services
Contractor	Organisation with whom SAHPRA will conclude a contract and potential service level agreement subsequent to the final award of the contract based on this Request for Bid
Core Team	The core team are those members who fill the non-administrative positions against which the experience will be measured.
EME	Exempted Micro Enterprise in terms of the Codes of Good Practice
GCC	General Conditions of Contract
IP	Intellectual Property
SAHPRA	South African Health Products Regulatory Authority
Original Bid	Original document signed in ink, or Copy of original document signed in ink, or Submitted Facsimile of original document signed in ink
Originally certified	To comply with the principle of originally certified, a document must be both stamped and signed in original ink by a commissioner of oaths.
SCM	Supply Chain Management
SLA	Service Level Agreement

DOCUMENTS IN THIS BID DOCUMENT PACK

Bidders are to ensure that they have received all pages (pp 42) of this document, which consist of the following sections:

SECTION A

Note: Documents in this section are for information to/instruction of bidders and must not be returned with bids.

- ☐ Section A 1: Bid Submission Conditions and Instructions
- ☐ Section A 2: Terms of Reference
- ☐ Section A 3: Evaluation Process/Criteria
- ☐ Section A 4: Contract Form (Rendering of Services) (Parts 1 & 2)/Letter of Acceptance/Formal Contract
(The pro forma contract is only included for Bidders to take note of the contents of the contract that will be entered into with the successful contractor)

SECTION B

Note: Documents in this section must be completed and returned or supplied with bids.

- ☐ Section B 1: Special Conditions of Bid and Contract: Special conditions that the Bidder needs to accept
- ☐ Section B 2: Declaration of Interest (SBD4)
- ☐ Section B 3: Declaration of Bidder's past SCM practices (SBD8)
- ☐ Section B 4: Certificate of Independent Bid Determination (SBD9)
- ☐ Section B 5: Preference Points Claim Form in terms of the Preferential Procurement Regulations, 2017 (SBD6.1)
- ☐ Section B 6: Invitation to Bid (SBD1)
- ☐ Section B 7: Pricing Schedule (Professional Services) (SBD3.1)
- ☐ Section B 8: CV Template Guideline/Compulsory CV template

SECTION A

(This section must not be returned as part of the bid document)

BID SUBMISSION CONDITIONS AND INSTRUCTIONS

CONDITIONS AND INSTRUCTIONS THAT BIDDERS NEED TO TAKE NOTE OF

1 FRAUD AND CORRUPTION

- 1.1 All providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

2 BRIEFING SESSION

- 2.1 No briefing session will be held.

3 CLARIFICATIONS/ QUERIES

- 3.1 Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing (letter, facsimile or e-mail) from Ms Malose Teffo by not later than **Monday 14 June 2021**. A reply will be forwarded within two (2) working days. Telephonic requests for clarification will not be accepted. If appropriate, the clarifying information will be made available to all Bidders by e-mail only. The bid number should be mentioned in all correspondence.

Contact details for Ms Malose Teffo:

E-Mail: scm@sahpra.org.za

4 SUBMITTING BIDS

- 4.1 **One (1) original document must be handed in/ delivered only at the following address:**

SAHPRA Reception
2nd Floor
Building A
Loftus Park
402 Kirkness Street
Arcadia
Pretoria

Bidders should ensure to sign the bid register when delivering a bid.

No posted or e-mailed bids will be accepted

Bidders should ensure that bids are delivered to SAHPRA before the closing date and time to the correct physical address. If the bid is late, it will not be accepted for consideration.

*** Refer to Paragraph 5 below**

- ☐ Bids can be handed in only at reception any time during office hours (**08:30 to 16:00 Mondays to Fridays**) before or on the closing date. *Receipt of bid documents outside of these hours cannot be guaranteed.*
- Bids should be submitted in a sealed envelope, marked with:

Section A 1: Bid Submission Conditions and Instructions

- ☐ Bid number (SAHPRA/2021/INTERNAL AUDIT / RFB002)
- ☐ Closing date and time (Monday 21 June 2021 @ 11:00 am)
- ☐ The name and address of the Bidder.

4.2 Documents submitted on time by bidders shall not be returned.

5 LATE BID SUBMISSIONS

5.1 Bids received late shall not be considered. A bid will be considered late if it arrived even one second after 11:00 or any time thereafter. The tender (bid) box shall be closed at exactly 11:00 and bids arriving late will not be considered under any circumstances. Bidders are therefore strongly advised to ensure that bids be despatched allowing enough time for any unforeseen events that may delay the delivery of the bid. Bids received late shall be returned unopened to the bidder, if possible.

5.2 The official Telkom time, which can be observed by dialling 1026 from any phone, will be used to verify the exact closing time.

6 PAYMENTS

6.1 SAHPRA will pay the Contractor the fees set out in the final contract according to the table of deliverables. No additional amounts will be payable by the SAHPRA to the Contractor.

6.1.1 The Contractor shall from time to time during the duration of the contract, invoice SAHPRA for the services rendered.

6.1.2 The invoice must be accompanied by supporting source document(s) containing detailed information, as SAHPRA may reasonably require, for the purposes of establishing the specific nature, extent and quality of the services which were undertaken by the Contractor.

6.1.3 No payment will be made to the Contractor unless an original tax invoice complying with section 20 of the VAT Act No 89 of 1991, as amended, has been submitted to SAHPRA.

6.1.4 Payment shall be made by bank transfer into the Contractor's bank account normally 30 days after receipt of an acceptable, original, valid tax invoice. Money will only be transferred into a South African bank account. (Banking details must be submitted as soon as the bid is awarded).

