



National Empowerment Fund

RFP No: NEF 02/2023/24

DEVELOPMENT OF A FILE PLAN

CLOSING DATE: 11 August 2023

TIME: 14H00

1. Proprietary Information:

The National Empowerment Fund (NEF) considers this Tender and all related information, either written or verbal, which is provided to the respondent, to be proprietary to NEF. It shall be kept confidential by the respondent and its officers, employees, agents, and representatives. The respondent shall not disclose, publish, or advertise this specification or related information in part or as a whole to any third party without the prior written consent of NEF.

2. Enquiries

All communication and attempts to solicit information of any kind relative to this Tender should be channelled to the officials named below:

Contact persons (all questions should be in writing)

Commercial

Kedibone Mboweni

Supply Chain Management

Tel: +27 11 305 8000

Email: mbowenik@nefcorp.co.za

Technical

Zandile Mhlongo

Group Secretariat Manager

011 305 8000

mhlongoz@nefcorp.co.za

3. Medium of Communication

All the documentation submitted in response to this tender must be in English.

4. Verification of Documents

Tenderers should check the numbers of pages to satisfy themselves that none are missing or duplicated. No liability will be accepted by the NEF regarding anything arising from the fact that pages are missing or duplicated.

5. Validity Period

Responses to this tender received from tenderers will be valid for a period of **150** days counted from the closing date of the tender.

CONDITIONS AND UNDERTAKINGS BY TENDERER IN RESPECT OF THIS TENDER

6. Submission of Tenders

6.1. **TENDER RFP NEF 02/2023/24, Development of a File Plan** must be emailed to tenders@nefcorp.co.za by no later than **14h00** on **11 August 2023**. A **virtual non-compulsory** briefing session will be held on **26 July 2023** at **11:00 AM**. To join the briefing session, names and email addresses must be submitted to tenders@nefcorp.co.za **before 14:00 on 25 July 2023**.

6.2 Bidders are advised to submit / send its bid responses at least 15 minutes before the deadline to avoid any Information Technology (IT) network congestions or technical challenges in this regard which may result in bid responses being received late. NEF's e-mail servers are configured to receive e-mails with sizes up to 18MB.

- The NEF will not be held responsible for any of the following:
- bid responses sent to the incorrect email address;
- bid responses being inaccessible due to non-standard electronic file formats being utilised to submit responses by bidders;
- any security breaches and unlawful interception of tender / bid responses by third parties outside the NEF's IT network domain;
- bid responses received late due to any IT network related congestions and/or technical challenges; and
- bid responses with file size limits greater than NEF's e-mail receipt capacity of 18MB.

6.3 All enquiries regarding this RFP should also be directed to the following email addresses, tenders@nefcorp.co.za; mhlongoz@nefcorp.co.za; kgabih@nefcorp.co.za; mbowenik@nefcorp.co.za and tofilex@nefcorp.co.za.

6.4 Only responses received via the specified email address will be considered.

6.5 No tender received by telegram, telex, facsimile or similar medium will be considered.

6.6 Where a complete bid response (Inclusive of all relevant Schedules) is **not received** by the NEF in its electronic email tender box (tenders@nefcorp.co.za) by the closing date and time, such a bid response will be regarded as incomplete and late. Such late and / or incomplete bid will be disqualified. **The NEF does not consider late bids for tender evaluation.**

6.7 The tenderer is responsible for all the costs that shall be incurred in relation to the preparation and submission of the tender document.

6.8 A list of all references with contact details must be included in the tender document.

6.9 Copies of qualifications, identity documents (IDs) and the curriculum vitae (CVs) of persons who will be involved in the execution of this tender, should the tenderer be successful the abovementioned documents must be attached to the proposal.

The following information also needs to be provided with the tender document:

- Names and details of senior management;
- Employment equity details of employees at an operational level;
- Percentage of ownership by number of:
 - Black ownership, Black women ownership & Youth ownership
 - Percentage of ownership by profit share of:
 - Black ownership, Black women ownership & Youth ownership

6.10 A valid Tax Status Pin document must be included in the tender document. Failure to submit would render your tender invalid.

6.11 Copy/ies of any affiliations that you may have must be attached to the response of this tender.

6.12 Kindly note that the NEF is entitled to amend any tender conditions, validity period, specifications, or extend the closing date of tenders before the closing date. All tenderers, to whom the tender documents have been issued, will be advised in writing of such amendments within reasonable time after they are made.

