

TRADE & INVESTMENT KWAZULU-NATAL REQUESTS PROPOSALS FROM SERVICE PROVIDERS TO DEVELOP THE KWAZULU-NATAL PROVINCIAL RURAL AND TOWNSHIP ECONOMIES REVITALISATION STRATEGY (KZN RTERS)

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1. INTRODUCTION

Trade & Investment KwaZulu-Natal (TIKZN) is a provincial trade and investment promotion public entity, mandated by the KwaZulu-Natal Department of Economic Development and Tourism Affairs (KZN EDTEA) to promote the province as an investment destination and to promote trade by assisting KwaZulu-Natal (KZN) based companies to identify local and international markets to export their products. The KZN EDTEA has collaborated with TIKZN to source a service provider to develop the KZN Rural and Township Economies Revitalization Strategy (KZN RTERS).

The aim of the required study is the development of a Socio-Economic Development Strategy, for facilitating the Revitalization of the KwaZulu-Natal Rural and Township Economies, which should include but not be limited to the identification of high impact projects and an appropriate Strategy Implementation, Monitoring and Evaluation Plan. Comprehensive Stakeholder Identification and Engagements, as well as a thorough study of various documentation made reference to in these Terms of Reference (TOR), will be some of the critical components of this work.

1.1. BACKGROUND TO ECONOMIC TRANSFORMATION

Section 9 of the Bill of Rights makes provision for equality in South Africa whereby everyone must have full and equal rights and freedoms. In order to attain equality, there is a need for legislative and other measures targeted at protecting or advancing persons or categories of people who were disadvantaged by unfair discrimination. In 1998 the B-BBEE Commission published a report which recommended for the development of B-BBEE legislation.

B-BBEE is defined as “an integrated and coherent socio-economic process that directly contributes to the economic transformation of South Africa and brings about significant increases in the number of black people that manage, own and control the country’s economy, as well as significant decreases in income inequalities”. People in townships and rural areas have been identified as part of the Black Designated Group in the amended B-BBEE legislation to be targeted for B-BBEE implementation.

In 2010, the National Planning Commission (NPC) conducted a diagnostic review for South Africa to assess progress in terms of poverty, unemployment and inequality. The NPC identified a number of challenges facing the South African economy which included lack of policy implementation and an economy that is dependent on natural resources. The need for continuous improvement of B-BBEE models efficiency was identified as empowerment remained skewed (perceived to benefit the politically connected). Therefore, there is a need to ensure that economic opportunities are spread to townships and rural areas where the mass population resides.

1.2. INTRODUCTION TO THE PROJECT

The KwaZulu-Natal Province Cabinet had taken a resolution that the KwaZulu-Natal Rural and Township Economies Revitalization Strategy must be developed. The strategy must ensure that the following issues are covered:

- (i) Investigate and develop strategies that support the growth and sustainability of the Rural and Township Economies.
- (ii) The Provincial Government must be bold and decisive on the implementation of Radical Socio-Economic Transformation programmed that enhance economic participation in Townships and Rural areas.
- (iii) Identify land in Townships which can be used for Township Economic Development.

Therefore, TIKZN will lead the development of the KZN Township and Rural Economies Revitalization Strategy. The strategy will inform required government interventions in Townships and Rural Areas.

1.3. THE CASE FOR RURAL AND TOWNSHIP ECONOMIES REVITALISATION

The South African government has adopted a number of policies in support of rural development and economic transformation which dates back to the 1990's. The democratic government's first attempt at uplifting rural communities is based on the Reconstruction and Development Programme (RDP). The policy landscape in terms of Rural Development in South Africa has evolved. A Rural Development Strategy was adopted in 1995 which was followed by the proposed Rural Development Framework in 1997 (discussion document).

In 1996 the Growth, Employment and Redistribution (GEAR) strategy was adopted and the Integrated Sustainable Rural Development Strategy (ISRDS). The RDP Programme focused on developing human capital, economic growth and shared ownership of assets in an equitable manner. The GEAR strategy introduced the Regional Industrial Development Programme (RIDP) in order to address challenges faced by small businesses. The main aim of the RIDP program was to stimulate productivity through innovation support. Programmes such as the Special Programme for Industrial Innovation (SPII) and the Technology and Human Resources for Industry Programme (THRIP) were introduced. Tax incentives were offered and a number of other initiatives such as funding, mentorship and support through the DTI and its agencies.

1.3.1. UNDERSTANDING RURAL DYNAMICS

There is no common definition of rural areas; however certain characteristics have been identified in order to identify rural areas. The common characteristics across the globe for rural areas are:

- Sparsely populated population
- Agriculture dominates the economy
- Limited opportunities for resource mobilization

As a result of the above identified characteristics the cost of living in rural areas is high due to accessibility challenges to goods and services. Local governments that are dominated by rural areas often have challenges raising their own income due to low tax base. Resource challenges have led to development challenges or low levels of development. Therefore, Rural areas would be defined as "sparsely populated areas in which people farm or depend on natural resources, including villages and small towns that are dispersed throughout these areas. In addition, rural areas include large settlements in former homelands, created by apartheid removals, which depend for their survival on migration labour and remittances" (Rural Development Framework 1997).

Rural areas in South Africa are complex and diverse as they may comprise of commercial farmers, subsistence farmers, small towns and villages. In some cases, the spatial nature of rural areas was planned to ensure racial segregation under the apartheid law. Blacks were settled close enough to provide labour to commercial farms, towns and cities while their settlement areas were left underdeveloped or with inadequate infrastructure. The settlement structures or patterns have promoted the economic migration of black people due to available opportunities in towns and cities.

Rural areas in South Africa are faced with high levels of unemployment and poverty due to the low-income base as there are limited employment opportunities. There are also challenges in terms of establishing small businesses as communities often rely on social services for support and to provide for their own basic needs. Poor infrastructure and low availability of government services limit the type of manufacturing activities that can be conducted which is also exacerbated by the lack of viable markets to participate in the economy.