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

7 GENERAL CONDITIONS OF CONTRACT

7.1 The General Conditions of Contract must be accepted. The GCC can be downloaded from the Treasury Website. Please refer to the link below:

<http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20of%20Contract.pdf>

TERMS OF REFERENCE (TOR) FOR THE APPOINTMENT OF EVALUATION AND ASSESSMENT OF MEDICINE REGISTRATION PRACTITIONERS TO FORM PART OF A PANEL FOR THE SOUTH AFRICAN HEALTH PRODUCTS REGULATORY AUTHORITY (SAHPRA)

1 BACKGROUND AND INTRODUCTION

The South African Health Products Regulatory Authority (SAHPRA) invites proposals for the provision of internal audit services for a period of three (3) years, commencing 1 August 2021 – 31 July 2024.

The South African Health Products Regulatory Authority (SAHPRA) is the regulatory authority responsible for the regulation of health products intended for human and animal use, the conduct of clinical trials, as well as the licensing of manufacturers, wholesalers, and distributors of medicines and medical devices, radiation emitting devices, and radioactive nuclides.

The legislative mandates of SAHPRA are derived from the Constitution; the National Health Act, 2003 (Act No. of 2003); the Medicines and Related Substances Act, 1965 (Act No. 101 of 1965), as amended (herein after referred to as “the Medicines Act”); and other relevant legislation, regulations, and policies.

Further, the Medicines Act mandates SAHPRA to regulate and control radiation emitting devices and radioactive nuclides, as defined in the Hazardous Substances Act, 1973 (Act No. 15 of 1973). These are listed as Group III hazardous substances (electronic generators of ionising radiation) and Group IV hazardous substances (radioactive sources).

In terms of the Medicines Act, the objectives of the Authority are to provide for the monitoring, evaluation, regulation, investigation, inspection, registration, and control of medicines, scheduled substances, clinical trials, medical devices, and radiation emitting devices, and related matters that are in the public’s interest. It also provides for registration and control of veterinary medicines in such a way as to ensure that they are produced, distributed, and used without compromising human and animal health. Antimicrobials intended for use in animals and registered under the Medicines Act can only be administered or prescribed by a veterinarian.

In accordance with section 2B (1) of the Medicines Act, in order to achieve its objectives, the Authority must:

-
- Ensure the efficient, effective, and ethical evaluation/assessment and regulation of medicines, medical devices, radiation emitting devices, and sources emitting ionising radiation that meet the defined standards of quality, safety, efficacy and performance, where applicable;
- Ensure that the process of evaluating/assessing and registering of medicines, medical devices, radiation emitting devices, and radioactive nuclides is transparent, fair, objective, and concluded timeously;
- Ensure the periodic re-evaluation/re-assessment and ongoing monitoring of medicines, medical devices, radiation emitting devices and radioactive nuclides;

Section A 2: Terms of Reference

- Ensure that evidence of existing as well as new adverse events and reactions, interactions, and signals emerging from post-marketing surveillance and vigilance activities are investigated, monitored, analysed and acted upon;
- Ensure that compliance with existing legislation is promoted and controlled through a process of active inspection and investigation; and
- Ensure that clinical trial or clinical performance study protocols are assessed according to prescribed scientific, ethical, and professional criteria and defined standards.

In executing its functions, the Authority may

- Liaise with any other regulatory authority or institution and may, without limiting the generality of this power, require the necessary information from, exchange information with, and receive information from any such authority or institution in respect of-
 - matters of common interest; or
 - a specific investigation; and
- Enter into agreements to co-operate with any regulatory authority in order to achieve the objectives of the Medicines Act.

SAHPRA has 5 programmes, namely:

1. Programme 1 – Leadership and Support
2. Programme 2 – Health Products Authorisation
3. Programme 3 – Inspectorate and Regulatory Compliance
4. Programme 4 – Clinical and Pharmaceutical Evaluation
5. Programme 5 – Medical Devices and Radiation Control

2 OBJECTIVES

- 2.1 The objective of this bid is to appoint a suitable independent service provider that can provide an effective internal audit service for the Accounting Authority and management of SAHPRA. In terms of the Public Finance Management Act (PFMA), SAHPRA should have an effective internal audit function which should also comply with the Institute of Internal Auditors' (IIA) standards.
- 2.2 The Internal Audit function should assist SAHPRA to accomplish its objectives by bringing a systematic and disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes. The risk management strategy, including the Fraud Prevention Plan, must be used to direct the internal effort.
- 2.3 The Internal Audit function should assist the Risk, Audit and Governance (RAG) Committee of the Board, and through it, the Accounting Authority and management in the effective discharge of their responsibilities. This must be done through furnishing them with analyses, appraisals, recommendations, counsel and information concerning the activities that have been reviewed as well as regular follow-ups.

Section A 2: Terms of Reference

2.4 Some of these objectives/ standards/ controls of the internal audit function, which are subject to an evaluation, are to review the following;

2.5 Internal control processes across the business;

- The information systems environment;
- The reliability and integrity of financial and performance information;
- The effectiveness of operations;
- Compliance with policies, guidelines, regulations and controls; and
- The safeguarding of assets to ensure;
 - economical and efficient use of resources;
 - achievement of established operational goals and objectives; and compliance with laws, regulations and controls

3 SCOPE OF SERVICES

3.1 The scope of the Internal Audit function includes the following:

3.1.1 In consultation with the Risk, Audit and Governance Committee (RAG), it must prepare:

- A three-year rolling Internal Audit Plan based on the assessment of key areas of risk for SAHPRA, having taken into consideration the entity's current and complexity of operations, the operations proposed in its corporate or strategic plan and its risk management strategy;
- An annual Internal Audit Plan;
- Plans indicating the scope, cost and timelines of each audit in the annual internal audit; and
- Audit reports directed to the RAG detailing its performance and progress against the plan to allow effective monitoring and intervention, when necessary.

