



TERMS OF REFERENCE

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS **BID REF: NDA16/IT03/24**

BRIEFING SESSION	NO BRIEFING SESSION WILL BE HELD
VENUE	N/A
CLOSING DATE	27 November 2024
CLOSING TIME	12:00
SUBMISSION OF DOCUMENTS	<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>
SUPPLIER ENVELOPES	The supplier's envelope/s MUST clearly have the description: " THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS ".
	A TWO-ENVELOPE system will be used for the submission of bids:

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM
AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS

	<p>Commercial Envelope This envelope must contain price quotations plus all the mandatory documents as listed in section 9 of this document.</p> <p>Technical Envelope This envelope must contain all info listed in section 4 of this document.</p>
LATE BIDS	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 Elizabeth Mngqabashe or Ms Thembi Raulinga on 011 018-5546/5908 between 08h30 to 17h00 on weekdays. Queries can also be sent in writing to ElizabethM@nda.org.za ThembiR@nda.org.za.</p> <p>Contact persons for Technical Queries are:</p> <p>1. Mr. Thamsanqa Langa via email ThamsanqaL@nda.org.za</p>	

TABLE OF CONTENTS

1. BACKGROUND.....	5.
2. PURPOSE OF THE BID	6
3. SCOPE OF WORK.....	7
4. TECHNICAL EVALUATION (PHASE 1).....	9
5. COMMERCIAL EVALUATION (PHASE 2).....	17
6. PRICING	19
7. TENDER VALIDITY.....	19
8. NDA PAYMENT TERMS	20
9. MANDATORY DOCUMENTS.....	20
10. CENTRAL SUPPLIER DATABASE	20
11. CONTRACT AWARD	21
12. DISCLAIMER.....	21
13. ADDITIONS AND AMENDMENTS TO THE BID.....	21
14. CONTENT PAGE	22

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

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM
AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS

- Transparency
- Respect
- Ubuntu
- Innovation
- Excellence

2. BACKGROUND

The National Development Agency (NDA) is undertaking a project to implement a **Digital Platform** that will serve as the **foundation** for future digital business solutions. The development or implementation of the platform is part of the **NDA's Turnaround Strategy (TAS)**, which focuses on eradicating poverty and empowering **Community-Owned Enterprises (COEs)**. The implementation of a robust Digital Platform is pivotal to the TAS as a digital enabler, serving as the **backbone** for future digital business solutions.

The purpose of the Digital Platform is to create a **reliable, scalable, and secure foundation** that will support the NDA's digital operations and improve engagements with internal and external stakeholders. The platform will allow the NDA to **integrate** various systems, **automate** processes, and use **real-time data** to make better decisions. By leveraging existing NDA's **Microsoft technologies** (Azure, Power Platform, Microsoft 365, and Dynamics 365), the NDA can streamline its key business processes such as **resource mobilisation, capacity building, COE engagement, and monitoring and evaluation (M&E)**.

While the platform will lay the groundwork for these digital business solutions, the actual development of specific apps and services is **not part of this initial phase**. Instead, this project will focus on building the technical infrastructure and services required to support these solutions in the future.

2.1. DIGITAL PLATFORM

In the context of the NDA, a Digital Platform is a comprehensive set of **integrated technologies**, typically infrastructure, software, and data services, designed to **support the development, operation, and management of digital business solutions**.

It is important to emphasize that the Digital Platform itself is **not the end business solution** but rather the **enabling environment** that integrates and supports these solutions.

In summary, the NDA's Digital Platform is the foundation upon which all future business solutions will be developed and scaled, ensuring the agency can adapt to evolving digital needs while fostering innovation and operational excellence.

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM
AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS

3. PURPOSE OF THE BID

The purpose of the bid is to solicit proposals from suitable bidders to develop and implement a Digital Platform foundation for the NDA, which will serve as the backbone for future digital business solutions.

4. CURRENT NDA TECHNOLOGY

The NDA currently operates a hybrid ICT environment with the staff compliment of 220, utilising both cloud-based and on-premises technologies:

4.1. CLOUD-BASED

- **Microsoft 365 (M365) E5 with 220 licenses:** Commonly used apps and services for collaboration and productivity include SharePoint, Teams, OneDrive, Office apps, Forms. Including services such as Exchange.
- **Microsoft Azure Services (IaaS):** Hosts core financial system, i.e., Dynamics 365 (D365) Business Central (BC). Services such as Entra ID, Defender for Cloud, including resources such as Virtual Machines (VMs), Load Balancers, Virtual Networks (VNET), SQL Server, Virtual Network Gateway, Network Security Groups, etc.
- **Power Platform:** Power Apps, Power Automate, Power BI, and Dataverse are used for internal app development and data insights.
- **Other Internal Apps:** Travel Requisition Management System (TMS), Grant Fund Proposal and Approval Automation, and others under development in Power Platform.
- **Website and Intranet:** Intranet hosted in SharePoint M365, Website host by the service provider.

4.2. ON-PREM SYSTEMS

- **Infrastructure:** VMWare (virtual environment), Nagios (monitoring), Veeam (backup and replication), Netwrix (auditing), Backup Services (Mimecast, Email Archiving), ISP (VOX).
- **Security:** Kaspersky Anti-virus, KnowBe4 (user awareness), FortiGate Firewall, Physical Security.
- **Support Service:** Microsoft-house, Telecommunication, Printing Services (Minolta), Data and Mobile (MTN).

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM
AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS

- **App:** Sage 300 People (in the process of migration to Managed Cloud Service (MCS) or SaaS, Ndzalama (custom-built).

5. SCOPE OF WORK

The scope of work involves the implementation of a Digital Platform that will act as the **backbone** for hosting future digital business solutions at the NDA. The key tasks for the service provider include:

5.1. Digital Platform Assessment

- Conduct a comprehensive **assessment of the existing digital infrastructure**, identifying gaps, limitations, and opportunities for improvement in scalability, performance, and security.

5.2. Platform Architecture and Design

- **Design and implement** a scalable and secure platform architecture that leverages NDA's existing technologies, which includes Microsoft Azure, Power Platform, M365 E5, and D365.

5.3. Subscription and Licensing

- Assist the NDA in **securing licenses and subscriptions** for the platform's services, ensuring cost-effectiveness and scalability.

5.4. Platform Implementation and Configuration

All implementations and configuration **must** be guided by the assessment reports and architecture.

- **Implement and configure** Azure-based infrastructure, including virtual machines (VMs), storage solutions, virtual networks, and disaster recovery systems guided by the architecture.
- **Migrate** relevant on-prem services to the cloud, ensuring minimal downtime and data integrity during the transition.

5.5. Testing and Quality Assurance

- Perform **functional and compliance testing** to ensure the platform meets performance, security, and regulatory requirements, including **POPIA**.

5.6. Documentation and Knowledge Transfer

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM
AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS

- Provide detailed **technical documentations** to the NDA's ICT specialists to manage the platform and allow for **business continuity**.

5.7. Post-Implementation Support

- Deliver **post-implementation support** and **ongoing monitoring** to optimize platform performance for a period of 12 months.

6. TECHNICAL EVALUATION (PHASE 1)

6.1. Technical Evaluation will be scored as follows:

Description		Weight
Platform Design and Architecture	<p>Service providers must provide a detailed explanation of their proposed platform design and architecture, including:</p> <ul style="list-style-type: none"> ➤ Platform Overview (10): A description of how the architecture integrates the existing NDA technologies (Azure, Power Platform, Microsoft 365, Dynamics 365) and the planned expansion. ➤ Infrastructure Design (10): Explain how the platform will be built on Microsoft Azure services, ensuring scalability, security, and disaster recovery. ➤ Data Integration (5): Provide a clear approach to data centralization and integration across cloud-based and on-prem systems. Describe how data silos will be eliminated, and data governance will be ensured. ➤ API Design (5): Explain the approach for creating an API architecture to enable secure communication between internal and external systems. <p>Supporting Information Required:</p> <ul style="list-style-type: none"> ➤ Detailed architectural diagrams document covering the abovementioned points <p><i>Detailed architectural diagrams document must be provided otherwise it will be score at zero.</i></p>	30

Description		Weight
Security and Compliance	<p>Describe how security will be implemented to ensure compliance with regulatory requirements such as POPIA. Key areas to address include:</p> <ul style="list-style-type: none"> ➤ Identity Management (5): Explain the use of Microsoft Entra ID (formerly Azure AD) for identity and access management, including role-based access control (RBAC) within the platform. ➤ Data Security (5): Describe how data will be protected at rest and in transit using encryption and how Azure Security Centre (Microsoft Defender for Cloud) will be utilized to provide advanced threat protection. ➤ Compliance (5): Detail the steps to ensure that the platform complies with regulations and industry standards (e.g., ISO 27001). Include information on data retention, disaster recovery, and auditability. <p>Supporting Information Required:</p> <ul style="list-style-type: none"> ➤ Detailed Security architecture diagrams and Compliance Plan covering the abovementioned points <p><i>Security architecture diagrams and Compliance Plan must be provided otherwise it will be score at zero.</i></p>	15

Description		Weight
Scalability and Reliability	<p>Service providers must explain how their platform design will support scalability and ensure reliability. Areas to cover include:</p> <ul style="list-style-type: none"> ➤ Cloud Scalability (5): How the platform will leverage Azure's elastic scaling capabilities to handle increasing data volumes and users. ➤ Load Balancing (5): Describe how the platform will manage high traffic volumes using Azure's Load Balancer and other relevant services. ➤ Disaster Recovery (5): Explain the disaster recovery approach, including the use of Azure Site Recovery to ensure minimal downtime and data loss. <p>Supporting Information Required:</p> <ul style="list-style-type: none"> ➤ A Scalability and Reliability Plan covering the abovementioned points <p><i>Scalability and Reliability Plan must be provided otherwise it will be score at zero.</i></p>	15

Description		Weight
Data Management and Integration	<p>Explain how the platform will manage data effectively and ensure seamless integration between various systems and services. Address the following areas:</p> <ul style="list-style-type: none"> ➤ Data Storage (5): How Azure SQL Database, Data Lake, Dataverse and other Azure storage solutions will be used to manage structured and unstructured data. ➤ Integration (5): Explain how the platform will integrate with both internal NDA systems and external stakeholder platforms, using APIs and standard/custom connectors. <p>Supporting Information Required:</p> <ul style="list-style-type: none"> ➤ Data Management Plan and Integration Strategy covering the abovementioned points <p><i>Data Management Plan and Integration Strategy must be provided otherwise it will be score at zero.</i></p>	10

Description		Weight
Experience in Digital Platform Implementation	<p>Details of the service provider's experience with implementing similar digital platforms:</p> <p>Supporting Information Required: (5 points per letter)</p> <ul style="list-style-type: none"> ➤ Client reference letters – at least 2 letters reflecting similar service provisioned not older than 5 years, letters must have date, client letterhead, client signature, project implemented, client contact details for verification of project outcomes. The letter must at least reflect all the above mentioned otherwise it will be score as a zero. <p><i>Client reference letter / s must me provided otherwise it will be score at zero.</i></p>	10

Description		Weight
Expertise in Microsoft Technologies	<p>Service provider must demonstrate expertise in the core technologies required for the NDA Digital Platform implementation:</p> <ul style="list-style-type: none"> ➤ Required skill - Cloud Engineer or related (X2) with at least 3-years' experience. <p>Supporting Information Required:</p> <ul style="list-style-type: none"> ➤ Certifications or qualifications in Microsoft technologies including CVs X2, i.e.: (5) <ul style="list-style-type: none"> ○ Microsoft Azure or ○ Power Platform or ○ Microsoft 365 or ○ Dynamics 365 <p>Please note: two certifications or qualifications, including CVs required from the abovementioned list; however, the two certifications must be different (i.e., no two certifications from the same category)</p> <ul style="list-style-type: none"> ➤ Required skill – Project Manager or related (X1) <p>Supporting Information Required:</p> <p>Certifications or qualifications related to project management. including CVs (5)</p> <p><i>CVs and Certification for each, must me provided otherwise it will be score at zero.</i></p>	10

Description		Weight
Project Management Approach	<p>Service providers must present a detailed project management plan that includes:</p> <ul style="list-style-type: none"> ➤ Methodology (2): Explain the project management methodology (e.g., Agile) that will be used for this implementation. ➤ Project Plan (1): Include a detailed project timeline with milestones, deliverables, and resource allocation. The human resource allocated must be resources provided in the Expertise in Microsoft Technologies section on this Technical Evaluation table. ➤ Risk Management (1): Provide a risk management plan that addresses potential challenges (e.g., delays, resource shortages, etc) and how they will be mitigated. ➤ Communication Plan (1): Explain how progress will be communicated to NDA stakeholders, including the frequency and format of updates. <p>Supporting Information Required:</p> <ul style="list-style-type: none"> ➤ Detailed project plan covering the abovementioned points. <p><i>Detailed project management plan must be provided otherwise it will be score at zero.</i></p>	5

Description	Weight
Post-Implementation Support	Provide a detailed plan for post-implementation support for a period of 12 months , including: <ul style="list-style-type: none"> ➤ Support Services (5): Describe the post-implementation support services that will be provided, including the type of issues covered (e.g., technical, security, performance, platform monitoring, etc). <p>Supporting Information Required:</p> <ul style="list-style-type: none"> ➤ Detailed Post-Implementation Support Plan covering the abovementioned points. <p><i>Post-Implementation Support plan must be provided otherwise it will be score at zero.</i></p>
Minimum Qualifying score	70
Total Score	100

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM
AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS

7. 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:

Specific Goal	Number of points (80/20 system)
Enterprises owned by black people <i>(must be included as a specific goal)</i>	10 points % shareholding by black people will determine the points
Enterprises owned by black African women.	3 points % shareholding by the targeted group will determine the points that are scored
Enterprises owned by black African youth.	3 points % shareholding by the targeted group will determine the points that are scored
Enterprises owned by black African with disability	4 points % shareholding by the targeted group will determine the points that are scored

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM
AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS

- (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.

8. 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.

9. CLIENT BASE

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

10. 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:

10.1. Functionality/Technical Envelope

Bid Ref: NDA16/IT03/24

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM
AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS.

Bid closing date and time: **27 November 2024 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 6 of this document.

10.2. Pricing/Commercial Envelope

Bid Ref: NDA16/IT03/24

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS.

Bid closing date and time: **27 November 2024 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 14 of this document.

11. 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 indicate if their prices will be fixed and firm for the duration of the proposed contract period, if not, the proposed escalations should be indicated.
- (c) 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.
- (d) 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.

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM
AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS

- (e) All prices submitted should be typed in black ink or written in pen, proposals written in pencil will not be accepted and evaluated.
- (f) A two-envelope system will be used for the submission of proposals.

12. TENDER VALIDITY

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

13. 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

14. 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 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. **NB: SBD 3.3 must be submitted at all times together with the detailed pricing.**

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

15. 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.

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM
AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS

16. 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.

17. 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.

18. 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.
- (b) Should the NDA exercise its right to change the information in terms of clause 22.1 all amendments will be communicated to all bidders.

19. 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 6** (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.

20. 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.

21. 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 carry out site inspections, product evaluations or explanatory meetings in order to verify the nature and quality of the services offered by the bidder(s), whether before or after adjudication of the Bid.
- (c) 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.
- (d) 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.
- (e) Award to multiple bidders based either on size or geographic considerations.

22. 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

THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	NDA11/CS08/24	CLOSING DATE: 27 th November 2024		CLOSING TIME:	12H00 PM
DESCRIPTION	THE APPOINTMENT OF A SERVICE PROVIDER FOR THE IMPLEMENTATION OF A DIGITAL PLATFORM AND POST-IMPLEMENTATION SUPPORT FOR THE DURATION OF 12 MONTHS				
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 Elizabeth Mngqabashe		CONTACT PERSON	Mr Thamsanqa Langa	
TELEPHONE NUMBER	011 018 5908/5546		TELEPHONE NUMBER	011 018 5538	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	thembir@nda.org.za		E-MAIL ADDRESS	thamsanqa@nda.org.za	
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**

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

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

SIGNATURE OF BIDDER:

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

DATE:



PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER:	BID NO.: NDA16/IT03/24
CLOSING TIME 12H00	CLOSING DATE... 27TH NOVEMBER 2024
...	

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.....

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 –

Thembi Raulinga
Tel:011 018 5908
thembir@nda.org.za

Or for technical information –

Mr Thamsanqa Langa
[Tel:011 018 5541](tel:0110185541)
thamsanqal@nda.org.za



SBD4

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 interest¹ 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.

¹ 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.



SBD4

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 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;



SBD4

- 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 consortium² 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS

² 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.



SBD4

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:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

- 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:

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

Where

- P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{min} = 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)
Enterprises owned by black people (must be included as a specific goal)		10		
Enterprises owned by black African women.		3		
Enterprises owned by black African youth		3		
Enterprises owned by black African with disability		4		

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:	.....

