



REQUEST FOR QUOTATION

The South African Qualifications Authority (SAQA) invites all interested parties to submit bids for the requirements stipulated below:

RFQ DOCUMENT NUMBER:	SAQA RFQ: Support and Maintenance of Microsoft office 365
RFQ ISSUE DATE	29 August 2022
RFQ CLOSING DATE AND TIME:	9 September 2022 @ 11H00
PRICING VALIDITY PERIOD	120 days from the RFQ closing date
DESCRIPTION OF SERVICES REQUIRED	Support and Maintenance of Microsoft Office 365 for SAQA
PERIOD OF CONTRACT	TWENTY-FOUR (24) MONTHS
BRIEFING SESSION (IF APPLICABLE)	No Briefing Session
RFQ RESPONSE ADDRESS	Responses to this RFQ must be emailed to the following address: rfg@saga.co.za
ENQUIRIES	Please direct all enquiries in writing to the following contact person and e-mail address: Mr Joshua Ntsioa: jntsioa@saga.co.za

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SECTION 1: TERMS OF REFERENCE

1. INTRODUCTION

- 1.1. The South African Qualifications Authority (SAQA) is a juristic person under the National Qualifications Framework Act, 67 of 2008 (NQF Act) and a schedule 3(A) national public entity under the Public Finance Management Act, 1 of 1999. SAQA performs its statutory functions subject to the NQF Act and is responsible for overseeing the implementation and further development of the National Qualifications Framework (NQF) and ensuring the achievement of its objectives.
- 1.2. The objectives of the NQF are to –
 - 1.2.1. create a single integrated national framework for learning achievements.
 - 1.2.2. facilitate access to, and mobility and progression within, education, training and career paths.
 - 1.2.3. enhance the quality of education and training; and
 - 1.2.4. accelerate the redress of past unfair discrimination in education, training, and employment opportunities.
- 1.3. The NQF consists of three qualifications sub-frameworks (for [a] General and Further Education and Training, [b] Higher Education and [c] Trades and Occupations) and its objectives are designed to contribute to the full personal development of each learner and the social and economic development of the nation at large.
- 1.4. SAQA is the custodian of the NQF, co-ordinates the three qualifications sub-frameworks and plays a pivotal role in the entire education and training sector.

2. SAQA'S CURRENT INFRASTRUCTURE AND PROCESSES

- 2.1. The SAQA Website is a source of information on all matters related to the National Qualifications Framework of South Africa, including:
 - 2.1.1. The history and objectives of the NQF.
 - 2.1.2. Comprehensive information about SAQA as the custodian of the NQF.
 - 2.1.3. Services provided by SAQA, with access sites, such as the verification of national qualification achievements, the evaluation of foreign qualifications, recognition of professional bodies and registration of their designations; and



the NQF MIS with all associated NQF data (e.g., registered professional bodies and designations, registered qualifications and part-qualifications and accredited providers).

- 2.1.4. NQF-related documents, including legislation, policies, regulations, notices, guidelines, research papers and information manuals; Useful references, including the NQFpedia, lists of learning providers and important events; and
- 2.1.5. Publications such as strategic plans, annual integrated reports, SAQA bulletins and updates, brochures and posters, conference proceedings and multimedia.

2.2. The current SAQA ICT environment(**Microsoft 365 Education A3**):

- 2.2.1. The SAQA email system is hosted on Microsoft Office 365 in a Microsoft Azure Cloud environment within South Africa.
- 2.2.2. Microsoft Office 365 includes the following services but is not limited to email, SharePoint online, onedrive and Microsoft Teams.
- 2.2.3. Keepit for email continuity.
- 2.2.4. SAQA employees are equipped with the tools of trade to work remotely. (laptops, cellphones with call, data and media messaging services etc)

3. SCOPE OF SERVICES REQUIRED

- 3.1. The appointed service provider will be responsibly for the overall support, maintenance and management of SAQA's email service, and office 365 infrastructure. This includes, but is not limited to:
 - 3.1.1. Addressing any issues on the Servers and the Clients
 - 3.1.2. Monitoring Server Health
 - 3.1.3. User and Group Administration
 - 3.1.4. Active Directory/LDAP integration, support, and administration
 - 3.1.5. Database probing and monitoring
 - 3.1.6. Server and Database security
 - 3.1.7. Automating administration functions



3.2. The email server: this includes maintenance and support for:

- 3.2.1. mail routing
- 3.2.2. interfaces with mobile devices
- 3.2.3. the SAQA address book
- 3.2.4. Calendar and Resource Monitoring / Schedules

3.3. Software upgrades:

- 3.3.1. The Provider will be responsible for ensuring the required upgrades on all Application software.
- 3.3.2. The Provider will be responsible for the application of Licences updates/upgrades. (The actual Licences required will be acquired through a separate procurement process).