3.1.2 It must co-ordinate with internal and external assurance providers to ensure proper coverage and minimal duplication of effort.

3.1.3 It must assist the RAG and the Accounting Authority in maintaining effective controls by evaluating controls and developing recommendations for enhancement or improvement.

3.1.4 It must assist the Accounting Authority in achieving the objectives of SAHPRA by evaluating and developing recommendations for the enhancement or improvement of the processes through which:

- Objectives and values are established and communicated;
- The accomplishment of objectives is monitored;
- Accountability is ensured;
- Corporate values are preserved;

Section A 2: Terms of Reference

- The adequacy and effectiveness of the system of internal control are reviewed and appraised;
- The relevance, reliability and integrity of management, financial and operating data and reports are appraised;
- Systems established to ensure compliance with policies, plans, procedures, guidelines, statutory requirements and regulations, which could have a significant impact on operations, are reviewed;
- The means of safeguarding assets are reviewed and deemed as appropriate in verifying the existence of such assets;
- The economy, efficiency and effectiveness with which resources are employed are appraised;
- The results of performance information are reviewed to ascertain whether they are consistent with SAHPRA's established objectives and goals and whether the programmes are being carried out as planned; and
- The adequacy of established systems and procedures are assessed.

3.1.5 The audits that will need to be considered at SAHPRA are, among others:

- Operational Audits;
- Financial Audits;
- Audits of Performance Information;
- ICT security and system processes audit;
- Conducting special assignments and investigations, on behalf of the RAG or the CEO, into any matter or activity affecting the probity, interest and operating efficiency of the SAHPRA; and
- Audits designed to detect fraud.

3.2 Fraud and Irregularities

3.2.1 In planning and conducting its work, the internal auditor should seek to identify serious defects in internal controls, which might result in possible malpractices or exposure of SAHPRA's risk.

3.2.2 Any such defects must be reported immediately to the CEO and/ or RAG without disclosing these to any other staff. This also applies to instances where serious fraud and irregularities have been uncovered.

3.3 Consultation / Advisory Work

3.3.1 Consulting services which are mostly advisory in nature and will be performed at the specific request of SAHPRA.

3.3.2 Where the SAHPRA requires advice and information on a range of audit and associated matters or any other ad hoc projects, such work will be reimbursed at the agreed rate indicated in the supplier response.

Section A 2: Terms of Reference

- 3.3.3 When performing consulting services, the internal auditor should maintain objectivity and not assume management responsibility.

4 EXPECTED OUTCOMES AND DELIVERABLES

- 4.1 When performing audit assignments, **each assignment should at least consist** of the following, which must be in line with the IIA framework, guidelines and practice notes:

- 4.1.1 A pre-audit survey;
- 4.1.2 An audit planning memorandum;
- 4.1.3 Minutes of the entrance meeting;
- 4.1.4 A risk assessment document;
- 4.1.5 System descriptions;
- 4.1.6 Audit programmes;
- 4.1.7 Sampling methodology;
- 4.1.8 Mechanisms for follow-up on matters previously reported and feedback to RAG;
- 4.1.9 Mechanisms to ensure that working papers are reviewed at the appropriate level;
- 4.1.10 A review of work performed;
- 4.1.11 Audit findings and recommendations;
- 4.1.12 Reporting (a draft internal audit report and a final internal audit report); and
- 4.1.13 Follow-up on previous audit findings.

- 4.2 Reporting Requirements, should entail the structure as follows:

- 4.3 Introduction;
- 4.3.1 Audit objective and scope;
- 4.3.2 Background;
- 4.3.3 Executive summary, highlighting significant findings;
- 4.3.4 Findings, recommendations and management response (including responsible persons and implementation dates);
- 4.3.5 Conclusion (overall assessment of the audit).

All audits are to be carried out according to the (Risk, Audit and Governance Committee) RAG approved Internal Audit Plan.

- 4.3.6 The auditor is to deliver an electronic copy and one signed copy of the final report to the chairperson of the RAG and SAHPRA CEO.

5 QUALITY ASSURANCE REVIEWS OF THE WORK

- 5.1 The auditor shall ensure that all work conforms to the “Standards for Professional Practice of Internal Auditing” issued by the Institute of Internal Auditors Inc. Such work may further be subjected to external quality assurance, as may be considered necessary.

6 MONITORING THE PROGRESS OF ASSIGNMENTS

- 6.1 On completion of each assignment, the auditor shall distribute the reports to the auditee, the CEO and the RAG.
- 6.2 On a quarterly basis, a report on progress against the plan, significant findings and administrative matters must be presented to the RAG.

7 INDEPENDENCE AND OBJECTIVITY OF STAFF

- 7.1 In carrying out the work, the auditor must ensure that their staff maintains their objectivity by remaining independent of the activities they audit.
- 7.2 The auditor shall:
 - 7.2.1 Have no executive or managerial powers, functions or duties except those relating to Internal Audit.
 - 7.2.2 Not be involved in the day-to-day operation of the SAHPRA and
 - 7.2.3 Not be responsible for the detailed development or implementation of new systems and procedures.

