

NATIONAL LOTTERIES COMMISSION

REQUEST FOR QUOTATION [RFQ]NO	RFQ/2024-011-013
RFQ DESCRIPTIONS	REQUEST FOR QUOTATIONS FOR THE APPOINTMENT OF A RECRUITMENT COMPANY TO HEAD-HUNT AND APPOINTING TWO IT AUDIT POSITIONS IN THE NATIONAL LOTTERIES COMMISSION
ISSUE DATE	12 November 2024
CLOSING DATE	18 November 2024
CLOSING TIME	11:00
RFQ VALIDITY PERIOD	The validity period of the quotation requested must be 90 days [From 18 November 2024 – 17 February 2024]
RESPONSES TO THIS RFQ MUST BE SUBMITTED TO	National Lotteries Commission 333 Grosvenor Street Block D Hatfield Gardens Hatfield, 0075 USBs clearly marked must be submitted at the above address
ENQUIRIES MAY DIRECTED TO THIS THE EMAIL	quotation@nlcsa.org.za and maureen@nlcsa.org.za

SECTION 1: BACKGROUND, OVERVIEW AND RFQ SCOPE OF REQUIREMENTS

1. INTRODUCTION

The National Lotteries Commission (NLC) is a public entity established by the Lotteries Act No. 57 of 1997 as amended, to regulate the National Lottery and other lotteries and to administer the National Lottery Distribution Trust Fund ("NLDTF"). In December 2014, the Lotteries Amendment Act 32 of 2013 was promulgated and Regulations thereof published on 14 April 2015.

In line with the requirements of the Public Finance Management Act No. 1 of 1999 ("PFMA") and Treasury Regulations, the NLC intends to appoint a head hunter to undertake recruitment process of the IT Audit Specialist and IT Auditor: Data Analytics for the NLC Head Office.

2. BACKGROUND AND OBJECTIVES

The objective of this bid is to secure the services of an experienced Recruitment service provider (head-hunter) to undertake recruitment process for the IT Audit Specialist and IT Auditor: Data Analytics Positions for the Head Office of the National Lotteries Commission.

3. MANDATE

- Interested service providers will be required to comply with all NLC policies and applicable regulations and maintain strict confidentiality. Appointed service provider(s) will be required to provide a service that is in accordance with the scope as indicated below:
- The Internal Audit & Advisory Division is looking to appoint two positions namely IT Audit Specialist on a 12 month fixed term contract and an IT Auditor: Data Analytics position on a permanent basis.
- Both employees will be on the payroll of NLC.
- Placement fee will be at a maximum of 15% on the annual package for each position.

4. REQUIREMENTS FOR THE POSITIONS

Please refer to Annexure A

5. REPORTING REQUIREMENTS

The service provider shall work closely with the Human Capital Recruitment Office.

6. ENGAGEMENT MODEL

The head-hunting firm is expected to:

6.1 Do a comprehensive search of the South African markets to locate the most suitable talent for the appointment the following positions for NLC.

- IT Audit Specialist (12 months fixed term contract)
- IT Auditor: Data Analytics (permanent basis)

This will include the following:

6.2 Comprehensive search – the service provider must ensure that they understand the requirements of the position (job analysis) and the candidate profile the NLC would like to attract;

6.3 Sourcing – attracting and encouraging candidates to apply for the position;

6.4 Screening – it would be important that the service provider assist NLC in increasing the success rate of the selection process, by decreasing the number of visibly under qualified job applicants. Furthermore, it would be important for the service provider to assist NLC in meeting its legal and social obligations regarding the composition of workforce;

6.5 The Service Provider will provide verification and background checks of the recommended candidates (e.g. Reference check, qualification and ID verification, criminal check and others as required by the NLC);

6.6 Standard timelines for headhunting – the following timelines are expected by the NLC:

TASK	MILESTONE/ DELIVERABLE	TIMELINES
Comprehensive Search /Scarce skill search	As per agreed project timelines and milestones: • Full search; • Identification and present appropriately experienced candidates who are likely to contribute significantly to meeting the NLC's objectives.	Week 1 – 2
Short-listing of potential candidates	• Submit CV's of potential candidates who meet the minimum requirement of the position to the NLC	Week 2 - 3
Final selection of candidates	• Verifications and background checks on the recommended candidate/s after the interviews are conducted by the NLC.	Week 5 - 7

6.7 The Service Provider shall provide CV's from their database of minimum of 6 CV's that meets the minimum qualification and experience requirements for each position.

