



RFP NUMBER:	RFP/SASSETA/21221002
DESCRIPTION:	Appointment of a panel of two (2) service providers to conduct audits of SASSETA'S learning program projects within a period of three (3) months
PUBLISH DATE:	13 August 2021
CLOSING DATE:	06 September 2021
CLOSING TIME:	11h00
COMPULSORY BRIEFING SESSION DATE	N/A
VALIDITY PERIOD:	120 Days from the closing date
PREFERENCE POINT SYSTEM	80/20
BID RESPONSES MUST BE SUBMITTED ELECTRONICALLY OR HAND DELIVERED/ COURIERED TO:	SASSETA Offices Building 2 Corporate Campus 74 Waterfall Drive Waterfall City Midrand 2090 projectsaudit@sasseta.org.za
ATTENTION:	Ms Lebo Hlombe
NB: Bidders must ensure that they sign the tender register at the reception when delivering their bids. Bidders who will use Courier companies are to ensure that the Courier company writes the name of the bidding company on the tender register. Submissions not registered on the tender register will be disqualified from further evaluation.	

DOCUMENTS IN THIS BID DOCUMENT PACK

Bidders are to ensure that they have received all pages of this document, which consist of the following documents:

SECTION A

1. RFP Submission Conditions and Instructions
2. Terms of Reference
3. Selection Process

SECTION B

1. Special Conditions of Bid and Contract
2. Invitation to Bid (SBD 1)
3. Pricing schedule (SBD 3.3)
4. Declaration of Interest (SBD 4)
5. Preference Points Claim form in terms of Preferential Procurement Regulations 2017 (SBD 6.1). Bidders are to submit a certified copy of a valid B-BBEE Certificate or Sworn Affidavit.
6. Declaration of bidder's Past SCM Practices (SDB 8)
7. Certificate of Independent Bid Determination (SBD 9)
8. Submission Checklist
9. General Conditions of Contract (Annexure A)
10. Map to SASSETA offices (Annexure B)

NB.: Bidders are required to return the SASSETA attached Standard Bidding (SBD) forms and not submit SBD forms from other entities.

Bidders must not display the SASSETA logo in any shape or form on proposals sent to SASSETA for consideration.

1. RFP SUBMISSION CONDITIONS AND INSTRUCTIONS

1.1 FRAUD AND CORRUPTION

- 1.1.1 All Service Providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

1.2 COMPULSORY BRIEFING SESSION

- 1.2.1 There will be no briefing session for this Request for Proposal

1.3 CLARIFICATIONS/QUERIES

- 1.3.1 Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing (e-mail) from Ms Lebo Hlombe at scm04@sasseta.org.za by **Friday 27th August 2021 at 11h00**. The bid **number** should be mentioned in all correspondence. **Telephonic requests for clarification will not be accepted**. If clarifying information will be made available to all bidders by e-mail only.

1.4 SUBMITTING BIDS

- 1.4.1 Proposals to be submitted:

(A) Electronically via email to projectsaudit@sasseta.org.za

OR

(B) Be couriered, posted or hand delivered to:

Ms Lebo Hlombe
Supply Chain Management
SASSETA Offices
Building 2 Corporate Campus
74 Waterfall Drive
Waterfall City
Midrand
2090

Bids should be submitted in a sealed envelope, marked with:

- ❖ RFP number: RFP/SASSETA/21221002
- ❖ **Closing date and time: Monday 6 September 2021 at 11h00**
- ❖ The name and address of the bidder

Documents submitted on time by bidders shall not be returned.

1.5 LATE BIDS

- 1.5.1 Bids received late shall not be considered. A bid will be considered late if it arrived only one second after 11h00 or any time thereafter. Bids arriving late will not be considered under any circumstances. Bids received late shall be returned unopened to the bidder with the person delivering the documents. Bidders are therefore strongly advised to ensure that bids be despatched allowing enough time for any unforeseen events that may delay the delivery of the bid.

- 1.5.2 The official Telkom time (dial 1026) will be used to verify the exact closing time (11h00)
- 1.5.3 Hardcopy submissions shall be deemed to be received at the date and time of arrival at the SASSETA premises (tender box). Bids received at the physical address after the closing date and time of the bid, shall therefore be deemed to be received late.

1.6 DIRECTIONS TO SASSETA OFFICE FOR DELIVERY OF BIDS

- 1.6.1 Directions to SASSETA offices are attached as **Annexure B** to this document.
- 1.6.2 **Bidders should allow time to access the premises due to security arrangements that need to be observed.**

1.7 FORMAT OF BIDS

- 1.7.1 Bidders to complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their bid should be concise, written in plain English and simply presented.
- 1.7.2 Bidders are to set out their bid in the following format:

Part 1: Invitation to Bid (SBD 1)

Bidders to complete and submit the Invitation to Bid document.

Part 2: Pricing Schedule (SBD 3.3)

Bidders must complete SBD 3.3 as attached to this request in full and also must submit their own detailed quotation on their Company letterhead inclusive of VAT and any other costs as per the requirements of the Terms of Reference.

The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable

Part 3: Declaration of Interest (SBD 4)

Each party to the bid must complete and submit the Declaration of Interest.

Part 4: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2017 (SBD 6.1)

Bidders must complete and submit the Preference Points Claim Form.

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 OR a Letter from a registered Accounting Officer/ Auditor OR a sworn affidavit in terms of the Amended B-BBEE Codes from Exempted Micro Enterprises (EMEs) of R10 000 000 annual turnover.
- ❖ will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE

scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

Part 5: Declaration of bidders past supply chain management practices (SBD 8)

Each party to the bid must complete and submit the Declaration of past supply chain management practices

Part 6: Certificate of Independent Bid Determination (SBD 9)

Bidders must complete and submit the "Certificate of Independent Bid Determination" document.

Part 7: Broad Based Black Economic Empowerment Certificate

Bidders are to submit an Original/Certified copy of a valid BBEE Certificate or a sworn affidavit.

A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid. or a letter from an Accounting Officer/ Auditor or a sworn affidavit in terms of the Amended B-BBEE Codes from Exempted Micro Enterprises (EMEs) of R10 000 000 annual turnover.

Part 8: General Conditions of Contract

Bidders **must** initial each page of the General Conditions of Contract and submit with their bid document.

Part 9: Technical approach

Bidder must at least:

Describe, in detail, exactly how they propose to carry out the activities to achieve the outcomes identified in the terms of reference. Bidders are required to have the basic office equipment and the resource/s (which must include, laptop, 3G connection, landline, own office with the basic office equipment) will be located within the region where the work will be done. They should identify any possible problems that might hinder delivery and indicate how they will avoid or overcome such problems.

Describe how the work will be managed. Provide an organisation chart clearly indicating:

- ❖ The lines of reporting and supervision within the bidder's team.
- ❖ The lines of reporting between the bidder and SASSETA.

Identify the position(s) involved in the direct delivery of the service to be provided and in the overall management of the work and name the people who will fill these positions.

Describe the tasks, duties or functions to be performed by staff in these positions.

Indicate the number of hours required to complete each task and the number of hours to be provided by each team member. The bidder must be able to work within strict time lines and have the capacity to do so.

Provide information on any additional value added services for consideration by SASSETA, and which will form part of the overall proposed solution. Please note that the additional value ads must be priced separately in the space provided for in the pricing schedule.

Bidders are to present such information in a matrix. The following is provided merely as guidance. Bidders are free to elaborate as they see fit.

Outcome/ output	Activity	Team member(s) involved (name and position)	Person days for each team member	Total person days

Provide a work plan of activities. In addition to providing details of the estimated number of workdays for each activity, bidders are to supply a detailed timetable that identifies when certain activities will be undertaken and over what period they will be spread. The timing of activities, the time needed to complete them, and the order in which they will be undertaken must be explained and justified.

Please note that part 9 should be no longer than 10 single-sided A4 pages in Arial 11 (font size).

Part 10: Team Details

The bidder must provide:

- ❖ Comprehensive curriculum vitae (relevant to this bid and limited to two pages). In particular, the CV must highlight the team's experience and qualifications to carry out the work

NB: It is to be noted that the team leader proposed for this assignment cannot be replaced without prior approval by the SASSETA.

Part 11: Experience in this field

It is essential the Bidder:

- ❖ Displays experience as set out in the terms of reference
- ❖ Provide signed reference letters on company letterheads of previous clients where the Bidder provided the services as per the terms of reference.

Part 12: Bidders National Treasury CSD registration report

Bidders to submit their CSD report indicating the validity of the bidder's registration. Directors listed on SBD 4 to be the same as those listed on the CSD report.

Part 13: Bidder's quotation on their Company letterhead

Bidders to attach a quotation on the Company letterhead inclusive of VAT and any other applicable costs

1.8 NEGOTIATION

- 1.8.1 SASSETA has the right to enter into negotiation with a prospective service provider regarding any terms and conditions, including price(s), of a proposed contract.
- 1.8.2 SASSETA shall not be obliged to accept the lowest of any quotation, offer or bid.
- 1.8.3 SASSETA issues this bid invitation in good faith; however, it reserves the right to:
 - ❖ Cancel or delay the selection process at any time, without explanation,
 - ❖ Not to select any of the respondents to this bid invitation, without explanation,
 - ❖ Exclude certain services, without explanation.
- 1.8.4 All bidders will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible person of both parties.

1.9 REASONS FOR REJECTION

- 1.9.1 SASSETA shall reject a bid for the award of a contract if the recommended bidder has committed a proven corrupt or fraudulent act in competing for the particular contract.
- 1.9.2 SASSETA may disregard the bid of any bidder if that bidder, or any of its directors:
 - 1.9.2.1 have abused the Supply Chain Management systems of SASSETA.
 - 1.9.2.2 have committed proven fraud or any other improper conduct in relation to such systems.
 - 1.9.2.3 have failed to perform on any previous contract and the proof exists.
- 1.9.3 Such actions shall be communicated to the National Treasury.

2. TERMS OF REFERENCE

2.1. BACKGROUND

- 2.1.1 The Safety and Security Sector Education and Training Authority (SASSETA) is an education and training authority established as a juristic person in terms Section 9 of Skills Development Act, 1998 (Act No. 97 of 1998).
- 2.1.2 The SETA lifespan is determined from time to time by the Minister of Higher Education and Training. SASSETA has been licensed until 31 March 2030.
- 2.1.3 The broad mandate of SASSETA is promoting and facilitating skills development in the safety and security sector. The mechanism for implementing the mandate includes the deployment of PIVOTAL and NON-PIVOTAL programmes through various delivery models and project types funded through discretionary grants.
- 2.1.4 SASSETA is obliged by the Skills Development Act to avail funding by way of discretionary grants, which is a portion of revenue received from levies paid to the SETA, to those entities that contribute, or are exempt from contributing levies.
- 2.1.5 The award of a discretionary grant to implement PIVOTAL or NON-PIVOTAL programmes constitutes a learning programs project. The deliverables of the learning programs projects, service levels, timelines and costing are set out in a Discretionary Grant Funding Agreement. The timelines for the delivery of projects depends, amongst others, on the project type
- 2.1.6 The conclusion of a Discretionary Grant Funding Agreement constitutes a funding commitment for SASSETA.
- 2.1.7 From time to time there are delays in the execution of projects. This contributes to the increase in the number of projects (as new projects are awarded on top of existing ones) and in the funding commitments of the SETA. The focus of the audit will be the older projects and specifically those at initiation and execution phases

2.2. PURPOSE

- 2.2.1. SASSETA seeks to appoint a panel of two (2) service providers to conduct an audit of approximately 496 projects and specifically those at initiation and execution phases, within a period of three (3) months from the signing of the Service Level Agreement with SASSETA.

2.3. SCOPE OF WORK

- 2.3.1. The scope of work and deliverables entails the audit of discretionary grants projects: PIVOTAL and NON-PIVOTAL programmes as well as special projects.
- 2.3.2. The bidders are specifically required:
 - 2.3.2.1. To assure the number and status of projects:
 - a) Ensuring that all the projects (approximately 496) have been correctly recorded; including all projects awarded in the 2020/21 financial year have been recorded correctly.

- b) Reconcile all project awards to the approval schedules for the days they were approved.
 - c) Ensure that all payments have been completely and accurately recorded.
 - d) Ensure that all definite projects that are on the Commitment Register are valid i.e., a valid contract and/or addendum is on record.
 - e) Ensure that all non-definite projects are verified for validity, i.e., an award acceptance letter or partially signed contract is on record
- 2.3.2.2. To conduct a situational analysis of each project, by assessing progress made against specified deliverables and determining outstanding training in relation to affected learners. This includes an age analysis and gap analysis per project.
- 2.3.2.3. To identify a list of reasons for those projects that are non-moving
- 2.3.2.4. To identify projects that SASSETA should withdraw from, stating the reason, the financial arrangements, what should happen to the project beneficiaries as well as the legal implications of terminating the valid contract
- 2.3.2.5. To assure quality of project management:
- a) whether it meets the standards by evaluating if it follows the organisations policies, processes, and procedures; and
 - b) by scrutinizing the methodology used to help identify the gaps and to make the necessary improvements.
- 2.3.2.6. To recommend corrective measures and preventative actions to lead to successful project outcome in line with the concluded agreements.

2.4. RELEVANT EXPERIENCE

2.4.1. The service provider to:

- 2.4.1.1. Have a sound understanding of the operations of a SETA and implementation of learning programs as reflected in the bidder's approach and methodology in the scope of work
- 2.4.1.2. Have completed a minimum of three (3) assignments in auditing and/or managing learning program projects of a SETA. Evidence in the form of three (3) reference letters from different SETA clients to be attached
- 2.4.1.3. Provide a team leader with a minimum of five (5) years' experience in auditing and/or managing learning program projects (CV to be attached).
- 2.4.1.4. Provide CVs of four (4) additional team members with a minimum of four (4) years' experience in auditing and/or managing learning programs projects

2.5. DURATION

2.5.1. The assignment is expected to be for a period of three (3) months from date of appointment, subject to the performance of the service provider and operational requirements of SASSETA.

2.6. SUBMISSION REQUIREMENTS

2.6.1. The proposal of the bidder is required to consist of, and demonstrate, the following:

- 2.6.1.1. Understanding and experience in the scope of work
- 2.6.1.2. Methodology as to how the scope of work will be executed.
- 2.6.1.3. Project plan as to when various activities will be scheduled and when the deliverables will be submitted; and
- 2.6.1.4. Profile of the bidder.
- 2.6.1.5. team structure, roles, and responsibilities.
- 2.6.1.6. Detailed CVs of all team members.
- 2.6.1.7. Experience of the bidder and team related to the skills required and in similar projects successfully undertaken; and
- 2.6.1.8. Signed reference letters on an official letterhead from three contactable referees demonstrating skills and expertise to undertake the contract.

2.7. PRICING

- 2.7.1. Bidders are required provide an all-inclusive cost of this project assignment on SBD 3.3 document.
- 2.7.2. Bidders to ensure delivery of the project within the required timeframes stipulated in the terms of reference that will be agreed upon between parties (provider and SASSETA).

2.8. ACCOUNTABILITY AND REPORTING

- 2.8.1. The service provider will report directly to the Chief Executive Officer (CEO) or delegated official for the duration of the assignment.

2.9. INTELLECTUAL PROPERTY

- 2.9.1. The service provider will be contracting with SASSETA. All products and data of this project, in whatever format raw or analysed, will be the confidential information for utilisation by SASSETA. All information and documents, received from SASSETA, is to be kept confidential and may not be used or distributed in any format without the written approval of SASSETA. To this end, the service provider will be required to sign a confidentiality agreement within the Contract.

3. PROPOSED SELECTION CRITERIA

3.1 Compliance with minimum requirements

3.1.1 All bids duly lodged will be examined to determine compliance with bidding requirements and conditions. Bids who have not adhered or deviated to the requirements/conditions, will be eliminated from further evaluation.