8 DURATION OF CONTRACT

- 8.1 The contract is expected to run for three years, 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.
- 8.2 The successful bidder should be able to start no later than 1 August 2021 or as soon as possible thereafter.

9 TECHNICAL PROPOSAL AND CRITERIA

- 9.1 Bid submissions should focus on the following aspects to qualify and be considered:
 - 9.1.1 Experience of the bidder in internal audit services in complex environments including specialised skills, expertise and value-added services.
 - 9.1.2 Demonstration of the bidder's internal audit experience.
 - 9.1.3 Specialised skills, expertise and value-added services in the field of internal audit, with an emphasis on best practice methodology, tools and technology used.
 - 9.1.4 Availability of forensic and ICT audit skills and tools.
- 9.2 The internal audit methodology proposed and its adherence to the standards.
 - 9.2.1 The bidder's methodology and approach, and its adherence to the IIA standards.

Section A 2: Terms of Reference

- 9.2.2 The proposed approach in developing the internal audit plan and reporting quarterly and annually.
- 9.2.3 Demonstration of the quality assurance process on the methodology.
- 9.3 Experience in the internal audit of complex public entities by the bidder and /or team leader and team members.
 - 9.3.1 The service provider shall be registered with (Institute of Internal Auditors South Africa (IIASA) and Institute of The Independent regulatory Board for Auditors (IRBA).
 - 9.3.2 Advanced understanding of, and sufficient exposure, to the Public Finance Management Act and the Protocol on Corporate Governance for Public Entities.
 - 9.3.3 Understanding of the Regulators activities.
 - 9.3.4 Experience in the auditing of public entities by the bidder or team leader.
 - 9.3.5 External references, the size of audits and the size of the client base.
- 9.4 Qualifications and experience of team members.
 - 9.4.1 The team leader must be a certified internal auditor (CIA) or chartered accountant. Proof of membership must be supplied with the bid.
 - 9.4.2 The team leader must have at least 15 years audit experience, with the major part in internal audit. This must be clearly demonstrated in the team leader's CV.
 - 9.4.3 The team members should be members of the Institute of Internal Auditors South Africa (IIASA). Proof of membership must be supplied with the bid.
 - 9.4.4 Team members must have at least two to three or more years of experience in the internal auditing environment.
 - 9.4.5 Detailed CVs of the auditor/s who will be responsible for managing the internal audits and the person who will be signing the audit plan and reports.
- 9.5 Ability to provide the services and adequate institutional support.
 - 9.5.1 Shareholding and management structure.
 - 9.5.2 Employment Equity Policy.
 - 9.5.3 Years in business.
 - 9.5.4 Turnover fees for the past two to three years, unless bidder is less than 3 years in business
 - 9.5.5 Professional staff numbers

ALL BIDDERS MUST TAKE NOTE OF THE EVALUATION PROCESS THAT WILL BE FOLLOWED

1 EVALUATION PROCESS

1.1 COMPLIANCE WITH MINIMUM REQUIREMENTS

- 1.1.1 All bids duly lodged as specified in the Request for Bid will be examined to determine compliance with bid requirements and conditions. Bids with obvious deviations from the requirements/conditions will be eliminated from further consideration.

Failure to comply with or submit any one of the following items, will render a bid non-responsive and will not be evaluated further.

Reference	Description	Compliant?	
		YES	NO
Part 1	Signed Special Conditions of Bid and Contract		
Part 2	Tax Compliance Requirements		
Part 3	Completed and signed Declaration of Interest		
Part 4	Completed and signed Declaration of Bidder's past Supply Chain Management practices		
Part 5	Completed and signed Certificate of Independent Bid Determination		
Part 7	Completed and signed Invitation to Bid		
	Proof of registration on the CSD		

1.2 DETERMINATION OF SCORE FOR FUNCTIONALITY

- 1.2.1 The evaluation criteria and weights for functionality as indicated in the table in below, will apply.

FUNCTIONAL CRITERIA		MAXIMUM TO BE AWARDED
<i>Is the bidder registered with IIASA and IRBA</i> <i>If "Yes" – Evaluate bid</i> <i>If "No" – Do not evaluate bid and eliminate from further evaluation</i>		
<i>Does the Engagement Partner/Director have at least 15 years audit experience?</i> <i>If "Yes" – Evaluate bid</i> <i>If "No" – Do not evaluate bid and eliminate from further evaluation</i>		
METHODOLOGY AND APPROACH		
Proposed General Approach to Internal Audit in terms of the following aspects. (Bidders are requested to submit a detailed proposal to be able to be awarded points in this section)		35
Internal Audit of Public Entities subject to PFMA	Maximum 5 points	
Understanding of the activities of a regulator	Maximum 2 points	
Review of internal controls	Maximum 5 points	
Audit preparation	Maximum 3 points	
Preliminary survey	Maximum 3 points	

