

## PART A INVITATION TO BID

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	USAASA01/21	CLOSING DATE:	22 JUNE 2021	CLOSING TIME:	11:00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT FORENSIC INVESTIGATION FOR THE AGENCY OF USAASA AND USAF				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<b>SUPPLY CHAIN MANAGEMENT</b>					
<b>94 BEKKER ROAD</b>					
<b>BUILDING 1, THORNHILL OFFICE PARK</b>					
<b>VORNA VALLEY, MIDRAND, 1686</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	<b>BRIANE MAISELA</b>		CONTACT PERSON	<b>HILDA RAMOSEBUDI</b>	
TELEPHONE NUMBER	<b>011 564 1600</b>		TELEPHONE NUMBER	<b>011 564 1600</b>	
FACSIMILE NUMBER	<b>011 564 1629</b>		FACSIMILE NUMBER	<b>011 564 1629</b>	
E-MAIL ADDRESS	<b>BRIANE.MAISELA@USAASA.ORG.ZA</b>		E-MAIL ADDRESS	<b>HILDA.RAMOSEBUDI@USAASA.ORG.ZA</b>	
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
<b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS</b>					

SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

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

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

SIGNATURE OF BIDDER: .....

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

DATE: .....

## **APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT FORENSIC INVESTIGATIONS FOR THE AGENCY OF USAASA/USAF**

### **1 PURPOSE**

USAASA seeks to appoint a professional service provider to conduct forensic investigations into reported cases of Irregularities on Broadcasting Digital Migration (BDM) and other possible matters related to financial misconduct; non-compliance to policies, procedures and/or relevant legislation, in specific transactions in line with the scope outlined in these terms of reference.

These Terms of Reference describe the objectives, scope of work, requirements deliverables, roles and responsibilities, and time frames/periods for this project and to recommend any appropriate remedial action, including disciplinary action where necessary.

### **2 BACKGROUND**

The Universal Service and Access Agency of South Africa (USAASA) is a State Owned Entity of government established through the Electronic Communications Act No 36 of 2005, to ensure that “every man, woman and child whether living in the remote areas of the Kalahari or in urban areas of Gauteng can be able to connect, speak, explore and study using ICTs”. The Agency is mandated to roll out Broadcasting Digital Migration (BDM), this would ensure that South Africans have access to terrestrial televisions.

USAASA in line with the **NATIONAL TREASURY INSTRUCTION SCM INSTRUCTION NOTE 3 OF 2016/2017**, seeks to secure the services of a professional service provider to conduct forensic investigations into the matters indicated below and also in line with the scope outlined in these terms of reference. The following 2 projects refers:

### **Broadcasting Digital Migration (BDM)**

#### **Scheme of ownership (roll out)**

USAASA's BDM project targets poor household who own a television receiver. Pursuant to this, USAASA procured Set-Top-Boxes (STBs) at the inception of the project in order to subsidise the qualifying households. While the process to migrate to the digital broadcasting system affects all South Africans, the phase 1 of the USAASA project is aimed at assisting the qualifying poor TV owning households to acquire STBs. The SETBs and related accessories are warehoused at SAPO for distribution and installations to the intended households.

The Agency received a qualified audit opinion from the audit conducted by the Office of the Auditor General, South Africa (AGSA) for the 2017/18 and 2018/2019 financial years. The basis for the qualification, amongst other matters, emanated from BDM inventory discrepancies which has accumulated in expenditure over the years, non-adherence to procedures and possible lack of corrective action against officials who made and or permitted irregularities.

The Agency has conducted an open review the BDM inventory and has uncovered unaccounted for stock to a substantial value. The BDM inventory comprises of Set Top Boxes (STBs) and associated accessories, being DTT aerials, satellite dishes (signal receivers) and various other accessories required to mount and to connect the signal receivers. The Stock on hand as at 2019/2020-year end is estimated to be 860 000 kits.

