



## TERMS OF REFERENCE

### APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY, IMPLEMENT, AND SUPPORT A SECURITY INFORMATION AND EVENT MANAGEMENT (SIEM) SOLUTION FOR A PERIOD OF 12 MONTHS

**BID REF: NDA19/IT05/24**

<b>BRIEFING SESSION</b>	<b>NO BRIEFING SESSION WILL BE HELD</b>
<b>VENUE</b>	N/A
<b>CLOSING DATE</b>	<b>28 FEBRUARY 2025</b>
<b>CLOSING TIME</b>	<b>12H00</b>
<b>SUBMISSION OF DOCUMENTS</b>	<p>All proposals must be delivered at the NDA Head Office on or before the closing date and time. The Head Office address is 26 Wellington Road, Parktown, Johannesburg, 2193. Submissions must be strictly submitted inside the tender box, which is at the main entrance and accessible 24/7.</p> <p><i>Service providers outside of Gauteng are advised to send their documents by courier. NDA will not take responsibility for documents sent via postal services.</i></p>
<b>SUPPLIER ENVELOPES</b>	<p>The supplier's envelope/s MUST clearly have the description: "<b>APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY, IMPLEMENT, AND SUPPORT SECURITY INFORMATION AND EVENT MANAGEMENT (SIEM) SOLUTION FOR A PERIOD OF 12 MONTHS</b>".</p>

Appointment of a Service Provider to Supply, Implement, and Support a Security Information and Event Management (SIEM)

Solution for a Period of 12 Months

	<p><b>A TWO-ENVELOPE system will be used for the submission of bids:</b></p> <p><b>Commercial Envelope</b> This envelope must contain price quotations plus all the mandatory documents as listed in section 9 of this document.</p> <p><b>Technical Envelope</b> <b>This envelope must contain all info listed in section 4 of this document.</b></p>
<b>LATE BIDS</b>	Bids received after the closing date and time will not be accepted for consideration and where practicable, will be returned unopened to the Bidder(s).
<p>Contact person for Commercial Queries is Ms Zibuyile Zulu or Thembi Raulinga on 011 018-5907 /5908 between 08h30 to 17h00 on weekdays. Queries can also be sent in writing to <a href="mailto:Zibuyilez@nda.org.za">Zibuyilez@nda.org.za</a> / <a href="mailto:thembir@nda.org.za">thembir@nda.org.za</a></p> <p>Contact persons for Technical Queries are:</p> <p>1. Mr Sbusiso Hlaba on +27 73 881 7040 or <a href="mailto:SbusisoH@nda.org.za">SbusisoH@nda.org.za</a></p>	

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## 1. OVERVIEW OF NDA

- 1.1. The National Development Agency (NDA) reports to Parliament through the Department of Social Development. The NDA is classified as a public entity under schedule 3A of the Public Finance Management Act, 1999 (Act No. 1 of 1999), and was established in November 1998 by the National Development Act, 1998 (Act No. 108 of 1998) (NDA Act) as government's response to the challenge of poverty and its causes in South Africa.
- 1.2. The NDA derives its mandate from the National Development Agency Act, 1998 (Act No. 108 of 1998). In terms of the Act, the primary objective of the NDA is to contribute towards the eradication of poverty and its causes by granting funds to CSOs for the purposes of:
  - a) carrying out projects or programmes aimed at meeting the development needs of poor communities; and
  - b) strengthening the institutional capacity of other CSOs involved in direct service provision to poor communities.
- 1.3. The secondary objects of the NDA in terms of the Act are-
  - (a) to promote-
    - i. consultation, dialogue and sharing of development experience between CSOs and relevant organs of State; and
    - ii. debate on policy development
  - (b) to undertake research and publication aimed at providing the basis for development policy.
- 1.4. The NDA plays a critical role in contributing towards poverty eradication. Through the Act and various policies, the NDA contributes to – but is not limited to – the advancement of economic development, social cohesion, access to basic human rights and skills development. This contribution of the NDA supports the National Development Plan (NDP) 2030 outcomes for a greater and better South Africa.

### **Mission:**

Facilitate development of poor and underdeveloped communities in a coordinated and integrated manner through the District Development Model (DDM) to make them self-reliant and self-sufficient.

**Vision:**

A society free of poverty, unemployment, and social ills.

**Organisational values:**

- Integrity
- Accountability and Responsibility
- Transparency
- Respect
- Ubuntu
- Innovation
- Excellence

**2. BACKGROUND**

The National Development Agency (NDA) seeks to enhance its cybersecurity posture by implementing a Security Information and Event Management (SIEM) system. The SIEM solution will help in real-time monitoring, detecting, and responding to security incidents across the NDA's infrastructure. This includes setting up, configuring, and integrating the SIEM system to monitor 2 domain controllers, 40 Windows servers, 1 SQL server, 2 IIS sites, and 250 user accounts.

**Existing security measures in place and Servers:**

The **National Development Agency (NDA)** has a robust security infrastructure designed to support its operations. This includes various components such as **network devices, servers, applications, databases, security devices** (firewalls and IDS/IPS), and **endpoints** like **workstations** and **laptops**. To ensure comprehensive security coverage, the planned **SIEM solution** must seamlessly integrate with these components.

The NDA operates within a **Microsoft-based environment**, supporting **200 employees**. The organization has **43 virtual servers** and **4 physical servers**, which include **three running VMware 6.7** and **one on Windows**. The **ICT infrastructure** includes key networking devices such as **FortiSwitch 224D switches** and **Fortinet firewalls**.

The organization also uses **three cloud services**, including **Mimecast, Office 365, and Azure**. Additionally, the NDA maintains a **centralized data center** with **one recovery site** to ensure **business continuity** and **operational efficiency**.

Appointment of a Service Provider to Supply, Implement, and Support a Security Information and Event Management (SIEM)

Solution for a Period of 12 Months

### 3. PURPOSE OF THE BID

The purpose of this bid is to solicit proposals from qualified service bidders to provide a fully managed SIEM offering that includes software, deployment services, maintenance, and security monitoring. The SIEM should encompass the **entire approach** to implementing and managing SIEM, including the software, any required hardware, integrations, processes, deployment, customization, training, and ongoing support (Possibly professional services).

#### 3.1. Specifications

The NDA requires the implementation of a new Security Information and Event Management solution, as no such system currently exists. This project will include the complete setup of the SIEM environment, encompassing system design, installation, and ongoing support.

Bidders must address the following criteria in their proposals:

##### 3.1.1. Understanding and Adherence to Requirements:

Demonstrate a clear understanding of the project specifications and requirements and provide details on how you will meet or exceed the stated expectations.

##### 3.1.2. Proven Track Record:

Showcase previous experience and successful implementations related to the required elements. Include case studies or references where possible.

##### 3.1.3. Compliance with the NDA's Requirements:

Confirm and provide evidence of compliance with all NDA-specific requirements, including technical standards, support capabilities, and service delivery expectations.

### 4. SCOPE OF WORK

The service provider is required to a fully managed SIEM offering that includes software, deployment services, maintenance, and security monitoring. The SIEM should encompass the **entire approach** to implementing and managing SIEM, including the software, any required hardware, integrations, processes, deployment, customization, training, and ongoing support (Possibly professional services).

Appointment of a Service Provider to Supply, Implement, and Support a Security Information and Event Management (SIEM) Solution for a Period of 12 Months
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This solution will be a critical component of the NDA's cybersecurity strategy, offering capabilities for real-time monitoring, threat detection, and incident response.

#### 4.1. SIEM Solution Requirements

The scope of work includes the following key elements:

- 4.1.1. **Log Collection:** The SIEM must collect logs from a diverse range of sources, including network devices (e.g., routers, switches), security devices (e.g., firewalls, IDS/IPS), servers (Windows, Linux), applications (web servers, database servers), endpoints (workstations, laptops), and cloud services.
- 4.1.2. **Normalization and Parsing:** The system should normalize, and parse collected logs into a standardized format for analysis, categorizing logs, identifying relevant fields, and ensuring consistency across different log sources.
- 4.1.3. **Correlation Engine:** The SIEM must include a real-time correlation engine capable of analysing logs to detect patterns, anomalies, and indicators of compromise (IOCs). It should support customizable correlation rules aligned with the NDA's specific security policies and requirements.
- 4.1.4. **Alerting and Notification:** The SIEM should provide flexible alerting mechanisms to notify ICT personnel of detected security incidents or anomalies. Alerts should be configurable and delivered via multiple channels, such as email, SMS, or integration with existing ticketing systems.
- 4.1.5. **Dashboards and Reporting:** The system must offer customizable dashboards for real-time visualization of security events and trends. It should provide both predefined and custom reporting capabilities for security analysis, compliance auditing, and performance monitoring.
- 4.1.6. **Threat Intelligence Integration:** Integration with external threat intelligence feeds is required to enrich security data with information about known threats, vulnerabilities, and IOCs, enhancing the accuracy of threat detection and prioritization.
- 4.1.7. **User and Entity Behaviour Analytics (UEBA):** The SIEM should incorporate advanced UEBA capabilities to analyse user and entity behaviour patterns, detecting insider threats, compromised accounts, and abnormal activities that may indicate security breaches.

- 4.1.8. **Compliance Management:** The SIEM must support compliance reporting and auditing requirements, including predefined compliance templates, automated report generation, and log data retention features to meet regulatory standards.
- 4.1.9. **Incident Response Orchestration:** The SIEM should integrate with incident response tools and workflows, allowing for the automation of response actions for detected security incidents. This may include isolating compromised systems, blocking malicious IPs, or triggering remediation processes.
- 4.1.10. **Scalability and Performance:** The SIEM must be scalable to handle the volume of log data generated by the organization's infrastructure, supporting distributed deployment architectures and high availability configurations to ensure continuous operation.
- 4.1.11. **Integration Capabilities:** The SIEM should offer APIs and connectors for easy integration with other security tools such as endpoint detection and response (EDR), vulnerability management, and identity and access management (IAM) solutions.
- 4.1.12. **Training and Support:** The bidder must provide comprehensive training, documentation, and technical support to help users deploy, configure, and maintain the SIEM effectively. This includes initial deployment support and ongoing assistance as needed.
- 4.1.13. **Managed Services:** The bidder must offer **managed services** for continuous threat monitoring, including **24/7 support** and incident response. Regular reporting and analysis to keep the NDA informed of security events and trends.

## 4.2. SIEM System Implementation

The bidder is required to fulfil the following requirements:

### 4.2.1. Setup and Configuration:

- **Installation and Deployment:** Install and configure the SIEM system for comprehensive log collection from all specified sources.
- **Customization:** Align the configuration with the NDA's specific security monitoring and compliance requirements.



#### 4.2.2. **Monitoring and Reporting:**

- **Real-Time Monitoring:** Enable real-time threat detection and anomaly identification for proactive incident response.
- **Detailed Reporting:** Generate and deliver regular reports on:
  - Detected threats.
  - System performance.
  - Anomalous activities or trends.

#### 4.2.3. **Continuous Updates and Maintenance:**

- **Threat Intelligence:** Regularly update the system with the latest threat intelligence to enhance detection accuracy.
- **Security Patches:** Apply software updates and security patches to ensure system integrity.
- **Configuration Adjustments:** Adapt settings to address evolving security needs and emerging threats.

#### 4.2.4. **Scalability and Integration:**

- **Scalability:** Ensure the solution can scale to handle increasing data volumes and support future organizational growth.
- **Integration:** Provide robust integration with existing NDA security tools and infrastructure, including:
  - Firewalls.
  - Endpoint Detection and Response (EDR) solutions.
  - Identity and Access Management (IAM) systems.

#### 4.2.5. **Storage:**

- **Retention Policy:** Provide details on event storage capabilities, including:
  - Retention period for stored events.
  - Compliance with relevant data storage and retention regulations.

#### 4.2.6. **Ease of Use:**

- **User-Friendly Design:** Ensure the SIEM solution is easy to deploy, configure, and manage.
- **Intuitive Interface:** The system should offer a clear and navigable interface for efficient day-to-day use by the NDA team.