- Human Capital shall review the CV's received in conjunction with Internal Audit & Advisory Division.
- NLC will conduct interviews of the final shortlisted candidates.
- Human Capital shall confirm the selected candidates, schedule the interviews and request the Service Provider to assist in ensuring the availability of the candidates.

7. DURATION OF THE MANDATE

Until the NLC makes an appointment of the on both positions.

SECTION 2: NOTICE TO BIDDERS

1. Terms and conditions of Request for Quotations (RFQ)

- 1.1 This document may contain confidential information that is the property of NLC.
- 1.2 No part of the contents may be used, copied, disclosed or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a quotation in response to this RFQ without prior written permission from NLC.
- 1.3 All copyright and intellectual property herein vests with NLC.
- 1.4 Late and incomplete submissions will not be accepted.
- 1.5 No services must be rendered, or goods delivered before an official NLC Purchase Order form has been received.
- 1.6 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za,
Suppliers must provide their CSD registration number (and attach CSD Registration report) and ensure that the Tax Matters are compliant.
- 1.7 All questions regarding this RFQ must be forwarded to maureen@nlcsa.org.za and quotation@nlcsa.org.za within 2 days after the RFQ has been issued.

2. General rules and instructions

- 2.1 News and press releases
 - 2.1.1 Bidders or their agents shall not make any news releases concerning this RFQ or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, NLC.
- 2.2 Precedence of documents
 - 2.2.1 This RFQ consists of several sections (see list). Where there is a contradiction in terms

between the clauses, phrases, words, stipulations, or terms and herein referred to generally as stipulations in this RFQ and the stipulations in any other document attached hereto, or the RFQ submitted hereto, the relevant stipulations in this RFQ shall take precedence.

2.2.2 Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that NLC may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or acknowledged by NLC.

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

2.3 Preferential procurement reform

2.3.1 NLC shall apply the principles of the Preferential Procurement Policy Framework Act, (Act No.5 of 2000) to this proposal read together with the Preferential No. 5 of 2000) to this proposal read together with the Preferential Procurement Regulations published with effect from 16 January 2023 ("the Preferential Procurement Regulations, 2022").

2.4 National Industrial Participation Program

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

2.5 Language

2.5.1 Bids shall be submitted in English.

2.6 Gender

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

2.7 Headings

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

2.8 Occupational Injuries and Diseases Act 13 of 1993

2.8.1 The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFQ and/ or subsequent agreement. NLC reserves the right to request

the Bidder to submit documentary proof of the Bidder's registration and "good standing" with the Compensation Fund, or similar proof acceptable to NLC.

2.9 Processing of the Bidder's Personal Information

2.9.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFQ is collected and processed for the purpose of assessing the content of its tender proposal and awarding the bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation, the Preferential Procurement Regulations, 2022. The Bidder is advised that Bidder Personal Information may be passed on to third parties to whom NLC is compelled by law to provide such information. For example, where appropriate, NLC is compelled to submit information to National Treasury's Database of Restricted Suppliers.

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

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

2.9.3.1 NLC personnel participating in procurement/award procedures; and

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

2.10. Rejection of all Bids/Quotation and Disclaimer

The NLC reserves the right to reject all bids when deemed necessary. This is justified when there is lack of effective competition, or bids/quotation are not substantially responsive.

3. Supplier Performance

3.1 The National Lotteries Commission conducts regular performance reviews in accordance with the requirements for the classification of the contract and or stakeholder by making use of supplier evaluation forms. The evaluation is conducted against the deliverables or scope of the contract with a minimum of an annual review done for contracts longer than a year and a review at completion of contract for those contracts less than a year.