The BDM inventory are stored in warehouses leased or owned by the South African Post Office (SAPO), located primarily in Gauteng, Free State, North West, Mpumalanga, Northern Cape, Limpopo, Eastern Cape, Kwazulu Natal and Western Cape. SAPO is responsible for managing the stock on behalf of USAASA (warehousing, distribution and allocation to beneficiaries).

### **3 SCOPE**

The functions to be performed by the service provider appointed with regard to the Forensic Investigations must be in line with the:

Treasury Regulations issued in terms of the Public Finance Management Act,1999 states:

- Section 4.1.1 - If an official is alleged to have committed financial misconduct, the accounting officer of the institution must ensure that an investigation is conducted into the matter and if confirmed, must ensure that a disciplinary hearing is held in accordance with the relevant prescripts and agreements applicable in the public service.
- Section 4.1.2 - The accounting officer must ensure that such an investigation is instituted within 30 days from the date of discovery of the alleged financial misconduct.
- Section 4.1.3 - If an accounting officer is alleged to have committed financial Alleged misconduct, must ensure that the relevant executive authority initiates an investigation into the matter and if the allegations are confirmed, holds a disciplinary hearing in accordance with the prescripts applicable and agreements applicable in the public service.

The Investigation scope should amongst others cover the following on:

### **Broadcasting Digital Migration**

- 100% coverage of warehouses and branches inventory count including inventory with external parties to determine the existence of stock;
- Investigate all BDM related source documents and its processes;
- Test serial numbers existence and compare to all reports provided;
- Test /Verify inventory movement, (Deliveries, Inventory installations, Issued, uninstalled, damages and returned) to determine the appropriate/accurate balance
- Run duplicates of serial numbers on all reports provided using CAAT's;
- Review payments made to suppliers and SAPO, including payments by SAPO on USAASA's behalf, external parties for BDM services and verify the completeness;
- Determine whether irregularities occurred with regards to transactions that will be reviewed;
- Determine and identify parties involved in any irregularities, both internal and external parties;
- Recommend appropriate course of action to be instituted by the Agency where irregularities have been confirmed if any;
- Write and present comprehensive report(s) to the Agency and the Agency's Audit Committee through the office of the Risk unit and Internal Audit unit;
- Assist in the development of charge sheets where disciplinary actions have been recommended and lead evidence during the process;
- Attend planned meetings with the Risk Unit and Internal Audit Unit and relevant Management in the Agency during the duration of the contract and subsequent to the period where relevant; and
- Provide a final comprehensive investigation report to the Audit and Risk Committee and the Board.

#### **4 APPROACH & METHODOLOGY**

Bidders will be expected to outline and explain the Methodology, including forensic or Data Analytics tools that they will be utilising in conducting the forensic investigations, reference should be made to paragraph below.

## 5. TECHNICAL REQUIREMENTS

Service providers interested in bidding for this tender should be those that:

- Will be able to deliver on their obligation in respect of investigation services as required in terms of the scope;
- Will have the necessary capacity, skill and experience to perform quality work (Partner/Engagement Director should at least have Chartered Accountant certification (CA) and an NQF 7 level qualification, and preference will be given to team members including the Partner/Engagement Director who are certified Fraud Examiners by the Association of Certified Fraud Examiners (ACFE) and, or certified as Commercial Forensic Practitioners by the Institute Commercial Forensic Practitioners (ICFP);
- Have a quick turn-around time in terms of project completion;
- Strong Inventory Management System;
- Have knowledge of the ICT sector;
- Demonstrate the knowledge and understanding of the Public Service Regulatory Framework such as, but not limited to the Public Finance Management Act (PFMA) and its Regulations Treasury Regulations, Public Services Procurement Policies,
- South African Constitution, Minimum Information Security Standards (MISS), Labour Legislation, Criminal Procedures Act, Promotion of Access to Information Act, Public Service Anti-Corruption Strategy; Code of conduct for the Public Service, and Protection of Personal Information (POPI) Act.