Section A 3: Evaluation Process/ Criteria

FUNCTIONAL CRITERIA		MAXIMUM TO BE AWARDED
Audit testing	Maximum 4 points	
Development of findings and recommendations	Maximum 5 points	
Reporting	Maximum 2 points	
Forensic Audit	Maximum 2 points	
Auditing of ICT Governance	Maximum 2 points	
Auditing of Taxation and/ or Tax Matters	Maximum 2 points	
The internal audit methodology proposed and its adherence to the standards.		10
PAST RELEVANT EXPERIENCE OF THE ORGANIZATION		
Bidders are expected to attach copies of 3 reference letters from clients in the Public Sector, that they have provided internal audit services to in the last 3 years. The reference letters will be scored in accordance to the following criteria: (The reference letters shall not be older than three years) Information that will be verified in the letter are the following: - The reference letters must be on an entity letterhead - Clearly indicate the type of service provided - Contract duration - Contract value - Relevant contact person's name, surname and position - Relevant contact number/s		20
3 Letters satisfying all the above requirements	20 points	
2 Letters satisfying all the above requirements	15 points	
1 Letter satisfying all the above requirements	10 points	
0 Letters satisfying all the above requirements	0 points	
CAPACITY AND CAPABILITY		
Engagement Partner / Director: Certified Internal Auditor – Provide proof thereof IIASA registered - Provide proof thereof IRBA registered - Provide proof thereof Four Year degree qualification (NQF 8) CV indicating minimum of overall fifteen (15) years post qualification experience in Auditing with minimum 10 years in Internal Auditing. Professional affiliation with one of the relevant bodies such as SAICA, ACCA, CIMA, ISACA, ACFE etc,		7
Audit Team Leader - Manager: Certified Internal Auditor – Provide proof thereof IIASA registered - Provide proof thereof IRBA registered - Provide proof thereof CV indicating minimum of ten (10) years post qualification experience in Internal Auditing Three Year degree qualification (NQF 7) Professional affiliation with one of the relevant bodies such as SAICA, ACCA, CIMA, ISACA, ACFE etc,		7
Assistant Manager CV indicating minimum of five (5) years post qualification experience in Internal Auditing IIASA registered - Provide proof thereof IRBA registered - Provide proof thereof Three Year degree qualification (NQF 7) Professional affiliation with one of the relevant bodies such as SAICA, ACCA, CIMA, ISACA, ACFE etc,		6

Section A 3: Evaluation Process/ Criteria

FUNCTIONAL CRITERIA		MAXIMUM TO BE AWARDED
Senior Auditor/ Senior Consultant CV indicating minimum of three (3) years post qualification experience in Internal Auditing Three Year degree qualification (NQF 7) Professional affiliation with one of the relevant bodies such as SAICA, ACCA, CIMA, ISACA, ACFE etc,		5
Does the bidder have adequate capacity and adequate institutional support to provide the services?		10
Shareholding and management structure	2 points	
Employment Equity Policy	2 points	
Years in business	2 points	
Turnover fees for the past two to three years, unless bidder is less than 3 years in business	2 points	
Professional staff numbers	2 points	
Maximum total for functionality		100

The score for functionality shall be calculated as follows:

Each evaluation committee member shall award values for each individual criterion on a score sheet as follows:

Each panel member shall award values for each individual criterion on a score sheet. The value scored for each criterion shall be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for the various criteria. These marks should be added to obtain the total score for functionality.

The total scores of all the panel members (evaluators) shall be added together and divided by the number of panel members to establish the average score obtained by each individual bidder for functionality.

1.3 ELIMINATION OF PROPOSALS ON GROUNDS OF FUNCTIONALITY

Bids and/ or resources that score less than **70%** of the points available for functionality will be eliminated from further consideration.

1.4 PRICE AND B-BBEE STATUS LEVEL POINTS

1.4.1 All remaining bids will be evaluated as follows:

1.4.2 The 80/20 preference point system will be applied. Points for price and B-BBEE status level certificate will be awarded in accordance with the stipulations in the Preference Point Claim Form in terms of the Preferential Procurement Regulations, 2017.

1.4.3 If appropriate, implied contract price adjustments will be made to the cost proposals of all remaining bids.

Section A 3: Evaluation Process/ Criteria

1.4.4 The point scored for the B-BBEE status level certificate for each acceptable bid will now be added to the price point.

1.4.5 The Evaluation Committee may recommend that the contract be awarded to the bidder obtaining the highest aggregate mark as determined by 1.4.4 or to a lower scoring bid on justifiable grounds.

1.5 ADJUDICATION OF BID

1.5.1 The relevant award structure will consider the recommendations and make the final award. The successful bidder will usually be the service provider scoring the highest number of points or it may be a lower scoring bid on justifiable grounds or no award at all.

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/we hereby undertake to render services described in the attached bidding documents to SAHPRA in accordance with the requirements and task directives/proposals specifications stipulated in Bid Number SAHPRA/2021/INTERNAL AUDIT / RFB002 at the price/s quoted. My/our offer/s remain binding upon me/us 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:
 - 2.1 Bidding documents, viz
 - ☐ Invitation to bid
 - ☐ Tax clearance certificate
 - ☐ Pricing schedule(s)
 - ☐ Filled in terms of reference/task directive/proposal
 - ☐ Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2017;
 - ☐ Declaration of interest
 - ☐ Declaration of bidder's past SCM practices
 - ☐ Special Conditions of Contract
 - 2.2 General Conditions of Contract
 - 2.3 Other (specify)
3. I/we confirm that I/we have satisfied myself as to the correctness and validity of my/our 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/we accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me/us under this agreement as the principal liable for the due fulfilment of this contract.
5. I/we declare that I/we 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 number dated for the rendering of services indicated hereunder and/or further specified in the annexures.

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

2. 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 (VAT INCL)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION

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

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

DATE:

SECTION B

This section must be completed and returned or supplied with bids as prescribed.

SPECIAL CONDITIONS OF BID AND CONTRACT

Return as Part 1

	SPECIAL CONDITIONS
1	GENERAL
1.1	The Bidder must clearly state if a deviation from these special conditions are offered and the reason therefor. If an explanatory note is provided, the paragraph reference must be indicated in a supporting appendix to the application submission.
1.2	Should Bidders fail to indicate agreement/compliance or otherwise, the SAHPRA will assume that the Bidder is in compliance or agreement with the statement(s) as specified in this bid.
1.3	Bids not completed in this manner may be considered incomplete and rejected.
1.4	SAHPRA shall not be liable for any expense incurred by the Bidder in the preparation and submission of a bid.
2	CANCELLATION OF PROCUREMENT PROCESS
2.1	This procurement process can be postponed or cancelled at any stage at the sole discretion of SAHPRA provided that such cancellation or postponement takes place prior to entering into a contract with a specific service provider to which the bid relates.
3	BID SUBMISSION CONDITIONS, INSTRUCTION AND EVALUATION PROCESS/CRITERIA
3.1	The Bid submission conditions and instructions as well as the evaluation process/criteria have been noted.
4	NEGOTIATION AND CONTRACTING
4.1	SAHPRA have the right to enter into negotiation with one or more Bidders regarding any terms and conditions, including price(s), of a proposed contract.
4.2	Under no circumstances will negotiation with any Bidders, including preferred Bidders, constitute an award ¹ or promise/ undertaking to award the contract.
4.3	SAHPRA shall not be obliged to accept the lowest or any bid, offer or proposal.
4.4	A contract will only be deemed to be concluded when reduced to writing in a formal contract and Service Level Agreement (if applicable) signed by the designated responsible person of both parties. The designated responsible person of SAHPRA is the CEO.
4.5	SAHPRA also reserves the right to enter into one contract with a Bidder for all required functions or into more than one contract with different Bidders for different functions.

¹ See GLOSSARY.

Section B 1: Special Conditions of Bid and Contract

5	ACCESS TO INFORMATION
5.1	All bidders will be informed of the status of their bid once the procurement process has been completed.
5.2	Requests for information regarding the bid process will be dealt with in line with the SAHPRA SCM Policy and relevant legislation.
6	REASONS FOR REJECTION
6.1	SAHPRA shall reject a proposal for the award of a contract if the recommended Bidder has committed a proven corrupt or fraudulent act in competing for the particular contract.
6.2	The SAHPRA may disregard the bid of any bidder if that bidder, or any of its directors: ☐ Have abused the SCM system of the SAHPRA. ☐ Have committed proven fraud or any other improper conduct in relation to such system. ☐ Have failed to perform on any previous contract and the proof exists. Such actions shall be communicated to the National Treasury.
7	GENERAL CONDITIONS OF CONTRACT
7.1	The General Conditions of Contract must be accepted.
8	ADDITIONAL INFORMATION REQUIREMENTS
8.1	During evaluation of the bids, additional information may be requested in writing from Bidders. Replies to such request must be submitted, within 3 (three) working days or as otherwise indicated. Failure to comply, may lead to your bid being disregarded.
8.2	No additional information will be accepted from any individual Bidder without such information having been requested
9	CONFIDENTIALITY
9.1	The bid and all information in connection therewith shall be held in strict confidence by Bidders and usage of such information shall be limited to the preparation of the bid. Bidders shall undertake to limit the number of copies of this document.
10	INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT
10.1	Copyright of all documentation relating to this contract belongs to the client. The successful Bidder may not disclose any information, documentation or products to other clients without the written approval of the accounting authority or the delegate.
10.2	This paragraph shall survive termination of this contract.
11	NON-COMPLIANCE WITH DELIVERY TERMS
11.1	As soon as it becomes known to the contractor that he/she will not be able to deliver the services within the delivery period and/or against the quoted price and/or as specified, SAHPRA must be given immediate written notice to this effect. SAHPRA reserves the right to implement remedies as provided for in the GCC.

Section B 1: Special Conditions of Bid and Contract

12	WARRANTS
12.1	The Contractor warrants that it is able to conclude this Agreement to the satisfaction of SAHPRA.
13	PARTIES NOT AFFECTED BY WAIVER OR BREACHES
13.1	The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this contract by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof.
13.2	No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this contract shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this agreement.
14	RETENTION
14.1	On termination of this agreement, the contractor shall, on demand hand over all documentation provided as part of the project and all deliverables, etc., without the right of retention, to SAHPRA.
14.2	No agreement to amend or vary a contract or order or the conditions, stipulations or provisions thereof shall be valid and of any force and effect unless such agreement to amend or vary is entered into in writing and signed by the contracting parties. Any waiver of the requirement that the agreement to amend or vary shall be in writing, shall also be in writing.
15	CENTRAL SUPPLIER DATABASE
15.1	It is a requirement that all suppliers/ services providers to SAHPRA shall be registered on the National Treasury Central Supplier Database (CSD).
15.2	Bidders are not currently registered will be required to register as a supplier on the CSD before any contract is awarded to such bidder. The CSD website can be accessed on the following link: http://ocpo.treasury.gov.za/Pages/default.aspx
15.3	Bidders that are registered on the CSD are required to submit proof of their registration on the CSD. Bidders not registered, will be required to do so before any contract can be awarded to such bidder. Bidders who are not South African citizens or who does not have a registered company in South Africa will be dealt with in terms of the regulations in place at the time of contracting.
16	FORMAT OF BIDS
16.1	Bidders must complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their proposal should be concise, written in plain English and simply presented.

Section B 1: Special Conditions of Bid and Contract

16.2	Bidders are to set out their proposal in the format prescribed hereunder. This means that the proposal must be structured in the parts noted below. <u>Information not submitted in the relevant part, may not be considered for evaluation purposes.</u>
16.3	Part 1: Special Conditions of Bid and Contract
16.3.1	Bidders must initial each page and sign the last page and return the Special Conditions of bid and Contract (Section B-1). Bids submitted without a completed Special Conditions of Bid form will be deemed to be non-responsive.
16.4	Part 2: Tax Compliance
16.4.1	Bidders must ensure compliance with their tax obligations. 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. 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. Bidders may also submit a printed TCS together with the bid. In bids where consortia/ joint ventures/ sub-contractors are involved, each party must submit a separate proof of TCS/ PIN/ CSD number. Where no TCS is available, but the bidder is registered on the Central Supplier Database (CSD), a CSD number must be provided. Bids submitted without any one of the above particulars, will not be eliminated, but no contract will be awarded unless the potential service provider complies with the above. Bidders who are not South African citizens or who does not have a registered company in South Africa will be dealt with in terms of the regulations in place at the time of contracting.
16.5	Part 3: Declaration of Interest (SBD4)
16.5.1	Each party to the bid must complete and return the "Declaration of Interest" (Section B-2). Bids submitted without a complete and signed Declaration of Interest will be deemed to be non-responsive.
16.6	Part 4: Declaration of Bidder's past Supply Chain Management practices (SBD8)
16.6.1	Each party to the bid must complete and return the "Declaration of bidder's past Supply Chain Management practices" (Section B-3). Bids submitted without a completed and signed Declaration of bidder's past Supply Chain Management practices will be deemed non-responsive.

Section B 1: Special Conditions of Bid and Contract

16.7	Part 5: Certificate of Independent Bid Determination (SBD9)
16.7.1	Each party to the bid must complete and sign the Certificate (Section B-4). Bids submitted without a completed and signed Certificate of Independent Bid Determination will be deemed non-responsive.
16.8	Part 6: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2017 (SBD6.1)
16.8.1	Bidders must complete, sign and return the full "Preference Points Claim Form" (Section B-5) document. In addition, a valid BEE certificate must be submitted. Quotes submitted without a completed and signed Preference Points Claim Form and a valid BEE certificate will be awarded zero points for preference.
16.9	Part 7: Invitation to Bid (SBD1)
16.9.1	Bidders must complete, sign and return the full "Invitation to Bid" (Section B-6) document. Bids submitted without a completed and signed Invitation to Bid will be deemed to be non-responsive.
16.10	Part 8: Pricing Schedule (SBD3.1)
16.10.1	Bidders must provide an hourly rate for all proposed resources which shall be inclusive of all overhead costs (except disbursements such as travel and accommodation, meals, etc) in the formats prescribed and must be returned as part of the submission (Section B-7). Bids submitted without a price, may be deemed to be non-responsive.
16.11	Part 9: Registration on the CSD
16.11.1	In this part, bidders must submit proof of their registration. Refer to Paragraph 15.

I/we herewith accept all the above-mentioned special conditions of the bid. If I/we do consider a deviation therefrom, I have noted those as per the instruction in paragraph 1 (General) above.

Name of Bidder: _____

Signature of Bidder: _____

Date: _____

Section B 2: Declaration of Interest

DECLARATION OF INTEREST

Return as Part 3

1. Any legal person, including persons employed by the State², 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 bid, 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 –
 - 1.1. The bidder is employed by the State; and/or
 - 1.2. The bidder is a Management Board member of SAHPRA and/or
 - 1.3. 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, etc³): _____
 - 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
 - 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: _____

² "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;
- (e) Parliament.

³ "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

Section B 2: Declaration of Interest

Any other particulars:

.....

.....

.....

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

2.7.2.1. If yes, did you attach proof of such authority to the bid document? **YES / NO**

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

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

.....

.....

.....

2.8. Did you or your spouse, or any of the company's directors/shareholders/members or their spouses conduct business with the State in the previous twelve (12) months? **YES / NO**

2.8.1. If so, furnish the following 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 the following particulars.

.....

.....

.....

2.10. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between the 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 the following particulars.

.....

.....

.....

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

Section B 2: Declaration of Interest

2.11.1. If so, furnish the following particulars.

.....

.....

.....

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

Full Name	Identity Number	Personal Tax Reference No	State Employee Number/ Persal Number

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

Section B 3: Declaration of bidder's past SCM practices

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD8) Return as Part 4

- 1 This declaration will be used by institutions to ensure that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 2 The bid of any bidder may be disregarded if that bidder, or any of its directors have:
 - a. abused the SAHPRA's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
3.1	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 <i>audi alteram partem</i> rule was applied). The database of Restricted Suppliers now resides on the National Treasury's website (www.reatury.gov.za) and can be accessed by clicking on its link at the bottom of the homepage.	Yes ☐	No ☐
3.1.1	If so, furnish particulars:		
3.2	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 homepage.	Yes ☐	No ☐
3.2.1	If so, furnish particulars:		
3.3	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 ☐
3.3.1	If so, furnish particulars:		
3.4	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 ☐
3.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

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

Signature

Date

Position

Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD9) Return as Part 5

I, the undersigned, in submitting the accompanying bid:

SAHPRA/2021/INTERNAL AUDIT / RFB002 - REQUEST FOR BID TO PROVIDE
INTERNAL AUDIT SERVICES TO SAHPRA FOR A PERIOD ON THREE (3) YEARS

(Bid Number and Description)

in response to the invitation for the bid made by:

SAHPRA

(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:
 - ☐ has been requested to submit a bid in response to this bid invitation;
 - ☐ could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - ☐ 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 consortium⁴ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraph 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

⁴ 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.

