

TENDER No.:	TIA002/2022
DESCRIPTION:	Appointment of External Auditors for Technology Innovation Agency
ADVERT DATE:	4 November 2022
MANDATORY BRIEFING SESSION:	Date: 14 November 2022 Time: 11:00am (Applicants to e-mail mandisa.pitso@tia.org.za (not for tender submissions) - please write TIA002/2022 BRIEFING SESSION LINK on the subject line to request for the link). This will be via Microsoft Teams
CLOSING TIME AND DATE	28 November 2022, 11:00am
DELIVERY DETAILS:	Electronic submissions: Tenders@tia.org.za <i>Please note that our servers will block any file greater than 200MB. If your file is greater than 200MB, please divide your submission into parts that are equal or less than 200MB and state on the subject 'Part 1, Part2 or Part 3'.</i> E.G. TIA002/2022 – PART 1 (on the subject line)
REQUIRED TENDER VALIDITY:	120 days after closing date
CONTACT PERSON:	Mandisa Pitso (mandisa.pitso@tia.org.za – not for tender submissions) and state TIA002/2022 on the subject line for enquiries about the tender
DURATION OF CONTRACT	5 years (commencing 2023/2024 Financial Year)



1. BACKGROUND

- 1.1. The National System of Innovation in South Africa is still very young and fragmented and the flow of technology and information amongst people, enterprises and institutions are limited. The inability of academic research to reach the market as products and services is limiting economic development especially about technology innovation.
- 1.2. Technology Innovation Agency (TIA, the agency), an entity of the Department of Science and Innovation (DSI), was established in terms of the TIA Act (Act No. 26 of 2008), with the objective to stimulate and intensify technological innovation to improve economic growth and the quality of life of all South Africans by developing and exploiting technological innovations, as the value chain depicted below.
- 1.3. TIA is classified as a 3A public entity organisation, as a result the Agency is required by law to have the annual financial statements audited by an independent external auditor. As per good corporate governance and Auditing Profession Act, the Agency is required to rotate its external auditors after every 5 years to ensure independence between the Agency and the external auditors and to ensure overall audit quality.
- 1.4. TIA operates with an annual budget of approximately around R450 million funded by the DSI as part of the Medium-Term Expenditure Framework (MTEF). TIA also receives specific funding from the DSI for specific projects (in the Innovation Enabling, Bioeconomy and Technology Stations divisions) which TIA manages on behalf of the DSI. In addition, TIA receives royalty income from



projects that have commercialised, and interest call bank account cash deposits.

- 1.5. This total revenue is utilised to carry out the mandate of TIA for Investments expenditure and Operational expenditure (Support and Infrastructure Costs and Human Resources) purposes. Both of which constitutes total business expenditure. The target operating efficiency is 30% of operating expenditure as a ratio of total business expenditure.
- 1.6. TIA provides non-financial and financial support to its investees per the Investment Framework Policy (IFP), the delegation of authority (DOA) and TIA internal policies. Financial support is provided through 3 types of funding which are:

1.6.1. ***Conditional grant***

Conditional grants are grant instruments however have a conditional obligation to pay a royalty/levy repayment should the project commercialise, thus termed conditional grant. If the project fails to commercialise the funding is not recoverable i.e., prior to commercialisation a pure grant with obligation to repay based on commercialisation.

Once commercialisation is proven this levy is repayable to TIA over a specified period and/or Internal Rate of Return (IRR) is reached. Contractual clauses also include early settlement of royalty obligation including rights to conversion to another instrument. Conversion options to possible equity / loan may be included subject to specific contract requirements. Conversion options are generally not guaranteed and are subject to negotiation.

Pure Grants

Pure grants are grant instruments that do not have conditional obligation to pay a royalty/levy repayment should the project commercialise, thus termed pure grant. If the project fails to commercialise the funding is not recoverable.

Loans

This includes the provision of loans which are repayable at a determinable interest rate and over a specified period. Calculation of amounts owing are calculated per an amortisation table and results in the investee disclosing a liability to TIA. Conversion options to possible equity may be included subject to specific contract requirements. Conversion options are generally not guaranteed and are subject to negotiation.

Equity

Funding instruments includes the subscription of shares in the underlying entity. Instruments include ordinary shares or preference shares.

- 1.7. The Agency as part of a combined assurance approach, is an independent audit function that reports to the Audit and Risk Committee (ARC). The internal audit function is guided by relevant ISA standards and ensures that appropriate oversight on the compliance with the relevant laws and regulations, policies and procedures etc is reviewed on an ongoing basis through an approved internal audit plan.
- 1.8. The Agency utilises various information systems in order to ensure the appropriate processing of information aligned with ISO and other relevant



standards. As part of its strategy towards automation, the Agency has embarked on a process towards the development of an integrated system in that the processing of information related to the core funding activities of the business. This system implementation is expected to be realised within the next 24 to 36 months,

- 1.9. The Agency through its rigorous systems in place including various policies and procedures, has ensured good governance within the organisation. This has resulted in the entity maintaining an unqualified audit for the last 11 years with having obtained a Clean Audit for the second time during the 2021/22 financial year.

2. PURPOSE

- 2.1. TIA seeks to appoint a reputable and suitably experienced audit firm, to perform the annual statutory audit for the 5 financial years (starting with 2023/2024 Financial year). The external audit services provided will be performed on behalf of the Auditor General of South Africa (AGSA) in terms of the Public Audit Act of 2005 (PAA).
- 2.2. It should be noted that TIA will not allow any other work to be performed by the audit firm or its subsidiaries during the external audit engagement period.

3. ELIGIBILITY CONDITIONS

- 3.1. The tenure of TIA's current external auditors will come to an end with the audit of the 2022/23 financial year. Auditors are rotated in terms of the Auditing



Profession Act, 26 of 2005. Therefore, audit firms that have audited TIA for the preceding 5 years (1 April 2018 to 31 March 2023) are not eligible to bid.

- 3.2. Should the bidder currently perform other non-audit functions for the agency, this should be highlighted in the bid document with a clear articulation as to why the bidder's independence (actual or perceived) is not impaired.
- 3.3. TIA seeks to appoint a firm that preferably has 10 years or more experience in conducting external audits in the public sector to provide the users of TIA's audited financial statements reasonable assurance of the quality of work performed.

4. SCOPE OF WORK

- 4.1. The appointed audit firm will be required to perform all statutory audit work for TIA, as well as closely related non-audit services as outlined below in line with the requirements of the Auditor General and the Public Auditors Act (PAA):
 - 4.1.1. Perform the year end audit of the Agency;
 - 4.1.2. Express an opinion on the consolidated and separate financial statements of the group;
 - 4.1.3. Express an opinion on the non-financial performance indicators (as may be required) by the AGSA;
 - 4.1.4. Perform a review and express an opinion on the National Treasury financial statements template, based on the statutory audit work performed;
 - 4.1.5. Perform any additional audit work as may be required by the AGSA or other relevant stakeholder.
- 4.2. Required outputs would include (but will not be limited to) the following:

- 4.2.1. Providing TIA with an audit planning memorandum before commencement of the audit each year. This memorandum should detail the audit plan, risk areas and the impact this has on the standard audit program. A fee for the year must also be proposed based on the plan, with a detailed schedule of the fee being made available for approval by the Audit and Risk Committee;
- 4.2.2. In collaboration with the agency's internal audit function, refine the combined assurance model and ensure appropriate and relevant execution thereon;
- 4.2.3. An interim audit to be performed in the last quarter of the financial year, a management letter should form part of this interim audit;
- 4.2.4. Statutory Audit of the final annual financial statements of the consolidated and separate annual financial statements for conclusion by 31 May of each year (the Agency strives to ensure the completion of the audit is done by 31 May including the sign off).
- 4.2.5. Submitting a report to the Audit and Risk Committee in May each year, detailing the audit opinion and any other matters to be brought to the attention of the Audit and Risk Committee;
- 4.2.6. Providing a report on the review of the National Treasury financial statements template for the economic entity, to be submitted to National Treasury by 31 May of each year;
- 4.2.7. Providing TIA with an assessment, based on audit procedures performed, on the adequacy of internal control systems and processes via a management report letter detailing concerns that require TIA's attention with recommendations after allowing for discussion with TIA management to determine the relevance of insights raised;
- 4.2.8. To collaborate with the Internal Audit function to determine the extent of evidence and reports obtained from the Internal Audit function to assist them in their external audit work, to inform their understanding of the organisation

and its control environment, as well as help to identify and assess key risk areas;

4.2.9. Providing technical assistance and guidance on request; and

4.2.10. Strict and mandatory adherence to the statutory deadlines (Public Finance Management Act (PFMA) and other deadlines). These deadlines might be shortened by TIA management, the audit firm is expected to adapt accordingly. TIA works towards finalising the Management Report and signed annual financial statements by 31 May of each year.

5. MANDATORY REQUIREMENTS

5.1 Proposals will be disqualified or excluded under the following conditions:

5.1.1 Proposals submitted after the deadline;

5.1.2 Proposals submitted at incorrect proposed email address;

5.1.3 Service Providers not registered on the Central Supplier Database (www.csd.gov.za);

5.1.4 Service Providers whose tax matters are not in order by the time that TIA intends appointing the preferred service provider;

5.1.5 Not attending the online mandatory briefing session.

5.1.6 Not including a certification from the Independent Regulatory Board for Auditors (IRBA) indicating the certification of the firm as well as that of the lead partner and or partner responsible for signing off the engagement.

5.1.7 Service Providers have provided any services to TIA during the past years ending 31 March 2023 to ensure independence (List previous work done for TIA and indicate why the firm believes that the project will not impair its independence towards TIA, should the bid be successful)

5.1.8 Not including all team members IRBA certificates, SAICA memberships and letters of good standing with both IRBA and SAICA as may be relevant.



5.1.9 Not including confirmation of independence from TIA of the firm and or team members.

5.1.10 Audit firm with less than two years audit experience within the public sector.

5.1.11 Proposal that does not include an independent quality control process within the audit methodology and plan.

6. FUNCTIONAL REQUIREMENTS



- 6.1 The proposals should contain the following:
 - 6.1.1 Registration in terms of the Public Audit Act as an accountant and auditor and engaged in the public practice (registration with IRBA).
 - 6.1.2 Provide dedicated resources available for the external audit for the first year of the engagement, qualifications and experience of such resources (attach CVs including proof of memberships);
 - 6.1.2.1 Provide CVs of the proposed lead partner, audit partner and manager clearly indicating the individuals' designation, qualifications, client experience in the public sector, independence declarations and relevant letters good standing.
 - 6.1.2.2 Availability, experience and academic qualification levels of staff to be committed to the audit throughout the 5-year period, showing the number of staff and their academic levels. Please populate the information needed in the following format:

Designation	Name and Surname	Academic level – required	Team member current academic level	Number of years' experience within the public sector
First year trainee		B Com Accounting		
First year trainee		B Com Accounting		
Second year trainee		CTA		
Second year trainee		CTA		
Third year trainee		Passed Part 1 of Board exam		
Supervisor		Newly qualified CA(SA)		
Manager		CA(SA)		
Engagement partner		CA(SA)		

6.1.3 Knowledge of and exposure to the PFMA, Treasury Regulations and Generally Recognised Account Practice (GRAP) are essential;

6.1.4 Independence and objectivity must be assured by there not being any conflict of interest;

- 6.1.5 List previous work done for TIA (if any) and indicate why the firm believes that the project will not impair its independence towards TIA, should the bid be successful;
- 6.1.6 Track record and reputation – 5 written references attesting to performing statutory audits in the public sector are required. The reputation of the firm must demonstrate professional competence and integrity as confirmed by the clients.
- 6.1.7 Confirmation of the existence of a technical department, as well as numbers and levels of staff in this department.
- 6.1.8 Confirmation of the existence of an independent control function with the audit methodology.
- 6.1.9 The audit firm is to preferably have a minimum of ten (5) years' experience in conducting audits for government entities.

7. GENERAL TERMS AND CONDITIONS

- 7.1 The Respondent is responsible for all costs incurred in the preparation and submission of the proposal.
- 7.2 A copy/s of any affiliations, memberships and/or accreditations that support your submission must be included in the proposal.
- 7.3 Any appointments/award by the Agency will be subject to confirmation and acceptance by the AGSA. Further annual re-appointments will be subject to acceptable performance, approval by the TIA Audit and Risk Committee (ARC).
- 7.4 Kindly note that TIA is entitled to:
 - a. Amend any RFP conditions, validity period, specifications, or extend the closing date and/or time of RFPs before the closing date. All Respondents, to whom the RFP documents have been issued, will be advised in writing of such amendments in good time;



- b. Verify any information contained in a proposal;
- c. Not appoint any bidder;
- d. Vary, alter, and/or amend the terms of this RFP, at any time prior to the finalisation of its adjudication hereof;
- e. Disqualify proposals that contain an omission of disclosure of material information, that is factually inaccurate, and/or contains a misrepresentation of facts. This could also lead to the cancellation of any subsequent contracts;
- f. Not accept the lowest priced proposal or any proposal in part or in whole. TIA normally awards the contract to the Bidder who proves to be fully capable of handling the contract and whose proposal is technically acceptable and/or financially advantageous to TIA. Appointment as a successful contractor shall be subject to the parties agreeing to mutually acceptable contractual terms and conditions. In the event of the parties failing to reach such agreement within 30 (thirty) days from the appointment date, TIA shall be entitled to appoint the contractor who was rated 2nd (second), and so on;
- g. Award this RFP as a whole or in part without furnishing reasons;
- h. Cancel or withdraw from this RFP as a whole or in part without furnishing reasons and without attracting any liability;
- i. The Bidder hereby offers to render all the services described in the attached documents (if any) to TIA on the terms and conditions and in accordance with the specifications stipulated in this RFP documents (and which shall be taken as part of, and incorporated into, this proposal at the prices inserted therein);
- j. This proposal and its acceptance shall be subject to the terms and conditions contained in this RFP document;

8. EVALUATION CRITERIA

8.1 The Tender will be evaluated based on the tender response fit with the criteria requirements listed below. Bidders are advised to clearly respond to each of the evaluation criteria in their proposals, providing substantiating evidence of such according to each criteria's requirements.

EVALUATION CRITERIA	WEIGHT	MAXIMUM SCORE
<p>1. Audit firm's audit experience in the public sector – indicating the total number of years. Firms must provide a schedule of the public-sector audit performed with relevant proof of audit completed e.g. AGSA confirmations, audit confirmations etc</p> <p>5 = More than 10 years' public-sector experience; 4 = More than 5 years less than 10 years' public-sector experience, 3 = >4 to 5 years' public-sector experience, 2= >3 to 4 years' public-sector experience, 1 = 2 to 3 years' public-sector experience; and 0 = less than 2 years' public-sector experience.</p>	0.20	5
<p>2. Lead Partner/Engagement Partner - Experience in leading a team of auditors in terms of external audit of public sector entities, this should be verified in terms of a CV supplied (as per point 6.1.2.1).</p> <p>5 = more than 10 years' experience, 4 = 10 years' experience; 3 = more than 5 years but less than 10 years; 2 = more than 1 year and less than 5 years; 1 = less than 1 years' experience; and</p>	0.20	5

EVALUATION CRITERIA	WEIGHT	MAXIMUM SCORE
<p>0 = no CV included</p>		
<p>3. 5 written reference letters from previous public sector clients where external audit services were performed in the past 5 years. The reference letters should confirm the services provided, attest to the professionalism and integrity of the firm as well as the level of satisfaction. The reference should be on the audited organisation's letter head and signed by the audited organisation's CFO.</p> <p>5 = 5 completed references, all with the positive feedback</p> <p>4 = 4 completed references, all with the positive feedback</p> <p>3 = 3 completed references, all with the positive feedback</p> <p>2 = 2 completed references, all with the positive feedback</p> <p>1 = 1 completed reference, all with the positive feedback</p> <p>0 = 0 completed references, all with the positive feedback</p>	<p>0.20</p>	<p>5</p>
<p>4. Audit Manager – The audit manager should have a Chartered Accountant (CA/SA) qualification as a minimum and have the following years of experience in managing external audit-related projects in public sector. Only experience within the public sector will be considered.</p>	<p>0.10</p>	<p>5</p>

EVALUATION CRITERIA	WEIGHT	MAXIMUM SCORE
<p>Please include CVs clearly indicating the number of years or part-thereof of public sector experience.</p> <p>5 = More than 5 years' experience and Chartered Accountant (CA/SA) qualification</p> <p>4 = 3-5 years' experience and Chartered Accountant (CA/SA) qualification</p> <p>3 = 2-3 years' experience and Chartered Accountant (CA/SA) qualification</p> <p>2 = 1-2 years' experience and Chartered Accountant (CA/SA) qualification</p> <p>1 = Less than 1-year experience and Chartered Accountant (CA/SA) qualification</p> <p>0 = Not clearly specified.</p>		
<p>5. Supervisor/Assistant Audit Manager – The Supervisor/ Assistant audit manager should have at least a Post-graduate Diploma in accounting sciences (CTA) or higher qualification and have the following years of experience in managing external audit-related projects in public sector. Only experience within the public sector will be considered..</p>	0.10	5

EVALUATION CRITERIA	WEIGHT	MAXIMUM SCORE
<p>Please include CVs clearly indicating the number of years or part-thereof of public sector experience.</p> <p>5 = More than 5 years' experience and at least a Post-graduate Diploma in accounting sciences (CTA) or higher qualification</p> <p>4 = 3-5 years' experience and at least a Post-graduate Diploma in accounting sciences (CTA) or higher qualification</p> <p>3 = 2-3 years' experience and at least a Post-graduate Diploma in accounting sciences (CTA) or higher qualification</p> <p>2 = 1-2 years' experience and at least a Post-graduate Diploma in accounting sciences (CTA) or higher qualification</p> <p>1 = Less than 1-year experience and at least a Post-graduate Diploma in accounting sciences (CTA) or higher qualification</p> <p>0 = Not clearly specified.</p>		
<p>6. Trainees/Article clerks – The trainees/Articles clerks should be studying towards a Post-graduate Diploma in</p>	<p>0.10</p>	<p>5</p>

EVALUATION CRITERIA	WEIGHT	MAXIMUM SCORE
<p>accounting sciences (CTA) or higher with a minimum of B. Comm in Accounting already obtained and have the following years of experience in managing external audit-related projects. Only experience within the public sector will be considered. Please include CVs clearly indicating the number of years or part-thereof of public sector experience.</p> <p>5 = More than 4 years' experience and should be studying towards a Post-graduate Diploma in accounting sciences (CTA) or higher with a minimum of B. Comm in Accounting already obtained</p> <p>4 = 3-4 years' experience and should be studying towards a Post-graduate Diploma in accounting sciences (CTA) or higher with a minimum of B. Comm in Accounting already obtained</p> <p>3 = 2-3 years' experience and should be studying towards a Post-graduate Diploma in accounting sciences (CTA) or higher with a minimum of B. Comm in Accounting already obtained</p> <p>2 = 1-2 years' experience and should be studying towards a Post-graduate Diploma in accounting sciences (CTA) or higher with a minimum of B. Comm in Accounting already obtained</p>		

EVALUATION CRITERIA	WEIGHT	MAXIMUM SCORE
<p>1 = Less than 1-year experience and should be studying towards a Post-graduate Diploma in accounting sciences (CTA) or higher with a minimum of B. Comm in Accounting already obtained</p> <p>0 = Not clearly specified.</p>		
<p>7. Functional Evaluation: Project Audit Plan and Methodology – Project / Audit plan and audit methodologies in line with the task description outlined under project scope/ task description, with clear milestones and timeframes for each task to be completed. Audit methodology should be properly outlined (please refer to the scope of work) including appropriate methodology for the use of internal audit work through a combined assurance approach and ensuring appropriate independent quality reviews.</p> <p>5 = Project/Audit plan well broken down with methodology, deliverables, timeframe/milestone, quality assurance & management of the project including staff deployment to each activity/ deliverable. A sample/example of a detailed audit report and audit strategy. The treatment and correlation between risk assessment and audit approach to be outlined.</p>	0.10	5

EVALUATION CRITERIA	WEIGHT	MAXIMUM SCORE
<p>4 = Project/Audit plan well broken down with methodology, deliverables, timeframe/milestone, quality assurance & management of the project including staff deployment to each activity/ deliverable. A sample/example of a detailed audit report and audit strategy.</p> <p>3 = Project/Audit plan provided with audit methodology, deliverables, timeframe/milestone & management of the project. A sample/example of detailed audit report and audit strategy.</p> <p>2 = Project/Audit plan provided with clear deliverables, audit methodology & timeframes/milestones.</p> <p>1 = Project/Audit plan provided with no clear deliverables, audit methodology & timeframes/milestones.</p> <p>0 = No project/audit plan and audit methodology.</p>		
Total weighted score/Maximum possible score	1	
Minimum qualifying score (expressed as percentage)		70%

B-BBEE status level Contributor		20
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Points for Price		80
Maximum Points		100

9. DEADLINE FOR SUBMISSION

All proposals must be e-mailed to: Tenders@tia.org.za no later than **28 November 2022 at 11:00**

10. COSTING

10.1 Pricing to be included in the bid amount as per the table below should only be for the first year of the audit, as this bid amount will be used for the evaluation.

10.2 Price escalation for the subsequent 4 years of audit will be based on a negotiation process with TIA where factors such as cost escalation, change in audit scope, improved client efficiencies, improved audit efficiencies and changes in the environment will be considered. The fee for all years will be subject to approval by the Audit and Risk committee of TIA, who will not unreasonably withhold such approval where plausible reasons for escalation have been aptly communicated and agreed upon with TIA management.

10.3 TIA will not pay more than the AGSA / SAICA guided rates applicable to the public sector.

10.4 Disbursements shall be billed to TIA the maximum of the SARS re-embursive rates. This shall ensure that all relevant efforts are in place to ensure maintenance of costs taking into account cost containment measures as

prescribed by national treasury. Disbursements shall be paid based on actual costs incurred.

Please note:

Financial Evaluation Criteria		Unit of Measure	Quantity	Rate (Incl. Vat)	Total cost (Incl. Vat)
All Sections – Statutory audit					
Required personnel	Partner	Hours			
	Manager	Hours			
	Supervisor	Hours			
	3 rd year trainee	Hours			
	2 nd year trainee	Hours			
	2 nd year trainee	Hours			
	1 st year trainee	Hours			
	1 st year trainee	Hours			
Total statutory audit					
	NT AFS	Total fee			
Total Audit costs					
Disbursements					
Total bid amount					

11. PERIOD OF APPOINTMENT

11.1 Although the tender will be awarded to the successful bidder for a period of 5 years, the annual appointment of such audit firm is dependent upon:



- 11.1.1 AGSA not exercising its right to audit TIA as a public entity under the PAA;
- 11.1.2 Annual confirmation from AGSA that the firm may be appointed for another year; and
- 11.1.3 Formal approval of the audit planning memorandum at the Audit and Risk committee of the entity.

PRICING TEMPLATE

TIA will not pay more than the AGSA / SAICA guided rates applicable to the public sector

Financial Evaluation Criteria		Unit of Measure	Quantity	Rate (Incl. Vat)	Total cost (Incl. Vat)
All Sections – Statutory audit					
Required personnel	Partner	Hours			
	Manager	Hours			
	Supervisor	Hours			
	3 rd year trainee	Hours			
	2 nd year trainee	Hours			
	2 nd year trainee	Hours			
	1 st year trainee	Hours			
	1 st year trainee	Hours			
Total statutory audit					
	NT AFS	Total fee			
Total Audit costs					
Disbursements					
Total bid amount					



BD1: PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON			CONTACT PERSON		
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS			E-MAIL ADDRESS		
SUPPLIER INFORMATION					
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	TAX COMPLIANCE		OR	CENTRAL SUPPLIER	MAAA

STATUS	SYSTEM PIN:			DATABASE No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	

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

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE 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 2.3 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, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

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



STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”

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

SIGNATURE OF BIDDER:
.....

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

DATE:
.....



SBD 4

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**

2.1.1 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.

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.



- 3.4 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.

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
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SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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

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

1. GENERAL CONDITIONS

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

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

1.2

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	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) “**B-BBEE**” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20 or 90/10

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18

3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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	<input type="checkbox"/>	NO	<input type="checkbox"/>
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- 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

.....

.....