

## PART A INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	RFQ000001	CLOSING DATE:	18 <sup>th</sup> of November 2024	CLOSING TIME:	16H30
DESCRIPTION	APPOINTMENT OF A SUITABLY QUALIFIED AND EXPERIENCED SERVICE PROVIDER TO PROVIDE AN INTERNAL AUDIT SERVICE FOR A PERIOD OF Six (6) MONTHS.				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
PAN SOUTH AFRICAN LANGUAGE BOARD, HEAD OFFICE,					
5TH FLOOR RECEPTION,					
523 STANZA BOPAPE STREET,					
ARCADIA - PRETORIA					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	MR ZOLA NKOSI	CONTACT PERSON	MS SHOCKY MASHIGO		
TELEPHONE NUMBER	012 341 9651	TELEPHONE NUMBER	012 341 9651		
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS	<a href="mailto:zola@pansalb.org">zola@pansalb.org</a>	E-MAIL ADDRESS	<a href="mailto:shocky@pansalb.org">shocky@pansalb.org</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
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE 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?				<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	
<b>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.</b>					

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b></p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b></p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>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.</p> <p>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."</p>

**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: .....

Tel : +27 12 341 9638 / 9651  
Fax : +27 12 341 5938

Private Bag X08 | Arcadia | 0007  
523 Stanza Bopape Street | 5<sup>th</sup> Floor | Provisus Building | Arcadia



**PanSALB**  
PAN SOUTH AFRICAN LANGUAGE BOARD

## **Terms of Reference for appointment of a suitably qualified and experienced service provider to provide an Internal Audit service for a period of six (6) months.**

<b>Description</b>	: Appointment of a suitably qualified and experienced service provider to provide an Internal Audit services
<b>Bid Number</b>	: RFQ00001
<b>Responsible Unit</b>	: SUPPLY CHAIN MANAGEMENT
<b>Address</b>	: Pan South African Language Board 5 <sup>th</sup> Floor Provisus Building 523 Stanza Bopape Street Arcadia Pretoria 0007
<b>Technical Enquiries</b>	
Telephone	: +27 (0) 12 341 9638
E-mail	: <a href="mailto:shocky@pansalb.org">shocky@pansalb.org</a>
Contact Person	: Ms. Shocky Mashigo
<b>SCM Enquiries</b>	
Telephone	: +27 (0) 12 341 9638
E-mail	: <a href="mailto:zola@pansalb.org">zola@pansalb.org</a>
Contact Person	: Mr. Zola Nkosi
<b>Closing Date</b>	: 18 <sup>th</sup> of November 2024 <b>Time:</b> 16H30

## **1. PURPOSE**

- 1.1. Section 38(1)(a)(i) and 76(4)(e) of the PFMA requires that the Accounting Officer must ensure that a risk assessment is conducted regularly to identify emerging risks of the institution. Internal Audit must be conducted in accordance with the standards set by the institute of internal auditors, assessing the operational procedure and monitor mechanisms over all transfers made and received.
- 1.2. To ensure that an effective and efficient Institution Internal Audit (IIA) function is maintained, the PanSALB seeks to appoint a suitably qualified and experienced service provider to provide an Internal Audit service for an uninterrupted period of six (6) month commencing upon the counter signing of the Service Level Agreement (SLA) by the PanSALB and the preferred bidder.

## **2. BACKGROUND**

- 2.1. The Pan South African Language Board is established in terms of the Pan South African Language Board Act 59 of 1995 amended as PanSALB Amendment Act of 1999. The Board was established according to the constitution of the Republic of South Africa (Act 106 of 1996) in order to:
  - (a) promote, and create conditions for the development and use of official languages the Xhosa, Zulu, Afrikaans, English, Ndebele, Sesotho, Setswana, and Tshivenda languages and the Khoisan and San languages sign language.
  - (b) promote and ensure respect for all languages commonly used by communities in South Africa.

## **3. GENERAL GUIDELINES**

### **3.1 Submission of Proposals**

- 3.1.1. The bid should be submitted via an email address provided on the SBD1 above.

## **4. INSTRUCTION FOR PROPOSALS**

### **4.1 Format of your Proposal**

- 4.1.1. The proposal should be presented in two sections i.e. Technical Proposal and Financial Proposal.

## 4.2 Technical Proposal Format

4.2.1. Bidders are at liberty to structure their Proposals according to any format, as long as it covers all areas specified in this document. The Technical proposals will be evaluated against the criteria detailed below.

## 4.3 Technical Approach

4.3.1. The bidders should adhere to the ToR by elaborating on the services required, and demonstrating whether the proposed process meets the requirements.

4.3.2. Bidders must, at a minimum, cover the under-mentioned in their technical approach and return as part of their submission:

4.3.2.1. Proposed methodology and activity plan that clearly depicts understanding of the ToR and internal audit requirements of the PanSALB. Bidders should also demonstrate how the proposed methodology is in line with applicable standards, rules, regulations, and best practices.

4.3.2.2. The position(s) involved in the direct delivery of the service to be provided and in the overall management of the work and the names of the people who will fill these positions. Provide information in a table format e.g.:

Name	Position	Duties/activities	Turnaround time to complete task
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## 4.4 Experience

### 4.4.1 Company Experience

4.4.1.1 Bidders are required to provide proof that they have performed similar services. Letters of reference from at least three contactable referees must also be submitted.

4.4.1.2 Failure to submit at least three letters of reference for similar services will lead to a 0 score for references.

### 4.4.2 Individual Experience

4.4.2.1 Bidders are required to submit abridged CV's of key personnel that demonstrate prior experience and qualifications.

## **5. SCOPE OF WORK**

5.1 The successful bidder would be required to perform the following duties:

- 5.1.1 Implementation of a rolling three-year strategic Internal Audit Plan based on its assessment of key areas of risk for the PanSALB, having regard to its current operations.
- 5.1.2 Assist in the improvement of operations proposed in the PanSALB's corporate or strategic plan and effectiveness of its risk management strategy through risk-based audits which are in line with IIA standards;
- 5.1.3 Implementation of an annual Internal Audit Plan including the following primary audits:
  - 5.1.3.1 Operational audits;
  - 5.1.3.2 Financial audits;
  - 5.1.3.3 Compliance audits;
  - 5.1.3.4 Performance audits;
  - 5.1.3.5 Governance audits;
  - 5.1.3.6 IT audits;
  - 5.1.3.7 Forensic Audit/Investigation; and
  - 5.1.3.8 Other consulting services (including the review of the Strategy and Annual Performance Plan)
- 5.1.4 Compilation of plans indicating the scope, cost, and timelines of each audit in the annual internal audit;
- 5.1.5 Assist the Chief Financial Officer with the preparation of reports to the Audit and Risk Committee detailing performance against the plan, to allow effective monitoring and intervention when necessary;
- 5.1.6 Attending Audit and Risk Committee meetings when necessary;
- 5.1.7 Attending EXCO meetings to give feedback and updates on audits or other related assignments when necessary; and
- 5.1.8 Performing ad-hoc audit tasks when necessary, including but not limited to:
  - 5.1.8.1 Quality Assurance Reviews; and
  - 5.1.8.2 Any other request from the Chief Executive Officer and the Audit and Risk Committee.

## **5.2 EXPECTED OUTCOMES AND DELIVERABLES**

### **5.2.1 Deliverables:**

- 5.2.1.1 Performing audit assignments each assignment should at least consist of the following:
  - 5.2.1.1.1 Pre-audit survey;
  - 5.2.1.1.2 Audit planning memorandum;

- 5.2.1.1.3 Minutes of entrance meeting;
- 5.2.1.1.4 Risk assessment document;
- 5.2.1.1.5 System descriptions;
- 5.2.1.1.6 Audit programmes;
- 5.2.1.1.7 Sampling methodology;
- 5.2.1.1.8 Mechanisms for follow up on matters previously reported and feedback to the Audit and Risk Committee;
- 5.2.1.1.9 Mechanism to ensure that working papers are reviewed at the appropriate level;
- 5.2.1.1.10 Record of work performed;
- 5.2.1.1.11 Audit findings and recommendations and follow up;
- 5.2.1.1.12 Reporting (draft & final internal audit reports); and
- 5.2.1.1.13 Value Added Services, Skills Transfer, Quality Review, and Succession Planning.