## 5. TECHNICAL EVALUATION (PHASE 1)

### 5.1. Technical Evaluation will be scored as follows:

Description of evaluation criteria		Weight
SIEM Solution Requirements	<ul style="list-style-type: none"> <li>Ability to implement and configure the SIEM solution to meet NDA's specific needs as per section 4.1 of scope of work (Section (4.1.1 to 4.1.13) will be allocated with two points each).</li> </ul> <p><b>Over and above the proposal, bidder must provide a signed written confirmation to provide the service as an Annexure.</b></p> <p><b><i>Failing to adhere to the NDA requirements will result in the scoring of a Zero</i></b></p>	26
SIEM System Implementation	<ul style="list-style-type: none"> <li>The bidder should demonstrate the ability to comply NDA's requirements as per section 4.2 of scope of work (Section (4.2.1 to 4.2.6) will be allocated with five points each).</li> </ul> <p><b><i>Bidder to provide screenshots and / or any other related evidence to demonstrate the understanding of the NDA needs.</i></b></p>	35
	<ul style="list-style-type: none"> <li>Bidders must provide a detailed implementation plan including tools to be implemented. The implementation plan should define deliverables and timelines not exceeding thirty (30) days from the signing of the service level agreement.</li> </ul> <p><b><i>Bidder provided implementation plan details how the proposed solution will be implemented. It defines deliverables and timelines <u>exceeding thirty</u></i></b></p>	14

Description of evaluation criteria		Weight
	<p><b><i>(30) days from the signing of the service level agreement will be scored a seven (7).</i></b></p> <p><b><i>Failing to adhere to the NDA requirements will result in the scoring of a Zero.</i></b></p>	
Bidder/Company Experience	<p>The profile must indicate the number of years of experience in SIEM implementation in both private and public clients and the scope of work in the last five years.</p> <ul style="list-style-type: none"> <li>• Five (5) or more years' experience in SIEM implementation = 10 points</li> <li>• Less than 5 years = 5 points</li> </ul>	10
References	<p>Bidders are requested to provide contactable reference letters where SIEM solutions were successfully implemented or supported in the last five (5) years. Each reference letter must be dated, signed on a client letterhead, and include contact details for verification. Points will be awarded based on the relevant reference letters provided:</p> <p>3 reference letters= 15 points  2 reference letters = 10 points  1 reference letters = 5 points</p>	15
<b>Minimum Qualifying score</b>		<b>80</b>
<b>Total Score</b>		<b>100</b>

## 6. COMMERCIAL EVALUATION

- (a) Bids will be evaluated in accordance with the NDA's Supply Chain Management Policy and Preferential Procurement Policy, 2023, using the 80/20 preference points system as prescribed in the Preferential Procurement Policy Framework Act (PPPFA, Act 5 of 2000). The lowest acceptable bid will score 80 points for price (the lowest acceptable bid will score 80 points and bidders that quoted higher prices will score lower points for price on a pro-rata basis).

- (b) The bid proposals received will be evaluated in two (2) phases. On the first phase bids will be evaluated on functionality and on the second phase in accordance with the 80/20 preference points system respectively.
- (c) Bid proposal must score a minimum of eighty (80) points out of hundred (100) points on functionality in order to qualify for advancement to the next phase of evaluation. Second phase, a bid proposal scoring less than eighty (80) out of 100 will not be considered for further evaluation and will be disqualified.
- (d) Phase two: During this phase, bid proposals that passed the first phase will be further evaluated based on the 80/20 preference points system in accordance with the PPPFA Act, where 80 points will be attained in respect of price (the lowest acceptable bid will score 80 points and bidders that quoted higher prices will score lower points for price on a pro-rata basis), 10 points will be awarded for Enterprises owned by black people, 4 points for enterprise located in a specific Rural/Underdeveloped/Township (should the required locality merely be the Province, the full points will be applied to the Province), 2 points for Enterprises owned by black African women, 2 points for Enterprises owned by black African youth and 2 points for Black African with disability. The CSD I AM register report will be used to allocate points and the (80/20 system) will be applied in accordance with the table below:

<b>Specific Goal</b>	<b>Number of points (80/20 system)</b>
Enterprises owned by black people ( <i>must be included as a specific goal</i> )	<b>10 points</b> % shareholding by black people will determine the points
<p><b>Enterprises located in a specific:</b></p> <ul style="list-style-type: none"> <li>Rural / Underdeveloped/Township</li> </ul> <p><b>for work to be done or services to be rendered in that area.</b></p> <p><i>(SBD 1 must be completed with full location and must be accompanied by proof of address to claim points).</i></p>	<p><b>4 points</b></p> <ul style="list-style-type: none"> <li>Rural/Underdeveloped/Township/: = 4 points</li> </ul> <p>Should no declaration or proof be supplied, the bidder will score zero but will not be disqualified.</p> <p><b>Should the required locality be the province, the full points will be applied to the Province.</b></p> <p><i>Points will be given if the enterprise has its registered head office or registered operational office in that location</i></p>
<ul style="list-style-type: none"> <li>Enterprises owned by black African women.</li> </ul>	<b>2 points</b> % shareholding by the targeted group will determine the points that are scored
<ul style="list-style-type: none"> <li>Enterprises owned by black African youth.</li> </ul>	<b>2 points</b> % shareholding by the targeted group will determine the points that are scored

<ul style="list-style-type: none"> <li>Enterprises owned by black African with disability</li> </ul>	<p style="text-align: center;"><b>2 points</b></p> <p style="text-align: center;">% shareholding by the targeted group will determine the points that are scored</p>
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(e) The highest ranked bidder will be awarded the bid. It should be noted also that the NDA reserves the right not to appoint any service provider and no service provider will be reimbursed for any costs incurred whilst participating in this bid.

## 7. JOINT VENTURES, CONSORTIUMS AND TRUSTS

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.

A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity if 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.

Bidders must submit concrete proof of the existence of joint ventures and/or consortium arrangements. The NDA will accept signed agreements as acceptable proof of the existence of a joint venture and/or consortium arrangement.

When bidding through a Joint Venture, the Joint Ventures must submit a Consolidated B-BBEE certificate if it is not an incorporated entity when responding to tenders. This means that the bidder will have to obtain a new B-BBEE certificate for the Joint Venture, which consolidates each participant's B-BBEE status level.

## 8. CLIENT BASE

The NDA reserves the right to contact references during the evaluation and adjudication process to obtain information.

## 9. PACKAGING OF THE BID DOCUMENTS

The bidder shall place both the sealed Technical Proposal and Price/ Commercial Proposal envelopes into an outer sealed envelope or package, and must be clearly marked as follows:

### 9.1. Functionality/Technical Envelope

**Bid Ref: NDA19/IT05/24**

#### **APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY, IMPLEMENT, AND SUPPORT A SECURITY INFORMATION AND EVENT MANAGEMENT (SIEM) SOLUTION FOR A PERIOD OF 12 MONTHS**

Bid closing date and time: **28 February 2025 at 12h00**

**Name and address of the bidder:**

In this envelope, the bidder shall only address the technical aspects of the bid as per **Section 5 of this document**.

### 9.2. Pricing/Commercial Envelope

**Bid Ref: NDA19/IT05/24**

#### **APPOINTMENT OF A SERVICE PROVIDER TO SUPPLY, IMPLEMENT, AND SUPPORT A SECURITY INFORMATION AND EVENT MANAGEMENT (SIEM) SOLUTION FOR A PERIOD OF 12 MONTHS**

Bid closing date and time: **28 February 2025 at 12h00**

**Name and address of the bidder:**

In this envelope, the bidder shall only provide the price/commercial proposal, and the Mandatory documents **outlined in section 13 of this document**.

## 10. PRICING

- (a) Bidders must submit a detailed cost breakdown for all applicable costs e.g. Initial setup costs, monthly costs, and any other applicable costs. All prices submitted must be inclusive of VAT.
- (b) Bidders must ensure that the quotes submitted have no arithmetic errors as NDA will not rectify any errors and no adjustments to quotations received will be permitted.
- (c) Bidders will carry the responsibility of ensuring that the proposals submitted have been signed by a duly authorised person. Should it be established after the submission of proposals that the signatory authorising the proposal is not legally appointed by the service provider, the offer/proposal will be disqualified from the evaluation process.
- (d) All prices submitted should be typed in black ink or written in pen, proposals written in pencil will not be accepted and evaluated.
- (e) A two-envelope system will be used for the submission of proposals.

## 11. TENDER VALIDITY

All submitted bids must be valid for 150-days from the closing date of this bid.

## 12. NDA PAYMENT TERMS

Invoices will be paid 30-days from the date of submission and approval. All invoices must be sent to the following e-mail address: [ictaccounts@nda.org.za](mailto:ictaccounts@nda.org.za)

## 13. MANDATORY DOCUMENTS

- (a) Valid Tax Clearance Certificate issued by the South African Revenue Services (SARS). Where consortium/joint ventures/sub-contractor are involved in each party to the association must submit a separate valid original Tax Clearance Certificate or SARS tax Pin or a CSD report. Alternatively, service providers must fully complete Standard Bid Document 1 (SBD 1) to give effect to the tax compliance status system.
- (b) Signed agreements for joint ventures and/or consortium arrangements.
- (c) Company registration documents (CIPC).
- (d) A signed letter/resolution authorising the person signing the bid documents and contracts.
- (e) All participating bidders must complete, sign and return ALL the attached SBD forms (**SBD1,3.3 ;4&6.1**) together with their proposals. **SBD 3.3 must be submitted with a detailed itemised pricing.**

***Failure to complete and submit any of the attached documents will result in immediate disqualification.***

#### **14. CENTRAL SUPPLIER DATABASE**

The NDA will not appoint any supplier who is not registered as a prospective supplier on the central supplier database as required in terms of National Treasury Circular No. 3 of 2015/2016 and National Treasury SCM Instruction note 4 of 2016/2017.

#### **15. CONTRACT AWARD**

A binding contract will be signed after both parties have fully agreed to the scope of work and all terms and conditions. The NDA legal department will develop a draft contract that shall be used as the basis to finalise contract terms and conditions.

#### **16. DISCLAIMER**

- (a) Whilst all due care has been taken in connection with the preparation of this bid, the NDA makes no representations or warranties that the content in this bid or any information communicated to or provided to bidders during the bidding process is, or will be, accurate, current or complete. The NDA and its officers and employees will not be liable for any information communicated which is not accurate, current or complete.
- (b) If a bidder finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in the bid or any other information provided by the NDA (other than minor clerical matters); the bidder must promptly notify NDA in writing of such discrepancy, ambiguity, error or inconsistency to allow the NDA to consider what corrective action is necessary (if any).
- (c) Any actual discrepancy, ambiguity, error or inconsistency in this bid or any other information provided by the NDA will, if possible, be corrected and provided to all bidders without attribution to the bidder who provided the written notice.
- (d) No representations made by or on behalf of NDA about this bid will be binding on the NDA unless that representation is expressly incorporated into the contract ultimately entered into between NDA and the successful bidder.



## **17. ADDITIONS AND AMENDMENTS TO THE BID**

- (a) The NDA reserves the right to change any information in, or to issue an addendum to this bid before the closing date and time. The NDA its officers and employees will not be liable in connection with either the exercise of or failure to exercise this right.

## **18. CONTENT PAGE**

Participating bidders are required to submit a detailed content page and page dividers clearly indicating (cross-referencing) where each of the technical requirements is placed in their bid documents exactly as outlined in **section 5** (technical evaluation criteria) of this TORs. Any additional information that the supplier would like to provide should be referenced as well on the content page.

## **19. PRICE NEGOTIATIONS**

- (a) Where the bidder that scored the highest total points did not quote a reasonable or a market-related price, the NDA may negotiate with the bidder to offer a reasonable or market-related price, should the adjudicator agree to this;
- (b) Should the bidder scoring the highest total points not agree on a reasonable or market-related price, the NDA may cancel the bid or negotiate with the bidder that scored the second highest total points or the third highest total points, in that order.

## **20. SPECIAL COMMERCIAL CONDITIONS OF THIS BID**

NDA reserves the right to;

- (a) To accept part of a tender rather than the whole tender.
- (b) To correct any mistakes at any stage of the tender that may have been in the Bid documents or occurred at any stage of the tender process.
- (c) To cancel and/or terminate the tender process at any stage, including after the Closing Date and/or after presentations have been made, and/or after tenders have been evaluated and/or after the preferred bidder(s) have been notified of their status as such.
- (d) Award to multiple bidders based either on size or geographic considerations.

## 21. ETHICS AWARENESS TO SERVICE PROVIDERS

### ***NDA pledges towards high ethical conduct in dealing with Service Providers***

- *NDA is committed to highest standard of ethics in conducting its business and encourages all stakeholders to contribute towards building ethical culture within the organization.*
- *NDA shall not demand money from Service Providers to get work (tenders and quotations) from the organization.*
- *Suppliers are prohibited to induce NDA employees through gifts in order to directly and indirectly benefit business from NDA.*
- *NDA has a strict gift policy to ensure that gifts received from Suppliers are properly declared to ensure transparency.*
- *Any unethical behaviour that is compromising by NDA employees shall be reported to Fraud/ethics Hotline:0800 701 701*

**I HAVE READ AND UNDERSTOOD THE NDA PLEDGE THAT PROMOTE HIGHLY ETHICAL CULTURE. I WILL, TO THE BEST OF MY ABILITY, ADHERE TO AND HONOUR THIS PLEDGE IN MY PROFESSIONAL DEALINGS WITH NDA.**

\_\_\_\_\_  
Signature: Representative of the Service Provider

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name: Representative of the Service Provider

## PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	NDA19/IT05/24	CLOSING DATE: 28 February 2025		CLOSING TIME:	12H00 PM
DESCRIPTION	THE APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF HEAD OFFICE SPACE TO THE NATIONAL DEVELOPMENT AGENCY OVER A PERIOD OF 60 MONTHS (WITH AN OPTION TO RENEW) COMMENCING JANUARY 2025				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
26 WELLINGTON ROAD, PARKTOWN, 2193					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Thembi Raulinga or Zibuyile Zulu		CONTACT PERSON	Sibusiso Hlaba	
TELEPHONE NUMBER	011 018 5908/5907		TELEPHONE NUMBER	011 018 5500	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	<a href="mailto:zibuyilez@nda.org.za">zibuyilez@nda.org.za</a> / <a href="mailto:thembir@nda.org.za">thembir@nda.org.za</a>		E-MAIL ADDRESS	<a href="mailto:sibusisoh@nda.org.za">sibusisoh@nda.org.za</a>	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS (attach proof not older than 6 months)					
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**

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
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>
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. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
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: .....



**PRICING SCHEDULE**  
**(Professional Services)**

NAME OF BIDDER: .....	BID NO.: .....
CLOSING TIME .....	CLOSING DATE.....

OFFER TO BE VALID FOR ...150.....DAYS 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-----	-----
	-----	R-----	-----
	-----	R-----	-----
	-----	R-----	-----
	-----	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.....

Bid No.: .....

Name of Bidder: .....

.....	.....	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 –

Zibuyile Zulu  
Tel:011 018 5500  
zibuyilez@nda.org.za

Or for technical information –

Sbusiso Hlaba  
[Tel:011 018 5500](tel:0110185500)  
sibusisoh@nda.org.za

## BIDDER'S 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.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship

---

<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.

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 or not 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

<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.



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.

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

**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**

**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:

	<b>POINTS</b>
<b>PRICE</b>	<b>80</b>
<b>SPECIFIC GOALS</b>	<b>20</b>
<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:

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

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:

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}}\right) \text{ or } Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}}\right)$$

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)
QSE/EME B-BBEE level 1		10		
QSE/EME B-BBEE level 2		09		
B-BBEE level 3, 4, 5, 6, 7, 8, or non-compliant contributor		0		
<b>Enterprises located in a specific:</b> <ul style="list-style-type: none"> <li>• Rural / Underdeveloped/Township</li> <li>• for work to be done or services to be rendered in that area.</li> </ul>		10		

**DECLARATION WITH REGARD TO COMPANY/FIRM**

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

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

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

.....	
<b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....
	.....