6.13 The NEF reserves the right not to accept the lowest tender or any tender in part or in whole.

6.14 The NEF reserves the right to award this tender to a black empowered firm.

6.15 The NEF also reserves the right to award this tender to any party whom it decides as a whole or in part without furnishing reasons. The NEF reserves the right to withdraw this tender at any stage with or without giving reasons.

6.16 The tenderer hereby offers to render all or any of the services described in this tender document to the NEF on the terms and conditions and in accordance with the specifications stipulated in this tender document. This tender document and the tenderer's response

thereto shall form part of any service level agreement that may be concluded between the NEF and the tenderer. In the event of conflict between such documents, the service level agreement shall take precedence over all other documents.

6.17 Tenders submitted by juristic persons or partnerships must be signed by a person or persons duly authorized thereto by a resolution of a board of such juristic person, a copy of which resolution, duly certified be submitted with the tender.

6.18 The tenderer shall prepare for a possible presentation should NEF require such and the tenderer shall be notified thereof no later than 4 (four) days before the actual presentation date.

6.19 The tenderer hereby agrees that the offer herein shall remain binding upon him/her and will be open for acceptance by the NEF during the validity period indicated herein.

6.20 The tenderer furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her tender response, that the price(s) and rate(s) quoted cover all the work/item(s) specified in the tender response documents and that the price(s) and rate(s) cover all his/her obligations under a resulting contract and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.

6.21 The tenderer hereby accepts full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on him/her under this tender as the principal(s) liable for the due fulfillment of this tender and any contract that might be concluded pursuant hereto.

6.22 The NEF will treat your personal information as confidential and take all necessary steps to protect your information as required by the Protection of Personal Information Act of 2013. The NEF will only process your information (which involves, but is not limited to collecting, collating, organizing, disseminating and destroying) in the following circumstances:

- where you have granted the necessary consent;
- where we are required to do so by law;
- where processing is necessary to protect our legitimate interests;
- where it is necessary for the conclusion or performance of a contract to which you are party; or
- where it is in the public interest to do so.

By signing this tender document (RFP), the bidder hereby consents to the use of their personal information which forms part of the tender process and as may be discovered

by the NEF and confirm that the information is supplied voluntarily without undue influence from any party. Tenderers acknowledge that they are aware of their right to access the information at a reasonable time for purposes of rectification or object to the processing of the information.

6.23 Bidders are required to register on the National Treasury Database as per National Treasury Circular No 3 of 2015/2016 – Central Supplier Database (CSD).

CONDITIONS AND UNDERTAKINGS BY BIDDERS IN RESPECT OF THIS TENDER

Name of your Company (in block letters)	
Signature(s) of the Bidders	
Name of person signing (in block letters)	
Capacity	
Are you duly authorized to sign this tender?	
Company Registration Number	
VAT Registration Number	
Postal address (in block letters)	
Physical address (in block letters)	
<i>Domicillium citandi et executandi</i> in RSA	(full) street address) (in block letters)
Contact Person	
Telephone Number	
Fax Number	
Cell Number	
E-mail	

***Failure to comply with any of the terms and conditions as set out above will invalidate the tender.**

SECTION: 2

TERMS OF REFERENCE /

SCOPE OF SERVICE

1. Introduction

1.1 Established by the National Empowerment Fund Act No 105 of 1998 (NEF Act), the National Empowerment Fund (the NEF) is a driver and thought-leader in promoting and facilitating black economic participation by providing financial and non-financial support to black-owned and managed businesses, and by promoting a culture of savings and investment among black people.

2. Purpose

The NEF seeks to appoint a service provider to develop a File Plan for the NEF. These terms of reference invite potential Service Providers that possess the necessary experience and capabilities to submit a proposal.

3. Background

3.1. The NEF is in a process of modernizing its processes in an effort to achieve its strategic objectives by developing a File Plan in order to assist the organisation to manage records, and become compliant with regulations, through the development of various document libraries to which the organisations departments and business units could securely store documents and records produced from the various business processes within the organisation.

3.2. The NEF has therefore decided to go to market to identify a suitably qualified bidder/s that will assist the organisation with development of a file plan. This will therefore enable the NEF to improve compliance with documents and records management regulations.

3.3. The bidder must be able to develop a file plan that can:

3.3.1. Enable improved turnaround times for the business to effectively respond to stakeholder needs;

- 3.3.2. Be in compliance with the National Archives Act;
- 3.3.3. Reduce loss of documents in transit between different NEF departments and business units.

