

<b>To:</b>	All participating bidders
<b>Issue Date</b>	<b>02 July 2026</b>
<b>SCM Contact person:</b>	Bathabile Nkosi
<b>Project description:</b>	RFQ for Compliance and AML Management System Maturity Assessment
<b>Closing date and time</b>	<b>07 July 2026 @ 16:00pm</b>
<b>Submission email</b>	<b><u><a href="mailto:Quotations@landbank.co.za">Quotations@landbank.co.za</a></u></b>

**RFQ issued by:**

The Land and Agricultural Development Bank of South Africa  
P O Box 375 Pretoria 0001,  
First Floor Block A,  
Lakefield Office Park  
272 West Avenue (Corner of Lenchen Avenue and West Avenue  
De Hoewes, Centurian  
Webaddress: [www.landbank.co.za](http://www.landbank.co.za)

**Name of Bidder:** .....

**ADDRESS:** .....

**LAND LINE:** ..... **Cell No:** .....

**EMAIL:** .....

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**A. SBD 1 - INVITATION TO BID**

**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE LAND BANK</b>					
BID NUMBER:		CLOSING DATE:	07 July 2026	CLOSING TIME:	16:00pm
DESCRIPTION	RFQ for Compliance and AML Management System Maturity Assessment				
<b>BID RESPONSE DOCUMENTS MUSY BE EMAIL AT:</b>					
<b>Quotations@landbank.co.za</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	<b>Bathabile Nkosi</b>		CONTACT PERSON	<b>Bathabile Nkosi</b>	
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	<b>Quotations@landbank.co.za</b>		E-MAIL ADDRESS	<b>Quotations@landbank.co.za</b>	
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		<b>OR</b>	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
<b>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.</b>					

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b></p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b></p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>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.</p> <p>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."</p>

**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: .....

## **B. OVERVIEW OF LAND BANK**

Established in 1912 to promote agricultural and rural development, the Land Bank provides production, instalment sale finance, and medium-term or mortgage loans to emerging and commercial farmers. From time to time, the Bank also administers other government programmes, such as drought relief schemes and flood assistance. The Land Bank is wholly- owned by the South African government, and is in turn the sole shareholder of LBIC and LBLIC, which provide insurance products in the agricultural sector.

The Bank's objectives flow from the Land Bank Act, No. 15 of 2002, and are aligned with government policies and the country's socio-economic needs. The Bank is expected to play a pivotal role in advancing agriculture and rural development. Its broad mandate, as expressed in the Land Bank Act, covers 11 objectives:

- Equitable ownership of agricultural land, in particular increasing the ownership of agricultural land by historically disadvantaged persons.
- Agrarian reform, land redistribution or development programmes aimed at historically disadvantaged persons.
- Land access for agricultural purposes
- Agricultural entrepreneurship
- Removal of the legacy of racial and gender discrimination in agriculture
- Enhancing productivity, profitability, investment and innovation
- Growth of the agricultural sector and better use of land
- Environmental sustainability of land and related natural resources
- Rural development and job creation
- Commercial agriculture
- Food security

Land Bank is committed to contributing to socio-economic transformation in South Africa and will therefore be contributing to the Preference System of all suppliers who are compliant to the Broad-Based Black Economic Empowerment Act no.53 of 2003 and the Preferential Procurement Policy Framework Act no.5 of 2011.

## C. SPECIFICATIONS

### 1. INTRODUCTION

The Land and Agricultural Development Bank of South Africa (Land Bank) seeks to appoint a suitably qualified and experienced service provider to conduct a comprehensive Compliance and AML Management System Maturity Assessment.

### 2. SCOPE OF WORK

The Land Bank seeks to appoint a suitably qualified and experienced service provider to conduct a comprehensive Compliance and Anti-Money Laundering (AML) Management System Maturity Assessment.

The purpose of the assessment is to evaluate the design, effectiveness, and maturity of the Bank's Compliance and AML frameworks, processes, and controls against applicable regulatory requirements, industry standards, and leading practices.