3.1.2 Conditions for selection/short listing

3.1.2.1 All submissions will be evaluated as follows:

3.1.2.1.1 Phase 1 – Service Providers to:

- Email or courier/hand deliver/post their proposal by the closing date and time. **Proposals received after the closing date and time will be disqualified from further evaluation.**
- For hard-copy submissions, to register their submission in the tender register at SASSETA reception. **Proposals not recorded on the tender submission register at SASSETA reception will be disqualified from further evaluation.**
- Complete and submit all Standard Bidding Documents (SBD) forms mentioned above on page 2 of this document, namely: SBD1, SBD3.3, SBD4, SBD 6.1, SBD 8 and SBD 9
- Be registered on the National Treasury Central Supplier Database (CSD) by the closing date and time of this request for quotation. Bidders are to provide SASSETA with a copy of their CSD registration report downloaded from the National Treasury CSD Website.
- Initial each page of the General Condition of Contract (Annexure A) and submit with the proposal

3.1.1.1.1. Phase 2 – Functionality evaluation

- Bidders who meet the mandatory items requirements above will be evaluated on functionality requirements as per the table below:

3.1.1.1.1.1. PROPOSED SELECTION CRITERIA

Functionality Evaluation

All proposals will be evaluated on the criteria provided in the table below. The proposals of all service providers will be rated on a scale of 0 to 2.

- 0: Document/item not submitted; Unacceptable, does not meet set criteria; Weak, less than acceptable. Insufficient for performance requirements
- 1: Satisfactory should be adequate for stated element
- 2: Exceptional mastery of the requirement should ensure extremely effective performance.

ELEMENT	FUNCTIONALITY EVALUATION		FUNCTIONALITY WEIGHT	TOTAL SCORE
Proposed Technical approach and methodology of the bidder:	Rating out of 2	Evaluation criteria		
The Bidding company to submit a proposed project approach and methodology for the audit of the learning programs projects, within a period of three (3) months. (Project approach and methodology for evaluation) (20 points)	0	Project approach and methodology for the audit of the learning programs projects within a period of three (3) months not submitted/does not relate to the scope of work/shows minimal understanding/is over the three (3) months' timelines	20%	
	1	Project approach and methodology for the audit of the learning programs projects, within a period of three (3) months shows understanding, includes the full scope of work, timeframes, and deliverables.		
	2	Project approach and methodology for the audit of the learning programs projects, within a period of three (3) months includes the full scope of work, timeframes, and deliverables. Inclusion of a project plan which indicates activities and timeframes that adhere to the terms of reference. Project plan also includes person days of work of each activity and the resource/s that will undertake each activity.		
The Service Provider has completed a minimum of three (3) assignments in auditing and/or managing learning program projects of a SETA. Evidence in the form of three (3) signed reference letters are attached. (40 points)	0	No assignments confirmed to have been completed and less than three (3) reference letters submitted in auditing and/or learning programs grants projects	40%	
	1	Three (3) assignments confirmed to have been completed and three (3) reference letters submitted in auditing and/or managing learning program projects		
	2	More than three (3) assignments confirmed to have been completed three (3) or more reference letters submitted in auditing and/or managing learning programs projects		
Team leader to have a minimum of five (5) years' experience in auditing and/or managing learning programs projects (CV to be attached). (20 points)	0	CV of team leader not attached/demonstrates less than five (5) years' experience in auditing and/or managing learning programs projects	20%	
	1	CV of team leader indicates five (5) years' experience in auditing and/or managing learning programs projects		
	2	CV of team leader indicates more than five (5) years' experience in auditing and/or managing learning programs projects		

Provide CVs of four (4) additional team members with a minimum four (4) years' experience in auditing and/or managing learning programs projects (20 points)	0	Submitted less than four (4) CVs of proposed team members/CVs of four (4) additional team members with less than four (4) years' experience in auditing and/or managing learning	20%	
	1	CVs of four (4) additional team members with a four (4) years' experience in auditing and/or managing learning programs projects		
	2	CVs of four (4) additional team members with five (5) or more years' experiences in auditing and/or managing learning programs projects		

NB.: Bidders need to obtain a minimum of 70% for functionality for them to be evaluated further on Phase 3 of the evaluation process. Bidders who do not meet the 70% functionality threshold will be disqualified from further evaluation

3.1.1.1.2. Phase 3 – Service provider presentation

SASSETA reserves the right to invite shortlisted bidders to conduct presentation on the proposed methodology:

ELEMENT		FUNCTIONALITY EVALUATION	Weight
Quality and Authenticity of previous system implemented	Rating out 5	Evaluation criteria	
Proposed project approach and methodology for the audit of the learning programs projects, within a period of three (3) months. (100 points)	0	Presented approach and methodology not in line with the specification/does not meet the timeline of three (3) months/Unrealistic	100%
	5	Project approach and methodology for the audit of the learning programs projects, within a period of three (3) months or less, includes the full scope of work, timeframes, and deliverables. Inclusion of a project plan which indicates activities and timeframes that adhere to the terms of reference. Project plan also includes person days of work of each activity and the resource/s that will undertake each activity.	
TOTAL SCORE	100	TOTAL SCORE	100

NB.: Bidders need to obtain a minimum of 100% for presentation in order for them to be evaluated further on Phase 4 of the evaluation process. Bidders who do not meet the 100% presentation threshold will be disqualified from further evaluation.

3.1.1.1.3. Phase 4 – Price and B-BBEE

The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable where 80 points will be allocated to price and 20 points for Broad-Based Black Economic Empowerment (B-BBEE) as follows:

Evaluation Criterion on Price and BBEE	
Relative competitiveness of proposed price	80
B-BBEE Status Level of Contribution	20
TOTAL FOR PRICE AND PREFERENCE	100

3.2. ADJUDICATION OF BID

- 3.2.1. The Bid Adjudication Committee will consider the recommendations of the Bid Evaluation Committee (BEC) and recommend for final award. The successful bidder will usually be the service provider scoring the highest number of points or it may be a lower scoring bid based on firm, verifiable and justifiable grounds or no award at all.

INVITATION TO BID

YOU ARE HEREBY INVITED TO SUBMIT A PROPOSAL FOR REQUIREMENTS OF THE SASSETA

RFP NUMBER: RFP/SASSETA/21221002 **CLOSING DATE:** 6 September 2021 **CLOSING TIME:** 11h00

DESCRIPTION: Appointment of a panel of two (2) service providers to conduct audits of SASSETA'S learning program projects within a period of three (3) months

VALITY PERIOD: Offer to be valid for 120 days from the closing date of the bid

The successful bidder will be required to fill in and sign a written Contract Form.

BID DOCUMENT MUST BE SUBMITTED TO:

projectsaudit@sasseta.org.za

OR

be couriered, posted or hand delivered to SASSETA Offices, Building 2 Waterfall Corporate Campus, 74 Waterfall Drive, Waterfall City, Midrand, 2090 for the attention of Ms Lebo Hlombe

Bidders should ensure that bids are emailed, couriered, posted or hand delivered timeously to the correct email address. If the bid is late, it will not be accepted for consideration.

Bids can be emailed anytime up to 11h00 on the closing date

OR

couriered, posted or hand delivered to SASSETA Offices on weekdays, anytime between 08h00 to 16h00 and 08h00 to 11h00 on the closing date.

All bids must be submitted on the official forms (not to be re-typed).

This RFP is subject to the following:

- General Conditions of Contract (GCC) and, if applicable, any other Special Conditions of Contract.
- the Preferential Procurement Policy Framework Act, 2000
- the Preferential Policy Regulations, 2017
- All other SCM prescripts
- Bids submitted that do not comply with the following will be disqualified**
 - A late Bid (a bid submitted one second after 11h00 or any time thereafter)

PART A - INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	RFP/SASSETA/21221002	CLOSING DATE:	6 September 2021	CLOSING TIME:	11h00
DESCRIPTION	Appointment of a panel of two (2) service providers to conduct audits of SASSETA'S learning program projects within a period of three (3) months				
PROPOSALS TO BE EMAILED:					
projectsaudit@sasseta.org.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ms Lebo Hlombe		CONTACT PERSON	Ms Lebo Hlombe	
E-MAIL ADDRESS	Scm04@sasseta.org.za		E-MAIL ADDRESS	Scm04@sasseta.org.za	
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 STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
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 PART B:3]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? NO			<input type="checkbox"/> YES <input type="checkbox"/>		
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 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.

NAME OF SIGNATORY

SIGNATURE OF BIDDER:

N/B.: If a Company has one director as listed on CSD, the one Director to sign these documents on behalf of the Company. Any other member of the Company will require a Company Resolution to be attached to this submission signed by the duly Authorised Director.

N/B.: If the Company has more than one Director as listed on CSD, a signed Company Resolution to be attached to confirm that the one Director can sign on behalf of the Company. Any other member of the Company will require a Company Resolution to be attached to this submission signed by the duly Authorised Directors.