4. Deliverables and Scope.

- 4.1 The scope of work defines the work that is to be done including specific tasks and detailed information about the expected **deliverables**:
 - 4.1.1 Develop the NEF File plan and facilitate its approval by the National Archivist;
 - 4.1.2 Classification of relevant records;
 - 4.1.3 Develop Retention Schedule, in accordance with the NEF records management policy and other relevant policies and legislation;
 - 4.1.4 Provision of Project Management services.
 - 4.1.5 Ensuring adequate labelling and referencing of documents;
 - 4.1.6 Identifying documents and archiving them in line with retention requirements;
 - 4.1.7 Classifying and streamlining access control in line with NEF Records Retention and Disposal Policy;
 - 4.1.8 Assessing the current records/document management environment of the organization and develop an assessment report and roadmap towards one comprehensive and uniformed system;
 - 4.1.9 Instructing department staff on procedures for retrieval of records from the Storage Facilities, and for accessing records held by the Archives Facility and providing advice when required;
 - 4.1.10 Provide detailed Change Management Strategy in lieu of: Skills transfer and Training NEF Staff on the new system.

4.2

The scope of the project includes:

- 4.2.1 Ensuring adequate labelling and referencing of documents;
- 4.2.2 Identifying documents and archiving them in line with retention requirements;
- 4.2.3 Classifying and streamlining access control in line with NEF Records Retention and Disposal Policy;
- 4.2.4 Instructing department staff on procedures for retrieval of records from the Storage Facilities, and for accessing records held by the Archives Facility and providing advice when required;
- 4.2.5 Reviewing Records Transfer Lists to ensure accuracy and completeness, before signing and transmitting the lists to the Storage Facilities;
- 4.2.6 Assisting in tracking, locating, and retrieving records by maintaining a central set of Transfer Lists or data.

5. Methodology

- 5.1. The appointed service provider must propose a methodology for undertaking the File Plan, in line with the NEF's records management policy.

6. Competency and expertise requirements

- 6.1 The bidder must comply to the following **requirements** in order to respond to this RFQ.
 - 6.1.1 One of the bidder's managing directors must have a minimum of ten (10) years working in the documents and records management field and with experience offering File plan development services;
 - 6.1.2 The Bidder must provide Records Management practitioners with the following records management qualification/s:
 - 6.1.2.1 Bachelor of Arts in Archives and Records Management or any equivalent

Qualifications.

6.1.3 The Bidder must provide the following resources for the NEF Documents and Records Management:

6.1.3.1 Suitably qualified and experienced File Plan Specialist with a minimum of 5- years' experience.

6.1.3.2 Suitably qualified and experienced Project Manager with a minimum of 5-years' experience.

6.1.3.3 Suitably qualified and experienced Change Management Specialist with a minimum of 5-years' experience; and

6.2 The bidder/s must provide a list of at least 4(four) contactable client references (excluding the NEF) of companies where similar work has been successfully delivered within the last 5 (five) years. **Bidder must include reference letters from clients.**

6.2.1 The NEF may use the references provided as a basis for which client sites will be visited. For shortlisted Bidder/s, the NEF may require assistance to arrange site visits. References details must include the following:

6.2.1.1 The name of the entity, service provided, contact person, designation of contact, contact number, and date of service rendered; and

6.2.1.2 Reference letter from client confirming the provision of **file planning**.

7. Project Management

The NEF recognizes the extent of the scope of work that the bidder will be engaging in during the provision of File Plan.

The bidder is therefore requested to provide Project Management Services for the full duration of the File Plan.

In responding to this RFQ, the bidder/s must provide a detailed description of their Project Management process/ methodology in sufficient detail to convey to the NEF that it is capable to implement its proposed service on time and on budget. The methodology must indicate clear stage gates which require approval and signoff, **triggering payment on completion of key milestones.**

The NEF expects the bidder/s to provide project documentation, from Project initiation document, project plan, requirements analysis and documentation, deployment strategy, risk and issue register, training and skills transfer to NEF personnel, change management documentation and a signed-off project closeout report.

The bidder must also Implement a comprehensive communication and training strategy to help drive user adoption of the File Plan.

8. Timeframes

Appointments to the successful service provider will be subject to a contract period of six (6) months. It is at the sole discretion of the NEF to review any contract of appointment at any point, if deemed necessary.

EVALUATION CRITERIA

Tenders shall be evaluated in terms of the following parameters and shall be scored on the weightings stated below. **Phase 1: Technical:** Bidders will need to score a minimum of **49 points in technical** to qualify for further evaluation.

