



Applying scientific thinking in the service of society

**PART A : INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE ACADEMY OF SCIENCE OF SOUTH AFRICA</b>					
BID NUMBER:	RFQ:27/Aug/2021/Admin	CLOSING DATE:	10/September/2021	CLOSING TIME:	23:59 ONLINE
<b>APPOINTMENT OF INTERNAL AUDITORS FOR A PERIOD OF FIVE (5) YEARS</b>					
DESCRIPTION					
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<a href="mailto:scm@assaf.org.za">scm@assaf.org.za</a>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Ms Lebo Makgae		CONTACT PERSON	Mr Morakeng Chiloane	
TELEPHONE NUMBER	012 349 6642/076 306 3513		TELEPHONE NUMBER	012 349 6608/082 779 2652	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	<a href="mailto:lebo@assaf.org.za">lebo@assaf.org.za</a>		E-MAIL ADDRESS	<a href="mailto:morakeng@assaf.org.za">morakeng@assaf.org.za</a>	
<b>SUPPLIER INFORMATION</b>					
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	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
<b>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		<b>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER BELOW]	
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
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?

YES  NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

YES  NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

YES  NO

**IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.**

**PART B**  
**TERMS AND CONDITIONS FOR BIDDING**

**1. BID SUBMISSION:**

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT EMAIL 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 ASSAF 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.

**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: .....

## CONTENTS

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1. BACKGROUND ON ACADEMY OF SCIENCE OF SOUTH AFRICA (ASSAf)
2. SERVICE DESCRIPTION
3. TERMS OF REFERENCE
4. MANDATORY REQUIREMENTS
5. FUNCTIONAL REQUIREMENTS
6. GENERAL TERMS AND CONDITIONS
7. EVALUATION CRITERIA
8. DEADLINE FOR SUBMISSION
9. COSTING
10. PERIOD OF APPOINTMENT
11. COMMUNICATION
12. FRONTING
13. JOINT VENTURES, CONSORTIUMS AND TRUSTS
14. CONFIDENTIALITY

## **1. BACKGROUND ON ASSAf**

- 1.1** The Academy of Science of South Africa (ASSAf) aspires to be the apex organisation for science and scholarship in South Africa, recognised and connected both nationally and internationally. ASSAf was inaugurated in May 1996. It was formed in response to the need for an Academy of Science consonant with the dawn of democracy in South Africa: activist in its mission of using science and scholarship for the benefit of society, with a mandate encompassing all scholarly disciplines that use an open-minded and evidence-based approach to build knowledge.
- 1.2** Through its Membership which represents the collective voice of the most active scholars in all fields of scholarly enquiry, ASSAf aims to generate evidence-based solutions to national problems. The benefits that the Academy aspires to bring to South Africa and the wider society is the sustainable provision of a professionally managed organisation that can mobilise the best intellect, expertise and experience which are used to investigate and provide evidence-based scientific solutions to national problems for the benefit of society; the international connectedness at the highest level of knowledge and insight; and facilitation of public understanding of the nature, scope and value of the scientific and technological enterprise.

## **2. ASSAf is a public entity but it is not listed under the Public Finance Management Act (PFMA). SERVICE DESCRIPTION**

- 2.1** ASSAf requires to appoint a service provider to undertake or perform internal audit function for a period of five (5) years commencing with the 2021/22 financial year. The term of the previous internal auditors came to an end on 31 March 2021.
- 2.2** Service providers who have served as internal or external auditors in the past ten (10) years should not apply.