#### **The appointed service provider will be required to:**

- Conduct a comprehensive assessment of the current state of the Compliance and AML Management Systems across key dimensions, including governance, risk management, monitoring, reporting, and technology enablement;
- Assess the adequacy and effectiveness of compliance governance structures, policies, procedures, and internal controls;
- Benchmark the Bank's compliance and AML maturity levels against recognised frameworks, regulatory expectations, and leading industry practices;
- Identify gaps, weaknesses, control deficiencies, and areas for improvement within the existing compliance and AML environment;
- Evaluate the extent of alignment and compliance with applicable legislation and regulatory frameworks, including the Financial Intelligence Centre Act, the National Credit Act, the Public Finance Management Act, the Land and Agricultural Development Bank Act, as well as relevant regulatory guidance, directives, and industry standards;
- Assess the integration of compliance and AML requirements into business processes and operations;
- Provide a detailed maturity assessment, including maturity ratings across defined dimensions (e.g., People, Process, and Technology), supported by a clear diagnostic analysis;
- Develop practical, risk-based, and prioritised recommendations to address identified gaps and enhance the effectiveness of the Compliance and AML Management Systems;
- Develop a structured implementation roadmap to support the progressive enhancement of compliance and AML maturity levels (short-, medium-, and long-term initiatives); and
- Present the assessment findings, maturity ratings, and recommended roadmap to key stakeholders, including executive management and relevant governance structures.
- Determine the compliance maturity level using a recognised maturity model (e.g., Level 1 – Initial to Level 5 – Optimised)

### **3. MINIMUM FUNCTIONAL REQUIREMENTS**

**The service provider must meet the following minimum functional requirements:**

- A minimum of five (5) years' proven track record as a firm providing Compliance Maturity Assessments, preferably within the public sector or similarly regulated environments.
- Demonstrate experience in environments similar to the Land Bank will be considered as an added advantage.
- The firm, including the partner, project lead, and team members, must declare and demonstrate that they are free from any actual or perceived conflicts of interest in relation to the services required.
- Submission of at least three (3) recent (not older than three (3) years) written and contactable client references for similar work performed, specifically relating to AML, governance, risk, or compliance maturity assessments.
- Provision of a company profile, including details of the firm's experience, areas of expertise, and composition of the proposed project team;
- Submission of a detailed Project Plan, clearly outlining the proposed methodology, approach, timelines, deliverables, and key milestones for executing the project.
- Demonstration of the ability to incorporate organisational trends, leading practices, and benchmarking into the assessment approach.
- Submission of a comprehensive Resource Plan, including:
  - Proposed project team structure;
  - Roles and responsibilities of team members;
  - Qualifications and relevant experience; and
  - Estimated timelines (e.g., number of days allocated per milestone or phase).

### **4. DELIVERABLES**

- 4.1. The deliverable for the assignment will be a written report detailing the outcomes of the compliance maturity assessment, the level of compliance maturity as well as recommendations on areas of improvement.
- 4.2. The report must be signed and submitted in both printed hard copy and electronic form. In the case of electronic forms of the report, a signed portable document format (PDF) and editable MS-Word versions must be provided.
- 4.3. The service provider may be expected to present the outcomes of the assessment to various forum and structures as advised. A PowerPoint presentation will therefore be required.

## D. EVALUATION CRITERIA:

RFQ will be evaluated in three stages

### 1.1 Stage one - Mandatory requirements

Bidders must comply with and meet all the mandatory requirements referred to below. Bidders who do not meet any of the mandatory requirements listed below will be immediately disqualified.

NO	DESCRIPTION
1.	Bidders must submit the quotation
2.	Bidders must submit company profile

#### 1.1.1 Non-mandatory essential returnable documents

Bidders are requested to submit the essential returnable documents with the bid document.

- Land Bank reserves the right to request outstanding essential documents during the evaluation process, and the bidder will be expected to provide such within a limited period (not more than 5 working days).
- Failure to provide any outstanding information within the required timeframe will lead to a proposal being deemed non-responsive.

NO	DESCRIPTION
1	A proof that the bidder is in good standing with SARS. Such information will be verified through Central Supply Database (CSD) or using SARS e-filing pin in National Treasury compliance with instruction note 9 of 2017/2018 prior to the award of the bid.
2	A proof of registration as a vendor on the National Treasury Central Supply Database (CSD), which can be found at <a href="https://secure.csd.gov.za/">https://secure.csd.gov.za/</a> in compliance with National Treasury compliance paragraph 4.2 with instruction note 4a of 2016/2017
3	SBD 4 - A fully completed and duly signed disclosure form. Should a conflict of interest be declared or identified, the bid would be declared non-responsive. NB Bidder must ensure all pages are complete and all questions answered, and to indicate not applicable (N/A) where appropriate.
4	SBD 6.1 - fully completed Preference points claim form in terms of the preferential. procurement regulations 2022

### 1.2 stage Two- Technical Evaluation

Evaluation criteria	Score	Total Score	Form of evidence
<b>Company profile stating experience in AML &amp; Compliance</b> 1. Five Years and above 20 Points 2. Three to Four Years 15 Points 3. Three to two Years 10 Points 4. Less than a Years 0 point	20	20	Overview of company history and years in operation