In 2013, the Department of Rural Development conducted a 3-year implementation evaluation of the CRDP (2009-2013). Amongst the recommendations the need to strengthen institutional arrangements and integrated planning was identified. There is also a need to strengthen local capacity and clearly define roles and responsibilities both at provincial and local level.

1.3.2. THE TOWNSHIP ECONOMY

Townships have been defined as formerly non-white areas where Africans, Indians and Coloureds resided during apartheid in South Africa. The establishments of townships date back to early 1900 as townships were formed to ensure the provision of labour to urban areas, farms and mines. As urbanization grew put more pressure on townships which resulted into the formation of informal settlements. Government played a more active role in controlling the influx of non-whites into urban areas through the introduction of legislations such as the Black Native Administration Act and Group Areas Act.

Townships have been marked by high prevalence of economic marginalization. An estimated 40% of the households in South Africa are established in townships or locations. The Department of Cooperative Governance and Traditional Affairs had released a report in 2009 called Township Transformation Timeline which states that poverty levels in metropolitan townships is very high with 82.4% of the households living on less than R2500 per month based on the General Household Survey produced by Statistics South Africa.

According to the report done by the CSRI and the South African Cities Network (2015) the main township economic activities include agriculture, manufacturing, retail, personal and household services, business services, transportation and tourism. Growth in these sectors is often stifled by lack of access to land, funding, economic infrastructure, low skills and educational levels and poor transport systems.

1.3.3. RURAL AND TOWNSHIP ECONOMIES REVITALISATION IS SA

Post 1994, government has introduced a number of initiatives and legislation to try and address the inequality that exist. Mainstreaming the masses into the main economy is still a challenge as in South Africa there are two economies that exist (first and second economy). As part of the transition into democracy, government had adopted the Reconstruction and Development Programme which asserted that “no political democracy can survive and flourish if the mass of our people remains in poverty, without land, without tangible prospects for a better life. Attacking poverty and deprivation must therefore be the first priority of a democratic government”.

The Medium-Term Strategic Framework (MTSF) for 2009 to 2014 had identified 14 outcomes in order to address the triple challenge facing SA. As part of the approach Rural development and Rural and Township Economies Revitalization were identified as priorities. In 2009, the South African government adopted the Comprehensive Rural Development Programme (CRDP) based on research that was done in the Northern Cape and Limpopo Province. The main aim of the program was to address poverty and food insecurity by developing vibrant, equitable and sustainable rural economies. The strategy was based on coordinating and integrating broad-based agrarian transformation, strategically increasing rural development and improving land reform.

In order for government to revive rural and township economies there must be a clear understanding of the challenges faced by these communities. Challenges posed by poverty, unemployment and inequality will have impact on the success of governments’ economic revitalization programmed as most SMME’s are unable to reinvest into their businesses due to the need to provide for basic household needs. The study further state that proper stakeholder analysis is critical to the success of any program.

There is a need to understand townships and rural areas spatially and to ensure their development and integration into the main economy. A number of challenges have been identified that face rural and township economies such as lack of adequate economic infrastructure, low skill levels and access to sustainable markets.

There is a need to transform townships and rural areas from being consumption driven to being productive hubs. A number of arguments have been raised that in order to improve the role of townships and rural areas in the economy the following is needed:

- (i) Appropriate legal and regulatory environment
- (ii) Promotion of manufacturing and value adding industries
- (iii) Provision of economic infrastructure and shared facilities for small enterprises

- (iv) Promote and nature entrepreneurial culture and skills
- (v) Improve access to markets, funding and procurement opportunities
- (vi) Invest in research and development by supporting innovation and indigenous knowledge systems;
and
- (vii) Promote and market rural and township enterprises as growth stimulating levers.

While poverty alleviation and provision of social services is critical; there is a need to move beyond poverty alleviation and implement programs that will ensure economic growth and sustainability. Therefore, there is a need to consolidate and formulate high impact programmed for implementation that are effectively monitored and evaluated by government.

1.3.4. The KZN Perspective

In 2012, the KZN Provincial government adopted the KZN Provincial Growth and Development Strategy and Plan with an aim of achieving its 2030 vision for the province. The PGDS/S has since been revised and was adopted in 2017. The vision of the PGDS is for “KZN to be a prosperous Province with a healthy, secure and skilled population, living in dignity and harmony, acting as a gateway to Africa and the World by 2035”.

The strategy is based on 7 strategic goals which are:

- (i) Inclusive economic growth
- (ii) Human Resource Development
- (iii) Human and Community Development
- (iv) Strategic Infrastructure
- (v) Environmental sustainability
- (vi) Governance and policy and
- (vii) Spatial equity

As part of the PGDS strategic objectives, the promotion and development of the KZN agricultural potential, enhancement of spatial economic development and SMME and entrepreneurial development have been identified.

KwaZulu-Natal is the second populated province in South Africa with close to 20% of the population share. According to Stats SA reports for 2019; unemployment in SA was recorded at 29.1% with the expanded unemployment rate sitting at 38.7%. Unemployment in KZN is alarming with a large number of the economically active population falling within the discouraged work seekers as real unemployment sits at 41.9% with an unemployment rate of 25.0%. According to the Provincial Spatial Economic Development Strategy (PSEDS); the main economic sectors in KZN are agriculture, manufacturing, tourism and services. During the third (3rd) reporting Stats SA reported that the national Gross Domestic Product (GDP) declined to -0.6% where growth within agriculture, manufacturing and mining again declined to -3.6%, -3.9% and -6.1% respectively.