Technical	70 Points
<p data-bbox="334 583 1182 636">Track Record and Experience</p> <p data-bbox="334 667 1182 909">Experience in development of file plan in line with National Archives requirements. This needs to be aligned to the scope of work competency and expertise in developing and implementing similar projects in the past :(Provide CV's and profiles of the team that would be working on the project)</p> <ul data-bbox="428 957 1235 1625" style="list-style-type: none"> • Bidder has implemented more than 10 similar projects in the past 10 years = (20 points) • Bidder has implemented 8 to 9 similar projects in the past 10 years = (16 points) • Bidder has implemented 5 to 7 similar projects in the past 10 years = (12 points) • Bidder has implemented 3 to 4 similar projects in the past 10 years = (8 points) • Bidder has implemented 1 to 2 similar projects in the past 10 years = (4 points) • No similar in past 10 years = (0 points) 	<p data-bbox="1365 583 1403 615">20</p>
<p data-bbox="334 1675 1182 1728">Project Plan with milestones and risk mitigation plan:</p> <ul data-bbox="383 1759 1182 1896" style="list-style-type: none"> • Bidder is required to elaborate on their project plan and to provide documentation in support of their standard operating procedure (5 points) 	<p data-bbox="1365 1675 1403 1707">10</p>

<ul style="list-style-type: none"> • Bidder is required to elaborate on their risk mitigation plan and provide documentation in support of their risk management procedure (5 points) 	
<p>Implementation: Methodology of development of a file plan.</p> <p>The bidder must provide a detailed proposal of methodology/ approach to be used to carry out the scope of work outlined above and clearly demonstrating how the project will be achieved:</p> <ul style="list-style-type: none"> • Timelines of the Project (5 points) • Pre- Implementation stage (development of file plan) – (5 points) • Post- Implementation Stage (after implementation support) – (5 points) 	15
<p>Proof of Similar Projects and Knowledge on applicable legislation</p> <p><i>Proof of Similar Projects: maximum 10 points</i></p> <p>Bidders are required to submit letter from references stating the bidder has developed a file plan or similar records scheme in the past five (5) years. Letter must be in the letterhead of the reference provided.</p> <ul style="list-style-type: none"> • Bidder has submitted 5 reference letters from 5 organisations (2 points per organisation) = 10 points • Bidder has submitted 4 reference letters from 4 organisations (2 points per organisation) = (8 points) • Bidder has submitted 3 reference letters from 3 organisations (2 points per organisation) = (6 points) • Bidder has submitted 2 reference letters from 2 organisation (2 points per organisation) = (4 points) • Bidder has submitted 1 reference letter from 1 organisation (2 points per organisation) = (2 points) • No reference letters in past 10 years with = (0 points) 	15

<p><i>Knowledge on applicable legislation: maximum 5 points</i></p> <p>The bidder is required to have thorough knowledge on compliance with the below legislations and to provide certificate/s relevant to the below legislation:</p> <ul style="list-style-type: none"> • National Archives Act of South Africa, Act 43 of 1996 = 2 points • International Organization of Standards (ISO) / South African National Standards (SANS) 15489 = 1 point • Protection of Personal Information (POPI) Act 4 of 2013= 1 point • Promotion of Access to Information Act 2 of 2000 = 1 point • No knowledge and/or certificate on the above legislations = 0 points 	
<p>Change Management Plan: Competency and skills of the Project team (Submit CVs)</p> <p>The bidder must provide a detailed training plan to be implemented when conducting training on new records management policy and use of new File Plan</p> <ul style="list-style-type: none"> • Project leader with more than 10 years' experience = 5 points • Capability to conduct staff training on the use of the file plan = 5 points 	10

Phase 2: Presentation: Bidders will need to score a minimum of 18 points in order to be evaluated further.

Presentation	30 Points
<ul style="list-style-type: none"> The bidder is required to provide a sample assessment on an existing records and document management practice and analysis report 	10 points
<ul style="list-style-type: none"> Bidder required to provide a sample of Records Retention Schedule 	10 points
<ul style="list-style-type: none"> Bidder required to provide a sample on filing instructions and referencing on the file plan 	10 points
<ul style="list-style-type: none"> Bidder will not score points where information on the above respective points is not submitted. i.e. 0 points for each non-submission. 	0

The NEF may conduct site visits with only shortlisted companies.