- Forensic Capacity, skills and expertise of the bidder for the requirements of the bid (Details of the investigation team that will be involved in the assignment including number and level/ ranks of team member/s to be involved in the assignment; and the curriculum vitae for each team member);
- The successful bidder shall ensure that the team presented to the Agency is in line with the proposal submitted, and team members who exit the employment of the successful bidder, are substituted with team members with similar experience and qualifications or above (Project Manager/Engagement director exiting the project should serve at least a period of 30 days to ensure continuity, parallel to the next lead that will be appointed. Junior investigation resources, who will be part of the team, must possess appropriate skills, experience and qualifications.)
  - The above scope is expected to be applied on transactions that occurred during the 2015 to 2020 as reported in the AGSA Audit Report for USAASA/USAF **and as prioritized by the Agency.**
  - Coordination of work with the Office of the Auditor General and other assurance/investigation service providers will be expected where relevant.

## **6. EVALUATION PROCESS**

Bids will be evaluated in accordance with the prescripts of the Preferential Procurement Policy Framework Act (PPPFA, Act 5 of 2000) as amended; aligned with the aims of the Broad Based Black Economic Empowerment Act and its Codes of Good Practice. In accordance with this Act, submissions will be adjudicated in two stages:

Firstly, on functionality wherein bidders will be evaluated for functionality and should attain a minimum threshold of 70 points, as referred to below in order to advance to the second stage. Bids that fail to meet the minimum threshold as per the bid invitation for functionality will be disqualified.

Secondly, only the qualifying bids (those that would have attained the minimum

threshold) will be evaluated in terms of the 80/20 preference points systems, where the 80 points will be used for price only and the 20 points will be awarded in terms of the of the B-BBEE Contributor level as per the B-BBEE Verification Certificate submitted by service providers.

## **7. Evaluation Process**

Bids will be evaluated in accordance with the prescripts of the Preferential Procurement Policy Framework Act (PPPFA, Act 5 of 2000) as amended; aligned with the aims of the Broad Based Black Economic Empowerment Act and its Codes of Good Practice.

In accordance with this Act, submissions will be adjudicated in two stages:

- Firstly, on functionality wherein bidders will be evaluated for functionality and should attain a minimum threshold of 70 points, as referred to below in order to advance to the second stage. Bids that fail to meet the minimum threshold as per the bid invitation for functionality will be disqualified.
- Secondly, only the qualifying bids (those that would have attained the minimum threshold) will be evaluated in terms of the 80/20 preference points systems, where the 80 points will be used for price only and the 20 points will be awarded in terms of the of the B-BBEE Contributor level as per the B-BBEE Verification Certificate submitted by service providers.

## **8. BID REQUIREMENTS**

The following is required of bidders and should be submitted to the Agency as part of the bid submission:

- **Original and Valid Tax Clearance Certificate**
- **Company Profile**

The bidder(s) must include a company profile detailing:

- Company registration documents (Proof of ownership/shareholding certificate).
- Original and valid and / or certified copy of B-BBEE status level certificate bearing SANAS logo from an accredited verification agency or qualified
- registered accountant / auditor if EME. Failure to submit a valid B-BBEE certificate will result in zero preference points being awarded for B-BBEE.;

- Certified ID copies of owners/directors/ key decision makers;
- Valid contact details including e-mail address;

In addition, the proposal shall address issues or matters outlined below and include the following documents regarding the interested parts (as applicable) Investigation approach and methodology, Project plan, Implementation plan and Indicative pricing/costing tariffs (financial proposal), which must be submitted separately in line with Practice Note 1 of 2013/14 [paragraph 4.2 (a)].

- Provide/submit one (1) original tender document plus five (4) bound hard copies.
- Investigation assignment references
- Bidders should provide reference details with a minimum of at least five (5) prior investigation assignments, the name(s) of related referees, including the contact details of the references.
- Evidence Files/Working Papers
- The bidders must formally indicate any objection they may have in making available, on request by the Agency, all evidence/working papers/data, collected or prepared during the execution and reporting on investigation assignments/projects.
- Security vetting and clearance
- The bidder(s) and staff allocated to the project must agree to be subjected to security vetting process if required.
- The successful bidder(s) must sign a Service Level Agreement (SLA) as agreed on the SBD 7.2.

## **9. CONTRACTUAL ARRANGEMENT**

The service provider is required to enter into a Service Level Agreement with the Agency to perform all functions as set out in the project specification and terms of reference.

## **10. DESCRIPTION AND EXTENT OF WORK**

### **Performance of Investigation Assignments**

Investigation assignments are to be performed using the appointed firm's investigation approach/methodology which should be in line with the Public Service Code of Conduct; the Professional Standards set by Association of Certified Fraud Examiners (ACFE)/Institute of Commercial Forensic Practitioners (ICFP) and other related Legislation, Regulations, and best practice applicable to forensic/fraud investigations. The above includes investigation reports.

### **11. Declaration of Conflict of Interest [Independence and Objectivity of Investigation Teams]**

In carrying out investigation work, the successful bidder must ensure that its staff maintains individual objectivity by remaining independent of the activities they perform. The service provider shall:

- Have no executive or managerial powers, functions or duties except those relating to the project.
- Not be involved in the day-to-day operations of the Agency.
- Staff of the service provider will be expected to declare any conflict of interest on the investigation assignment; and make formal written
- disclosure(s) to the Risk Unit and Internal Audit Unit should they have potential impairments to independence or objectivity relating to their responsibilities.

### **12. Reports on Investigation Results**

The appointed service provider(s) must:

- Ensure that all investigation reports developed are in line with the Association of Certified Fraud Examiners (ACFE )and Institute of Commercial Forensic Practitioners (ICFP) and other relevant best practice;

- Ensure that reports including inter-alia investigation findings and recommendations are communicated to the relevant Agency Management and tabled to the Audit Committee for oversight and monitoring of implementation of recommendations, through the Risk unit and Internal Audit unit.

### **13. Investigation Evidence File/Working Papers**

All investigation report(s) must be accompanied by an evidence file/ working papers and must be made available within three working days after completion of the investigation assignment to the Agency 's Risk and Audit Committee and the board liaison with Risk unit and Internal Audit unit.

The evidence file/working papers should also be made available to the Agency's Management for implementing recommended action; and to the Audit Committee and the Auditor-General of South Africa on request.

### **14. COSTING**

A cost analysis must be given to cover the full tender amount. A breakdown of the hourly tariff per resource category (e.g. Engagement Director/Project Manager, Investigation Manager and other relevant levels of expertise) as required for services to be rendered, an estimated percentage of disbursements, and other incidental costs should be provided for the contract period (inclusive of VAT). Incidental costs shall be in line with the National Treasury Instruction Note 1 of 2013/14. Expenditure incurred without the prior approval of the Agency will not be reimbursed.

The Agency shall not pay for any unproductive or duplicated time spent by the service provider on the assignment as a result of staff changes or redrafting of reports due to incorrect findings.

The pricing tariffs quoted shall be firm/fixed for the contract period (including any inflation adjustment).

## **15. DURATION OF THE CONTRACT**

- The duration of the assignment will be 3 months as per the agreed Service Level Agreement:
- Finalisation of Preliminary Results within the first 2 months; and
- Finalisation of the fully fledged investigations not to exceed 3 months.

## **16. PROJECT MANAGEMENT AND PROJECT MONITORING**

The appointed service provider will be responsible for co-ordinating investigation activities for reporting purposes. The Head of the Internal Audit Unit and Risk Unit and will be Project Manager for the Agency.

The appointed service provider must submit to the Risk Unit and Internal Audit Unit the following:

- Periodic Progress Reports on the service provider's activities; progress of the investigation work as well as on results of completed investigation assignments in a format and timelines that shall be agreed to by both parties to the Risk unit and Internal Audit unit, the Agency's Executive Management; and Audit Committee with the Board.
- Draft and final report(s) on each individual investigation completed with clear findings and recommendations prior to tabling to relevant Management, Audit Committee and the Board and supporting documentation/evidence/working papers and any relevant annexures to the reports.