KZN comprise of ten (10) district municipalities and one (1) metro. The district municipalities together have 43 local municipalities. KZN covers over 90 000 square km with 3 million hectares of land under traditional authority. Newcastle, Richards Bay, Richmond, Port Shepstone, Estcourt, Pietermaritzburg and eThekweni are the major economic hubs in KZN, and they together contribute an estimated 90% towards the provincial GDP. An estimated 49% of the KZN population resides in rural areas with over 30% of the population residing within eThekweni Metropolitan area.

The KZN government has implemented a number of initiatives to try to ensure that the mass population is integrated into the mainstream population. Operation Vula, Radical Socio-Economic Agrarian Transformation (RASSET), Igula, Eyesizwe feature amongst economic transformation interventions by the provincial government.

The Department of Economic Development, Tourism and Environmental Affairs (EDTEA) through the TIKZN is embarking on the process of developing a Township and Rural Economies strategy which is aimed at revitalizing the townships and rural economies in the KZN Province.

Therefore, TIKZN seeks the services of a service provider to develop the KZN Rural and Township Economies Revitalization Strategy (KZN RTERS).

2. TERMS OF REFERENCE

TIKZN seeks the services of a service provider to develop the KZN Rural and Township Economies Revitalization Strategy (KZN RTERS).

2.1. PURPOSE OF THE TERMS OF REFERENCE

It is the intention of TIKZN to enter into a formal Service Level Agreement with the successful Service Provider to provide the services described hereunder. The purpose of the TOR is to guide the process of selecting and appointing a suitable service provider to develop the KZN RTERS. The TOR also clearly outline TIKZN's expectations by detailing the scope of work and anticipated outcomes in order to ensure that project objectives are met, to the satisfaction of both parties.

2.2. CONTRACT OBJECTIVES

The overall Objective of the Contract is to solicit the services of a suitable service provider to develop the KZN RTERS for TIKZN as per the terms of reference.

2.2.1. SCOPE OF WORK

The aim of the required study is the development of a Socio-Economic Development Strategy, for facilitating the Revitalization of the KwaZulu-Natal Rural and Township Economies. This should include but not be limited to the identification of high impact projects and an appropriate Strategy Implementation Monitoring and Evaluation Plan. Comprehensive Stakeholder Identification and Engagements, as well as a thorough study of various documentation made reference to in these Terms of Reference (TOR), will be some of the critical components of this work.

The Suitable Service Provider will be expected to carry out the tasks specified below as part of the strategy development process. The specific outputs identified below are expected on completion of the project. The service provider will be required to present each phase to the Project Steering Committee (PSC) at the end of each phase before it is signed off. Continuous project meetings will be held with the co-project managers on monthly bases or as needed.

2.2.1.1. INCEPTION REPORT

- Upon appointment the suitable service provider will be required to commence by drafting an inception report that will detail the overall strategy development approach, methodology, expected timeframes and relevant costs for each phase of the project.
- The inception report will serve as a discussion document and will be the basis on which the detailed approach to the project is agreed.
- The inception report is an interim deliverable that is expected to be completed two (2) weeks from the time that the Suitable Service Provider is appointed.
- The Project Managers will identify the Project Steering Committee (PSC). The Service Provider will be required to provide an indicative schedule for the PSC meetings.
- The service provider will be required to present the first phase to the PSC for adoption.

2.2.1.2. SITUATIONAL ANALYSIS

- To conduct a review of existing literature in the space of rural and township economic revitalization and identify:

- Best Practices
 - Strengths, Weaknesses, Opportunities and Threats (SWOT) for KZN
 - Propose change theory
 - Identify possible interventions for implementation and
 - Conduct stakeholder consultations and workshops.
- The Service Provider will be required to review a number of documents such as (not limited to):
 - Constitution
 - National , Provincial and Local Planning Documents
 - Rural development policies and implementation reviews/ reports
 - Economic Development policies and implementation reviews/reports
 - Economic Transformation legislation/ policies; KZN Priority programmed and
 - Township economy development.

2.2.1.3. DEVELOPMENT/ DRAFTING OF THE RTERS

The draft strategy will be developed based on the findings from the situation analysis and identified recommendations. The strategy needs to be in line with the South African government legislation and priorities. There is a need to ensure alignment between the different stakeholders across all spheres of government as well as the KZN transformation agenda.

2.2.1.4. IMPLEMENTATION PLAN AND MONITORING & EVALUATION (M&E) FRAMEWORK

The service provider will need to develop an implementation plan that will take into account the various role players. There is also a need to measure the impact of the strategy therefore a comprehensive M&E plan is necessary.

- Develop the Implementation plan
- institutionalization framework
- Develop the Monitoring and Evaluation (M&E) framework; and
- Present to the PSC.

2.2.1.5. PROJECT CLOSE OUT

As part of project close out the service provider will be expected to provide an overview of the whole strategy development process. Identify challenges experienced during the strategy development process. Identify project limitations; and provide recommendations for the future. The Service Provider will be expected to produce a:

- Project close out report.

Stakeholder consultations and workshops will be needed apart from normal Project Steering Committee (PSC) meetings. Venue hiring and associated logistical costs should not form part of the proposal as procurement will be done internally.

2.3. DELIVERABLES:

- Inception Report and methodology.
- Situational Analysis Reports.
- Draft RTERS Strategy.
- Draft Implementation Plan and M&E plan.
- Project Close out Report.

Final reports at each phase should be submitted through:

- Four (4) hard copies of the report
- Emailed editable format and
- Four (4) electronic versions in a memory stick at the end of the project.

2.4. ANTICIPATED TIME FRAMES

The project is expected to run for six (6) months from the date of signing of the Service Level Agreement (SLA).

3. REQUIREMENTS

3.1. SKILLS AND COMPETENCE

The proposal must clearly indicate the company's relevant experience and knowledge in similar projects and should outline:

- sufficient knowledge and understanding of economic transformation and rural development legislation and strategies across the spheres of government
- Expertise and experience in strategy development, change theory and M&E
- Sufficient knowledge of the Provincial economic landscape and its dynamics
- Knowledge and understanding of the roles played by the various stakeholders i.e. government, private sector, Non-Governmental Organizations (NGOs) and State-Owned Enterprises (SOEs) in economic development of the province
- Ability to liaise with key role players as well as stakeholders
- Project management skills and
- Report writing and presentation skills.

Therefore, a company profile should be part of the proposal and clearly outline the company's prior experience. **Recommendation letters must be submitted as proof of such experience.**

3.2. REQUIRED EXPERTISE AND COMPETENCIES (KEY EXPERTS)

The appointment of the Suitable Service Provider will be based on the strength of key experts' curriculum vitae that will contribute to the successful execution of the project. It is therefore imperative on the Service Provider to ensure that the Project Team comprises of individuals that will contribute to the successful execution of the project.

All team members should have a proven track record of involvement in similar projects. The proposal should provide a detailed description of the Team composition and Curricula Vitae (CV's) of all Project Team members should be submitted in the attached format (Annexure 1). **The team should comprise of a project manager, Economic Development/ Rural Development Specialist, M&E specialist, 1 intern/ Junior Researcher and administrative support officer.**

Please kindly note that team members who are submitted as part of the bid must be involved in carrying out the project. Should there be a need for replacements, substitutes must be of equal caliber and prior approval must be sort from TIKZN. The salary/ stipend for the Intern/ Junior Researcher should be budgeted for, as part of the financial proposal/ project.

3.2.1. PROJECT TEAM PROFILE

The required qualifications for the project team must be clearly highlighted in the individual CVs as well as relevant references.

3.2.1.1. TEAM LEADER

- Hold a post graduate qualification in Policy Development, Economics or Project Management. At least five (5) years' experience in policy or strategy development, economic research or Economic/ Rural Development.
- At least three (3) years' experience in project management.
NB: Proof must be attached.

3.2.1.2. ECONOMIC DEVELOPMENT/ RURAL DEVELOPMENT SPECIALIST

- Hold a degree in economics, rural development or policy and development studies.
- At least three (3) years of experience in economic / rural development.
- At least three (3) years' experience in economic research/ policy development.
- Skills and experience in project management.
- Ability to communicate in IsiZulu and English.

3.2.1.3. MONITORING & EVALUATION SPECIALIST

- Degree in economics, policy and development studies or M&E
- At least three (3) years of experience in economic / rural development.
- At least three (3) years' experience in M&E/ policy development.
- Good writing skills
- Ability to communicate in IsiZulu and English
- Project Management
- Basic research skills

3.2.1.4. INTERNS/ JUNIOR RESEARCHER

A list of potential interns will be provided from the database of Unemployed Graduates.

- Degree in Policy Development/ Economics

3.2.1.5. ADMINISTRATIVE SUPPORT OFFICER

- Diploma in Business Administration or Public Administration
- At least one (1) year administration experience
- Good computer literacy
- Ability to proofread and edit documents.

A company profile detailing previous work history and experience must be attached to the proposal. Failure to provide this information may result in the disqualification of the bid.

3.3. REPORTING

The appointed service provider is required to submit all progress reports to the:

- **Project Steering Committee**

Upon completion or in the middle of each phase, the service provider will be required to prepare reports and presentations to the Project Steering Committee (PSC) indicating challenges encountered in the process, deliverables and progress made. Progress reports from time to time can also be forwarded to the Senior Management for scrutiny. Reporting meetings, in which members of the Steering Committee will also sit, will take place on completion or in the middle of each phase. However, at the discretion of the project manager and /or the Steering Committee, unscheduled meetings may be held while the project is in progress. These meetings will be held at TIKZN offices unless indicated otherwise. All meetings are to be arranged by the Service Provider and he/ she is expected to keep the record of such meetings and to deliver the record of each meeting within five (5) working days of it having taken place. Failure to comply with these conditions may result in termination of the contract. The final report will be presented to provincial management.

4. INSTRUCTION TO SERVICE PROVIDERS

The services required by Trade & Investment KwaZulu-Natal, are described in these Terms of Reference and therefore all applicable annexures which are listed as mandatory must be comprehensively covered in your proposal.

4.1. ALTERATIONS OR WITHDRAWAL OF PROPOSALS

Service Providers may withdraw their proposals by written notification on or before the closing date.

4.2. COSTS FOR PREPARATION OF RFP / RFQ PROPOSAL

The costs incurred by the Service Provider in respect of the attendance of any briefing or presentation meetings or costs incurred in preparing the proposal will be borne by the Service Provider. Trade & Investment KwaZulu-Natal shall in no way be liable to reimburse the Service Provider for such costs incurred.

4.3. OWNERSHIP OF RFP / RFQ AND PRESENTATIONS

Trade & Investment KwaZulu-Natal shall on receipt of any proposal relating to this RFP / RFQ and submitted in accordance with this RFP / RFQ procedure, become the owner thereof. Trade & Investment KwaZulu-Natal shall not be obliged to return any proposals to Service Providers who request such a return.

4.4. CONFIDENTIALITY

The entire process of calling for proposals as initiated by Trade & Investment KwaZulu-Natal in terms of the procurement policy is confidential. All deliberations in respect of the acceptability or otherwise of the proposals shall be conducted in closed sessions and members of the Evaluation, Bid Adjudication and Procurement Committee are bound by confidentiality.

4.5. ETHICS

Any attempt by a Service Provider to obtain confidential information, or enter into unlawful agreements with competitors or influence the Evaluation and / or the Bid Adjudication and / or Procurement Committee of Trade & Investment KwaZulu-Natal during the process of examining, evaluating and comparing proposals will lead to the rejection of its proposal in its entirety. The Service Provider must declare any business or other interests it has with Trade & Investment KwaZulu-Natal or any employee of Trade & Investment KwaZulu-Natal, failing which the Service Provider shall be automatically disqualified from further participation in the RFP / RFQ.

4.6. CANCELLATION OF BID PROCEDURE

Trade & Investment KwaZulu-Natal shall be entitled, within its sole and entire discretion, to cancel this RFP / RFQ at any time and shall notify the Service Providers accordingly. Trade & Investment KwaZulu-Natal shall in no way be liable for any damages whatsoever, including, without limitation, damages for loss of profit, in any way connected with the cancellation of this RFP / RFQ procedure. The publication of an invitation to call for proposals does not commit Trade & Investment KwaZulu-Natal to appoint any of the qualifying Service Providers.

5. SUPPORTING DOCUMENTATION

Service Providers are required to submit the following documents:

- a) An original valid Tax Clearance Certificate must be submitted with the bid proposal. (Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid proposal. Certified copies of the Tax Clearance Certificate will not be acceptable). In bids where Consortia /Joint Ventures/Sub-contractors are involved each party must submit a separate valid Tax Clearance Certificate.
- b) Verifiable references.
- c) **B-BBEE Verification Certificate level 1-4 (compulsory).**
- d) Annexure A – INVITATION TO BID DOCUMENTATION FORM (SBD1).
- e) Annexure B - DECLARATION OF INTEREST FORM (SBD4).
- f) Annexure C - PREFERENTIAL POINTS CLAIM FORM (SBD6.1).
- g) Annexure E - PRICING SCHEDULE FOR PROFESSIONAL SERVICES FORM (SBD3.1).
- h) Annexure F – CONTRACT FORM – RENDERING OF SERVICES (SBD 7.2)
- i) Annexure G - CERTIFICATE OF INDEPENDANT BID DETERMINATION FORM (SBD9).

- j) Annexure H - AUTHORITY TO SIGN A BID FORM.
- k) Annexure I - DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICE (SBD8).

KINDLY NOTE THAT A FAILURE TO SUBMIT THE MANDATORY DOCUMENTS LISTED IN ANNEXURES (A, B, E, G, H, AND I) WITH THE PROPOSAL WILL RESULT IN YOUR PROPOSAL BEING REJECTED WITHOUT FURTHER CONSIDERATION.

6. PREFERENTIAL PROCUREMENT

In compliance with the preferential public procurement laws applicable to Trade & Investment KwaZulu-Natal and in terms of Trade & Investment KwaZulu-Natal's procurement policy, preferential points will be awarded to Service Providers who demonstrate BEE in its management and ownership structures. In this regard Service Providers are required to expressly cover this in their proposals and state their BEE management and ownership status. Service providers should also include specific accreditation information where applicable.

For the purposes of this procurement opportunity the following Pre-qualification criteria will apply:

- **Only bids from B-BBEE level 1-4 companies will be taken as responsive.**
- **Therefore, submission of the B-BBEE certificate or affidavit is compulsory.**
- **Failure to submit a B-BBEE certificate or an affidavit will result in a disqualification.**

KINDLY NOTE THAT FAILURE TO EXPRESSLY DEAL WITH YOUR BEE STATUS IN YOUR PROPOSAL, WILL RESULT IN TO A DISQUALIFICATION.

7. SERVICE LEVEL AGREEMENT

The acceptance of any proposal shall only be confirmed with the conclusion of a written service level agreement between Trade & Investment KwaZulu-Natal and the Successful Service Provider, in terms of which the rights and duties of the parties are recorded, which agreement shall regulate the relationship between Trade & Investment KwaZulu-Natal and the Successful Service Provider.

Until such time that an appropriate service level agreement has been concluded between Trade & Investment KwaZulu-Natal and successful Service Provider, no rights shall be conferred nor shall any legitimate expectations be conferred to the successful Service Provider to carry out the works or services provided for in this call for proposals.

8. FEE STRUCTURE

- a) Service providers must provide a full fee structure for services rendered.
- b) Trade & Investment KwaZulu-Natal reserves the right to negotiate any aspect of the proposed fees and disbursements with the preferred Service Provider and shall not be bound to the fees and disbursements submitted by any Service Provider.

9. EVALUATION CRITERIA

Evaluation will be carried out on the Functionality and the Preferential Point System (B-BBEE Status Level of Contribution and Price). The following preference point systems are applicable to all bids:

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

9.1. VALUE OF BID

The value of this bid is estimated not to exceed R500,000.00 (all applicable taxes included) and therefore the 80/20 system shall be applicable.

9.2. PREFERENCE POINTS

The preference points awarded for this bid shall be for:

- a) Price and B-BBEE status level of contribution.

The maximum 100 points which includes the Price and the B-BBEE status level of contribution.

9.3. ADJUDICATION USING A POINT SYSTEM

- a) The bidder obtaining the highest number of total points will be awarded the contract.
- b) Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts.
- c) Points scored must be rounded off to the nearest 2 decimal places.
- d) In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- e) However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- f) Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

10. THE AWARDING OF POINTS

For the 80/20 or the 90/10 preference point systems, the awarding of points will be done for Price, Functionality and B-BBEE status level of contribution.

10.1. POINTS AWARDED FOR PRICE

For the 80/20 or the 90/10 preference point systems, a maximum of 80 or 90 points is allocated for price on the following basis:

$$\frac{Ps = 80}{\min} \quad \frac{1 Pt - P}{D_{\min}}$$

$$\frac{Ps = 90}{\min} \quad \frac{1 Pt - P}{D_{\min}}$$

- P_s = Points scored for comparative price of bid under consideration
 P_t = Comparative price of bid under consideration
 P_{\min} = Comparative price of lowest acceptable bid

10.2. FUNCTIONALITY

The below mentioned criteria will guide the evaluation of functionality / technical phase and bidders who score less than 70% in this phase will be disqualified for the next phase of evaluation.

FUNCTIONALITY ASSESSMENT SCORING CRITERIA	Weight	Score	Total
1. Technical Approach (35/100):			
• Understanding of Assignment (5)	5		
• Methodology (20) ➤ Rationale, Strategy and Approach to assignment	20		
• Experience in execution and management of projects of a similar nature (10)	10		

<p>Comprehensive Proposal to be submitted addressing the entire requirements as per tender scope</p>			
<p>(Rating score values for Technical approach is allocated as follows: Very Poor = 1; Poor = 2; Adequate = 3; Good = 4; Very Good = 5. The maximum score value which can be awarded is 5 per technical approach category).</p>			
<p>2. Experience of Key Personnel & Qualifications for resources assigned to undertake the work (40/100):</p> <ul style="list-style-type: none"> • Team Leader (15) • Qualification: Post Graduate Qualification= 5 points, 3 Year Qualification (Degree) = 3 Points, No Qualification = 0 Points. • Experience in in policy or strategy development, economic research or Economic/ Rural Development: 5+ Years' Experience = 5 points, 2-4 Years' Experience = 3 points, 0-2 Years' Experience = 1 points, 0 Years' Experience = 0 points. • Experience in managing research projects: 5 Years' Experience = 5 points, 2-4 Years' Experience = 3 points, 0-2 Years' Experience = 1 points, 0 Years' Experience = 0 points. <ul style="list-style-type: none"> • Economic and Rural Development Specialist (10) • Qualification: Post Graduate Qualification= 5 points, 3 Year Qualification (Degree) = 3 Points, No Qualification = 0 Points. • Experience in economic/ rural development (5 points): 3 Years' Experience = 5 points, 2 Years' Experience = 3 points, 0-1 Year Experience = 1 points, 0 Years' Experience = 0 points. • Experience in economic research/ policy development (5 points): 3 Years' Experience = 5 points, 2 Years' Experience = 3 points, 0-1 Year Experience = 1 points, 0 Years' Experience = 0 points. <ul style="list-style-type: none"> • Monitoring and Evaluation Specialist (10) • Qualification (5 points): Post Graduate Qualification= 5 points, 3 Year Qualification (Degree) = 5 Points, No Qualification = 0 Points. • Experience in M&E (5 points): 3 Years' Experience = 5 points, 2 Years' Experience = 3 points, 0-1 Year Experience = 1 points, 0 Years' Experience = 0 points. • Experience in economic research/ policy development (5 points): 3 Years' Experience = 5 points, 2 Years' Experience = 3 points, 0-1 Year Experience = 1 points, 0 Years' Experience = 0 points. <ul style="list-style-type: none"> • Administrative Support Officer (5) • Qualification: 3 Year Qualification (Diploma) = 5 Points, Certificate Qualification = 3 Points ,No Qualification = 0 Points. • Experience: 1+ Years' Experience = 6 points, 0-6 months Experience = 3 points, 0 Years' Experience = 0 points. <p>Please provide detailed CVs of proposed team, copies of qualifications and affiliations with relevant professional bodies.</p>	15		
	10		
	10		
	5		
<p>(Rating score values for key personnel is allocated as per above under each resource: The score value will be allocated per number of years' experience and level of qualification for each specialist/resource. The Evaluation Committee may, at its own discretion, consider the total years of experience of the combined team who will be working on the project. The maximum score value which can be awarded is 5).</p>			

2. Successful completion of similar projects in the last five years (15/100): <ul style="list-style-type: none"> This must be supported by the submission of a list of all projects successfully completed, as well as letters of completion and references from current/previous clients. 	15		
(Rating score values for similar projects is allocated as follows: No similar projects = 0; One similar project completed = 1; Two similar projects = 2; Three similar projects = 3; Four similar projects = 4 and Five and more similar projects completed = 5. The maximum score value which can be awarded is 5).			
4. Work Plan (10/100): <ul style="list-style-type: none"> The quality and reasonableness of the project work plan will be assessed / evaluated and therefore a detailed work program outlining the various work-flow items/tasks required for this project must be submitted. 	10		
(Rating score values for the work program is allocated as follows: No program = 0; Poor program (insufficient information provided) = 1; Adequate program (work items shown) = 2; Good program (all necessary work items shown) = 3; Very good program (all necessary and major work items shown) = 4 and Excellent program (all necessary work items shown, including links between tasks and additional information) = 5. The maximum score value which can be awarded is 5).			
TOTAL	100		

10.3. B-BBEE STATUS LEVEL OF CONTRIBUTION

In terms of Regulation 5 (2) and 6 (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-BEE status level of contribution	Number of points (90/10) system	Number of points (80/20) system
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 10.3.1.** Bidders who qualify as EMEs and QSE'S that qualify for enhanced recognition in terms of the B-BBEE Act must submit a sworn affidavit issued by the EME representative and attested by a Commissioner of Oaths.
- 10.3.2.** Bidders other than EMEs/ specified QSE'S (as per 10.3.1) must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Verification Agency accredited by SANAS.
- 10.3.3.** 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.
- 10.3.4.** 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.
- 10.3.5.** Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 10.3.6.** A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 10.3.7.** A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprises that does not have equal or higher B-BBEE status level than the person concerned unless the contract is subcontracted to an EME that has the capability and ability execute the sub-contract.

11. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED

Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete Annexure C: Preferential Points Claim Form. (Points claimed must be in accordance with the table reflected in paragraph 9.3. and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

12. CONTRACTUAL OBLIGATIONS

The acceptance of any proposal shall only be confirmed with the conclusion of a written service level agreement between Trade & Investment KwaZulu-Natal and the Successful Service Provider, in terms of which the rights and duties of the parties are recorded, which agreement shall regulate the relationship between the Trade & Investment KwaZulu-Natal and the Successful Service Provider.

Until such time that an appropriate service level agreement has been concluded between Trade & Investment KwaZulu-Natal and successful Service Provider, no rights shall be conferred nor shall any legitimate expectations be conferred to the successful Service Provider to carry out the works or services provided for in this call for proposals.

13. INTELLECTUAL PROPERTY RIGHTS

Copyright, patent rights and other similar rights in any works or products created as a result of the performance of this tender and its assignments shall vest in and are hereby transferred to TIKZN, unless specifically agreed otherwise, in the form of individual written Agreement signed by both parties.

For this purpose, all works created in terms of this tender and the assignments thereof shall be deemed to have been created under the control and direction of TIKZN. All information documents, records and books

provided by TIKZN to any service provider in connection with the proposal or otherwise are strictly private and confidential. Any proposer to any third party shall not disclose them, except with the express consent of TIKZN, which shall be granted in writing prior to such disclosure. TIKZN however reserves the right to disclose any information provided by any service provider to any of the members of TIKZN.

14. TERMINATION OF CONTRACT

TIKZN reserves the right to terminate the award of any tender to any party if there are reasonable grounds for considering that there is non-performance by the contractor in terms of the contract. TIKZN also reserves the right to curtail the scope of any tender awarded or to curtail any aspect of any tender. In the event of any such cancellation or curtailment, the tenderer shall have no claim or recourse against TIKZN, of whatsoever nature, save the recoupment of the tenderer's actual and reasonable costs already expended on the project.

15. SUBMISSION OF PROPOSALS

The sealed envelope must be placed in the tender box at the Reception of the ***Trade and Investment House, Kingsmead Office Park, Kingsmead Boulevard, Durban by no later than Friday 17 April 2020, before 12 noon.*** Any proposal not in the tender box at the time of the proposal closing, such a proposal will be regarded as a late proposal. Late proposal will not be considered. No proposal received by telegram, telex, e-mail, facsimile or similar medium will be considered. Bids may be addressed to the following:

**The Procurement Officer
Trade and Investment House
1 Arundel Close
Kingsmead Office Park
Durban
4000**

LIST OF OPTIONAL OR MANDATORY ANNEXURES

ANNEXURES	ANNEXURE DESCRIPTION	OPTIONAL OR MANDATORY
ANNEXURE A	INVITATION TO BID DOCUMENTATION FORM (SBD1)	MANDATORY
ANNEXURE B	DECLARATION OF INTEREST FORM (SBD 4)	MANDATORY
ANNEXURE C	PREFERENTIAL POINTS CLAIM FORM (SBD 6.1)	OPTIONAL
ANNEXURE E	PRICING SCHEDULE FOR PROFESSIONAL SERVICES FORM (SBD 3.1)	MANDATORY
ANNEXURE F	CONTRACT FORM – RENDERING OF SERVICES (SBD 7.2)	MANDATORY
ANNEXURE G	CERTIFICATE OF INDEPENDANT BID DETERMINATION FORM (SBD 9)	MANDATORY
ANNEXURE H	AUTHORITY TO SIGN A BID FORM	MANDATORY
ANNEXURE I	DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD 8)	MANDATORY

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE TRADE & INVESTMENT KWAZULU-NATAL					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT <i>Trade & Investment House, 1 Arundel Close, Kingsmead Office Park, Durban</i>					
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 THE QUESTIONNAIRE BELOW]	
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?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED—(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”

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

SIGNATURE OF BIDDER:

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

DATE:

ANNEXURE B: DECLARATION OF INTEREST FORM (SBD 4)

Any legal person, including persons employed by the state¹, 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 proposal 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 authorised representative 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.

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

1. Full Name of bidder or his or her representative:
2. Identity Number:.....
3. Position occupied in the Company (director, trustee, shareholder member):.....
4. Registration number of company, enterprise, close corporation, partnership agreement or trust:.....
5. Tax Reference Number:.....
6. Vat Registration Number:.....
7. The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in the paragraph below.

"State" means —

- (a) any national or provincial department, national or provincial public entity or constitutional institution 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 Entities; or
- (e) Parliament.

"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.

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

If so, furnish the following particulars:

- (a) Name of person / director / trustee/shareholder/ member:
- (b) Name of state institution to which the person is connected:
- (c) Position occupied in the state institution:

(d)Any other particulars:

9. 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/N**

10. If yes, did you attach proof of such authority to the bid document? **YES/NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid)

if no, furnish reasons for non-submissions of such proof:

11. Did you or your spouse, or any of the company’s directors/ trustees/shareholders / members of their spouses conduct business with the stat in the previous twelve months? **YES/NO**

If so, furnish particulars:

12. 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**

If so, furnish particulars:

13. 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**

If so, furnish particulars:

14. 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**

If so, furnish details of directors /trustees /members /shareholders:

Full Name	Identity Number	Personal Income Tax Reference Number	State	Employee Number / Perusal

DECLARATION

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

.....
Name of Bidder

.....
Signature of Bidder

.....
Position

.....
Date

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

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

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

1. GENERAL CONDITIONS

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

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

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

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

1.3 Points for this bid shall be awarded for:

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

1.4 The maximum points for this bid are allocated as follows:

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

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

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

2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

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

3. POINTS AWARDED FOR PRICE

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

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

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

Where

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

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

--	--	--

5. BID DECLARATION

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

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

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

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

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 If yes, indicate:

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

(Tick applicable box)

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

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

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company

(Pty) Limited

[TICK APPLICABLE BOX]

DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

8.5 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

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

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

WITNESSES
1.
2.

.....	SIGNATURE(S) OF BIDDERS(S)
DATE:	.....
ADDRESS	.....

NAME OF BIDDER:	BID NO.: .....n/a.....
CLOSING TIME 12:00	CLOSING DATE.....