<p><b>Client References</b></p> <p>1. Three and above letters 20 points  2. Two Letters 15 Points  3. One letter- 10 Points  4. No letter - 0 points</p>	20	20	At least three reference letters/testimonials on client letterhead confirming projects specifically relating to AML, governance, risk, or compliance maturity assessments
<p><b>Project Plan</b></p> <p>1.Methodology 10 points  2.Timelines 10 points  3.Deliverables 10 points</p>	30	30	Bidder must submit a detailed Project Plan, clearly outlining the proposed methodology, approach, timelines, deliverables, and key milestones for executing the project
<p><b>Lead consultant CV's</b></p> <p>Must provide a detailed CV of Project lead detailing the required experience. Experience in conducting maturity assessments (General assessments) by lead consultant/partners).</p> <p>1.Five years and more 10 points  2.Less than five years 0 points</p>	10	10	Bidder must submit a CV of the project lead that has more than 5 years' experience in AML, governance, risk and compliance maturity. Less than five years wont be allocated any points.
<p><b>Assessment Approach</b></p>	20	20	Bidders must demonstrate the ability to incorporate organisational trends, leading practices, and benchmarking into the assessment approach
Total functionality score obtained		100	
Minimum functionality score of 70 obtained: Yes/No. <b>Bidders must obtain 70 points to move to stage three.</b>			

### 1.3 Stage Three - Price and specific goals

#### 1.3.1 Price quotation

Bidders are requested to submit quotation as per the terms of reference (Specification above).

### 1.3.1 Price instructions

- Bidder must price and submit their quotations;
- All prices quoted will remain firm for the duration of the contract.
- Prices quoted must be valid for 120 days and must be for the duration of contract including provision for price increase;
- All pricing shown must EXCLUDE VAT, with the VAT components being as shown separately on all costed/priced items/services.
- All pricing assumptions, excluded costs and estimated costs must be clearly documented. Land Bank will not entertain any price adjustments because the assumption is that the pricing document is complete and covers all costs associated with these services
- In order for the bidder to claim specific goals, the bidder must indicate how they claim points for each preference point system in the SBD 6,1 form, and attached a BBBEE Certificate/Sworn Affidavit.
- **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.**

## E. CONDITIONS TO BID

### 1. Confidentiality

The bidder will be required to sign a confidentiality agreement to ensure that the Bank data and information is managed confidentially.

### 2. Miscellaneous

The Bank reserves the right, in its sole and absolute discretion to amend these terms of reference as required from time to time.

### 3. Preference and Financial Evaluation

#### 3.1. Price and Specific Goals

This phase is the final stage in the evaluation process and only successful bidders that have passed stage one will be considered. In this phase only price and specific goals will be considered. To qualify for specific, a valid B-BBEE certificate needs to be submitted with this bid.

Land Bank will evaluate all tenders in terms of Preferential Procurement Policy Framework regulation of 2022 (PPPFA). The scoring methodology will apply. A copy of the PPPFA regulations can be downloaded from [www.treasury.gov.za](http://www.treasury.gov.za)

**Either 80/20 or 90/10 preference point system will be utilised for this tender**

**Bidders are required to complete Annexure I SBD 6.1 in full to ensure all BBEE and sub-contracting information are submitted at the time of the bid closing**

## 4. GENERAL CONDITIONS

- 4.1. All tenderers responding to this request for Proposals must provide the following statutory compliance documentation in order to be considered:
- Completed Vendor Accreditation Form
  - Proof of registration to the Central Supplier Database (CSD)
  - Cancelled cheque and/or stamped letter from the Bank
  - All Supplier information and disclosure forms must be properly completed, signed and stamped by a Commissioner of Oaths
  - Any false declaration of information will result in the exclusion of the proposal from consideration
  - Bidders to submit a tax compliance status (TCS) pin issued by SARS along with a valid tax clearance certificate
  - A BEE certificate from a SANAS accredited rating agency or Affidavit substantiating the bidders B-BBEE rating
  - Certified copy of Identity Documents of Shareholders/Directors

## **5. OBJECTIVE CRITERIA & RISK ANALYSIS**

- 5.1. In addition to the financial offer and preference evaluation, the Tenderers having the highest ranking / number of points, will additionally be reviewed against the following points listed in order to ascertain suitability for award.
- a) If having passed Qualifying Criteria, the tenderer will again be checked in terms of having a Compliant Tax Status at time of recommendation to confirm that the status has not changed, based on an active and Tax Complaint Pin issued by the South African Revenue Services
  - b) Fully compliant and registered with the National Treasury Central Supplier Database
  - c) No misrepresentation in the tender information submitted
  - d) Any non-performance on Land Bank projects
  - e) The tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; and
  - f) The tenderer has declared that there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the employer or potentially compromise the tender process and persons in the employ of the state are permitted to submit tenders or participate in the contract
  - g) Convicted by a court of law for fraud and corruption
  - h) Removed from a contract between them and any organ of state on account of failure to perform on or comply with the contract
  - i) Unduly high or unduly low Tendered rates in the Tender offer. In this regard, a financial risk analysis will be performed to verify that the costs are reasonable and balanced. Tenders may be disqualified if tendered rates are found to be distorted.
  - j) In terms of unduly high Tendered fees in the Tender offer, refer to the PPR2022.
6. Land Bank may perform a due diligence exercise on the preferred tenderer to determine its risk- profile. The outcome of the due diligence exercise may be considered as an objective criterion. A due diligence exercise may include, but is not limited to, the following factors;