## **5.2.2 Reporting requirements**

5.2.2.1 The structure of the report as a minimum is to be as follows:

- 5.2.2.1.1 Introduction;
- 5.2.2.1.2 Audit objective and scope;
- 5.2.2.1.3 Background;
- 5.2.2.1.4 Executive summary highlighting significant findings;
- 5.2.2.1.5 Existing Controls, Findings, recommendations, and Management Response (including implementation dates); and
- 5.2.2.1.6 Follow-up Audit.

## **5.2.3 Outcomes:**

- 5.2.3.1 Improved control environment within the PanSALB;
- 5.2.3.2 Improved effective risk management; and
- 5.2.3.3 Improved governance processes.

## **5.3 DURATION OF THE PROJECT**

- 5.3.1 The expected duration of the project is six (6) months which will commence upon the counter signing of a SLA between the PanSALB and the successful bidder.



## **6. STANDARD REQUIREMENTS OF THE BID**

### **6.1 Disclosures**

6.1.1 The bidder must disclose:

6.1.2 If they are or have been the subject of any proceedings or other arrangement relating to bankruptcy/insolvency.

6.1.3 If they have been convicted or, or are the subject of any proceedings, relating to:

6.1.4 A criminal offence or other offence, involving the activities of a criminal nature in its organization or found by any regulator or professional body to have committed professional misconduct.

6.1.5 Corruption, including the offer or receipt of any inducement or any kind in relation to obtaining any contract with any contracting authority.

6.1.6 Failure to fulfil any obligation in any jurisdiction relating to the payment of taxes and other legal obligations.

6.1.7 If a bidder or related company or any individual discloses details of any previous misconduct or complaint, the PanSALB will seek an explanation and background details from them. At the sole discretion of the PanSALB, an assessment as to whether the bidder will be allowed to continue to the next phase of the evaluation phase will then be made.

6.1.8 Disclosure extends to any company in the same group of the bidder, including but not limited to parent, subsidiary and sister companies, companies with common shareholders (whether direct or indirect) and parties with whom the Bidder is associated in respect of this tender.

### **6.2 Disclaimer**

6.2.1 The PanSALB reserves the right not to appoint a service provider. The PanSALB also reserves the right to:

6.2.1.1 Award the contract or any part thereof to one or more service providers;

6.2.1.2 Reject all bids;

6.2.1.3 Decline to consider any bids that do not conform to any aspect of the bidding requirements;

6.2.1.4 Request further information from any Bidder, after the closing date for clarity purposes;

6.2.1.5 Cancel this tender or any part thereof at any time; and

6.2.1.6 Should any of the above occur, it will be communicated in writing to the Bidders.



### **6.3 Confidentiality**

- 6.3.1 Bids submitted will not be revealed to any other Bidders and will be treated as contractually binding;
- 6.3.2 All information pertaining to the PanSALB obtained by the Bidder as a result of participation in this Request for Proposal (RFP) is confidential and must not be disclosed without written authorization from the PanSALB; and
- 6.3.3 The successful Bidder will be expected to sign an SLA with the PanSALB.

### **6.4 Disqualification**

- 6.4.1 Any form of canvassing/lobbying/influencing regarding the shortlisting will result in disqualification;
- 6.4.2 Any non-disclosure of any information pertaining to this bid will result in disqualification;
- 6.4.3 Non-compliance with the bid requirements will invalidate the bid; and
- 6.4.4 Non-compliance with all the applicable Acts, Regulations and by-laws will result in the disqualification of the bid.

## **7. EVALUATION CRITERIA**

- 7.1 Bid will be evaluated in three (3) phases:

### **7.1.1 Phase 1 – Evaluation on Compliance**

- 7.1.1.1 This entails initial screening of bid responses received at close of bid. During this phase, bid responses are registered and to ascertain the number of bid responses received before the closing date and time and to verify if the bidders submitted all mandatory requirements. The following mandatory documents should be submitted to qualify for the next phase of evaluation:

- 7.1.1.1.1 Completion of all SBD Forms (SBD 1, 4, 8 & 9);
- 7.1.1.1.2 Certified Copy of B-BBEE or Sworn Affidavit;
- 7.1.1.1.3 National Treasury Central Supplier Database (CSD) Report; and
- 7.1.1.1.4 Directors Membership with a professional body (Institute of Internal Auditors (IIA), Independent Regulatory Board for Auditors (IRBA) or South African



Institute of Chartered Accountants (SAICA)) by the bidder. (Please attach proof). This bullet is applicable to both directors and staff whom will be involved in a project.

## 7.1.2 Phase 2 – Technical Requirements

7.1.2.1 This evaluation will be based on the responses using the functional requirements i.e. previous experience, expertise and technical approach. The threshold values set for the qualification of bid is 75/100 for weight and all the bidders who score below this score will be eliminated. To be responsive the bidder must score 75% or more on functionality

7.1.2.2 The bid will be evaluated in two (2) phases:

Technical Criteria	Maximum Points per Criterion
<p><b>Technical Approach</b></p> <p>Proposed methodology and activity plan that clearly depicts understanding of the ToR and internal audit requirements of the PanSALB <b>(20 Points)</b></p>	20
<p><b>Capacity to Provide Ad-hoc Services</b></p> <p>The service provider has the competence and capacity to provide ad hoc services that may be required by the PanSALB.</p> <ul style="list-style-type: none"> <li>○ 2 – 4 year on provision of IT Audit <b>(5 Points)</b></li> <li>○ 2 – 4 years on provision of Forensic Audit/Investigation <b>(5 Points)</b></li> </ul> <p><b>To attain points, attach appointment letter must be accompanied by Referral/Recommendation letters and must be signed and on a letterhead of such institution.</b></p>	10
<p><b>Experience, skills, and ability of service provider</b></p> <p>Years of Internal Audit Experience</p> <ul style="list-style-type: none"> <li>○ 5 Years or more <b>(15 points)</b></li> <li>○ 3-5 Years <b>(10 points)</b></li> <li>○ 1-2 Years <b>(5 Points)</b></li> <li>○ 0 Years <b>(0 Points)</b></li> </ul>	15



<p><b>Qualifications, Experience, Skills, and Ability of Resources</b></p> <p>The service provider should indicate whether or not its has capacity to meet the requirements contained in these Terms of Reference.</p> <p>Summary of CVs &amp; Certified copies of qualifications of the Team members to undertake the project:</p> <p><b>Team Members</b></p> <ul style="list-style-type: none"> <li>○ Project Manager: minimum of 5 Years Experience, Qualified Chartered Accountant/Certified Internal Auditor with Professional registration with SAICA/IRBA/IIASA <b>(15 points)</b></li> <li>○ 4 x Senior Internal Auditor with a minimum of 3 Years Experience CTA/Post Graduate Certificate/B-Tech/B Comm Honours in Internal Auditing <b>(10 points)</b></li> <li>○ 3 x Internal Auditors with a minimum of 1 Year Experience National Diploma/ B Comm in Internal Auditing <b>(5 points)</b></li> </ul> <p><b>NB:</b> To attain points CV must be accompanied by Certified Proof of Qualifications.</p>	<p>30</p>
<p><b>IT Audit Experience</b></p> <ul style="list-style-type: none"> <li>○ 1 x Certified Information System Auditor: minimum of 3 Year Experience, CISA accredited <b>(10 points)</b></li> <li>○</li> </ul> <p><b>NB:</b> To attain points CV must be accompanied by Certified Proof of Qualifications/Accreditation.</p>	<p>10</p>
<p><b>Contactable references</b></p> <p><b>*Note:</b> References should be presented in the form of a written letter and on official letterhead from clients where similar services have been provided.</p> <ul style="list-style-type: none"> <li>○ Three or more <b>(10 points)</b></li> <li>○ Less than three <b>(5 points)</b></li> </ul> <p><b>NB:</b> Failure to submit written reference letters on official letterhead will result in 0 scoring.</p>	<p>15</p>
<p><b>Total</b></p>	<p><b>100</b></p>

### **7.1.3 Phase 3 – PREFERENTIAL PROCUREMENT REGULATION OF 2022**

7.1.3.1 As per the Preferential Procurement Regulations of 2022 in terms of the 80/20 Points system, the 20 points for Specific goals for the entity are allocated as follows:

1. 100% Women Ownership = 5 points
2. 100% SMME/EME = 10 points
3. 100% owned by Youth = 3 points
4. 100% owned by disabled individuals = 1 point
5. Locality = 1 point (Municipal Bill or Account Statement to be attached as proof)

## **8. PRICE**

- 8.1 All services pricing should be inclusive of all taxes and payment shall be made in South African Rand;
- 8.2 The proposal must be submitted on hardcopy, and clearly indicating the costing for year 1 and for year 2.
- 8.3 Service Provider to provide rates per person, per hour on human resources that will be providing services to PanSALB;
- 8.4 The PanSALB may require a breakdown of rates on any of the items priced and the bidders are to provide same without any additional cost and also provide a “Pricing Grid” or “Transaction Fee Schedule”; and
- 8.5 The total amount should be carried out on the Standard Bidding Form (SBD1).
- 8.6 Pricing Schedule:

Tel : +27 12 341 9638 / 9651  
 Fax : +27 12 341 5938

Private Bag X08 | Arcadia | 0007  
 523 Stanza Bopape Street | 5<sup>th</sup> Floor | Provisus Building | Arcadia



**PanSALB**  
 PAN SOUTH AFRICAN LANGUAGE BOARD

Resource Level	Estimate Hours	Hourly Rate	Total
Partner/Director		R	R
Manager: Internal Audit		R	R
Senior Internal Auditor		R	R
Internal Auditor		R	R
IT Auditor		R	R
<b>Sub-Total</b>		<b>R</b>	<b>R</b>
Disbursements (i.e. Travel and Accommodation)			R
VAT@ 15%			R
<b>Total Audit Fees</b>			<b>R</b>

8.7 The quotation must be based on a total of 500 hours for six (6) months broken down as follows:

Activity Number	Audit Activity	Estimate Hours	Total
1	Preparation of Internal Audit Plan	16	R
2	AOPO Quarter 2	50	R
3	AOPO Quarter 3	50	R
4	AOPO Quarter 4	50	R
5	Internal Financial Controls (Finance and SCM functions)	60	R
6	Annual Performance Plan review	50	R
7	Internal and External Findings Follow-up review	50	R
8	Annual Financial Statements Review	50	R
9	Ad Hoc - Internal Audit (Forensics and Other Consulting)	110	R
10	Report to the Audit and Risk Committee	24	R
<b>Sub-Total</b>		<b>500</b>	<b>R</b>
Disbursements (i.e. Travel and Accommodation)			R
VAT@ 15%			R
<b>Total Audit Fees</b>			<b>R</b>

## **8.1. Prices Adjustments**

8.1.1. Prices submitted for this bid will be regarded as non-firm subject to the following price adjustments:

8.1.1.1. Annual price adjustment; and

8.1.1.2. Application for price adjustments must be accompanied by documentary evidence in support of any adjustment on an annual basis.

## **8.2. Payment Terms**

8.2.1. The PanSALB undertakes to pay valid tax invoices in full within thirty (30) days from statement date for services rendered; and

8.2.2. All supporting documents for services rendered should be submitted together with the tax invoices as and when a service has been rendered.

## **9. BID VALIDITY**

9.1. A Proposal shall remain valid for ninety (90) days after the closing date of the submission for proposals. A Proposal which is valid for a shorter period may be rejected by the PanSALB for non-responsiveness.

9.2. In exceptional circumstances, the PanSALB may solicit the bidder's consent to an extension of the period of the validity of the bid. The request and responses thereto shall be made in writing. A bidder that has been granted the request will neither be required nor permitted to modify the Proposal.