## **3. TERMS OF REFERENCE**

### **3.1 Scope of Work**

- 3.1.1 Perform internal audit services in terms of the applicable framework and in accordance with the Standards for the Professional Practice of Internal Auditing published by the Institute of Internal Auditors of South Africa.
- 3.1.2 To perform a risk assessment of the entity,
- 3.1.3 Prepare an internal audit plan on an annual basis for approval by the Audit and Risk Committee,
- 3.1.4 Execute the projects as would have been described in the approved internal audit plan
- 3.1.5 Undertake at least one (1) internal audit review per annum as agreed and approved by the Audit and Risk Committee,
- 3.1.6 Report in writing, any significant weaknesses in internal controls,
- 3.1.7 Issue a report at the end of each internal audit review which will include observations, recommendations and management's responses,
- 3.1.8 Provide a progress report which would contain a status of the execution of the internal audit reviews in terms of the approved Internal Audit Plan for at least one (1) meeting of the Audit and Risk Committee,
- 3.1.9 The internal audit work will be performed from one common area and that is the ASSAf offices which are situated in Pretoria. Due to Covid-19, ASSAf staff are working remotely and therefore the successful service provider should have the capacity to undertake the internal audit work remotely. ASSAf is a small entity with a staff complement of 29 employees and a small annual budget.

### **3.2 Independence and objectivity**

- 3.2.1 Must not be engaged in any non-audit related work with ASSAf,
- 3.2.2 Must provide details of any possible conflict of interest as well as other information where the independence and or objectivity may be at risk should such a possibility arise. Where a possible independence and or objectivity threat has been identified, the service provider should provide ASSAf with a document on how the possible threat will be managed, with the mitigating safeguards.

### **3.3 Reporting**

The internal auditor(s) will report administratively to the Finance Manager and functionally to the ASSAf Audit and Risk Committee.

## **4 BASIS FOR DISQUALIFICATION**

- 4.1 Proposals will be disqualified or excluded under the following conditions:
  - 4.1.1 Submission after the deadline,
  - 4.1.2 Proposals submitted at incorrect location,
  - 4.1.3 Proposals submitted in hard copy form or fax. Submissions must be by email,
  - 4.1.4 Service Providers not registered on the Central Supplier Database ([www.csd.gov.za](http://www.csd.gov.za)),
  - 4.1.5 Service Providers who's tax matters are not in order when applications are considered,
  - 4.1.6 Failure to submit completed and signed Standard Bidding Documents, that is SBD 1 PART A and B, SBD 4, SBD 6.1, SBD 8, and SBD 9,
  - 4.1.7 Service providers who have served as ASSAf internal or external auditors in the past ten years.

## **5 FUNCTIONAL REQUIREMENTS**

### **5.1 The bidder should be able to demonstrate the following competencies:**

- 5.1.1 Registration with the Institute of Internal Auditors of South Africa (IIASA) or , Independent Regulatory Board of Auditors (IRBA) or other recognised professional body of internal auditors. .
- 5.1.2 Provide dedicated resources in the form of personnel for the duration of the engagement including details about their qualifications and experience (attach CV's).
- 5.1.3 Track record and reputation, provide at least 3 written reference(s) attesting to performing internal audits in the public sector are required.
- 5.1.4 The audit firm is to have a minimum of five (5) years' experience in conducting internal audits in the public entities.

## **6 GENERAL TERMS AND CONDITIONS**

- 6.1 The Respondent is responsible for all costs incurred in the preparation and submission of the proposal.
- 6.2 Copies of any affiliations, memberships and/or accreditations that support your submission must be included in the proposal.
- 6.3 **Note that ASSAf is entitled to:**
  - 6.3.2 Amend any RFQ conditions, validity period, specifications, or extend the closing date and/or time of RFQ's before the closing date.

6.3.3 Verify any information contained in the proposal.

6.3.4 Not appoint any bidder.

6.3.5 Vary, alter, and/or amend the terms of this RFQ, at any time prior to the finalisation of its adjudication.

6.3.6 Disqualify RFQ's that have an omission of disclosure of material information, that is factually inaccurate, and/or contains a misrepresentation of facts. This could also lead to the cancellation of any subsequent contracts.

6.3.7 Appointment as a successful bidder shall be subject to the parties agreeing to mutually acceptable terms and conditions. In the event of the parties failing to reach such agreement within 30 (thirty) days from the appointment date, ASSAf shall be entitled to appoint the service provider who was rated 2nd (second), and soon.

6.3.8 Cancel or withdraw from this RFQ as a whole or in part without furnishing reasons and without attracting any liability.

6.3.9 It is an understanding that the successful Bidder hereby offers to render all the services described in this RFQ and on the terms and conditions in accordance with the specifications stipulated in this RFQ document.

6.3.10 The proposals and its acceptance shall be subject to the terms and conditions contained in this RFQ document.

## 7 EVALUATION CRITERIA

7.1 The bids will be evaluated based on the response that fit with the functional requirements.

7.2 Price and Preference 80/20 formular will be used to determine the successful bidder.

In terms of regulation 5 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated on the 80/20 preference point for Broad-Based Black Economic Empowerment in terms of which points are awarded to bidders on the basis of preference points claim in terms of the preferential procurement regulations 2017.

<b>B-BBEE status level Contributor</b>		<b>20</b>
<b>Points for Price</b>		<b>80</b>
<b>Maximum Points</b>		<b>100</b>



## **8 DEADLINE FOR SUBMISSION**

- 8.1 RFQ's should be submitted ONLINE at [scm@assaf.org.za](mailto:scm@assaf.org.za) by no later than 10 September 2021 at 23:59
- 8.2 RFQ Validity Period is 30 days commencing from the RFQ closing date.

## **9 COSTING**

- 9.1 Pricing to be included in the bid amount as per the attached SBD 3.3 should only be for the first year of the audit, as this bid amount will be used for the evaluation.
- 9.2 Price escalation for the subsequent years of audit will be based on a negotiation process with ASSAf where factors such as cost escalation, change in audit scope, improved client efficiencies, improved audit efficiencies, knowledge of ASSAf by the auditor and changes in the environment will be considered. The fee for all the years will be subject to approval by the Audit and Risk committee of ASSAf, who will not unreasonably withhold such approval where plausible reasons for escalation have been justifiably communicated and agreed upon with ASSAf management.

## **10 PERIOD OF APPOINTMENT**

- 10.1 The service provider will be appointed for five (5) years commencing with the 2021/22 financial year.

## **11 COMMUNICATION**

- 11.1 ASSAf may communicate with bidders for, among others, where bid clarity is sought, to obtain information or to extend the validity period. Any communication either by facsimile, letter or electronic mail or any other form of correspondence to any representative of the bidders or a person acting in an advisory capacity for ASSAf in respect of this bid between the closing date and the award of the bid by the bidder is prohibited.

## **12 FRONTING**

- 12.1 ASSAf supports the spirit of broad based black economic empowerment and recognises that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent, and legally compliant manner. Against this background ASSAf condemns any form of fronting.
- 12.2 ASSAf, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry be established during such enquiry/investigation, the onus will be on the bidder/contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the bid/contract and may also result in the restriction of the bidder/contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies ASSAf may have against the bidder/contractor concerned.

## **JOINT VENTURES, CONSORTIUMS AND TRUSTS**

- 13.1 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.
- 13.2 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.
- 13.3 Bidders must submit concrete proof of the existence of joint ventures and/or consortium arrangements. ASSAf will accept signed agreements as acceptable proof of the existence of a joint venture and/or consortium arrangement.
- 13.4 The joint venture and/or consortium agreements must clearly set out the roles and responsibilities of the Lead Partner and the joint venture and/or consortium party.
- 13.5 The agreement must also clearly identify the Lead Partner, who shall be given the power of attorney to bind the other party/parties in respect of matters pertaining to the joint venture and/or consortium arrangement.

#### **14 CONFIDENTIALITY**

- 14.1 Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this bid or a bidder's submission will be disclosed by any bidder or other person not officially involved with ASSAf's examination and evaluation of RFQ.
- 14.2 Part of the bid may be distributed, reproduced, stored or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part except for the purpose of preparing an RFQ This bid and any other documents supplied by ASSAf remain proprietary to ASSAf and must be promptly returned to ASSAf upon request together with all copies, electronic versions, excerpts, or summaries thereof or work derived there from.
- 14.3 **Throughout this bid process and thereafter, bidder(s) must secure ASSAf's written approval prior to the release of any information that pertains to:**
  - (a) the potential work or activities to which this bid relates; or
  - (b) the process which follows this bid. Failure to adhere to this requirement may result in disqualification from the bid process and civil action.

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

This preference form must form part of all bids submitted. 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.**

### 14 GENERAL CONDITIONS

- a. The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R500 000 and above (all applicable taxes included), and
  - the 80/20 preference point system will be applicable to this tender.
- b. Points for this bid shall be awarded for:
- (a) Price; and
  - (b) B-BBEE Status Level of Contributor.
- c. The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

- d. 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.

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

### 15 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 the ASSAf 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:
  - (i) B-BBEE Status level certificate issued by an authorized body or person;
  - (j) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - (k) Any other requirement prescribed in terms of the B-BBEE Act;
- (l) **“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;
- (m) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

**16 POINTS AWARDED FOR PRICE**

**a. THE 80/20 PREFERENCE POINT SYSTEMS**

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

$$P_s = \left[ 1 - \frac{80/20}{P_t - P_{\min}} \right] \times 80$$

Where

- P<sub>s</sub> = Points scored for price of bid under consideration
- P<sub>t</sub> = Price of bid under consideration
- P<sub>min</sub> = Price of lowest acceptable bid

**17 POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR**

a. 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

**18 BID DECLARATION**

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

**19 B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

a. 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.

**20 SUB-CONTRACTING**

a. Will any portion of the contract be sub-contracted?  
 (*Tick applicable box*)

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

i. 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:

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME</b> √	<b>QSE</b> √
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		
<b>OR</b>		
Any EME		
Any QSE		

**21 DECLARATION WITH REGARD TO COMPANY/FIRM**

a. Name of company/firm:.....

b. VAT registration number:.....

c. Company registration number:.....

d. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

e. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

f. COMPANY CLASSIFICATION

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

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

h. 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-BBEE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificates, 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 ASSAf 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 ASSAf 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 .....

.....

.....

**22 DECLARATION OF INTEREST (SBD 4)**

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 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 a person/persons who is/are 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 this Bid:

- Full Name of Bidder or his/her representative
- Identity Number:
- Position occupied in the Company/firm (director, trustee, shareholder<sup>2</sup>, member):
- Registration number of the company/firm:
- Tax Reference Number:
- VAT Registration Number:
- 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 a separate schedule including answering the following questions:

	Schedule attached with the above details for all directors/members/shareholders	Yes	No
•	Are you or any person connected with the Bidder presently employed by the state? If so, furnish the following particulars in an attached	Yes	No

schedule:			
	Name of person/director/trustee/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:		
•	<p>If you are presently employed by the State, did you obtain the appropriate authority to undertake remunerative work outside the employment in the public sector?  If Yes, did you attach proof of such authority to the Bid document?  If No, furnish reasons for non-submission of such proof as an attached schedule  (Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the Bid.)</p>	Yes	No
•	<p>Did you or your spouse or any of the company's directors/ trustees /shareholders /members or their spouses conduct business with the State in the previous twelve months?  If so, furnish particulars as an attached schedule:</p>	Yes	No
•	<p>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?  If so, furnish particulars as an attached schedule.</p>	Yes	No
•	<p>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?  If so, furnish particulars as an attached schedule:</p>	Yes	No
•	<p>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?  If so, furnish particulars as an attached schedule:</p>	Yes	No



### 23 DECLARATION OF BIDDER'S PAST SCM PRACTICES (SBD 8)

<ul style="list-style-type: none"> <li>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? If Yes, furnish particulars as an attached schedule:</li> </ul>	Yes	No
<ul style="list-style-type: none"> <li>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)? If Yes, furnish particulars as an attached schedule:</li> </ul>	Yes	No
<ul style="list-style-type: none"> <li>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? If Yes, furnish particulars as an attached schedule:</li> </ul>	Yes	No
<ul style="list-style-type: none"> <li>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? If Yes, furnish particulars as an attached schedule:</li> </ul>	Yes	No
<p>The Database of Restricted Suppliers and Register for Tender Defaulters resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</p>		

## 24 CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)

<p>I, the undersigned, in submitting this Bid in response to the invitation for the Bid made by the Academy of Science of South Africa, do hereby make the following statements that I certify to be true and complete in every respect:</p>		
<ul style="list-style-type: none"> <li>I have read and I understand the contents of this Certificate;</li> </ul>	Yes	No
<ul style="list-style-type: none"> <li>I understand that the Bid will be disqualified if this Certificate is found not to be true and complete in every respect;</li> </ul>	Yes	No
<ul style="list-style-type: none"> <li>I am authorised by the Bidder to sign this Certificate, and to submit the Bid, on behalf of the Bidder;</li> </ul>	Yes	No
<ul style="list-style-type: none"> <li>Each person whose signature appears on the Bid has been authorised by the Bidder to determine the terms of, and to sign, the Bid on behalf of the Bidder;</li> </ul>	Yes	No
<p>For the purposes of this Certificate and the accompanying Bid, I understand that the word "competitor" shall include any individual or organisation, other than the Bidder, whether or not affiliated with the Bidder, who:</p> <ul style="list-style-type: none"> <li>a) Has been requested to submit a Bid in response to this Bid invitation;</li> <li>b) Could potentially submit a Bid in response to this Bid invitation, based on their qualifications, abilities or experience; and</li> <li>c) Provides the same goods and services as the Bidder and/or is in the same line of business as the Bidder</li> </ul>		
<p>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<sup>3</sup> will not be construed as collusive bidding.</p>		
<p>In particular, without limiting the generality of paragraphs above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:</p> <ul style="list-style-type: none"> <li>a) Prices;</li> <li>b) Geographical area where product or service will be rendered (market allocation);</li> <li>c) Methods, factors or formulas used to calculate prices;</li> <li>d) The intention or decision to submit or not to submit, a Bid;</li> <li>e) The submission of a Bid which does not meet the specifications and conditions of the Bid; or</li> <li>f) Bidding with the intention not to win the Bid.</li> </ul>		
<p>In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity,</p>		

specifications and conditions or delivery particulars of the products or services to which this Bid invitation relates.

The terms of this 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.

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

<sup>3</sup> 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.

**25 STANDARD BIDDING DOCUMENTS DECLARATION**

The following documents are deemed to form and be read and construed as part of this agreement even where integrated in this document:

Declaration of Interest (SBD4)
Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011 (SBD6.1)
Declaration of Bidder's past SCM practices (SBD8);
Certificate of Independent Bid Determination (SBD9)
General Conditions of Contract

**The obligation to complete, duly sign and submit these declarations included in this SBD declaration pack cannot be transferred to an external authorised representative, auditor or any other third party acting on behalf of the legal entity.**

I declare that I have had no participation in any collusive practices with any Bidder or any other person regarding this or any other procurement.

I certify that the information furnished in the declarations ( SBD4, SBD5 where applicable, SBD6.1, SBD 6.2 where applicable, SBD8, SBD9) is correct and I accept that ASSAf may reject the bid or act against me should these declarations prove to be false.

I confirm that I am duly authorised to sign this SBD declaration pack.

NAME (PRINT)	
CAPACITY	
SIGNATURE	
NAME OF FIRM	
DATE	

<b>WITNESSES</b>	
1	_____
2	_____
Date	_____