## **17. PAYMENT TERMS/FINANCIAL IMPLICATIONS**

Payment(s) will be made within 30 days of the presentation of an invoice on completion of each investigation assignment by the service provider and submission of all required reports as per deliverables in these Terms of Reference; as well as return of all information which may be in possession of the Service Provider, i.e. investigation

evidence/working paper files.

The Agency shall not pay for any unproductive or duplicated time spent by the service provider on any assignment as a result of staff changes, inefficiencies or rework.

Further to the above, failure to submit investigation evidence/working paper files will attract penalties as per the Service Level Agreement and in line with paragraph 4.4 of the National Treasury Instruction Note 1 of 2013/14.

### **18. CONFIDENTIALITY**

Ownership and copyright of all documentation developed during the period of the contract will be vested with USAASA.

No information or documentation may be used for any other purpose other than for providing a tender proposal to the Agency, and no copies of any document may be made, except with prior written approval from the Agency.

### **19. INTELLECTUAL PROPERTY AND OWNERSHIP OF MATERIAL**

All intellectual property rights relating to any work produced by the service provider in relation to the performance of this Contract shall belong to the Agency and may not be used for any other purpose by the service provider. The service provider shall give Agency every assistance in protecting such intellectual property rights. All material, in paper, electronic or any recorded format produced by the service provider in the performance of this Contract shall remain the property of Agency and must be handed over to Agency on termination of the contract.

All service providers undertake not to infringe the intellectual property of third parties. Should any action or claim be instituted against the Agency emanating from an infringement of intellectual property or an alleged infringement of intellectual property, the service providers hereby indemnify the Agency against such claims or actions as well as all costs (including legal costs on an attorney and client scale).





<b>Functionality scoring values: Broadcasting Digital Migration</b>			
<b>NO</b>	<b>CRITERIA</b>	<b>WEIGHT</b>	<b>VALUE RATING</b>
1	<p>Appropriate previous Forensic Investigation experience of a minimum of 5 years in the Public Sector:</p> <p>[the bidder; supported by confirmation/ reference letters from the relevant institution(s); types of investigations performed; success rate of the investigations conducted]</p>	<b>10</b>	<p>0–2 Poor  3-4 Below Average  5–6 Average  7–8 Above Average  9 – 10 Good</p>
2	<p>Bidder’s understanding of the brief and expectations of the Agency in terms of its needs.  [A Proposed plan/Methodology of action to achieve the objectives – the approach/methodology to be employed.  Project plan, final and identified timeframes-5  Stock Count-5  Stock Movement-4  CAATS-4  Payments-2</p>	<b>20</b>	<p>0 – 4 Poor  5 – 8 Below Average  9 – 12 Average  13 – 16 Above Average  17 – 20 Good</p>
3	<p>Forensic Investigation expertise in the form of qualifications and other relevant specialized expertise of the team that will be directly involved - Relevant Qualifications of:</p>	<b>30</b>	
	<p>Partner/Engagement Director- Chartered Accountant and related qualifications</p>	9	

	Investigation Manager	6	
	Senior	5	
	Intermediate	3	
	Junior	2	
	Specialist(s)	5	
4	Level of experience of the investigation team members that will be directly involved with the project: [Number of years of experience of individual team members in forensic/fraud investigations; Leadership and Supervision, Proficient computer literacy, Exceptional report writing, Presentation Skills, Analytical thinking, Interviewing skills, Ability to assess and analyse information and make relevant findings, Problem solving skills and Ability to influence others, Conflict management, Forensic Investigation, Project Management, Knowledge of Case Management, Legal interpretation skills; level of security]	<b>30</b>	0 – 6 Poor 7 – 12 Below Average 13 – 18 Average 19 – 24 Above Average 25 – 30 Good
	Partner/Engagement Director	9	
	Investigation Manager	6	
	Senior	5	
	Intermediate	3	
	Junior	2	
	Specialist(s)	5	