## **7. Financial Analysis of Tenderers Financial Statements.**

Financial health of the bidder may be assessed if deemed necessary, to ensure that the service provider will be able to operate as per required deliverables (Ratios: Accounts Receivable & Payable Turnover, Liquidity & Solvency). In the case of an unincorporated JV or a SPV, each partner of the entity must submit their financial statements and it will be consolidated to determine their capability to execute the applicable contract.

## **8. Judgements and criminal convictions.**

Land Bank may consider previous civil judgements against the preferred tenderer as part of its risk assessment. Land Bank may also consider whether the preferred tenderer or any of its directors have been-convicted of a serious offence.

**9. Pending litigation**

Land Bank may consider any pending litigation in a court of law or administrative tribunal as part of its risk assessment.

**10. Performance**

Land Bank may consider the Service Provider having a history of poor performance on any task orders/purchase orders or contracts, including poor performance in respect of compliance with policies or procedures regarding safety, health, quality control or environment, or having committed a serious and gross breach of contract.

**11. Reputational-harm**

If Land Bank is likely to suffer substantial reputational harm as a result of doing business with the preferred service provider, it may take this into account as part of its risk assessment.

The above set out other objective criteria may be clarified during the evaluation and correction of any non-compliance may be negotiated with the highest scoring tenderer, if possible. However, should the tenderer not comply with these requirements by the close of negotiations, Land Bank reserves have the right to award to the next ranked tenderer.

**12. FICA AND COMPLIANCE CHECKS**

Land Bank, in its capacity as an accountable institution, has a duty to verify the identity of all its clients in compliance with the Financial Intelligence Centre Act No 38 of 2001 (FICA).

The Land Bank shall thus conduct a comprehensive PEP screening on the successful bidder and therefore requests all bidders to submit the Know Your Customer (KYC) documents as listed in Annexure D of this RFP document.

**13. PROTECTION OF PERSONAL INFORMATION**

In submitting any information or documentation requested above or any other information that may be requested pursuant to this RFP, you are consenting to the processing by Land Bank or its stakeholders of your personal information and all other personal information contained therein, as contemplated in the Protection of Personal Information Act, No.4 of 2013 and Regulations promulgated thereunder ("POPI Act"). You also consent that any information, either written or verbal, may be made available to third parties strictly for the purpose of oversight to this tenders' appointment. Further, you declare that you have obtained all consents required by the POPI Act or any other law applicable. Thus, you hereby indemnify Land Bank against any civil or criminal action, administrative fine or other penalty or loss that may arise because of the processing of any personal information that you submit.

**F. 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 interest<sup>1</sup> in the enterprise, employed by the state?

**YES/NO**

2.1.1. 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

2.2. Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

**YES/NO?**

2.2.1. If so, furnish particulars:

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

\_\_\_\_\_

<sup>1</sup> 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. 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?**

2.3.1. 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 consortium<sup>2</sup> 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.
- 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.

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

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 the bidder

## **G. SBD 6.1 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**

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### **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);

#### **1.2 To be completed by the organ of state**

The applicable preference point system for this tender is the **80/20** preference point system.

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:

	<b>POINTS</b>
<b>PRICE</b>	80
<b>SPECIFIC GOALS</b>	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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 points is allocated for price on the following basis:

80/20

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

Where

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

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

#### 3.2.1. POINTS AWARDED FOR PRICE

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

80/20

$$Ps = 80 \left( 1 + \frac{Pt - Pmax}{Pmax} \right) \text{ or}$$

Where

- Ps = Points scored for price of tender under consideration  
Pt = Price of tender under consideration  
Pmax = Price of highest 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 or 90/10 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 both the 90/10 and 80/20 preference point system.

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

**Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)**

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
B-BBEE level 1	20	
B-BBEE level 2	15	
B-BBEE level 3	10	
B-BBEE level 4	5	

**DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name \_\_\_\_\_ of company/firm.....

4.4. Company \_\_\_\_\_ registration \_\_\_\_\_ number: \_\_\_\_\_

4.5. 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]

4.6. 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.

	..... <b>SIGNATURE(S) OF TENDERER(S)</b>
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	..... ..... ..... .....