## **10. SIGNATORIES**

10.1 All responses to this RFP should be signed off by the authorized signatories of the bidder.

## **11. SPECIAL TERMS AND CONDITIONS**

11.1 The PanSALB reserves the right to accept or reject any submission in full or in part, and to suspend this process and reject all proposals or part thereof, at any time prior to the awarding of the contract, without thereby incurring any liability to the affected bidders.

11.2 This bid and the contract will be subject to the General Conditions of Contract issued in accordance with Treasury Regulation 16A published in terms of the PFMA. The special terms and conditions of the contract are supplementary to that of the general conditions of the contract.

11.3 Where, however, the special conditions of contract are in conflict with the general

conditions of contract, the general conditions of contract will prevail.

- 11.4 No bids sent by the facsimile or email will be accepted.
- 11.5 Bids must only be submitted at the PanSALB Office in Arcadia Pretoria on or before the specified date and time.
- 11.6 The bid forms must not be retyped or redrafted but copies may be used.
- 11.7 Additional offers may be made but only photocopies of the original supporting documents are required. Additional offers/submissions are regarded as separate and must be treated as such by the bidder. The inclusion of various offers as part of a single submission in one envelope is not allowed and will not be considered. Additional bid offers must be submitted separately in separate sealed envelopes.
- 11.8 The original valid Tax Clearance Certificate should be submitted together with the completed bid.
- 11.9 Failure to comply with the above-mentioned conditions will invalidate the bid.
- 11.10 Certified copies of the company registration documents or proof of ownership of the company or agency i.e. Shareholders Certificates must be submitted.
- 11.11 A certified copy of 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 founding documents of a CC must be submitted.

## **12. SUBMISSION OF BID DOCUMENTS**

- 12.1 Responses to this bid must be submitted to PanSALB by no later than:

Date : 18 of November 2024  
Time : 16H30  
Email : [zola@pansalb.org](mailto:zola@pansalb.org)

## **13. LATE SUBMISSION**

- 13.1 A response to this Request for Proposal (RFP) shall be late if it is received by the PanSALB at any time after the closing date and time indicated in paragraph above. A late submission shall be clearly marked as late and shall not be admitted for consideration by PanSALB.

## **14. CLARIFICATIONS / ENQUIRIES**

- 14.1 Telephonic requests for clarification will not be considered. Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference or any other aspects concerning the bid is to be requested in writing (letter or e-mail) from the below contact persons. The bid reference number should be mentioned in all correspondence.

## **15. QUERIES**

Ms Shocky Mashigo  
Email: [shocky@pansalb.org](mailto:shocky@pansalb.org)  
URL: <http://www.pansalb.org>



## SBD 4

### BIDDERS DISCLOSURE

#### 1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

#### 2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state?

YES	NO
-----	----

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

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<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.



Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution?

YES	NO
-----	----

2.2.1 If so, furnish particulars:

.....  
.....

2.3 Does the bidder or any of its directors/trustees/shareholders/members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether they are bidding for this contract?

YES	NO
-----	----

2.3.1 If so, furnish particulars:

.....  
.....

### 3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

3.1 I have read, and I understand the contents of this disclosure.

- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect.
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements, or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements, or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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<sup>2</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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

## SBD 6.1

### PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS, AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

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#### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

*(delete whichever is not applicable for this tender).*

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

#### 1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\begin{array}{ccc}
 \mathbf{80/20} & \text{or} & \mathbf{90/10} \\
 Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right) & \text{or} & Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)
 \end{array}$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

#### 3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc}
 \mathbf{80/20} & \text{or} & \mathbf{90/10} \\
 Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right) & \text{or} & Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)
 \end{array}$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

## 4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

***(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.***

***Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)***

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Woman	N/A	5	N/A	
Promotion of SMME's	N/A	10	N/A	
Youth	N/A	3	N/A	
PWD (Disability)	N/A	1	N/A	
Locality	N/A	1	N/A	

## DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.



.....  
**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

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