	<p>Demonstration of Knowledge and understanding of the Public Service Regulatory Framework such as, but not limited to: the Public Finance Management Act (PFMA) and its Regulations Treasury Regulations, Public Services Procurement Policies, South African Constitution, Minimum Information Security Standards (MISS), Labour Legislation, Criminal Procedures Act, Promotion of Access to Information Act, Public Service Anti-Corruption Strategy; Code of conduct for the Public Service; USAASA/USAF legislation/acts, Protection of Personal Information (POPI) Act.</p> <p><b>References</b></p> <p>Bidders to demonstrate the knowledge/understanding of the above by including References of forensic investigation cases conducted where in the above applied and also information of reference</p>	<b>10</b>	<p>0 – 2 Poor  3 - 4 Below Average  5 – 6 Average  7 – 8 Above Average  9 – 10 Good</p>
	Total	100	
	Minimum functionality Score	70	

#### COMPULSORY BRIEFING SESSION

- Briefing session will be held Virtually-Online
- Bidders are requested to submit their request to [violet.masaele@usaasa.org.za](mailto:violet.masaele@usaasa.org.za)

#### CONTACTABLE PERSON

- Bidding Process-Briane Maisela- [Briane.maisela@usaasa.org.za](mailto:Briane.maisela@usaasa.org.za)
- Technical Enquiries- [Hilda@usaasa.org.za](mailto:Hilda@usaasa.org.za) / [Lavhelesani@usaasa.org.za](mailto:Lavhelesani@usaasa.org.za)





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

NAME OF BIDDER: .....	BID NO.: .....
CLOSING TIME 11:00	CLOSING DATE.....

OFFER TO BE VALID FOR ...90 Days.....DAYS FROM THE CLOSING DATE OF BID. 22 JUNE 2021

ITEM NO	DESCRIPTION FORENSIC INVESTIGATION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
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1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project. R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION	HOURLY RATE	DAILY RATE
.....	R.....	.....
.....	R.....	.....
.....	R.....	.....
.....	R.....	.....
.....	R.....	.....

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

.....	R.....	..... days
.....	R.....	..... days
.....	R.....	..... days
.....	R.....	..... days

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
TOTAL: R.....			

\*\* "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance contributions and skills development levies.

Name of Bidder: .....

5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
TOTAL: R.....			

- 6. Period required for commencement with project after acceptance of bid .....  
.....
- 7. Estimated man-days for completion of project .....  
.....
- 8. Are the rates quoted firm for the full period of contract? \*YES/NO
- 9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index. ....  
.....  
.....  
.....

**\*[DELETE IF NOT APPLICABLE]**

Any enquiries regarding bidding procedures may be directed to the –  
(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:  
  
Or for technical information –  
(INSERT NAME OF CONTACT PERSON)

Tel:

## SBD 4

### DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, 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 an advertised competitive bid, a limited bid, a proposal or written price quotation). 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-

- the bidder is employed by the state; and/or
- 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<sup>2</sup>, member):  
.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:  
.....

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.

<sup>1</sup>"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; or
- (e) Parliament.

<sup>2</sup>"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.



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:

.....  
.....  
.....

2.7.2 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.

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

.....  
.....  
.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish 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 particulars.

.....



**4 DECLARATION**

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.  
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS  
DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

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

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**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

- a) The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20.....** preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

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:

	<b>POINTS</b>
<b>PRICE</b>	<b>80</b>
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	<b>20</b>
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

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:

**80/20**                      **or**                      **90/10**

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

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = 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 7.1 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 Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME	QSE
	√	√
Black people		
Black people who are youth		
Black people who are women		

Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

**8.4 TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....  
 .....  
 .....  
 .....  
 .....

**8.6 COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

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 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.

WITNESSES

1. ....

2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....



## DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
  - a. abused the institution'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.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>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?</p> <p><b>(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).</b></p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

4.4	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"/>
4.4.1	If so, furnish particulars:		

**SBD 8**

**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**

.....  
**Position**

.....  
**Name of Bidder**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_

(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:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) 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 consortium<sup>3</sup> 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:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) 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.

<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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

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