3.4. Monthly written reports will be required, indicating the status of all support and maintenance activities.

3.5. The Provider will be expected to allocate at least 20 support hours per month to the contract.

4. DURATION OF CONTRACT

- 4.1. SAQA will enter into a twenty-four (24) month contract (SLA/PO) with the recommended service provider.

5. EVALUATION OF BID

- 5.1. The bid will be evaluated in 5 stages:
 - 5.1.1. Stage 1: Administrative compliance
 - 5.1.2. Stage 2: Mandatory requirements
 - 5.1.3. Stage 3: Functionality evaluation
 - 5.1.4. Stage 4: Price and B-BBEE



5.2. Stage 1: Administrative compliance

- 5.2.1. Bids will be screened to ensure compliance with all administrative requirements.
- 5.2.2. Bidders must ensure that they complete and sign all bid documents and that they attach all required documents, including the Central Supplier Database details and information required by the RFQ.
- 5.2.3. Bids that do not comply with administrative compliance may be disqualified by SAQA.

5.3. Stage 2: Mandatory requirements

- 5.3.1. Bids will be evaluated to ensure compliance with all mandatory requirements.
- 5.3.2. Bidders must ensure that they comply with all mandatory requirements of the RFQ in order to advance to Stage 3: Functionality Evaluation.
- 5.3.3. Bidders must be a **Microsoft Gold partner or higher accredited** and provide a credible partner letter. A bidder, who fails to submit this, will be disqualified for non-compliance.
- 5.3.4. Bids that do not comply with the mandatory requirements will be disqualified.

5.4. Stage 3: Functionality evaluation

- 5.4.1. Bids will be evaluated and scored against the evaluation criteria set out below. A bid will be disqualified if it does not meet a “minimum rating of 80 points to qualify” indicated for a criterion.

FUNCTIONALITY CRITERIA				
No.	Criteria	Sub-criteria	Weighting	Points
1	Bidder's relevant experience for the assignment: (The bidder must attach duly signed and dated relevant reference	The names of the organisations where similar services were rendered successfully. SAQA reserves the right to contact these organisations, without prior notice to the bidder.	50%	50



FUNCTIONALITY CRITERIA				
No.	Criteria	Sub-criteria	Weighting	Points
	letter(s) to qualify for the indicated points)	1. Bidder with up to two formal reference letters = 10 points 2. Bidder with three formal reference letters = 20 points 3. Bidder with four formal reference letters = 30 points 4. Bidder with five or more formal reference letters = 50 points NB: Letters of agreement, contracts, or purchase orders may not replace reference letters.		
2	Experience of bidder's Lead Consultant that will be assigned to the contract: (The bidder must attach the Curriculum Vitae (CVs) of a Lead Consultant with relevant experience to qualify for points)	1. The Curriculum Vitae (CV) of the Lead Consultant will be used for the allocation of points as follow: 2. Lead Consultant with no working experience = 0 points 3. Lead Consultant with 1 to 2 years of working experience = 20 points 4. Lead Consultant with over 2 years to 3 years of working experience = 30 points	50%	50

FUNCTIONALITY CRITERIA				
No.	Criteria	Sub-criteria	Weighting	Points
		5. Lead Consultant with over 3 years to 4 years of working experience = 40 points 6. Lead Consultant with over 4 years of working experience = 50 points		
TOTAL POINTS				100

5.4.2. A bidder must obtain a minimum of 80 points for functionality to qualify for evaluation on Price and B-BBEE. Bids scoring less than 80 points for functionality will be disqualified.

5.5. Stage 4: Price and B-BBEE

5.5.1. Bidders must complete the pricing schedule SBD 3.1

5.5.2. Only qualifying bids will be evaluated in accordance with the 80/20 preference point system, as contemplated by the Preferential Procurement Framework Act 5 of 2000 and the Preferential Procurement Regulations, 2017.

5.5.3. Preference points will be awarded as contemplated by Regulations 6(2) and 7(2) of the Preferential Procurement Regulations, 2017 for attaining the B-BBEE status level in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6



7	4
8	2
Non-compliant contributor	0

- 5.5.4. Bidders must complete and submit the preference points claim form SBD 6.1 with satisfactory proof of B-BBEE status level if they wish to claim preference points.