3.2 Ad-hoc performance reviews shall be conducted where non-performance is identified outside the review period.

3.3 Non-performance will be addressed with at least a formal letter advising specific non-performing areas and stating remedial action/s required within specific time frames. Non-adherence to remedial actions shall lead to escalating performance management actions.

3.4 Any party to this agreement may request to participate in a joint performance review where appropriate and seek continuous improvement opportunities.

SECTION 3: EVALUATION CRITERIA

The NLC will evaluate all quotations in terms of the Preferential Procurement Regulation 2022 (PPR2022) using the price quoted and special goal stated on this specification.

Phase 1: Administrative Compliance

The Administrative Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Documents
1. Returnable documents (standard bidding documents) and/or schedules were completed fully, duly signed by the authorized person	(SBD) Forms: SBD 1, SBD 6.1
2. Signed consent form in terms of the Protection of Personal Information Act 4 of 2013 (POPIA) (Consent Forms Attached to the Bid as part of the SBDs).	Signed POPIA Consent Form.
3. Latest CSD registration report with a tax compliant tax status.	Full CSD registration report.

Phase 2: Mandatory Compliance

All bid respondents must submit required documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation.

Evaluation Criteria	Supporting Document
1. Fully completed and signed Standard Bidding Document.	SBD 4.
2. Have a good track record in headhunting services. Proof of evidence must be provided	Company Profile
3. Provide three (3) contactable reference letters from clients for headhunting services completed, on similar roles	The reference letter must clearly indicate the client's name, position placed, contact person, contact number and email address and must be signed

Phase 4: The 80/20 Principle based on Price and Specific goal stated below:

Evaluation on Price and Specific Goals as Per PPR2022. The 80/20 Principle based on Price and specific goals for the NLC.

The following formula to be used to calculate the points out of 80 for price inclusive of all applicable taxes. A maximum of 80 points is allocated for price on the following basis:

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{max} = Price of highest acceptable bid

A maximum of 20 points to be awarded to a tenderer for the specific goal specified for the RFP as follows:

1. Procurement from entities who are black Owned	Sub - points for specific goals	Maximum points for specific goals	Relevant Evidence
Tenderer who have 100% black Ownership	8	8	Copies of ID's/3 months CIPC Report from the closing date of the bid/ CSD Recent Report
Tenderer who have 51% to 99% black ownership	4		
Tenderer who have less than 51% black ownership	0		
2. Procurement from entities who are women Owned		4	B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who have 100% women ownership	4		
Tenderer who have 30% to 99% women ownership	2		
Tenderer who have less than 30% women ownership	0		
3. Black Youth Ownership		4	B-BBEE Certificate / B-BBEE Sworn Affidavit
Tenderer who have 100% black youth ownership	4		
Tenderer who have 30% to 99% black youth ownership	2		
Tenderer who have less than 30% black youth ownership	0		
4. Procurement from Disabilities		4	Letter from the Doctor confirming disability and CSD report
Tenderer who have 20% or more owners with disability	4		
Tenderer who have less than 20% but more than 10% owners with disability	2		
Tenderer who have less than 10% owners with disability	0		
Total points for specific goals		20	

Phase 5: Contract and Award

The NLC reserves the right to undertake a due diligence exercise on the preferred bidder/s as part of a material risk evaluation aimed at determining to its satisfaction the validity of the

information provided by the Bidder. Such exercise shall be fully documented and may include, but need not be limited to, all or any combination of the following:

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

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

SECTION 4: CLARIFICATION / ENQUIRIES

Telephonic request for clarification will not be considered. Any clarification required by a prospective service provider regarding the meaning or interpretation of the Specification or any other aspects concerning the request is to be requested in writing (letter or e-mail) from the following contact persons.

Request Enquiries and Quotations to:

Name and Surname: SCM

E-mail: quotation@nlcsa.org.za and maureen@nlcsa.org.za

Tel: 012 432 1300/1470

**LATE SUBMISSIONS WILL NOT BE ACCEPTED.
THE NLC IS NOT OBLIGED TO ACCEPT THE LOWEST BIDDER AND RESERVES THE RIGHT TO
ACCEPT ANY BID IN WHOLE OR PART.**

SECTION 5: PRICING SCHEDULE

Bidders must price as per the below pricing schedule for the purposes of evaluation (Based on average salary of:

Item	Deliverable / Item Description	Unit of Measure	% Fee	Unit Price Excl. VAT	Price Excl. VAT
1.	Placement for IT Audit Specialist (Executive Search, Shortlisting of potential candidates and Probity Checks)	R 860 000			
2.	IT Auditor: Data Analytics (Executive Search, Shortlisting of potential candidates and Probity Checks)	R 535 000			
Sub-Total					
VAT (15%)					
Total					

Name of Bidder/ Company:_____

Bidders Signature

Date

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS							
BID NUMBER:	RFQ/2024-011-013	ISSUE DATE	12 November 2024	CLOSING DATE:	18 November 2024	CLOSING TIME:	11H00
DESCRIPTION	REQUEST FOR QUOTATIONS FOR THE APPOINTMENT OF A RECRUITMENT COMPANY TO ASSIST IN APPOINTING TWO IT AUDIT POSITIONS IN THE NATIONAL LOTTERIES COMMISSION						
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)							
Bid proposals OR Quotation MUST be submitted the below address:							
National Lotteries Commission 333 Grosvenor Street, Block D Hatfield Gardens , Hatfield, 0075							
USBs clearly marked must be submitted at the above address							
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACT PERSON	SCM			CONTACT PERSON	HCM		
TELEPHONENUMBER	012 432 1470			TELEPHONE NUMBER	012 432 1515		
FACSIMILENUMBER				FACSIMILE NUMBER			
E-MAIL ADDRESS	quotation@nlcsa.org.za			E-MAIL ADDRESS	quotation@nlcsa.org.za		
SUPPLIER INFORMATION							
NAME OF BIDDER							
POSTAL ADDRESS							
STREET ADDRESS							
TELEPHONENUMBER	CODE		NUMBER				
CELLPHONENUMBER							
FACSIMILENUMBER	CODE		NUMBER				
E-MAIL ADDRESS							
VAT REGISTRATION NUMBER							
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA		
B-BBEE STATUS/LEVEL VERIFICATION CERTIFICATE	[TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] Yes ☐ No ☐		

SBD1

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

1. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED?	Yes ☐ No ☐ [IF YES ENCLOSE PROOF]	2. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes ☐ No ☐ [IF ANSWER YES, QUESTIONNAIRE BELOW]
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	YES ☐	NO ☐
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	YES ☐	NO ☐
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	YES ☐	NO ☐
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	YES ☐	NO ☐
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION	YES ☐	NO ☐
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 BELOW.		

PART B TERMS AND CONDITIONS FOR BIDDING

1. 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, 2022, 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.

IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

2.5 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

2.6 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.

SIGNATURE OF BIDDER:

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

DATE:

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**
- 2.2 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.3 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.3.1 If so, furnish particulars:

.....

.....

2.4 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.4.1 If so, furnish particulars:

.....

.....

3 DECLARATION

I, _____ the _____ undersigned,(name)
.....in
submitting the accompanying bid, do hereby make the following
statements that I certify to be true and complete in every respect:

- 3.1** I have read and I understand the contents of this disclosure;
- 3.2** I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3** 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 consortium² will not be construed as collusive bidding.
- 3.4** In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4** 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.

² 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.

- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 2022 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for the 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where the 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.) Please complete this table for claiming of points.

1. Procurement from entities who are black Owned	Sub - points for specific goals	Maximum points for specific goals	Number of points claimed (80/20 system) (To be completed by the tenderer)
Tenderer who have 100% black Ownership	8	8	
Tenderer who have 51% to 99% black ownership	4		
Tenderer who have less than 51% black ownership	0		
2. Procurement from entities who are women Owned		4	
Tenderer who have 100% women ownership	4		
Tenderer who have 30% to 99% women ownership	2		
Tenderer who have less than 30% women ownership	0		
3. Black Youth Ownership		4	
Tenderer who have 100% black youth ownership	4		

Tenderer who have 30% to 99% black youth ownership	2		
Tenderer who have less than 30% black youth ownership	0		
4.Procurement from Disabilities			
Tenderer who have 20% or more owners with disability	4	4	
Tenderer who have less than 20% but more than 10% owners with disability	2		
Tenderer who have less than 10% owners with disability	0		
Total points for specific goals		20	

5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1. Name of company/firm.....

5.2. Company registration number:

5.3. TYPE OF COMPANY/ FIRM

☐ Partnership/Joint Venture / Consortium

☐ One-person business/sole propriety

☐ Close corporation

☐ Public Company

☐ Personal Liability Company

☐ (Pty) Limited

☐ Non-Profit Company

☐ State Owned Company

[TICK APPLICABLE BOX]

5.4 I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

SCM

CONSENT REQUEST FORM

REQUEST FOR THE CONSENT OF A DATA SUBJECT FOR PROCESSING OF PERSONAL INFORMATION FOR THE PURPOSE OF PROCUREMENT OF GOODS AND SERVICES APPLICATION, IN LINE WITH THE NLC's SUPPLY CHAIN MANAGEMENT POLICY, IN TERMS OF SECTION 11(1)(a) OF THE PROTECTION OF PERSONAL INFORMATION ACT, 2013 (ACT NO. 4 OF 2013) ("**POPIA**").

TO: _____

FROM: _____

ADDRESS: _____

Contact number: _____

Email address: _____

PART A

1. In terms of the PROTECTION OF PERSONAL INFORMATION ACT, consent for processing of personal information of a data subject (the person/entity to whom personal information relates) must be obtained for the purpose of processing of application for procurement of goods and services, in line with the NLC's supply chain management policy, and storage of your personal data by means of any form of electronic communication, including automatic calling machines, facsimile machines, SMSs or e-mail, which is prohibited unless written consent to the processing is given by the data subject. You may only be approached once for your consent by us (NLC). After you have indicated your wishes in Part B, you are kindly requested to submit this Form either by post, facsimile or e-mail to the address, facsimile number or e-mail address as stated above.
2. "Processing" means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—
 - 2.1 the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;

- 2.2 dissemination by means of transmission, distribution or making available in any other form; or
- 2.3 merging, linking, as well as restriction, degradation, erasure or destruction of information.
- 3. "Personal information" means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—
 - 3.1 information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;
 - 3.2 information relating to the education or the medical, financial, criminal or employment history of the person;
 - 3.3 any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;
 - 3.4 the biometric information of the person;
 - 3.5 the personal opinions, views or preferences of the person;
 - 3.6 correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
 - 3.7 the views or opinions of another individual about the person; and
 - 3.8 the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person.

Full names of the designated person on behalf of the Responsible Party

Signature of Designation person

ANNEXURE A – JOB DESCRIPTION

IT AUDIT SPECIALIST (12 MONTHS FIXED TERM CONTRACT)

PURPOSE OF THE JOB:

This value driven Internal Audit & Advisory division is seeking to appoint an IT Audit Specialist (Independent Contractor) for a period of six (6) months to strengthen the division. The specialist position will interact with executives and officers across the multiple business units and operations and report to the Head – IT Audit. The incumbent will primarily be responsible for undertaking information systems audit engagements within an ERP systems environment to ensure and maintain the adequacy and effectiveness of financial and operational controls within the NLC to ensure that it is in accordance with corporate governance, ISACA standards and practices, the PFMA as well as other applicable laws and regulations and to inform the relevant stakeholders on the state of the control environment.

SALARY SCALE:

- Commensurate with qualifications and experience

REQUIRED QUALIFICATIONS:

- Relevant Degree (NQF 7) (IT/Computer Science/Information Systems/ Auditing/ Accounting/ Equivalent) and Certified Information Systems Auditor (CISA).
- ISACA Membership.
- ISACA certifications (CISM, CGEIT, CRISC, CCAK) will be an added advantage.

REQUIRED WORK EXPERIENCE:

- 6 Years relevant working experience in IT Audit, (external audit or internal auditing) of which 3
- years must be at a supervisory level.
- Experience in Project Assurance reviews is essential
- Experience in IT Security Reviews (including database review, firewall, patch management and vulnerability management) is essential.
- Experience in Application Controls Review is essential.

KEY DELIVERABLES:

- Perform audits of assigned functions including financial, operational and information technology audits from planning to reporting.
- Guide, direct, and review the work performed by other IT Audit personnel and co source partner.
- Make oral presentations of audit findings to management.
- Provide Executive Management with opinions on the effectiveness of the NLC controls.
- Conduct Quality Assurance Reviews on completed audits.

- Monitor the implementation of management actions recommended in audit reports.
- Maintain a database of prior audit recommendations and co-ordinate the follow-up to validate quarterly resolutions of the findings.
- Assist with the preparation of reports to be distributed and presented to Commissioner, EXCO, NLC Board and the Audit Committee.

COMPETENCIES AND SKILLS

- Able to plan and strategize.
- Solid knowledge of mentoring and coaching
- Solid knowledge of Quality Assurance and Improvement Program (QAIP)
- Knowledge of best practice frameworks (e.g., COSO, etc.).
- Able to execute and oversee audits.
- Solid knowledge of report-writing.
- Knowledge of Data Analysis
- Must be able to compile accurate reports.
- Solid knowledge of the PFMA and treasury regulations
- Knowledge of Project Management
- Financial Management
- Manage staff effectively.
- Solid knowledge of professional standards (IIA) / ISACA
- Knowledge of research / benchmarking.

IT AUDITOR – DATA ANALYTICS (PERMANENT BASIS)

PURPOSE OF THE JOB:

The IT Auditor - Data Analytics is responsible for undertaking a spectrum of IT audit engagements to assess the adequacy and effectiveness of ICT, financial and operational controls within the NLC to ensure that it is in accordance with corporate governance, the PFMA as well as other applicable laws and regulations and to inform the relevant stakeholders on the state of the control environment and by using data analytics to improve audit quality.

SALARY SCALE:

Remuneration package ranges from R439 800 – R630 200

REQUIRED QUALIFICATIONS:

- Bachelor's degree in accounting, Informatics, Information Systems, Computer Science, Auditing, Statistics, Mathematics or equivalent.
- ISACA or IIA membership
- Proof of attending scripting course will be an added advantage.
- CIA/CISA/CISM/CRISC/CGIT will be added advantage.

REQUIRED WORK EXPERIENCE:

- At least 3 to 5 years' working experience in Data Analytics
- Proven experience in using ACL Robotics.
- Proficiency in Scripting (script development and execution) is essential.

KEY DELIVERABLES:

- Identify relevant datasets and perform data collection, processing, analysing, modeling, and virtualisation.
- Perform complex analytics on large data sets to provide actionable intelligence and insights on key risks.
- Working with the different teams in Internal Audit and actively participate in audits as part of data analysis.
- Identify use cases, automation of audit testing and develop techniques for recurring tests
- Define data requirements and data guidelines for Internal Audit.
- Maintaining a Data Library for targeted audit objects.
- Support in the improvement of internal audit processes (reporting, planning, risk assessment, testing, Support training and skill building of audit team members to develop/mature data analytics competencies.
- Develop audit findings with all elements of a finding, assess and evaluate audit evidence.
- Compile a draft report based on the findings noted for management comments.

COMPETENCIES AND SKILLS

- Microsoft Excel
- Microsoft Access
- Audit Command Language (ACL) and BI Tools
- Proficient in scripting
- Communication
- Critical Thinking
- Problem-Solving
- Attention to Detail
- Interpersonal Skills
- Ethical Judgment
- Industry Knowledge
- Strategic Thinking

Soft Skills

- Able to execute data analysis task.
- Able to work independently.
- Reporting writing skills
- Able to plan and strategies.
- Able to identify trends and patterns.