

Enquiries: SCM Official tnyathi@sanc.co.za

Bidder's Information: The Manager/Director	

Dear Sir/Madam

INVITATION TO BID: SCM 14/2021/SANC: APPOINTMENT OF TWO SERVICE PROVIDERS TO PROVIDE INTERNAL AUDIT SERVICES FOR THE SOUTH AFRICAN NURSING COUNCIL (SANC) AS AND WHEN REQUIRED FOR A PERIOD OF THREE (3) YEARS

The South African Nursing Council is a regulatory body established in terms of the Nursing Act No. 33 of 2005 (the Nursing Act) to regulate the nursing profession and to provide for matters connected therewith.

The South African Nursing Council invites bidders to participate and submit bids/proposals for the appointment of two service providers to provide internal audit services for the South African Nursing Council (SANC) as and when required for a period of three (3) years

You are requested to complete the tender documents and submit them in accordance with the stipulations mentioned hereunder.

- 1. The conditions contained in the attached annexures apply.
- The bid must be submitted in two (2) separate envelopes with a name and address of the bidder, bid number, description of the bid and closing date.
- 3. **Envelope 01**: This envelope is for technical/administrative documents only- one (01) original document, three (03) copies and USB.
- 4. **Envelope 02**: This envelope is for pricing only, i.e. pricing schedule and/or the formal quote by the bidder one (01) original.
- All couriered bid proposals must be addressed to the SANC Supply Chain Management Unit and they must be submitted before 12H00 on 06 December 2021 and will be valid for a period of 120 days after the closing date. No late submissions will be accepted.



Cecilia Makiwane Building, 602 Pretorius Street, Arcadia, Pretoria 0083 Private Bag X132, Pretoria 0001, Republic of South Africa



Tel: 012 420 1000 Fax: 012 343 5400 SANC Fraud Hotline: 0800 20 12 16



website: www.sanc.co.za

- The attached forms/annexures, if completed in detail and returned, will form part of your price quotation.
- 7. With reference to the Preference Point Claim form (SBD 6.1), the following documents must be submitted with your price quotation:
 - a) Proof of claims (B-BBEE Certificate issued by the accredited Verification Agency or Sworn Affidavit signed by the vendor and affirmed by the Commissioner of Oath)
 - **b)** Proof that the supplier is registered and complying with National Treasury Central Supplier Database (CSD) requirements (CSD report).
- 8. Please take note that, this bid will be evaluated in terms of 80/20 Preference Point System
- 9. All communication should be made through the use of an email. The cut-off date for all enquiries will be at 12H00 on 03 December 2021.

Yours faithfully

Chief Financial Officer

Mr Thamsanga Ndadana

Date: 2021-11-05

INVITATION TO BID

YOU ARE HER	EBY INVITEI	TO BID F	OR REQUIREMEN		OUTH AFRICA	N NURSING CO	DUNGIL:
Bid number:	SCM 14/2	021/SANC	Closing date:		EMBER 2021	Closing tin	12H00 ne:
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Description:							OF THREE (3) YEARS
THE SUCCESSI	FUL BIDDER	WILL BE R	EQUIRED TO SIGN	THE SERVICE	E LEVEL AGR	EEMENT / CON	JTRACT.
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at (street addi	ress)		Arcadia, Pretoria, (0083 (Recep	tion)		
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number:		 -				·· ·	
Tax clearance	status			CSD NUMB	ER.		
PIN: B-BBEE sta	atus level	Yes	<u> </u>		status level	Yes	<u> </u>
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The Accredit	ed Represe	ntative	∐Yes		supplier fo	r the goods	☐Yes ☐No
In South Afr	ica for the	goods	No		/services	/works	[if yes answer part 3
/services /wo	rks offered		if yes enclose pro-	of]	offered?		below]
Signature of I	Bidder:	<u>-</u>			Date:		
Capacity und		is bid is si	gned		1		
(attach proof	f of authori	ty to sign	this				
bid; e.g. resol	lution of dire	ect <mark>ors, e</mark> tc	.)				<u>.</u>
Total numb	er of	· -		Total	bid price	(all	
items offered	l l			inclusiv	_		
		·			-		

	THE SOUTH AFRICAN I	NURSING COUNCIL:		
BIDDING PROCEDURE E	NQUIRIES MAY BE DIRECTED	TECHNICAL INFORMATION MAY BE DIRECTED TO:		
Contact person:	Tintswalo Nyathi/ Prince Makhubedu	Contact person	Moseme Matlala	
Telephone number:	012 426 9575/9570	Telephone number	012 426 9560	
E-mail address	tnyathi@sanc.co.za / pmakhubedu@sanc.co.za	E-mail address	mmatlala@sanc.co.za	

	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 online
1.3.	This bid is subject to the Preferential Procurement Policy Framework Act 2000 and the Preferential Procurement Regulations, 2017, and, if applicable, any other legislation or Special Requirement of the Contract.
2.	TAX COMPLIANCE REQUIREMENTS
2.1	Bidders must ensure compliance with their tax obligations.
2.2	Application for tax compliance status (tcs) pin may be made via e-filing through the sars website www.sars.gov.za.
2.3	In bids where consortia / joint ventures / sub-contractors are involved, each party must submit a separate tcs certificate / pin / csd number.
2.4	Where no TCS pin is available but the bidder is registered on the central supplier database (csd), a csd number must be provided.
2.5	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."
3.	QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS:
3.1.	Is the bidder a resident of the Republic of South Africa (RSA)?
3.2.	Does the bidder have a branch in the RSA?
3.3.	Does the bidder have a permanent establishment in the RSA?
3.4.	Does the bidder have any source of income in the RSA?
	e answer is "no" to all of the above, then, it is not a requirement to obtain a tax compliance status/tax compliance em pin code from the South African Revenue Service (SARS) and if not register as per 2.3 above.

SPECIAL REQUIREMENTS OF REQUEST FOR QUOTATIONS

1. CONTRACT PERIOD

- 1.1 The contract period stipulated in the terms of reference/ specification is considered a valid contract period.
- 1.2 SANC reserves the right to extend or cancel the contract, pending available funding and satisfaction with service delivery.

2. ACCEPTABLE BIDS/OFFERS

- 2.1 The SANC may request interviews/presentations/pitching sessions with shortlisted Suppliers/ service providers before the final selection is made.
- 2.2 The SANC will not be liable for any cost incurred by a supplier /service provider in the process of responding to this quotation, including on-site presentations and the preparation of the proposal.
- 2.3 The SANC will not consider any late quotations. All quotations submitted after the stipulated closing date and time will not be disqualified.
- 2.4 Any effort by the supplier/ service provider to influence bid evaluation members, bid comparisons or bid award decisions in any manner, will result in rejection of the bid concerned.
- 2.5 The successful supplier/ service provider will be informed in writing with an appointment letter or per an official order.
- 2.6 The quotations have a validity period of 120 days from date of closure of the request for quotation.
- 2.7 Where it is discovered that an advantaged company used a disadvantaged person, as a "front" to acquire a Bid, such company will be disqualified and the Bid shall be withdrawn.
- 2.8 Only quotations complying with all requirements as stipulated in the Terms of Reference/Scope of Work or Specification will be regarded as acceptable.
- 2.9 Quotations will be evaluated based on mandatory requirements, functionality (if applicable), Price and B-BBEE and other conditions stipulated in the terms of reference/ specification.
- 2.10 The supplier/ service provider must submit all requirements indicated in the quotation documents at the closing date and time of the request for quotation. Supplier/ service provider who fail to comply with any of the mandatory and other requirements will be disqualified.

3. SUBMISSION OF BIDS/ RETURNABLE DOCUMENTS

- 3.1 The supplier/ service provider will be required to submit their bids /proposals in a tender box situated at the Reception of the Cecilia Makiwane Building.
- 3.1.1 Tenderers are required to submit a completed request for quotation pack (this documents), including:
- a) Duly completed and signed bid documents.
- b) Certified copy of B-BBEE Certificate or Sworn Affidavit.

- c) Adherence to requirements relating to all returnable documents will prove compliance with specific requirements as stipulated in the terms of reference at the closing date and time.
- **3.2** Any supplier/ service provider who fails to comply with any requirement of the RFQ, at the discretion of the evaluation team, will be regarded as non-compliant and as a result be rejected.

4. PAYMENTS

- **4.1** SANC undertakes to pay delivery validated invoices in full within thirty (30) days from the invoice date or upon agreed payment intervals as accepted in the contract. All invoices should be sent to the following email address: sancinvoices@sanc.co.za.
- 4.2 No invoices for outstanding deliverables or for any unproductive or duplicated time spent by the service provider will be validated for payment.
- 4.3 Invoices should be emailed or hand delivered to SANC timeously.
- 4.4 The invoices should be original and must be accompanied by an inspection certificate and/or proof of delivery.

5. SUPPLY / DELIVERY VALIDATION

5.1 The certificate and the related report of delivery/installation/ progress milestone/commissioning will be validated by a SANC representative prior to payment of final invoices.

6. TAX COMPLIANCE REQUIREMENTS

- 6.1. It is a condition of this bid that the tax matters of the successful supplier/ service provider are in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the tax obligations.
- 6.2. The Tax Compliance status requirements are also applicable to potential foreign suppliers, service providers or individuals who wish to submit RFQ.
- 6.3. It is a requirement that a supplier/ service provider grant a written confirmation when submitting this BIDresponse that SARS may on an on-going basis during the tenure of the contract disclose the tax compliance status and by submitting this BIDsuch confirmation is deemed to have been granted.
- 6.4. The Suppliers/ service providers are required to be registered on the Central Supplier Database (CSD) and the SANC shall verify the tax compliance status through the CSD or through SARS.
- 6.5. Where Consortia / Joint Ventures / Sub-Contractors are involved, each party must be registered on the Central Supplier Database and their tax compliance status will be verified through the CSD or through SARS.
- 6.6. The supplier/ service provider who are not tax compliant will be notified of their non-compliant status, and be given seven (7) calendar days to rectify their tax compliance status with SARS, failure your BIDwill be disqualified.
- 6.7. The SANC will not award a BIDto any supplier/ service provider whose tax matters are not in order.

7. VALUE ADDED TAX

7.1. All contract prices are inclusive of 15% Value Added Tax (VAT), except in the case of a person that is not required to register for Value Added Tax. Companies not registered in terms of Value Added Tax, may not claim VAT on invoices.

8. **NEGOTIATIONS**

8.1. The SANC to negotiate with one or more preferred supplier(s)/ service provider(s) identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other supplier(s)/ service provider(s) who have not been awarded the status of the preferred supplier(s)/ service provider(s).

9. PRICE QUALIFICATION

- 9.1. Prices for this contract are firm.
- 9.2. All prices shall be quoted in South African rands (ZAR).
- 9.3. The BIDprices shall be given in the units shown and will be awarded as a whole, not per item.
- 9.4. Prices must be inclusive of delivery cost and all taxes.
- 9.5. Please note that the foreign exchange risk in case of imported goods and service is for the account of the supplier/ service provider.
- 9.6. Non-firm prices (including prices subject to the rate of exchange variation) will not be considered.
- 9.7. No changes or extensions or additional ad-hoc costs are accepted once the contract has been awarded and/or signed.
- 9.8. Detailed information is optional and is provided as Annexures to the details of the RFQ.

10. COMMUNICATION

- 10.1. Communication will only be restricted to Supply Chain Management Officials.
- 10.2. The South African Nursing Council may request clarification in writing regarding the information provided by bidders. Supplier(s)/ service provider(s) are to supply the required information within the specified period. Failing to do so will invalidate your RFQ.

11. INTELLECTUAL PROPERTY

- 11.1. All the information contained in this document is intended solely for the purpose of assisting supplier(s)/ service provider(s) to prepare their RFQ. Any use of the information contained herein for another purpose than those stated in this document is prohibited.
- 11.2. The ownership and intellectual property rights of all designs, specifications, programming code and all other documentation provided by the SANC to the supplier(s)/ service provider(s), both successful and unsuccessful, remain the property of the SANC.

12. SUPPLIER DUE DILIGENCE

- 12.1. SANC may conduct due diligence to all shortlisted supplier(s)/ service provider(s) to identify their specific capabilities and financial stability.
- 12.2. The SANC may visit the premises of the supplier(s)/ service provider(s) or that of their suppliers.
- 12.3. Some of the key elements that should be documented and included during the comprehensive supplier analysis/due diligence include: the current workload of the supplier, cost structure of the RFQ, the financial status of the supplier(s)/ service provider(s) the previous customer satisfaction levels, the support capabilities, their relative strength, weaknesses and core capabilities, how SANC fits into the supplier(s)/ service provider(s) business and how the supplier(s)/ service provider(s) is viewed by the public, etc.
- 12.4. Supplier(s)/ service provider(s) may be required to provide names of traceable references who may also be visited to confirm their testimonials.

13. DISPUTES

13.1. The relevant bidder agrees that should any dispute arise from the contract, the matter shall be submitted to the relevant authority for a ruling and such ruling shall be final.

14. BROAD-BASED BLACK ECONOMIC EMPOWERNMENT (B-BBEE)

- 14.1. A supplier/ service provider will only be awarded points for preference provided:
- 14.1.1. The supplier/ service provider has completed and signed the Preference Points Claim Form;
- 14.1.2. The supplier/ service provider submitted a valid B-BBEE status level certificate issued by a SANAS accredited B-BBEE agency; or
- 14.1.3. Submitted an affidavit stating the B-BBEE status level in the case of an EME and QSE.

15. JOINT VENTURE/ TRUST/ CONSORTIUM

- 15.1. A trust, consortium or joint venture must submit an agreement to be recognised as an entity.
- 15.2. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.

TERMS OF REFERENCE

TERMS OF REFERENCE ON THE APPOINTMENT OF TWO SERVICE PROVIDERS TO PROVIDE INTERNAL AUDIT SERVICES FOR THE SOUTH AFRICAN NURSING COUNCIL (SANC) AS AND WHEN REQUIRED FOR A PERIOD OF THREE (3) YEARS

1. PURPOSE:

1.1 The purpose of this Terms of Reference is to appoint two service providers, who will be assisting the Internal Audit function for the South African Nursing Council (SANC) to accomplish its objectives by bringing in a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes, as well as to transfer skills in the process.

2. BACKROUND:

- 2.1 The South African Nursing Council (SANC) is the body entrusted to set and maintain standards of nursing education and practice in the Republic of South Africa. It is an autonomous, financially independent, statutory body, initially established by the Nursing Act, 1944 (Act No. 45 of 1944), and currently operating under the Nursing Act, 2005 (Act No. 33 of 2005).
- 2.2 The Internal Audit function of the SANC was set up under sections 29 of the Nursing Act, 2005 (Act No. 33 of 2005).
- 2.3 In assisting the SANC to achieve its mandate, the Internal Audit function seeks to appoint a panel of two service providers which will enable it to capacitate and have a diverse team to provide assurance services in specialist areas as and when required.
- 2.4 The scope of internal audit is to determine whether the SANC's processes of risk management, control, and governance, as designed and represented by management are adequate and functioning in a manner to ensure:
 - 2.4.1 Risks are appropriately identified and managed;
 - 2.4.2 Significant financial, managerial, and operating information is accurate, reliable and timely;
 - 2.4.3 Employees actions are in compliance with policies, standards, procedures, and applicable laws and regulations;
 - 2.4.4 Resources are acquired economically, used efficiently and adequately protected;
 - 2.4.5 Strategic objectives and annual targets are achieved;
 - 2.4.6 Quality and continuous improvement are fostered in the organisation's control process;
 - 2.4.7 Significant legislative or regulatory issues impacting the organisation are recognised and addressed appropriately.
- 2.5 The Internal Audit three-year rolling plan for 2021/2022 2023/24 was developed and approved. The approved plan contains projects to be executed in the 2021/2022, 2022/23 and 2023/24 financial years. Some of the projects identified on the plan include Information Communication Technology (ICT), Performance, Financial and Compliance audits amongst others.
- 2.6 Due to the size and the complex nature of the SANC, the Internal Audit function has limited capacity and is not able to fully execute its responsibility of providing assurance on the effectiveness of risk management, control and governance processes.

2.7 Panel of service providers will enable the Internal Audit function to be fully capacitated and have a diverse team with required knowledge, skill and expertise to provide assurance, consulting and investigative services as and when required.

3. SCOPE OF THE ASSIGNMENT

The panel of service providers to be appointed will be required to perform the following functions as and when assigned by the Chief Audit Executive:

- 3.1 Perform audits and investigations services as per assignment and under the management of the Internal Audit function;
- 3.2 Perform audits according to the International Standards for the Professional Practice of Internal Auditing (ISPPIA) and Internal Audit Activity(IAA) methodology;
- 3.3 Monitor and evaluate performance of team members on audit projects;
- 3.4 Perform quality assurance reviews for the projects;
- 3.5 Utilise the SANC's Internal Audit methodology and audit software (Teammate);
- 3.6 Write and present audit and investigation reports to the management through the office of the Chief Audit Executive;
- 3.7 Perform business process analysis and suggest best practices for improvement;
- 3.8 Facilitate risk assessments for the SANC;
- 3.9 Attend planned meetings with Chief Audit Executive or his/her delegate and relevant managers when required; and
- 3.10 Perform ad-hoc services when a request is received from management, Audit and Risk Committee or Council.

4. **DELIVERABLES**

- 4.1 Perform audits as per the approved Internal Audit Annual Plan to provide assurance on risk management, control and governance process;
- 4.2 Execute audit projects according to the International Standards for the Professional Practice of Internal Auditing (SPPIA) and the SANC's methodology, which include audit planning, audit execution, reporting and monitoring;
- 4.3 Provide quality internal audit, risk assessment and investigation reports that are clear; concise, factual and accurate together with practical recommendations that will add value to the SANC processes;
- 4.4 Provide a structured training and skill transfer during the process;
- 4.5 Perform quality assurance of all the projects allocated to the team; and
- 4.6 Deliver a completed and signed off audit and investigation reports and files within the prescribed time as per the Internal Audit Plan.

5. KNOWLEDGE, SKILSS AND EXPERTISE REQUIREMENTS:

In order to execute the audit project, the service providers must possess the following knowledge, expertise and skills:

5.1 KNOWLEDGE

- 5.1.1 An in-depth understanding of the Internal Auditing Standards;
- 5.1.2 Knowledge of corporate governance principles;
- 5.1.3 Knowledge of the functions, responsibilities and authority of Internal Audit;
- 5.1.4 In-depth knowledge of Performance Audit Methodologies and best practices in line with existing guidelines/frameworks/standards;
- 5.1.5 Sufficient capacity and skills to execute audits and investigations; and
- 5.1.6 Project teams should include members with the following Professional qualifications: Certified Internal Auditor (CIA), Certified Information Systems Auditors (CISA), Certified Fraud Examiners (CFE) and members with Certification in Risk Management Assurance (CRMA)/ Certified Risk Professionals.

5.2 SKILLS

- 5.2.1 The ability to undertake interviews and surveys and interpret data;
- 5.2.2 Analytical thinking;
- 5.2.3 Interpretation of policies, processes and prescripts;
- 5.2.4 Report writing and presentation; and
- 5.2.5 Good interpersonal relationship skills.

5.3 ESSENTIAL EXPERTISE

- 5.3.1 Business process mapping and analysis;
- 5.3.2 Budget analysis;
- 5.3.3 Policy analysis; and
- 5.3.4 The ability to interact and form relationships with stakeholders across the SANC.

6. THE DURATION OF SERVICE REQUIRED

6.1 The intended term of the contract or Service Level Agreement will be for a period of three (3) years.

AWARDING OF BID

7.1. The two bidders who scored the highest points and complied with the requirements of this bid will be appointed.

8. SPECIAL CONDITIONS

8.1 The South African Nursing Council reserves the right:

- 8.1.1 To negotiate with one or more preferred bidder(s) identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other bidder(s) who has not been awarded the status of the preferred bidder(s);
- 8.1.2 To carry out site inspections, product evaluations or explanatory meetings in order to verify the nature and quality of the services offered by the bidder(s), whether before or after adjudication of the Bid;
- 8.1.3 To correct any mistakes at any stage of the tender that may have been in the Bid documents or occurred at any stage of the tender process; and
- 8.1.4 To cancel and/or terminate the tender process at any stage, including after the Closing Date and/or after presentations have been made, and/or after tenders have been evaluated and/or after the preferred bidder(s) have been notified of their status as such.

9. EVALUATION CRITERIA

- 9.1 Bids will be evaluated in three steps (Administrative Compliance, Functionality, Price and B-BBEE).
- 9.2 The following qualifying criteria will be used:

9.2.1 Step 1: Administrative and Mandatory Compliance

9.2.1.1 The service providers are required to provide all information reflected in the table below. A service provider who do not provide any information specifically required (all items reflecting "YES" in table below) will be disqualified.

DOCUMENT THAT MUST BE SUBMITTED		NON-COMPLIANCE WITH ITEMS AGAINST WHICH A "YES" IS DENOTED SHALL RESULT IN DISQUALIFICATION
Invitation to Bid	YES	Complete and sign the supplied pro forma document
Tax Status Tax Clearance Certificate	YES	 Proof of Registration on the Central Supplier Database In the event where the Bidder submits a hard copy of the Tax Clearance Certificate, the CSD verification outcome will take precedence.
Declaration of Interest	YES	Complete and sign the supplied pro forma document
Preference Point Claim Form	NO	Non-submission will lead to a zero (0) score on B-BBEE
Original / certified copy of a B-BBEE certificate or affidavit	NO	Valid B-BBEE certificate or affidavit
Declaration of Bidder's Past Supply Chain Management Practices		Complete and sign the supplied pro forma document

Certificate of Independent Bid Determination	YES	Complete and sign the supplied pro forma document
Registration on Central Supplier Database (CSD	YES	The service provider must be registered as a service provider on the Central Supplier Database (CSD). If you are not registered proceed to complete the registration of your company prior to submitting your proposal. Visit https://secure.csd.gov.za/ to obtain your vendor number. Submit proof of registration.
Pricing Schedule	YES	Submit full details of the pricing proposal as detailed in paragraph 9.2.3.1 in a separate envelope.
Registration with professional/ regulatory bodies	YES	Proof of registration with professional bodies for all proposed team members: • Institute of Internal Auditors (IIASA), • Information Systems Audit and Control Association (ISACA) • Institute of Risk Management South Africa (IRMSA), • Association of Certified Fraud Examiners (ACFE).
Professional Certificates	YES	 Attach the following certificates for team members: Certified Internal Auditor (CIA); Certified Information Systems Auditor (CISA); Certified Fraud Examiner (CFE); and Certification in Risk Management Assurance (CRMA)/ Certified Risk Professional.

9.2.2 Step 2: Functionality:

Any proposed bid which does not meet a minimum threshold of 70% will not be considered further.

The following rating values for evaluation will be used:

Each panel member will rate each individual criterion on the score sheets as indicated for each phase, using the following scale:

Value	Description
5 - Excellent	Exceeds the functionality requirements
4 - Very Good	Above average compliance to the requirements
3 - Good	Satisfactory and meets the requirements
2 - Average	Average Partial compliance to the requirements
1 - Poor	Does not meet set criteria
0 - Unacceptable	Non submission

CRITERIA	SUB CRITERIA	TOTAL SCORE POINTS
Content, methodology, Technical approach in executing Audit	 No methodology, no technical approach, no deliverables = 0 	25
Projects, ICT audits and investigations	 The methodology and technical approach are standard and do not address the entire scope of work/deliverables in detail and the service provider has not aligned the approach with the requirements of the TOR = 1 	
	 The methodology and technical approach are standard and address the entire scope of work/deliverables in detail and the service provider has aligned the approach with the requirements of the TOR = 2 	
	The methodology and technical approach are discussed in detail and properly address the entire scope of work/deliverables and the service provider has aligned the approach with the requirements of the TOR = 3	
	The methodology and technical approach are comprehensive and address the requirements as listed under the Scope of work and deliverables of the TOR and have raised important issues and possible problems and proposed solutions = 4	
	The methodology and technical approach are comprehensive, advanced and innovative on how to address the requirements as listed under the Scope of work and deliverables of the TOR and have raised important issues and possible problems and proposed solutions = 5	
Bidder's track record and	No similar projects = 0	20
competency to deliver the project	• 1 to 2 similar projects = 1	
Documentary proof of an established track record of similar	• 3 to 4 similar projects = 2	
projects within the last 5 years in	• 5 to 6 similar projects = 3	
public and private sector. The reference letters must reflect the	• 7 to 8 similar projects = 4	
period of a contract, contract value and contact details of the reference Company) similar projects undertaken with contactable references	More than 8 similar projects = 5	

CRITERIA	SUB CRITERIA	TOTAL SCORE POINTS
Bidder's professional capacity to deliver in the following specialised areas requires minimum of BCom (Internal Audit or Accounting Science or Risk Management) or BSc (Computer Science) degree or equivalent NQF 7 qualification AND: Internal Audit: CIA ICT Audits: CISA Investigations: CFE Risk Management: CRMA/Certified Risk Professional Each team member must hold at least one of the above certificates. Each team member will be scored on one specialist area even when the team member holds more than one qualification. Attach certified copies of qualifications and certificates and proof of registration / membership with professional body	 No capacity to deliver on the listed specialised areas = 0 Capacity to deliver on one specialised areas = 1 Capacity to deliver on two specialised areas = 2 Capacity to deliver on three specialised areas = 3 Capacity to deliver on four specialised areas = 4 Capacity to deliver on four specialised areas plus additional capacity to replace professionals = 5 	20
Project team members and leader knowledge and experience Attach CVs of proposed team members highlighting relevant experience and contactable references	 Director(5 points) No relevant experience = 0 Less than 3 years' experience = 1 3 to 5 years' experience = 2 6 to 10 years' experience = 3 11 to 15 years' experience = 4 More than 15 years' experience = 5 Audit Manager (10 points) No relevant experience = 0 Less than 3 years' experience = 1 3 to 5 years' experience = 2 6 to 8 years' experience = 3 9 to 10 years' experience = 4 More than 10 years' experience = 5 	25

CRITERIA	SUB CRITERIA	TOTAL SCORE POINTS
	Internal Auditor (10 points)	
	No relevant experience = 0	
	Less than 2 years' experience =1	
	3 to 4 years' experience = 2	
	• 5 to 6 years' experience = 3	
	• 7 to 8 years' experience = 4	
	More than 8 years' experience = 5	
Methodology and approach on	No knowledge and skills transfer program = 0	10
transfer of skills and knowledge	The knowledge and skills transfer program are standard and do not address fully the required skills = 1	
	The knowledge and skills transfer program are standard and address the required skills = 2	
	The knowledge and skills transfer program are discussed in detail and address the required skills = 3	
	The knowledge and skills transfer program are comprehensive, address the required skills and have raised important issues and possible problems and proposed solutions = 4	
	The knowledge and skills transfer program are comprehensive and innovative, address the required skills and have raised important issues and possible problems and proposed solutions = 5	
TOTAL SCORE		100

The following formula will be used to convert to the points scored against the weight where it is applicable:

$$Ps = \left(\frac{So}{Ms}\right) x 100$$

Where:

Ps = Percentage scored for functionality by bid under consideration

So = Total score of bid under consideration

Ms = Maximum possible score

9.2.3 Step 3: Price and B-BBEE:

9.2.3.1 Pricing

- 9.2.3.1.1 Bidders must express prices for their services in South African Rands. All prices must be inclusive of Value Added Tax (VAT) and costs to be incurred that are necessary for the execution and completion of the contract in accordance with the Bid document.
- 9.2.3.1.2 The billable rates per hour will be assessed in relation to Auditor General's guidelines on fees for audits performed by private firms. It is expected of bidders to quote their rates within these prescribed parameters. Prices for all bids will be evaluated based on the total rate per hour in terms of stage 3 of Bid Evaluation Criteria.
- 9.2.3.1.3 The rates per hour must be quoted and will be evaluated according to the following seven categories aligned to Auditor-General's guidelines on fees for audits performed by private firms:
 - Director / Partner;
 - Senior Audit Manager;
 - Audit Supervisor;
 - Audit Manager;
 - Internal Auditor;
 - > ICT Auditor;
 - > Fraud Examiner / Investigator; and
 - Risk Consultant.
- 9.2.3.1.4 The SANC will allocate audit projects to the successful bidders who will form the panel. Due to the differentiated nature of the projects, the billable fees must be quoted only in total hourly rates for the four categories above.
- 9.2.3.1.5 The actual number of hours and the number of staff per category will be determined and agreed to with the CAE prior to the commencement of every engagement and will depend on the nature and complexity of the engagement.
- 9.2.3.1.6 Disbursements / recoverable costs will be reimbursed at the rate determined by the contract rates and the agreed audit engagement. The disbursement costs will be capped at 8% per invoice aligned to deliverables. Supporting documents will be required for all disbursement related costs.
- 9.2.3.1.7 Bids will be evaluated in terms of the 80/20 Preference Point System (80 points for price and 20 points for B-BBEE).

The following formula will be applied to calculate the points for price.

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

Where

Ps = Points scored for price of bid under consideration

Pt = Rand value of bid under consideration

Pmin = Rand value of lowest acceptable bid

9.2.4 The following formula will be used to calculate the points for B-BBEE:

Bids from non-compliant B-BBEE contributors will not be disqualified. Any B-BBEE qualifying contributor who does not submit a substantiating certificate will be allocated zero points but the bid will not be disqualified.

Points will be awarded to a tenderer for attaining their B-BBEE status level of contributor in accordance with the table below:

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

10. DUE DILIGENCE

- 10.1 The SANC will conduct due diligence with the top five (5) highest scorers before awarding the contract. The facilities of the shortlisted bidders will be expected to be accessible during office hours by the SANC's representative or their employees. The due diligence will consist of the below:
 - 10.1.1 Technical presentation;
 - 10.1.2 Summary of the proposal; and
 - 10.1.3 Financial viability.

11. PAYMENT STRUCTURE

- 11.1 SANC undertakes to pay delivery validated invoices in full within thirty (30) days from the invoice date or upon agreed payment intervals as accepted in the contract.
- 11.2 No invoices for outstanding deliverables or for any unproductive or duplicated time spent by the service provider will be validated for payment.
- 11.3 Invoices should be emailed sancinvoices@sanc.co.za.
- 11.4 The invoices should be original and must be accompanied by an inspection certificate and/or proof of delivery.

ANNEXURE 1: PRICE SCHEDULE

DESCRIPTION	Rate per hour (VAT exclusive)	
Director / Partner		R
Senior Audit Manager		R
Audit Supervisor		R
Audit Manager		R
Internal Auditor	R	
ICT Auditor	R	
Fraud Examiner / Investigator		R
Risk Consultant		R
<u> </u>	Total amount excluding VAT	R
	VAT	R
	Total amount inclusive VAT	R

2	Total amount inclusive VAT	
Required by (End-User):	Internal Auditing	
Required at (Address):	Cecilia Makiwane Building 602 Pretorius Street Arcadia, Pretorius 0083	
Brand and model (if applicable):	N/A	
Country of origin (if applicable):	N/A	
Guarantee period (if applicable):	N/A	
Does the offer comply with the specification? *Mark the relevant block with an X	Yes No N/A	
If not to specification, indicate deviation(s)	N/A	

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How long it will take for the bidder to deliver goods/services after receipt of a purchase order? (Only firm delivery period will be considered):	
DECLARATION BY THE BIDDER:	
	confirm that the information furnished is correct and il may act against me should this declaration prove to be
Name of Bidder:Po	osition:
Signature:Dat	e:

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 SPECIAL REQUIREMENTS OF QUOTATION, 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
- 1.2 The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
- 1.3 The 80/20 preference point system will be applicable to this tender.
- 1.4 Points for this bid shall be awarded for:
 - (a) Price; and
 - (b) B-BBEE Status Level of Contributor.
- 1.5 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

- 1.6 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.
- 1.7 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" include 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;
- "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 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

Ps = Points scored for the price of a bid under consideration

Pt = Price of a bid under consideration

Pmin = 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 (80/20 system)	
1	20	
2	18	
3	14	
4	12	
5	8	
6	6	

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7	4
8	2
Non-compliant contributor	0

1.1 B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED:		
B-BBEE Status Level of Contributor: = (Maximum of 20 points)		
(Points claimed must be in accordance with the table reflected in paragraph	h 4.1 and must	be substantiated
by the relevant proof of B-BBEE status level of the contributor.		
1.2 SUB-CONTRACTING		
i) Will any portion of the contract be sub-contracted?	lo	
ii) If yes, indicate:		
- What percentage of the contract will be subcontracted	%	
- The name of the sub-contractor		
- The B-BBEE status level of the sub-contractor		
- THE D-DDFF States level of the sup-contractor		
- Whether the sub-contractor is an EME or QSE.		
- Whether the sub-contractor is an EME or QSE.	∏ No	
 Whether the sub-contractor is an EME or QSE. Yes (Tick applicable box) Specify, by ticking the appropriate box, if your company will subcon 	No ntract with any	other enterprise
 Whether the sub-contractor is an EME or QSE. Yes (Tick applicable box) Specify, by ticking the appropriate box, if your company will subcon in terms of Preferential Procurement Regulations, 2017, as per the 	No Ntract with any table below:	
 Whether the sub-contractor is an EME or QSE. Yes (Tick applicable box) Specify, by ticking the appropriate box, if your company will subcon 	No ntract with any	QSE
 Whether the sub-contractor is an EME or QSE. Yes (Tick applicable box) Specify, by ticking the appropriate box, if your company will subcon in terms of Preferential Procurement Regulations, 2017, as per the 	No ntract with any table below: EME	QSE
 Whether the sub-contractor is an EME or QSE. Yes (Tick applicable box) Specify, by ticking the appropriate box, if your company will subcon in terms of Preferential Procurement Regulations, 2017, as per the Designated Group: An EME or QSE which is at last 51% owned by: 	No ntract with any table below: EME	QSE
 Whether the sub-contractor is an EME or QSE. Yes (Tick applicable box) Specify, by ticking the appropriate box, if your company will subcon in terms of Preferential Procurement Regulations, 2017, as per the Designated Group: An EME or QSE which is at last 51% owned by: Black people 	No ntract with any table below: EME	QSE
 Whether the sub-contractor is an EME or QSE. (Tick applicable box) Specify, by ticking the appropriate box, if your company will subcon in terms of Preferential Procurement Regulations, 2017, as per the Designated Group: An EME or QSE which is at last 51% owned by: Black people Black people who are youth Black people who are women Black people with disabilities 	No ntract with any table below: EME	QSE
 Whether the sub-contractor is an EME or QSE. (Tick applicable box) Specify, by ticking the appropriate box, if your company will subcon in terms of Preferential Procurement Regulations, 2017, as per the Designated Group: An EME or QSE which is at last 51% owned by: Black people Black people who are youth Black people who are women 	No ntract with any table below: EME	QSE
 Whether the sub-contractor is an EME or QSE. (Tick applicable box) Specify, by ticking the appropriate box, if your company will subcon in terms of Preferential Procurement Regulations, 2017, as per the Designated Group: An EME or QSE which is at last 51% owned by: Black people Black people who are youth Black people who are women Black people living in rural or underdeveloped areas or townships Cooperative owned by black people 	No ntract with any table below: EME	QSE
 Whether the sub-contractor is an EME or QSE. (Tick applicable box) Specify, by ticking the appropriate box, if your company will subcon in terms of Preferential Procurement Regulations, 2017, as per the Designated Group: An EME or QSE which is at last 51% owned by: Black people Black people who are youth Black people who are women Black people living in rural or underdeveloped areas or townships 	No ntract with any table below: EME	QSE
 Whether the sub-contractor is an EME or QSE. (Tick applicable box) Specify, by ticking the appropriate box, if your company will subcon in terms of Preferential Procurement Regulations, 2017, as per the Designated Group: An EME or QSE which is at last 51% owned by: Black people Black people who are youth Black people who are women Black people living in rural or underdeveloped areas or townships Cooperative owned by black people 	No ntract with any table below: EME	QSE
- Whether the sub-contractor is an EME or QSE. (Tick applicable box) - Specify, by ticking the appropriate box, if your company will subcon in terms of Preferential Procurement Regulations, 2017, as per the Designated Group: An EME or QSE which is at last 51% owned by: 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	No ntract with any table below: EME	QSE

5.1.3.1	Name of company/firm:
5.1.3.2	VAT registration number:
5.1.3.3	Company registration number:
5.1.3.4	TYPE OF COMPANY/ FIRM
	Partnership/Joint Venture / Consortium
	One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

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5.1.3.5	DESCRIBE PRINCIPAL BUSINESS ACTIVITIES			
5.1.3.6	CON	MPAN	NY CLASSIFICATION	
			acturer	
		ipplier	er sional service provider	
			service providers, e.g. transporter, etc.	
[TICK	APPLI	CABLE B	BOX]	
5.1.3.7	A to	otal nu	umber of years the company/firm has been in business:	
5.1.3.8	the	points egoing	e undersigned, who is / are duly authorised to do so on behalf of the company/firm, certif ts claimed, based on the B-BBEE Status Level of Contributor indicated in paragraph 5.1.1 g certificate, qualifies the company/ firm for the preference(s) shown and I / we acknow	of the
	i)	The i	information furnished is true and correct;	
	ii)		he event of a contract being awarded as a result of points claimed, the contractor muired to furnish documentary proof to the satisfaction of the purchaser that the claim rect;	
		of th	ne B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis of the contract have not been fulfilled, the purchaser may, in addition to any nedy it may have — disqualify the person from the bidding process;	
		(b)	recover costs, losses or damages it has incurred or suffered as a result of that pe conduct;	erson's
		(c)	cancel the contract and claim any damages which it has suffered as a result of having to less favorable arrangements due to such cancellation;	make
		(d)	recommend that the bidder or contractor, its shareholders and directors, or on shareholders and directors who acted on a fraudulent basis, be restricted by the Na Treasury from obtaining business from any organ of state for a period not	
		(e)	exceeding 10 years, after the audi alteram partem (hear the other side) rule has applied; and	been
		(f)	Forward the matter for criminal prosecution.	
		Sign	natures of the bidder:Date:	
		Witr	tnesses: (01)(02)	

DECLARATION OF INTEREST:

- Any legal person, including persons employed by the SANC, or persons having a kinship with persons employed by the SANC, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the SANC, or to persons connected with or related to them, it is required that the bidder or his/her authorized representative declare his/her position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest, where
 - the bidder is employed by the SANC; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a

	person who are/is involved in the evaluation and or adjudication				
	that such a relationship exists between the person or persons for or on whose behalf the declarant				
	acts and persons who are involved with the evaluation and or a				
2.	In order to give effect to the above, the following questionnaire n	nust be com	pleted and submitted		
	with the bid.				
2.1	Full names of bidder or his/her representative:				
2.2	Identity number:				
2.3	Position occupied in the company (Director, trustee, shareholder)				
2.4	Registration number of the company, enterprise, close				
	corporation, partnership agreement or trust:				
2.5	Tax Reference Number:				
2.6	VAT Registration Number:				
2.7	Are you or any person connected with the bidder/tenderer,	Yes	☐ No		
	presently employed by SANC? If so furnish particulars as an				
	attached schedule:				
2.8	Are you or any person connected with the bidder presently	Yes	No		
	employed by the SANC? If so furnish particulars as an attached				
	schedule.				
2.9	If you are presently employed by the SANC, did you obtain the	Yes	☐ No		
	appropriate authority to undertake remunerative work outside				
	employment? If yes, did you attach proof of such authority to the				
	bid document? If no, furnish the reasons for non-submission of				
	such proof as an attached schedule.				
2.10	Did you or your spouse, or any of the company's	Yes	☐ No		
	directors/shareholders/members or their spouses conducted				
	business with the SANC in the past twelve (12) months? If so	<u> </u>			
	furnish particulars as an attached schedule.				
2.11	. Do you or any person connected with the bidder, have any	Yes	No		
	relationship (family, friend, other) with a person employed by				
	SANC and who may be involved with the evaluation and/or				
I	adjudication of this tender/bid? If so furnish particulars as an				
	attached schedule.				
2.12	Are you or any person connected with the bidder, aware of any	☐ Yes	☐ No		
	relationship (family, friend, other) between the bidder and any				
	person employed by SANC who may be involved with the evaluation		180		

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and/or adjudication of this bid? If so, furnish particulars as an attached schedule.					
2.13 Do you or any of the directors/shareholders/ members of the					
• •	, , , , , , , , , , , , , , , , , , , ,				
whether or not they are bidding for this contract? If so, furnish					
particulars as an attached schedule. 3. Full details of directors /trustees/ members/ shareholders					
Full name	Identity Number	Personal Tax Reference	State Employee Number/		
run name	identity Number	Number	Persal Number		
		Trumber			
<u></u>					
		'			
	<u></u>				
			<u> </u>		
	.1	<u> </u>			
110010007777	••••				
Signature		Date			
Ph = -1.2 =					
Position		Name of Bidder			

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES:

- 1. This Standard Bidding Document must form part of all bids invited.
- 2. It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3. The bid of any bidder may be disregarded if that bidder or any of its directors have
 - a. Abused the institution's supply chain management system;
 - b. Committed fraud or any other improper conduct in relation to such system; or
 - c. Failed to perform on any previous contract.
- In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the page.	Yes	No
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on National Treasury's website, (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes	No
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes	No
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes	No
4.4.1	If so, furnish particulars:		

Signature	Date
Position	Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION:

I, the undersigned, in submitting the accompanying bid in response to the invitation for the bid APPOINTMENT OF TWO SERVICE PROVIDERS TO PROVIDE INTERNAL AUDIT SERVICES FOR THE SOUTH AFRICAN NURSING COUNCIL (SANC) AS AND WHEN REQUIRED FOR A PERIOD OF THREE (3) YEARS made by: THE SOUTH AFRICAN NURSING COUNCIL (SANC) do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of:	 that:
(Name of Bidder)	

- I have read and I understand the contents of this Certificate;
- 2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect:
- 3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder:
- 4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
- 5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) Has been requested to submit a bid in response to this bid invitation;
 - (b) Could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) Provides the same goods and services as the bidder and/or is in the same line of business as the bidder
- 6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
- 7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) Prices;
 - (b) The geographical area where product or service will be rendered (market allocation)
 - (c) Methods, factors or formulas used to calculate prices;
 - (d) The intention or decision to submit or not to submit, a bid;
 - (e) The submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) Bidding with the intention not to win the bid.
- 8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, and conditions or delivery particulars of the products or services to which this bid invitation relates.
- The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms

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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.

***************************************	520020000000000000000000000000000000000
Signature	Date

Position	Name of Bidder