6. VALIDITY PERIOD OF PROPOSAL

The tender proposal must remain valid in all respects for at least 120 days after the tender closing date.

7. SERVICE LEVELS AND APPLICABLE PENALTIES

Table 1: Service Delivery Management - Minimum Service Level Standards			
SERVICE DELIVERY MANAGEMENT			
Service	Description	Target	Penalty
Maintain M365 environment	Support and maintain the M365 (Email, Teams and ODFB) for all the users	100 % availability of emails available	20% of the monthly invoice cost if the target has not been met.
Email spooling	Off-site mail spooling will be provided for up to 10 days, so that emails are not lost during any time	100 % availability of emails available	20% of monthly Maintenance and Support costs.
Email continuity	Ensure SAQA email is protected by effective backup software adhering to SAQA Backup policy.	100% support when required during DR testing and when disaster is declared or recovery	20% of monthly Maintenance and Support costs at DR testing month or disaster recovery month
Minimum support hours	Time allocated for support services will not be less than 16 hours per month and these hours will include ad-hoc services not	100% of ad hoc support services rendered.	100% of monthly support invoice not paid.

	specified, but related to this contract;		
Response Times	The standard response time during working hours and after hours will be 2-4 hours; For urgent incidents the response time will be within 2 hours; For crisis incidents (e.g. loss of entire email service), the response time will be immediate.	Minimum 100% response time required	20% of monthly invoice amount
Monthly reporting	A monthly report on services rendered (as per the scope above) will be provided, and is a prerequisite for invoicing.	100% of Reports submitted and approved by Senior Manager ICT	100 % of invoice amount for the month until report is submitted and approved

- 1.1 The maximum penalties will be limited to 20% per month of the total monthly service delivery costs.
- 1.2 Should SAQA issue a service deficiency notice to the Service Provider more than twice in any rolling 6-month period, SAQA shall be entitled, but not obliged, to immediately terminate the contract in writing.
- 1.3 SAQA shall be entitled to deduct from any monies payable to the Service Provider, an amount equivalent to the value of any substandard performance or non-performance of any or all of the Services by the Service Provider. SAQA, acting reasonably, shall in its discretion determine the amount of the deduction.
- 1.4 Without detracting from any other obligations of the Service Provider, the Service Provider shall render the Services in accordance with the service levels, and timeframes and subject to the penalties set out above.



- 1.5 The Service Provider shall not be entitled to any service credits should the Services be delivered within or ahead of target timeframes.
- 1.6 The deduction of a penalty by SAQA does not exempt the Service Provider from resolving the performance deficiency timeously, nor does it prevent SAQA from deducting further penalties until the performance deficiency is resolved by the Service Provider to SAQA's satisfaction.
- 1.7 SAQA reserves the right to enter into Service Disputes at any point in time with the view of contract cancellation, should the deliverables not be met on time during a Service Dispute, the service provider shall continue to render services per these service levels.

SECTION 2: PRICING - SBD 3.1

SBD 3.1

PRICING SCHEDULE – FIRM PRICES (SERVICES)

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

NAME OF BIDDER: RFQ NO.: SAQA RFQ: **Support and Maintenance of Microsoft office 365**

CLOSING TIME: 11:00

CLOSING DATE: 9 September 2022

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.

- Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

TOTAL: R
- The ceiling price must include all applicable taxes, including value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.
- The bidder confirms the correctness of the prices and rates quoted in its pricing proposal, is solely responsible for and is bound by the pricing proposal submitted for this bid, including all calculations. The bidder accepts that any errors contained therein regarding prices, rates and



calculations are at the bidder's own risk.

This detailed Pricing schedule must be completed to confirm the total price in SBD 3.1 above.

Description	Qty in Months	Cost	Year 1	Years 2
Support Agreement Included Services	24	R	R	R
20 Support hours monthly	24	R	R	R
		Sub-Total	R	R
		VAT	R	R
		Total including VAT	R	R
Grand total including VAT and all disbursements				R

NB: The bidders must submit a detailed price breakdown on each item they proposed.

SECTION 3: BIDDERS DISCLOSURE - SBD 4

BIDDER'S DISCLOSURE

SBD 4

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

2.1.1 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

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.



2.2 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:

.....
.....

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 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

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.



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.

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 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

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

b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

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	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \end{array}$$

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	
-----	--	----	--



7.1.1 If yes, indicate:

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

YES		NO	
-----	--	----	--

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

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. **DECLARATION WITH REGARD TO COMPANY/FIRM**

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]



8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g., transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.



WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