Phase 2: 80/20 Preference Point System

All tenders that will achieve the minimum qualifying score for technical will be evaluated further in terms of the preference point system as follows:

CRITERIA	POINTS
Price	80
BEE	20
TOTAL	100 points

SECTION: 3

PRICING

Pricing (Attach separate price schedule, stating all pricing information including levels of seniority, hourly rates, costs, fees, etc including and excluding vat)

SECTION: 4

BROAD-BASED BLACK ECONOMIC EMPOWERMENT

Provide the Black Designated Group Breakdown as per the definition below:

- Black Youth % = _____%
- Black Disabled % = _____%
- Black Unemployed % = _____%
- Black People living in Rural areas % = _____%
- Black Military Veterans % = _____%

If you are in possession of a B-BBEE rating or scorecard, please also attach the certificate.

B-BBEE Supplier Assessment Form

Trading name of entity

Contact person

Physical Address

Contact telephone number

Fax number

Cell phone

Email address

Percentage black shareholding

Percentage black women shareholding

Percentage white women shareholding

Do you fall within a gazetted industry charter?

Are you a Qualifying Small Enterprise?

(Annual turnover between R10 million and R50 million)

Are you an Exempt Micro Enterprise?

(Annual turnover less than R10 million)

If you are in possession of a B-BBEE rating or scorecard, please attach the certificate.

I, the undersigned, certify that the information contained in this document is accurate and correct. I am fully responsible for all representations in this document and am aware of the repercussions that may arise as a result of any misrepresentation.

Name: _____

ID/Passport Number: _____

Signed: _____

Date: _____

Position: _____

LIST OF TENDER RETURNABLES

- Cover Page: (the cover page must clearly indicate the RFP reference number, bid description and the bidder's name)
- Executive Summary (explaining how you understand the requirements of this RFP and the summary of your proposed solution)
- Summary of Company profile
- A valid Tax Status Pin document
- BEE credentials / rating certificate
- Completed and signed tender/bid document including annexures
- The following information also needs to be provided with the tender document:
 - Names and details of Senior Management.
 - Shareholders Certificate.
 - Details of employees at an Operational Level.

Failure to submit the required documents will result in the proposal being non-compliant.

Annexure 1: Acceptance of Bid Conditions and Bidder's Details

Request for Proposal No: _____

Name of Bidder: _____

Authorised signatory: _____

Name of
Authorised
Signatory _____

Position of
Authorised Signatory _____

By signing above the bidder hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under this RFP.

[Note to the Bidder: The Bidder must complete all relevant information set out below.]

CENTRAL SUPPLIER DATABASE (CSD) INFORMATION

Bidders are required to be registered on the Central Supplier Database (CSD) of National Treasury. Failure to submit the requested information may lead to disqualification. Bidders are therefore required to submit as part of this proposal both their CSD supplier number and CSD unique registration reference numbers below:

Supplier Number	
Unique registration reference number	

REQUIRED INFORMATION

If Individual Bidder:	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	

If Joint Venture or Consortium, indicate the following for each partner:	
Partner 1	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	
Scope of work and the value as a % of the total value of the contract	
Partner 2	
Name of Company	
Registration Number	
Vat registration Number	
Contact Person	
Telephone Number	
Cellphone Number	
Fax Number	
Email address	
Postal Address	
Physical Address	
Scope of work and the value as a % of the total value of the contract	

Annexure 2: Tax Compliance Requirements

1. TAX COMPLIANCE REQUIREMENTS		
1.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.	
1.2	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.	
1.3	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.	
1.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.	
1.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.	
1.6	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.	
2. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS		
2.1	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	YES NO
2.2	DOES THE BIDDER HAVE A BRANCH IN THE RSA?	YES NO
2.3	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	YES NO
2.4	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	YES NO
<p>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 ABOVE.</p>		
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:	

Annexure 3: Bidder's Disclosure

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest ¹ in the enterprise,

employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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

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.

3 DECLARATION

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

- 3.1 I have read, and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or 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 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

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.

Annexure 4: Shareholders and Directors Information

[Note to the bidder: the bidder must complete the information set out below. If the bidder requires more space than is provided below it must prepare a document in substantially the same format setting out all the information referred to below and return it with Returnable Schedule 2.]

4.1 Shareholders/ Members

Name of the shareholder	ID Number	Race	Gender	% Shares

Note: The bidder must also attach the detailed Company/ Group Structure where relevant.

4.2 Black Shareholders/ Members as per the B-BBEE Certificate

Name of the shareholder	ID Number	Race	Gender	% Shares
Total Black Shareholding % as per the current and valid B-BBEE Certificate				

4.3 Directors

Name of the shareholder	ID Number	Race	Gender

I, THE UNDERSIGNED NAME.....

CERTIFY THAT THE INFORMATION FURNISHED ABOVE IS CORRECT.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder