



REQUEST FOR BID SERVICES

BID DETAILS

BID NUMBER: NEMISA/2017/INTERNAL AUDIT/RFB006

CLOSE Date: Friday 15 September 2017
Time:

DESCRIPTION: REQUEST FOR BID FOR THE SUPPLY OF INTERNAL AUDIT SERVICES FOR A PERIOD OF THREE YEARS

BRIEFING SESSION: Yes No
See Section A-1 Paragraph 2 on Bid Submission Conditions and Instructions that the Bidder needs to take note of.

DETAILS OF BIDDER

Organisation/individual:

Contact person:

Telephone/ Cell number:

E-mail address:

GLOSSARY

| | |
|----------------------|---|
| Award | Conclusion of the procurement process and final notification to the effect to the successful bidder |
| B-BBEE | Broad-based Black Economic Empowerment in terms of the Broad-based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003) and the Codes of Good Practice issued thereunder by the Department of Trade and Industry |
| Bid | Written offer in a prescribed or stipulated form in response to an invitation by NEMISA for the provision of goods, works or services |
| Contractor | Organisation with whom NEMISA will conclude a contract and potential service level agreement subsequent to the final award of the contract based on this Request for Bid |
| Core Team | The core team are those members who fill the non-administrative positions against which the experience will be measured. |
| dti | Department of Trade and Industry |
| EME | Exempted Micro Enterprise in terms of the Codes of Good Practice |
| GCC | General Conditions of Contract |
| IP | Intellectual Property |
| NEMISA | National Electronic Media Institute of South Africa (SOC) Ltd |
| Original Bid | Original document signed in ink, or Copy of original document signed in ink, or Submitted Facsimile of original document signed in ink |
| Originally certified | To comply with the principle of originally certified, a document must be both stamped and signed in original ink by a commissioner of oaths. |
| SCM | Supply Chain Management |
| SLA | Service Level Agreement |

DOCUMENTS IN THIS BID DOCUMENT PACK

Bidders are to ensure that they have received all pages (pp 1 to 40) of this document, which consist of the following sections:

SECTION A

Note: Documents in this section are for information to/instruction of bidders and must not be returned with bids.

- Section A 1: Bid Submission Conditions and Instructions
- Section A 2: Terms of Reference
- Section A 3: Evaluation Process/Criteria
- Section A 4: Contract Form (Rendering of Services) (Parts 1 & 2)/Letter of Acceptance/Formal Contract
(The pro forma contract is only included for Bidders to take note of the contents of the contract that will be entered into with the successful contractor)

SECTION B

Note: Documents in this section must be completed and returned or supplied with bids.

- Section B 1: Special Conditions of Bid and Contract: Special conditions that the Bidder needs to accept
- Section B 2: Declaration of Interest
- Section B 3: Declaration of Bidder's past SCM practices
- Section B 4: Certificate of Independent Bid Determination
- Section B 5: Preference Points Claim Form in terms of the Preferential Procurement Regulations, 2011
- Section B 6: Invitation to Bid
- Section B 7: Pricing Schedule (Professional Services)
- Section B 8: CV Template Guideline/Compulsory CV template

SECTION A

(This section must not be returned as part of the bid document)

BID SUBMISSION CONDITIONS AND INSTRUCTIONS

CONDITIONS AND INSTRUCTIONS THAT BIDDERS NEED TO TAKE NOTE OF

1 FRAUD AND CORRUPTION

- 1.1 All providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

2 BRIEFING SESSION

- 2.1 No briefing session will be held.

3 CLARIFICATIONS/ QUERIES

- 3.1 Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing (letter, facsimile or e-mail) from Emmanuel Ramoipone by not later than Wednesday 08 September 2017. A reply will be forwarded within three (3) working days. Telephonic requests for clarification will not be accepted. If appropriate, the clarifying information will be made available to all Bidders by e-mail only. The bid number should be mentioned in all correspondence.

Contact details for Emmanuel Ramoipone:

Facsimile: 011 484 0615

Telephone: 011 484 0583

E-Mail: emmanuelr@nemisa.co.za

4 SUBMITTING BIDS

- 4.1 One (1) original document must be handed in/delivered to:

DELIVERED TO THE NEMISA RECEPTION DESK SITUATED AT: 21 Girton Road Parktown Johannesburg

OR

* POSTED TO: Box 545 Auckland Park Johannesburg 2006

No faxed or e-mailed bids will be accepted

Bidders should ensure that bids are delivered to NEMISA before the closing date and time to the correct physical address. If the bid is late, it will not be accepted for consideration.

*** Refer to Paragraph 5 below**

Section A 1: Bid Submission Conditions and Instructions

- Bids can be delivered and deposited into the tender box or handed in at reception any time during office hours (08:30 to 16:30 Mondays to Fridays) before or on the closing date.
- All bids must be submitted on the official forms (not to be re-typed).

4.2 Bids should be submitted in a sealed envelope, marked with:

- Bid number (NEMISA/2017/INTERNAL AUDIT/RFB006)
- Closing date and time (Friday 15 September 2017 @ 11:00)
- The name and address of the Bidder.

4.3 Documents submitted on time by bidders shall not be returned.

5 LATE BIDS

5.1 Bids received late shall not be considered. A bid will be considered late if it arrived even one second after 11:00 or any time thereafter. The tender (bid) box shall be closed at exactly 11:00 and bids arriving late will not be considered under any circumstances. Bids received late shall be returned unopened to the bidder. Bidders are therefore strongly advised to ensure that bids be despatched allowing enough time for any unforeseen events that may delay the delivery of the bid.

5.2 The official Telkom time, which can be observed by dialling 1026 from any phone, will be used to verify the exact closing time.

5.3 Bids sent to the NEMISA via normal post or any other mechanism shall be deemed to be received at the date and time of arrival at the NEMISA premises (tender/bid box or reception). Bids received at the physical address after the closing date and time of the bid, shall therefore be deemed to be received late.

6 PAYMENTS

6.1 NEMISA will pay the Contractor the fees set out in the final contract according to the table of deliverables. No additional amounts will be payable by the NEMISA to the Contractor.

6.1.1 The Contractor shall from time to time during the duration of the contract, invoice NEMISA for the services rendered.

6.1.2 The invoice must be accompanied by supporting source document(s) containing detailed information, as NEMISA may reasonably require, for the purposes of establishing the specific nature, extent and quality of the services which were undertaken by the Contractor.

6.1.3 No payment will be made to the Contractor unless an original tax invoice complying with section 20 of the VAT Act No 89 of 1991, as amended, has been submitted to NEMISA.

6.1.4 Payment shall be made by bank transfer into the Contractor's bank account normally 30 days after receipt of an acceptable, original, valid tax invoice.

Money will only be transferred into a South African bank account. (Banking details must be submitted as soon as the bid is awarded).

6.2 The Contractor shall be responsible for accounting to the appropriate authorities for its income tax, VAT or other moneys required to be paid in terms of the applicable law.

7 GENERAL CONDITIONS OF CONTRACT

7.1 The General Conditions of Contract must be accepted. The GCC can be downloaded from the Treasury Website. Please refer to the link below:

<http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20of%20Contract.pdf>

TERMS OF REFERENCE (TOR) FOR THE SUPPLY OF INTERNAL AUDIT SERVICES FOR A PERIOD OF THREE YEARS

1. INTRODUCTION

The National Electronic Media Institute of South Africa (NEMISA) invites proposals for the provision of internal audit services from 1 April 2018 to 31 March 2021.

2. OBJECTIVES OF THE INTERNAL AUDIT FUNCTION

- 2.1. The objective of this bid is to appoint a suitable independent service provider that can provide an appropriate internal audit service for the Accounting Authority and management of NEMISA. In terms of the Public Finance Management Act (PFMA), NEMISA should have an effective internal audit function which should also comply with the Institute of Internal Auditors' (IIA) standards. The internal audit function should assist NEMISA to accomplish its objectives by bringing a systematic and disciplined approach to evaluating and improving the effectiveness of risk management, control and governance processes. The risk management strategy, including the Fraud Prevention Plan, must be used to direct the internal effort.
- 2.2. One of the objectives of the internal audit function is to assist the Audit and Risk Management Committee (ARC) of the Board, and through it, the Accounting Authority and management in the effective discharge of their responsibilities. This must be done through furnishing them with analyses, appraisals, recommendations, counsel and information concerning the activities that have been reviewed as well as regular follow-ups.
- 2.3. Other objectives/ standards/ controls of the internal audit function, which are subject to an evaluation, are to review the following;
 - Internal control processes across the business;
 - The information systems environment;
 - The reliability and integrity of financial and performance information;
 - The effectiveness of operations; and
 - Compliance with policies, regulations and controls.
- 2.4. The safeguarding of assets;
 - The economical and efficient use of resources;
 - The achievement of established operational goals and objectives; and
 - Compliance with laws, regulations and controls.

Background information on the structure of NEMISA can be found in the latest Annual Report, which is available on request.

3. SCOPE OF THE WORK

- 3.1. The scope of the internal audit function includes the points listed below.
 - 3.1.1. The internal audit function must, in consultation with the ARC, prepare:
 - A rolling three-year strategic Internal Audit Plan based on its assessment of key areas of risk for the NEMISA, having taken into consideration the entity's

Section A 2: Terms of Reference

- current operations, the operations proposed in its corporate or strategic plan and its risk management strategy;
- An annual Internal Audit Plan;
 - Plans indicating the scope, cost and timelines of each audit in the annual internal audit; and
 - Audit reports directed to ARC detailing its performance against the plan to allow effective monitoring and intervention, when necessary.
- 3.1.2. It must co-ordinate with external providers of assurance (Auditor-General of South Africa) to ensure proper coverage and minimal duplication of effort.
- 3.1.3. It must assist the ARC and the Accounting Authority in maintaining effective controls by evaluating those controls and developing recommendations for enhancement or improvement.
- 3.1.4. It must assist the Accounting Authority in achieving the objectives of NEMISA by evaluating and developing recommendations for the enhancement or improvement of the processes through which:
- Objectives and values are established and communicated;
 - The accomplishment of objectives is monitored;
 - Accountability is ensured;
 - Corporate values are preserved;
 - The adequacy and effectiveness of the system of internal control are reviewed and appraised;
 - The relevance, reliability and integrity of management, financial and operating data and reports are appraised;
 - Systems established to ensure compliance with policies, plans, procedures, statutory requirements and regulations, which could have a significant impact on operations, are reviewed;
 - The means of safeguarding assets are reviewed and deemed as appropriate in verifying the existence of such assets;
 - The economy, efficiency and effectiveness with which resources are employed are appraised;
 - The results of performance information are reviewed to ascertain whether they are consistent with NEMISA's established objectives and goals and whether the programmes are being carried out as planned; and
 - The adequacy of established systems and procedures are assessed.
- 3.1.5. The audits that will need to be taken into account at NEMISA are, among others:
- Operational Audits;
 - Financial Audits;
 - Audits of Performance Information;
 - ICT security and systems processes audit;
 - Conducting special assignments and investigations, on behalf of the ARC or the CEO, into any matter or activity affecting the probity, interest and operating efficiency of the NEMISA; and
 - Audits designed to detect fraud.
- 3.2. Fraud and Irregularities
- 3.2.1. In planning and conducting its work, the internal auditor should seek to identify serious defects in internal controls, which might result in possible malpractices or exposure of NEMISA's risk. Any such defects must be reported immediately to the

CEO and/ or ARC without disclosing these to any other staff. This also applies to instances where serious fraud and irregularities have been uncovered.

4. EXPECTED OUTCOMES AND DELIVERABLES

4.1. Performing Audit Assignments

Each assignment should at least consist of the following:

- A pre-audit survey;
- An audit planning memorandum;
- Minutes of the entrance meeting;
- A risk assessment document;
- System descriptions;
- Audit programmes;
- Sampling methodology;
- Mechanisms for follow-up on matters previously reported and feedback to ARC;
- Mechanisms to ensure that working papers are reviewed at the appropriate level;
- A review of work performed;
- Audit findings and recommendations;
- Reporting (a draft internal audit report and a final internal audit report); and
- Follow-up on previous audit findings.

4.2. Reporting Requirements

The structure of reports is to be as follows:

- Introduction;
- Audit objective and scope;
- Background;
- Executive summary, highlighting significant findings;
- Findings, recommendations and management response (including implementation dates);
- All audits as carried out according to the Internal Audit Plan and as approved by ARC; and
- Conclusion.

4.3. The auditor is to deliver an electronic copy and one signed copy of the final report to the chairperson of the ARC and NEMISA CEO.

5. QUALITY ASSURANCE REVIEWS OF THE WORK

The auditor shall ensure that all work conforms to the “Standards for Professional Practice of Internal Auditing” issued by the Institute of Internal Auditors Inc. Such work may further be subjected to external quality assurance, as may be considered necessary.

6. MONITORING THE PROGRESS OF ASSIGNMENTS

On completion of each assignment, the auditor shall distribute the reports to the auditee, the CEO and the ARC.

On a quarterly basis, a report on progress against the plan, significant findings and administrative matters will have to be presented to the ARC.

7. DURATION OF CONTRACT

The contract is expected to run for three years, commencing on the date of signing the Service Level Agreement. It will, however, be renewable annually and this will be subject to a review of the previous year's performance against the Internal Audit Plan.

The successful bidder should be able to start no later than 1 April 2018.

8. TECHNICAL PROPOSAL AND CRITERIA

Bid submissions should focus on the following aspects to qualify and be considered:

- 8.1. Experience of the bidder in internal audit services, including specialised skills, expertise and value-added services.
 - Demonstration of the bidder's internal audit experience.
 - Specialised skills, expertise and value-added services in the field of internal audit, with an emphasis on best practice methodology, tools and technology used.
 - Availability of forensic audit skills and tools.
 - Availability of computer audit skills and tools.
- 8.2. The internal audit methodology proposed and its adherence to the standards.
 - The bidder's methodology and approach, and its adherence to the IIA standards.
 - The proposed approach in developing the internal audit plan and reporting quarterly and annually.
 - Demonstration of the quality assurance process on the methodology.
- 8.3. Experience in the internal audit of public entities by the bidder and /or team leader and team members.
 - Advanced understanding of, and sufficient exposure, to the Public Finance Management Act and the Protocol on Corporate Governance for Public Entities.
 - Experience in the auditing of public entities by the bidder or team leader.
 - External references, the size of audits and the size of the client base.
- 8.4. Qualifications and experience of team members.
 - The team leader must be a certified internal auditor (CIA) or chartered accountant.
 - The team leader must have at least 15 years audit experience, with the major part in internal audit.
 - The team members should be members of the Institute of Internal Auditors South Africa (IIASA). Proof of membership must be supplied with the bid.
 - Detailed CVs of the auditor/s who will be responsible for managing the internal audits and the person who will be signing the audit plan and reports.
- 8.5. Ability to provide the services and adequate institutional support.
 - Shareholding and management structure.
 - Employment Equity Policy.
 - Years in business.

Section A 2: Terms of Reference

- Turnover fees for the past two to three years, unless bidder is less than 3 years in business.
- Professional staff numbers

To enable NEMISA to evaluate bidders on the above criteria, please ensure that adequate documentation is attached.

ALL BIDDERS MUST TAKE NOTE OF THE EVALUATION PROCESS THAT WILL BE FOLLOWED

1 EVALUATION PROCESS

1.1 PRE-QUALIFICATION

Bids received from bidders who have a Level 4 to 8 B-BBEE contributor status or non-compliant contributor, will not be considered for evaluation and will be eliminated from further evaluation.

1.2 COMPLIANCE WITH MINIMUM REQUIREMENTS

1.2.1 All bids duly lodged as specified in the Request for Bid will be examined to determine compliance with bid requirements and conditions. Bids with obvious deviations from the requirements/conditions will be eliminated from further consideration.

Failure to comply with or submit any one of the following items, will render a bid non-responsive and will not be evaluated further.

| Reference | Description | Compliant? | |
|-----------|---|------------|----|
| | | YES | NO |
| Part 1 | Signed Special Conditions of Bid and Contract | | |
| Part 2 | Tax Compliance Requirements | | |
| Part 3 | Completed and signed Declaration of Interest | | |
| Part 4 | Completed and signed Declaration of Bidder's past Supply Chain Management practices | | |
| Part 5 | Completed and signed Certificate of Independent Bid Determination | | |
| Part 7 | Completed and signed Invitation to Bid | | |
| Part 8 | Completed Pricing Schedule in the prescribed format | | |
| Part 12 | Proof of registration on the CSD | | |

1.3 DETERMINATION OF SCORE FOR FUNCTIONALITY

1.3.1 The evaluation criteria and weights for functionality as indicated in the table in below, will apply.

| FUNCTIONAL CRITERIA | MAXIMUM TO BE AWARDED |
|--|-----------------------|
| <i>Does the team leader have at least 15 years audit experience? If "Yes" – Evaluate bid If "No" – Do not evaluate bid and eliminate from further evaluation</i> | |
| Experience of the bidder in internal audit services, including specialised skills, expertise and value-added services. | 20 |
| The internal audit methodology proposed and its adherence to the standards. | 20 |
| Experience in internal audit of public entities by the bidder and /or team leader and members. | 20 |
| Qualifications and experience of team members in auditing public | 30 |

Section A 3: Evaluation Process/ Criteria

| FUNCTIONAL CRITERIA | MAXIMUM TO BE AWARDED |
|--|-----------------------|
| sector entities. | |
| Membership of IIASA by team members. | 5 |
| Ability to provide the services and adequate institutional support | 5 |
| Maximum total for functionality | 100 |

1.3.2 The score for functionality shall be calculated as follows:

- Each panel member shall award values for each individual criterion on a score sheet. The value scored for each criterion shall be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for the various criteria. These marks should be added to obtain the total score for functionality.
- The score of each panel member shall be added together and divided by the number of panel members to establish the average score obtained by each individual bidder for functionality.

1.4 ELIMINATION OF PROPOSALS ON GROUNDS OF FUNCTIONALITY

1.4.1 Bids that score less than **60%** of the marks available for functionality, or that score less than **50%** for any individual criteria, will be eliminated from further consideration. Points will therefore not be awarded for their cost proposals or for preference.

1.5 PRICE AND B-BBEE STATUS LEVEL POINTS

1.5.1 All remaining bids will be evaluated as follows:

1.5.2 The 80/20 preference point system will be applied. Points for price and B-BBEE status level certificate will be awarded in accordance with the stipulations in the Preference Point Claim Form in terms of the Preferential Procurement Regulations, 2017.

1.5.3 If appropriate, implied contract price adjustments will be made to the cost proposals of all remaining bids.

1.5.4 The point scored for the B-BBEE status level certificate for each acceptable bid will now be added to the price point.

1.5.5 The Evaluation Committee may recommend that the contract be awarded to the bidder obtaining the highest aggregate mark as determined by 1.5.4 or to a lower scoring bid on justifiable grounds.

1.6 ADJUDICATION OF BID

1.6.1 The relevant award structure will consider the recommendations and make the final award. The successful bidder will usually be the service provider scoring the highest number of points or it may be a lower scoring bid on justifiable grounds or no award at all.

CONTRACT FORM: RENDERING OF SERVICES

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

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

1. I/we hereby undertake to render services described in the attached bidding documents to NEMISA in accordance with the requirements and task directives/proposals specifications stipulated in Bid Number NEMISA/2017/INTERNAL AUDIT/RFB006 at the price/s quoted. My/our offer/s remain binding upon me/us and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - 2.1 Bidding documents, viz
 - Invitation to bid
 - Tax clearance certificate
 - Pricing schedule(s)
 - Filled in terms of reference/task directive/proposal
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2017;
 - Declaration of interest
 - Declaration of bidder's past SCM practices
 - Special Conditions of Contract
 - 2.2 General Conditions of Contract
 - 2.3 Other (specify)
3. I/we confirm that I/we have satisfied myself as to the correctness and validity of my/our bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I/we accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me/us under this agreement as the principal liable for the due fulfilment of this contract.
5. I/we declare that I/we have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

| WITNESSES | |
|-----------|-------|
| 1 | |
| 2 | |
| DATE: | |

CONTRACT FORM: RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I in my capacity as accept your bid under reference number dated for the rendering of services indicated hereunder and/or further specified in the annexures.

1. An official order indicating service delivery instructions is forthcoming.

2. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract within 30 (thirty) days after receipt of an invoice.

| DESCRIPTION OF SERVICE | PRICE (VAT INCL) | COMPLETION DATE | B-BBEE STATUS LEVEL OF CONTRIBUTION |
|------------------------|------------------|-----------------|--|
| | | | |

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

SIGNED AT ON

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

DATE:

SECTION B

This section must be completed and returned or supplied with bids as prescribed.

SPECIAL CONDITIONS OF BID AND CONTRACT

Return as Part 1

| | |
|----------|---|
| | SPECIAL CONDITIONS |
| | |
| 1 | GENERAL |
| | |
| 1.1 | The Bidder must clearly state if a deviation from these special conditions are offered and the reason therefor. If an explanatory note is provided, the paragraph reference must be indicated in a supporting appendix to the application submission. |
| | |
| 1.2 | Should Bidders fail to indicate agreement/compliance or otherwise, the NEMISA will assume that the Bidder is in compliance or agreement with the statement(s) as specified in this bid. |
| | |
| 1.3 | Bids not completed in this manner may be considered incomplete and rejected. |
| | |
| 1.4 | NEMISA shall not be liable for any expense incurred by the Bidder in the preparation and submission of a bid. |
| | |
| 2 | CANCELLATION OF PROCUREMENT PROCESS |
| | |
| 2.1 | This procurement process can be postponed or cancelled at any stage at the sole discretion of NEMISA provided that such cancellation or postponement takes place prior to entering into a contract with a specific service provider to which the bid relates. |
| | |
| 3 | BID SUBMISSION CONDITIONS, INSTRUCTION AND EVALUATION PROCESS/CRITERIA |
| | |
| 3.1 | The Bid submission conditions and instructions as well as the evaluation process/criteria have been noted. |
| | |
| 4 | NEGOTIATION AND CONTRACTING |
| | |
| 4.1 | NEMISA have the right to enter into negotiation with one or more Bidders regarding any terms and conditions, including price(s), of a proposed contract. |
| | |
| 4.2 | Under no circumstances will negotiation with any Bidders, including preferred Bidders, constitute an award ¹ or promise/ undertaking to award the contract. |
| | |
| 4.3 | NEMISA shall not be obliged to accept the lowest or any bid, offer or proposal. |
| | |
| 4.4 | A contract will only be deemed to be concluded when reduced to writing in a formal contract and Service Level Agreement (if applicable) signed by the designated responsible person of both parties. The designated responsible person of NEMISA is the CEO. |
| | |
| 4.5 | NEMISA also reserves the right to enter into one contract with a Bidder for all required functions or into more than one contract with different Bidders for different functions. |

¹ See GLOSSARY.

Section B 1: Special Conditions of Bid and Contract

| | |
|-----------|---|
| | |
| 5 | ACCESS TO INFORMATION |
| | |
| 5.1 | All bidders will be informed of the status of their bid once the procurement process has been completed. |
| | |
| 5.2 | Requests for information regarding the bid process will be dealt with in line with the NEMISA SCM Policy and relevant legislation. |
| | |
| 6 | REASONS FOR REJECTION |
| | |
| 6.1 | NEMISA shall reject a proposal for the award of a contract if the recommended Bidder has committed a proven corrupt or fraudulent act in competing for the particular contract. |
| | |
| 6.2 | The NEMISA may disregard the bid of any bidder if that bidder, or any of its directors: <ul style="list-style-type: none"> <input type="checkbox"/> Have abused the SCM system of the NEMISA. <input type="checkbox"/> Have committed proven fraud or any other improper conduct in relation to such system. <input type="checkbox"/> Have failed to perform on any previous contract and the proof exists. Such actions shall be communicated to the National Treasury. |
| | |
| 7 | GENERAL CONDITIONS OF CONTRACT |
| | |
| 7.1 | The General Conditions of Contract must be accepted. |
| | |
| 8 | ADDITIONAL INFORMATION REQUIREMENTS |
| | |
| 8.1 | During evaluation of the bids, additional information may be requested in writing from Bidders. Replies to such request must be submitted, within 5 (five) working days or as otherwise indicated. Failure to comply, may lead to your bid being disregarded. |
| | |
| 8.2 | No additional information will be accepted from any individual Bidder without such information having been requested |
| | |
| 9 | CONFIDENTIALITY |
| | |
| 9.1 | The bid and all information in connection therewith shall be held in strict confidence by Bidders and usage of such information shall be limited to the preparation of the bid. Bidders shall undertake to limit the number of copies of this document. |
| | |
| 10 | INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT |
| | |
| 10.1 | Copyright of all documentation relating to this contract belongs to the client. The successful Bidder may not disclose any information, documentation or products to other clients without the written approval of the accounting authority or the delegate. |
| | |
| 10.2 | This paragraph shall survive termination of this contract. |
| | |
| 11 | NON-COMPLIANCE WITH DELIVERY TERMS |
| 11.1 | As soon as it becomes known to the contractor that he/she will not be able to deliver the services within the delivery period and/or against the quoted price and/or as specified, |

Section B 1: Special Conditions of Bid and Contract

| | |
|-----------|--|
| | NEMISA must be given immediate written notice to this effect. NEMISA reserves the right to implement remedies as provided for in the GCC. |
| 12 | WARRANTS |
| 12.1 | The Contractor warrants that it is able to conclude this Agreement to the satisfaction of NEMISA. |
| 13 | PARTIES NOT AFFECTED BY WAIVER OR BREACHES |
| 13.1 | The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this contract by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof. |
| 13.2 | No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this contract shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this agreement. |
| 14 | RETENTION |
| 14.1 | On termination of this agreement, the contractor shall, on demand hand over all documentation provided as part of the project and all deliverables, etc., without the right of retention, to NEMISA. |
| 14.2 | No agreement to amend or vary a contract or order or the conditions, stipulations or provisions thereof shall be valid and of any force and effect unless such agreement to amend or vary is entered into in writing and signed by the contracting parties. Any waiver of the requirement that the agreement to amend or vary shall be in writing, shall also be in writing. |
| 15 | CENTRAL SUPPLIER DATABASE |
| 15.1 | It is a requirement that all suppliers/ services providers to NEMISA shall be registered on the National Treasury Central Supplier Database (CSD). |
| 15.2 | Bidders are therefore required to register as a supplier on the CSD before submitting a bid. The CSD website can be accessed on the following link: http://ocpo.treasury.gov.za/Pages/default.aspx |
| 15.3 | Bidders are therefore required to submit proof of their registration on the CSD, or if not yet registered, provide proof of their application to be registered, with their bid. |
| 15.4 | No bid will be awarded and a contract concluded with a bidder who is not registered on the CSD. |
| 16 | FORMAT OF BIDS |
| 16.1 | Bidders must complete all the necessary bid documents and undertakings required in this |

Section B 1: Special Conditions of Bid and Contract

| | |
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| | bid document. Bidders are advised that their proposal should be concise, written in plain English and simply presented. |
| 16.2 | Bidders are to set out their proposal in the format prescribed hereunder. This means that the proposal must be structured in the parts noted below. <u>Information not submitted in the relevant part, may not be considered for evaluation purposes.</u> |
| 16.3 | Part 1: Special Conditions of Bid and Contract |
| 16.3.1 | Bidders must initial each page and sign the last page and return the Special Conditions of bid and Contract (Section B-1). Bids submitted without a completed Special Conditions of Bid form will be deemed to be non-responsive. |
| 16.4 | Part 2: Tax Compliance Requirements(s) |
| 16.4.1 | Bidders must ensure compliance with their tax obligations. Bidders are required to submit their unique personal identification number (PIN) issued by SARS to enable the organ of state to view the taxpayer’s profile and tax status. Application for tax compliance status (TCS) or PIN may also be made via e-filing. In order to use this provision, taxpayers will need to register with SARS as e-filers through the website www.sars.gov.za . Bidders may also submit a printed TCS together with the bid. In bids where consortia/ joint ventures/ sub-contractors are involved, each party must submit a separate proof of TCS/ PIN/ CSD number. Where no TCS is available, but the bidder is registered on the Central Supplier Database (CSD), a CSD number must be provided. Bids submitted without any one of the above particulars, will be deemed to be non-responsive. |
| 16.5 | Part 3: Declaration of Interest |
| 16.5.1 | Each party to the bid must complete and return the “Declaration of Interest” (Section B-2). Bids submitted without a complete and signed Declaration of Interest will be deemed to be non-responsive. |
| 16.6 | Part 4: Declaration of Bidder’s past Supply Chain Management practices |
| 16.6.1 | Each party to the bid must complete and return the “Declaration of bidder’s past Supply Chain Management practices” (Section B-3). Bids submitted without a completed and signed Declaration of bidder’s past Supply Chain Management practices will be deemed non-responsive. |

Section B 1: Special Conditions of Bid and Contract

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| 16.7 | Part 5: Certificate of Independent Bid Determination |
| 16.7.1 | <p>Each party to the bid must complete and sign the Certificate (Section B-4).</p> <p>Bids submitted without a completed and signed Certificate of Independent Bid Determination will be deemed non-responsive.</p> |
| 16.8 | Part 6: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2017 |
| 16.8.1 | <p>Bidders must complete, sign and return the full “Preference Points Claim Form” (Section B-5) document.</p> <p>In addition, a valid BEE certificate must be submitted.</p> <p>Quotes submitted without a completed and signed Preference Points Claim Form and a valid BEE certificate will be awarded zero points for preference.</p> |
| 16.9 | Part 7: Invitation to Bid |
| 16.9.1 | <p>Bidders must complete, sign and return the full “Invitation to Bid” (Section B-6) document.</p> <p>Bids submitted without a completed and signed Invitation to Bid will be deemed to be non-responsive.</p> |
| 16.10 | Part 8: Pricing Schedule |
| 16.10.1 | <p>All costs related to this assignment are to be allowed for in the pricing schedule (Section B-7) and in the formats prescribed and must be returned as part of the submission.</p> <p>Bids submitted without a price or with an incomplete price, will be deemed to be non-responsive.</p> |
| 16.10.2 | <p>Rates for the first year of the contract must be firm and must be indicated in the formats prescribed. <u>All normal operating costs and out of pocket expenses such as photocopies, telephone calls, printing, travel, etc. must be covered in the rates quoted.</u></p> |
| 16.10.3 | <p>Rates for the second and third year of the contract shall be escalated in accordance with the percentage increase as indicated by bidders in the pricing schedule.</p> |
| 16.10.4 | <p>A pricing schedule with one of the specified elements (fees and reimbursable costs) omitted from the costing, may be considered non-responsive.</p> |
| | VAT: Value Added Tax must be included and shown separately. |
| 16.11 | Part 9: Technical approach |
| 16.11.1 | <p>Bidders must submit a description of the methodology and approach that will be used to perform the work as set out in the Terms of Reference. This methodology and approach must demonstrate the Bidder’s understanding of the requirement and also of the environment.</p> |
| 16.11.2 | <p>Bidders must at least cover the under-mentioned in their technical approach and return</p> |

Section B 1: Special Conditions of Bid and Contract

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| | as part of their submission: |
| | <ul style="list-style-type: none"> <input type="checkbox"/> Describe, in detail, exactly how they propose to carry out the activities to achieve the outcomes identified in the terms of reference. They should identify any possible problems that might hinder delivery and indicate how they will avoid, or overcome such problems. <input type="checkbox"/> Describe how the work will be managed. Provide an organisation chart clearly indicating: <ul style="list-style-type: none"> ▪ The lines of reporting and supervision within the Bidder’s team. ▪ The lines of reporting between the Bidder and the NEMISA and other stakeholders, if applicable. <input type="checkbox"/> Identify the position(s) involved in the direct delivery of the service to be provided and in the overall management of the work and name the people who will fill these positions. |
| 16.12 | Part 10: Team details |
| 16.12.1 | In this part that must be returned as part of the submission, Bidders must provide details of the team named in the previous part. |
| 16.12.2 | For each team member there must be: A complete curriculum vitae confirming suitability for the position. A format is provided as a guideline only for the compilation of the CVs. |
| 16.13 | Part 11: Experience in this field |
| 16.13.1 | Bidders should provide in this part, and return as part the submission, at least the following information. <ul style="list-style-type: none"> <input type="checkbox"/> Details of contracts for similar work within the last 5 years. <input type="checkbox"/> Contact details of a maximum of 3 organisations for which work was done. |
| 16.14 | Part 12: Registration on the CSD |
| 16.14.1 | In this part, bidders must submit proof of their registration, or proof that they have applied for registration on the Central Supplier Database. Bids submitted without the required proof, will be deemed to be non-responsive. |
| 16.15 | Part 13: Proof of Registration with IIASA |
| 16.15.1 | In this part, proof of registration with the IIASA for all proposed team members must be provided. |

I/we herewith accept all the above-mentioned special conditions of the bid. If I/we do consider a deviation therefrom, I have noted those as per the instruction in paragraph 1 (General) above.

Name of Bidder: _____

Signature of Bidder: _____

Date: _____

Section B 2: Declaration of Interest

DECLARATION OF INTEREST Return as Part 3

1. Any legal person, including persons employed by the State², or persons having a kinship with persons employed by the State, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price bid, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the State, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/ adjudicating authority where –

1.1. The bidder is employed by the State; and/or

1.2. The bidder is a Management Board member of NEMISA and/or

1.3. The legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

2.1. Full Name of bidder or his or her representative: _____

2.2. Identity Number: _____

2.3. Position occupied in the Company (director, trustee, shareholder, etc³): _____

2.4. Company Registration Number: _____

2.5. Tax Reference Number: _____

2.6. VAT Registration Number: _____

2.6.1. The names of all directors/ trustees/ shareholders/ members, their individual identity numbers, tax reference numbers and, if applicable, employee/ persal numbers must be indicated in paragraph 3 below

2.7. Are you or any person connected with the bidder presently employed by the State? **YES / NO**

2.7.1. If so, furnish the following particulars

- Name of person/ director/ trustee/ shareholder/ member: _____
- Name of State institution at which you or the person connected to the bidder is employed: _____
- Position occupied in the State institution: _____

Any other particulars:

² "State" means

- (a) Any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No 1 of 1999);
- (b) Any municipality or municipal entity;
- (c) Provincial legislature;
- (d) National Assembly or the National Council of Provinces;
- (e) Parliament.

³ "Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise

Section B 2: Declaration of Interest

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2.7.2. If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES / NO

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

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

2.7.3. If no, furnish reasons for non-submission of such proof:
.....
.....
.....

2.8. Did you or your spouse, or any of the company's directors/shareholders/members or their spouses conduct business with the State in the previous twelve (12) months? YES / NO

2.8.1. If so, furnish the following particulars.
.....
.....
.....

2.9. Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the State and who may be involved with the evaluation and or adjudication of this bid? YES / NO

2.9.1. If so, furnish the following particulars.
.....
.....
.....

2.10. Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between the bidder and any person employed by the State who may be involved with the evaluation and or adjudication of this bid? YES / NO

2.10.1. If so, furnish the following particulars.
.....
.....
.....

2.11. Do you or any of the directors/shareholders/members of the company have any interest in any other related companies whether or not they are bidding for this contract? YES / NO

2.11.1. If so, furnish the following particulars.

Section B 3: Declaration of bidder's past SCM practices

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES Return as Part 4

- 1 This declaration will be used by institutions to ensure that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 2 The bid of any bidder may be disregarded if that bidder, or any of its directors have:
 - a. abused the NEMISA's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

| Item | Question | Yes | No |
|-------|---|---------------------------------|--------------------------------|
| 3.1 | Is the bidder or any of its directors listed on the National Treasury's database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the Accounting Officer/ authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The database of Restricted Suppliers now resides on the National Treasury's website (www.reatury.gov.za) and can be accessed by clicking on its link at the bottom of the homepage. | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3.1.1 | If so, furnish particulars: | | |
| 3.2 | Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website, (www.treasury.gov.za) by clicking on its link at the bottom of the homepage. | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3.2.1 | If so, furnish particulars: | | |
| 3.3 | Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3.3.1 | If so, furnish particulars: | | |
| 3.4 | Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3.4.1 | If so, furnish particulars: | | |

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....

Section B 3: Declaration of bidder's past SCM practices

Position

Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION Return as Part 5

I, the undersigned, in submitting the accompanying bid:

NEMISA/2017/INTERNAL AUDIT/RFB006 - REQUEST FOR BID FOR THE SUPPLY OF
INTERNAL AUDIT SERVICES FOR A PERIOD OF THREE YEARS

(Bid Number and Description)

in response to the invitation for the bid made by:

NEMISA

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - has been requested to submit a bid in response to this bid invitation;
 - could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium⁴ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

⁴ 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.

Section B 4: Certificate of Independent Bid Determination

- prices;
- geographical area where product or service will be rendered (market allocation)
- methods, factors or formulas used to calculate prices;
- the intention or decision to submit or not to submit, a bid;
- the submission of a bid which does not meet the specifications and conditions of the bid; or
- bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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

Return as Part 6

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

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2 The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable;
- 1.3 Points for this bid shall be awarded for:
- (a) Price; and
 - (b) B-BBEE Status Level of Contributor.
- 1.4 The maximum points for this bid are allocated as follows:

| | POINTS |
|---|--------|
| PRICE | 80 |
| B-BBEE Status Level of Contributor | 20 |
| Total points for Price and B-BBEE must not exceed | 100 |

- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good

- practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
 - (g) **“prices”** includes all applicable taxes less all unconditional discounts;
 - (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
 - (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
 - (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

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

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

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

Where

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

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

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

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

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor:= (maximum of 10 or 20 points)
 (Points claimed in respect of paragraph 6.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(Tick applicable box)

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

7.1.1 If yes, indicate:

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

(Tick applicable box)

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

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

| Designated Group: An EME or QSE which is at last 51% owned by: | EME √ | QSE √ |
|---|--------------------------|--------------------------|
| Black people | <input type="checkbox"/> | <input type="checkbox"/> |
| Black people who are youth | <input type="checkbox"/> | <input type="checkbox"/> |
| Black people who are women | <input type="checkbox"/> | <input type="checkbox"/> |
| Black people with disabilities | <input type="checkbox"/> | <input type="checkbox"/> |
| Black people living in rural or underdeveloped areas or townships | <input type="checkbox"/> | <input type="checkbox"/> |
| Cooperative owned by black people | <input type="checkbox"/> | <input type="checkbox"/> |
| Black people who are military veterans | <input type="checkbox"/> | <input type="checkbox"/> |
| OR | | |
| Any EME | <input type="checkbox"/> | <input type="checkbox"/> |
| Any QSE | <input type="checkbox"/> | <input type="checkbox"/> |

8. DECLARATION WITH REGARD TO COMPANY/ FIRM

Section B 5: Preference Points Claim Form ito the Preferential Procurement Regulations 2011

- 8.1 Name of company/firm:
- 8.2 VAT registration number:
- 8.3 Company registration number:
- 8.4 TYPE OF COMPANY/ FIRM

(Tick applicable box)

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

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

(Tick applicable box)

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

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a

Section B 5: Preference Points Claim Form ito the Preferential Procurement Regulations 2011

- result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

| | |
|---|---|
| <p>WITNESSES</p> <p>1.</p> <p>2.</p> | <p style="text-align: center;">.....</p> <p style="text-align: center;">SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p> <p>ADDRESS:</p> <p style="text-align: center;">.....</p> <p style="text-align: center;">.....</p> |
|---|---|

INVITATION TO BID Return as Part 7

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENT OF NEMISA

| | | | | | |
|--|-----------------------------------|---------------------|--------------------------|---------------------|-------|
| BID NO | NEMISA/2017/INTERNAL AUDIT/RFB006 | CLOSING DATE | Friday 15 September 2017 | CLOSING TIME | 11:00 |
| REQUEST FOR BID FOR THE SUPPLY OF INTERNAL AUDIT SERVICES FOR A PERIOD OF THREE YEARS | | | | | |

**All Bidders must furnish the following particulars and include it in their submission
(Failure to do so may result in your bid being disqualified)**

Name of Bidder:

Postal address:

Street address:

:

Telephone number: Code Number

Cellular number:

Facsimile number: Code Number

e-Mail address:

VAT Registration No:

TAX COMPLIANCE REQUIREMENTS (Tick applicable box)

Printed TCS SARS PIN CSD No

PROOF OF B-BBEE STATUS LEVEL SUBMITTED? YES NO
(Tick applicable box)

B-BBEE Status Level Verification Certificate B-BBEE Status Level Sworn Affidavit

WHO WAS THE CERTIFICATE ISSUED BY? (Tick applicable box)

An Accounting Officer as contemplated in the Close Corporation Act (CCA)?

A verification Agency accredited by the South African National Accreditation System (SANAS)?

A registered Auditor?

NOTE: A B-BBEE Status Level Certificate/ Sworn Affidavit (For EMEs or QSEs) must be submitted in order to qualify for preference points for B-BBEE

Contact details of Bidder's representative:

Name and Surname

Telephone number: Code Number

Cellular number:

Facsimile number: Code Number

e-Mail address:

Section B 6: Invitation to Bid

Confirmation

Are you the accredited representative in South Africa for the services offered by you? **YES / NO**

Declaration

I/ We have examined the information provided in your bid documents and offer to undertake the work prescribed in accordance with the requirements as set out in the bid document. The prices quoted in this bid are valid for the stipulated period. I/ We confirm the availability of the proposed team members. I/ We confirm that this bid will remain binding upon us and may be accepted by you at any time before the expiry date.

Signature of Bidder:

Date:

Are you duly authorised to commit the Bidder? **YES / NO**

Capacity under which this bid is signed

TOTAL BID PRICE (INCLUSIVE OF VAT) R (Not Applicable)

PRICING SCHEDULE

Return as Part 8

| |
|---|
| NAME OF BIDDER: |
| <u>OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID</u> |

It is recognised that internal audits are based on hourly rates and that budgets are compiled once the appointed auditor has assessed the likely extent of the work. Financial proposals will be compared on the basis of WEIGHTED average hourly rates. Bidders are required to submit their hourly rates as per the table below. Rates should be **inclusive** of all overheads (Excluding VAT). If a particular category in the table below does not exist for a bidder, it can be omitted.

It is also recognised that it is difficult for a bidder to be firm about the extent of the work based solely on the terms of reference. However, to assist with evaluation, bidders must provide a typical distribution of time for members of the audit team on an assignment of this nature. This should be expressed per resource as a percentage of the total person-hours billed on a typical assignment of this nature..

Please provide hourly rates and percentage of time spent on an assignment of this nature by each category of resources. (Although the percentages inserted below will not be binding on the successful service provider, bidders recognise that an award will be made on the information provided below and therefore it will be expected from the successful service provider to invoice time as close as possible to the percentages provided below)

| Resource Type (Where applicable for the Bidder) | Hourly Rate (Excluding VAT) (Including all overheads and VAT) | Typical percentage of total hours spent on Project |
|---|--|--|
| Engagement Partner | R | % |
| Partner | R | % |
| Senior Manager | R | % |
| Manager | R | % |
| Assistant Manager | R | % |
| Supervisor | R | % |
| Senior Auditor | R | % |
| Trainee Auditor | R | % |
| Specialist | R | % |
| <i>Bidder to insert any other description below</i> | | |
| | R | % |
| | R | % |
| | R | % |
| | R | % |
| | R | % |
| | R | % |
| | R | % |
| | | 100% |

I/ We confirm that the rates provided above will be binding on me/ us for the first 12 months (1st Year) of the contract and that the rates shall be adjusted for the 2nd and 3rd year of the

Section B 8: Pricing Schedule

contract at an increase of% (percent) (Insert percentage increase required) per year after the 1st year. I/ We further confirm that the percentage of time spent by different levels of resources as indicated above are a true reflection of percentage of time spent on similar types of assignments.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CV TEMPLATE GUIDELINE

Proposed role in the project:

- 1. Family name
- 2. First name:
- 3. Date of birth:
- 4. Nationality
- 5. Education

| Institution (Date from - Date to) | Degree(s) or Diploma(s) obtained |
|--------------------------------------|----------------------------------|
| | |
| | |
| | |

- 6. Membership of professional bodies
- 7. Other skills (e.g. computer literacy, etc.)
- 8. Present position:
- 9. Years within the organisation:
- 10. Key qualifications (relevant to the project)

11. Professional experience

| | |
|-----------------------------|--|
| Date (From – To) (mm/yy) | |
| Organisation | |
| Location | |
| Position | |
| Description of duties | |

| | |
|-----------------------------|--|
| Date (From – To) (mm/yy) | |
| Organisation | |
| Location | |
| Position | |
| Description of duties | |

- 12. Other relevant information (e.g. Publications)
- 13. References