OFFER TO BE VALID FORDAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)	
1.	The accompanying information must be used for the formulation of proposals.		
	2. 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.	R.....	
	3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)		
4.	PERSON AND POSITION	HOURLY RATE	DAILY RATE
	-----	R-----	-----
5.	PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT		
	-----	R-----	----- days
	-----	R-----	----- days
	-----	R-----	----- days
	-----	R-----	----- days
5.1	Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.		
	DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY AMOUNT
	-----	.....	..... R.....
	-----	.....	..... R.....
	-----	.....	..... R.....
	-----	.....	..... R.....
		TOTAL: R.....	

"all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance contributions and skills development levies.

5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....
TOTAL: R.....			

- 6. Period required for commencement with project after acceptance of bid
.....
- 7. Estimated man-days for completion of project
.....
- 8. Are the rates quoted firm for the full period of contract? *YES/NO
- 9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.
.....
.....
.....

~~*[DELETE IF NOT APPLICABLE]~~

Any enquiries regarding bidding procedures may be directed to the –

TRADE & INVESTMENT KWAZULU-NATAL
 TRADE & INVESTMENT HOUSE
 1 ARUNDEL CLOSE
 KINGSMEAD OFFICE PARK
 DURBAN

Tel: 031- 368 9600

Or for technical information –

(MATTHEW CANHAM)

Tel: SAME AS ABOVE

CONTRACT FORM - RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid .

2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of bidder’s past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)

3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1	.....
2	.....

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity as.....
accept your bid under reference number.....dated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

DATE:

ANNEXURE G: CERTIFICATE OF INDEPENDENT BID DETERMINATION FORM (SBD 9)

1. This Standard Bidding Document (SBD) must form part of all bids' 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 *per 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.
 - a) In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:
 - Includes price quotations, advertised competitive bids, limited bids and proposals.
 - 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.

I, the undersigned, in submitting the accompany bid (Bid number and Description):
In response to the invitation for the bid made by Trade and Investment KwaZulu-Natal, do hereby make the following statements that certify to be true and complete in every respect. I certify, on behalf (Name of Bidder):
that:

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. However, communication between partners in a joint venture or consortium' 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) 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.
- 9. 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.

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

ANNEXURE H: AUTHORITY TO SIGN A BID FORM

1. If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorizing the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid in the following format:

AUTHORITY BY BOARD OF DIRECTORS by resolution passed by the Board of Directors on20....

Mr./Mrs. (whose signature appears below) has been duly authorised to sign all documents in connection with this bid on behalf of (Name of Company):

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF COMPANY (PRINT NAME):

SIGNATURE OF SIGNATORY: **DATE:**

WITNESSES:

1.

2.

2. If a Bidder is a sole proprietor (One-Person Business) the person who signs the bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the sole proprietor must be submitted with this bid, that is before the closing time and date of the bid in the following format:

I, the undersignedhereby confirm that I am the sole owner of the business trading as

SIGNATURE OF SIGNATORY: **DATE:**

WITNESSES:

- 1.
- 2.

3. If a Bidder is a partnership, the following particulars in respect of every partner must be furnished and signed by every partner:

Name of Partner	Residential Address	Signature

We, the undersigned partners in the business trading as.....hereby authorize..... to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and / or contract on behalf of

.....
SIGNATURE

.....
DATE

4. In the case of a close corporation submitting a bid, a certified copy of the Founding Statement of such corporation shall be included with the bid, together with the resolution by its members authorizing a member or other official of the corporation to sign the documents on their behalf.

By resolution of members at a meeting on20.....at.....Mr/Ms .., whose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of Close Corporation).....

SIGNED ON BEHALF OF CLOSE CORPORATION: (PRINT NAME) IN HIS/HER CAPACITY AS.....

DATE:.....

SIGNATURE OF SIGNATORY:

WITNESSES:

1.

2.

5. If the Bidder is a Co-operative, A certified copy of the Constitution of the co-operative must be included with the bid, together with the resolution by its members authoring a member or other official of the co-operative to sign the bid documents on their behalf.

By resolution of members at a meeting on..... 20..... at.....Mr/Mswhose signature appears below, has been authorised to sign all documents in connection with this bid on behalf of (Name of cooperative):

SIGNATURE OF AUTHORISED REPRESENTATIVE/SIGNATORY:

IN HIS/HER CAPACITY AS:DATE:.....

SIGNED ON BEHALF OF CO-OPERATIVE:
.....

NAME IN BLOCK LETTERS:

WITNESSES:

1.

2.

6. If a bidder is a joint venture, a certified copy of the resolution/agreement passed/reached signed by the duly authorised representatives of the enterprises, authorizing the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the joint venture must be submitted with this bid, before the closing time and date of the bid.

AUTHORITY TO SIGN ON BEHALF OF THE JOINT VENTURE

By resolution / agreement passed / reached by the joint venture partners on:20.....

Mr/Mrs,.....

Mr/Mrs.....

Mr/Mr.....and

Mr/Mrs.....

(whose signatures appear below) have been duly authorised to sign all documents in connection with this bid on behalf of: (Name of Joint Venture):

IN HIS/HER CAPACITY AS:.....

SIGNED ON BEHALF OF (COMPANY NAME):

SIGNATURE:.....**DATE:**.....

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF (COMPANY NAME):

SIGNATURE:.....**DATE:**.....

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF (COMPANY NAME):

SIGNATURE:.....**DATE:**.....

7. If a bidder is a consortium, a certified copy of the resolution/agreement passed/reached signed by the duly authorised representatives of concerned enterprises, authorizing the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the consortium must be submitted with this bid, before the closing time and date of the bid.

AUTHORITY TO SIGN ON BEHALF OF THE CONSORTIUM

By resolution/agreement passed/reached by the consortium:
on:.....20.....Mr/Mrs.....

(whose signature appear below) have been duly authorised to sign all documents in connection with this bid on behalf of:.....(Name of Consortium)

IN HIS/HER CAPACITY AS:

SIGNATURE:.....**DATE:**.....

ANNEXURE I: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD 8)

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.
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.	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? (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 home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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 the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>
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 <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