Section B 4: Certificate of Independent Bid Determination

- ☐ prices;
- ☐ geographical area where product or service will be rendered (market allocation)
- ☐ methods, factors or formulas used to calculate prices;
- ☐ the intention or decision to submit or not to submit, a bid;
- ☐ the submission of a bid which does not meet the specifications and conditions of the bid; or
- ☐ 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017 (SBD6.1)

Return as Part 6

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 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:

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

Where

- P_s = Points scored for price of bid under consideration
 P_t = Price of bid under consideration
 $P_{\min}$ = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

- 6.1 B-BBEE Status Level of Contributor:= (maximum of 10 or 20 points)
(Points claimed in respect of paragraph 6.1 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	
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- 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 the Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 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:

Section B 5: Preference Points Claim Form to the Preferential Procurement Regulations 2017

8.2 VAT registration number:

8.3 Company registration number:

8.4 TYPE OF COMPANY/ FIRM

(Tick applicable box)

☐ Partnership/ Joint Venture/ Consortium

☐ One person business/ sole propriety

☐ Close corporation

☐ Company

☐ (Pty) Limited

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

(Tick applicable box)

☐ Manufacturer

☐ Supplier

☐ Professional service provider

☐ Other service providers, e.g. transporter, etc.

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

Section B 5: Preference Points Claim Form to the Preferential Procurement Regulations 2017

- result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES 1. 2.	 SIGNATURE(S) OF BIDDERS(S) DATE: ADDRESS:
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INVITATION TO BID (SBD1) Return as Part 7

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENT OF SAHPRA

BID NO	SAHPRA/2021/INTERNAL AUDIT / RFB002	CLOSING DATE	Monday 21 June 2021	CLOSING TIME	11:00
REQUEST FOR BID TO PROVIDE INTERNAL AUDIT SERVICES TO SAHPRA FOR A PERIOD ON THREE (3) YEARS					

**All Bidders must furnish the following particulars and include it in their submission
(Failure to do so may result in your bid being disqualified)**

Name of Bidder: _____

Postal address: _____

Street address: _____

:

Telephone number: Code _____ Number _____

Cellular number: _____

Facsimile number: Code _____ Number _____

e-Mail address: _____

VAT Registration No: _____

TAX COMPLIANCE REQUIREMENTS (Tick applicable box)

Printed TCS ☐ SARS PIN ☐ CSD No ☐

PROOF OF B-BBEE STATUS LEVEL SUBMITTED?

YES ☐ NO ☐

(Tick applicable box)

B-BBEE Status Level Verification Certificate ☐ B-BBEE Status Level Sworn Affidavit ☐

WHO WAS THE CERTIFICATE ISSUED BY? (Tick applicable box)

An Accounting Officer as contemplated in the Close Corporation Act (CCA)? ☐

A verification Agency accredited by the South African National Accreditation System (SANAS)? ☐

A registered Auditor? ☐

NOTE: A B-BBEE Status Level Certificate/ Sworn Affidavit (For EMEs or 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? (If "YES" enclose proof)

YES ☐ NO ☐
(Tick applicable box)

ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? (If "YES" answer the questionnaire below)

YES ☐ NO ☐
(Tick applicable box)

Section B 6: Invitation to Bid

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.

TERMS AND CONDITIONS FOR BIDDING
1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED), OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”

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

Contact details of Bidder's representative:

Name and Surname

Telephone number: Code Number

Cellular number:

Facsimile number: Code Number

e-Mail address:

Section B 6: Invitation to Bid

Declaration

I/ We have examined the information provided in your bid documents and offer to undertake the work prescribed in accordance with the requirements as set out in the bid document. The prices quoted in this bid are valid for the stipulated period. I/ We confirm the availability of the proposed team members. I/ We confirm that this bid will remain binding upon us and may be accepted by you at any time before the expiry date.

Signature of Bidder:

Date:

Are you duly authorised to commit the Bidder?

(Proof of authority must be submitted e.g. company resolution)

YES

☐

NO

☐

Capacity under which this bid is signed

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID

Please provide hourly rates and percentage of time spent on an assignment of this nature by each category of resources. (Although the percentages inserted below will not be binding on the successful service provider, bidders recognise that an award will be made on the information provided below and therefore it will be expected from the successful service provider to invoice time as close as possible to the percentages provided below)

[illegible]

Section B 8: Pricing Schedule

	R	%
	R	%
Total inclusive VAT	R	

I/ We confirm that the rates provided above will be binding on me/ us for the first 12 months (1st Year) of the contract and that the rates shall be adjusted for the 2nd and 3rd year of the contract at an increase of% (percent) (Insert percentage increase required) per year after the 1st year. ***I/We also confirm that if no percentage is indicated by me/us, that our bid will be considered as being non-responsive and that SAHPRA will not consider the bid for evaluation.***

I/ We further confirm that the percentage of time spent by different levels of resources as indicated above are a true reflection of the percentage of time spent on similar types of assignments and that an unreasonable deviation to this during the contract period will not be entertained by SAHPRA.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CV TEMPLATE GUIDELINE

Proposed role in the project:

1. Family name
2. First name:
3. Date of birth:
4. Nationality
5. Education

Institution (Date from - Date to)	Degree(s) or Diploma(s) obtained

6. Membership of professional bodies
7. Other skills (e.g. computer literacy, etc.)
8. Present position:
9. Years within the organisation:
10. Key qualifications (relevant to the project)

11. Professional experience

Date (From – To) (mm/yy)	
Organisation	
Location	
Position	
Description of duties	

Date (From – To) (mm/yy)	
Organisation	
Location	
Position	
Description of duties	

12. Other relevant information
(e.g. Publications)
13. References