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

DATE:

PRICING SCHEDULE**(Professional Services)**

NAME OF BIDDER:	BID NO.: RFP/SASSETA/21221002
CLOSING TIME: 11: 00	CLOSING DATE: 6 September 2021

OFFER TO BE VALID FOR **90** DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
---------	-------------	--

- The accompanying information must be used for the formulation of proposals.
- Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

(A) FIXED COSTS				
No.	Activity	Number of Projects (approximately)	Unit Project Cost (incl. of VAT)	Total Costs (Incl. of VAT)
1	Assure the number and status of projects	496	R	R
2	Conduct a situational analysis of each project	496	R	R
3	Assure quality of project management	496	R	R
4	Recommend corrective measures and preventative actions	496	R	R
5	Identify a list of reasons for those projects that are non-moving	496	R	R
6	Project Management fee			R
TOTAL FIXED COSTS			R	R

(B) ADHOC COSTS		
No.	Activity	Unit Project Cost (incl. of VAT)
1	Identify projects that SASSETA should withdraw from stating the reason, the financial arrangements, what should happen to the project beneficiaries as well as the legal implications of terminating the valid contract.	R

NB.: For the purposes of evaluation, fixed costs will be considered. Disbursements will be paid at cost

Bidders are to complete the names and surnames of the proposed **Team** on this assignment and ensure that comprehensive CVs of this member is attached to the proposal as follows:

NO.	POSITION OF THE TEAM MEMBER	NAME AND SURNAME (Only one name to be submitted)	IS CV ATTACHED? <i>(circle the response below)</i>
1.	Team Leader		Yes/No
2.	Additional member 1		Yes/No
3.	Additional member 2		Yes/No
4.	Additional member 3		Yes/No
5.	Additional member 4		Yes/No

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

(To be signed by a duly Authorised Delegate. A signed Company Resolution to be submitted).

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a bid or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorized representatives declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; 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 of the bid(s), or where it is known 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 adjudication of the bid.

2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Full Name of bidder or his or her representatives:

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder, member):

.....
 2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

2.6.1 The names of all directors/trustees/shareholders/members, their individually Identity numbers, tax reference numbers and, if applicable, employee/PERSAL number must be indicated in paragraph 3 below.

1"state means-

- (a) any national or provincial department, national or provincial public entity or constitutional within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament

2"shareholder "means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? **YES/NO**

2.7.1 If so, furnish the following particulars:

Name of person /director /trustees /shareholder /member:

Name of state institution at which you or the person connected to the bidder is employed:

Position occupied in the state institution:

Any other particulars:

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES/NO/(N/A)

NB: (Please tick NO or N/A if your answer was NO on 2.7. above)

2.7.2.1 If yes, did you attach proof of such authority to the bid document? YES/NO/(N/A)

NB: (Please tick NO or N/A if your answer was NO on 2.7. above)

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

.....

2.8 Did you or your spouse, or any of the company's directors/ trustees/ shareholders / members or their spouse conduct business with the state in the previous twelve months? YES/NO

2.8.1 If so, furnish particulars:

.....

.....

NB.: (If a bidder has had a contract with any government department, /municipality/entity/parastatal/SOE, etc. please tick YES on 2.8 above and name the institutions worked for)

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? YES/NO

2.9.1 If so, furnish particulars:

.....

.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? YES/NO

2.10.1 If so, furnish particulars:

.....

.....

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? YES/NO

2.11.1 If so, furnish particulars:

.....

3 Full details of directors /trustees / members /shareholders.

Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number/ Pearsal Number
Directors listed here MUST be the same as those listed on CSD.			

N/B. If more space required, Service providers are to copy this table onto their letterhead and provide information on all their directors/trustees/members/shareholders

4 DECLARATION

I, THE UNDERSIGNED (NAME).....
 CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPH 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVES TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

(MUST be signed by a duly Authorised Delegate)

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).
- a) The value of this RFP is estimated **not to exceed** R50 000 000, **therefore the 80/20 reference point system shall be applicable.**

1.2 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.3 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

1.4 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.

1.5 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 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

P_s = Points scored for price of 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 (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	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: = Level
(Bidder to state their B-BBEE level from level 1 to level 8)

6.2 Number of points claimed = (maximum of 20 points)
(Bidder to state the number of points claimed from 20 to 0)

(Points claimed in respect of paragraph 6.1 and 6.2 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"/>
-----	--------------------------	----	--------------------------

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 least 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		

DECLARATION WITH REGARD TO COMPANY/FIRM

7.2 Name of company/firm:.....

7.3 VAT registration number:.....

7.4 Company registration number:.....

7.5 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
 - One person business/sole propriety
 - Close corporation
 - Company
 - (Pty) Limited
- [TICK APPLICABLE BOX]

7.6 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

7.7 COMPANY CLASSIFICATION

- Manufacturer
 - Supplier
 - Professional service provider
 - Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

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

7.9 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.

(Bidder to ensure that both witnesses sign this document.)

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....

(MUST be signed by a duly Authorised Delegate)

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 supply chain management system
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failure to perform on any previous contract.

4 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	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(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).</p> <p>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 home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars		
4.4	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

(MUST be signed by a duly Authorised Delegate)

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.

- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and bids.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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)

1. 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.

7. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
8. 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) 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.
9. 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.
10. 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 **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.**

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 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.

Signature	Date
Position	Name of Bidder

MUST be signed by a duly Authorised Delegate.

BIDDERS ARE ENCOURAGED TO USE THE FOLLOWING CHECKLIST WHEN SUBMITTING THEIR BIDS:

NO.	DETAILS	TICK BY BIDDER
1.	<ul style="list-style-type: none"> Part 1: Completed and signed the invitation to bid document (SBD 1) Resolution letter signed by all Directors of the Company appointing a member to sign on behalf of the company. MUST be signed by a duly Authorised Delegate. A signed Company Resolution must be submitted. 	
2.	Part 2: Completed and signed pricing schedule (SBD 3.3) <ul style="list-style-type: none"> MUST be signed by a duly Authorised Delegate. 	
3.	Part 3: Completed and signed the declaration of interest document (SBD 4). <i>(In case of a consortium/ joint venture, or where sub-Service providers are utilised, each party to the bid must complete and sign the declaration of interest document)</i> <ul style="list-style-type: none"> Directors listed on SBD 4 MUST be the same as those listed on the CSD report. 	
4.	Part 4: Completed and signed the Preference Points Claim form in terms of the Preferential Procurement Regulations 2017 (SBD 6.1) <ul style="list-style-type: none"> MUST be signed by a duly Authorised Delegate. Bidders are to claim B-BBEE points on bullet 6.1. and 6.2. on SBD 6.1 	
5.	Part 5: Completed and signed the Declaration of bidders past Supply Chain Management Practices document (SBD 8). <i>(In case of a consortium/ joint venture, or where sub-Service providers are utilised, each party to the bid must complete and sign the Declaration of bidders past Supply Chain Management Practices document)</i> <ul style="list-style-type: none"> MUST be signed by a duly Authorised Delegate. 	
6.	Part 6: Completed and signed the Certificate of Independent Bid Determination (SBD 9) <ul style="list-style-type: none"> (MUST be signed by a duly Authorised Delegate. 	
7.	Part 7: Submitted an original/ certified copy of a valid BBBEE Certificate/Sworn Affidavits. <i>(In case of a trust, consortium or joint venture, bidders will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.</i> <ul style="list-style-type: none"> Non-submission of a valid B-BBEE Certificate/Sworn Affidavit will lead to B-BBEE points not awarded 	
8.	Part 8: Submitted the General Conditions of Contract (initialled each page)	
9.	Part 9: Submitted the Technical approach	
10.	Part 10: Submitted the Details of the team and included their CVs	
11.	Part 11: Submitted Experience in the field document and reference letters	
12.	Part 12: Bidders National Treasury Central Supplier Database (CSD) forms indicating the validity of the bidder's registration	
13.	Part 13: Bidder's attached quotation on the Company letterhead inclusive of VAT and any other applicable costs	

NB.: Bidders are required to return the SASSETA attached Standard Bidding (SBD) forms and not submit SBD forms from other entities.

Bidders must not display the SASSETA logo in any shape or form on proposals sent to SASSETA for consideration.