



## REQUEST FOR BID PROFESSIONAL SERVICES

**BID NUMBER:** **BS/2024/RFB516**

**THURSDAY, 25 APRIL 2024**

**ADVERT PUBLISH DATE  
ADVERT DATE**

**CLOSE Date:** **THURSDAY 23 MAY 2024**

**Time:** **11h00**

**DESCRIPTION:** **PROVISION OF SCM (CATEGORY A) AND DISCRETIONARY GRANT (CATEGORY B) PROBITY/COMPLIANCE REVIEW SERVICES**

**ONLINE NON-COMPULSORY BRIEFING** **FRIDAY 3 MAY 2024 11:00 hours**



Email for Briefing link to be sent  
[jackiek@bankseta.org.za](mailto:jackiek@bankseta.org.za)  
[/scm@bankseta.org.za](mailto:/scm@bankseta.org.za)

**Respondent details**

**(Use this as a cover page for response document and envelope)**

<b>Company Name:</b>				
<b>Contact person:</b>				
<b>Company physical address</b>				
<b>Email:</b>				
<b>Telephone:</b>				
<b>Mobile number:</b>				
<b>Date:</b>				
<b>Original copy of documents or copy - Mark with X</b>	<b>ORIGINAL</b>	<input type="checkbox"/>	<b>COPY</b>	<input type="checkbox"/>

## **1. BANKSETA BACKGROUND**

- 1.1 BANKSETA is a statutory body established through the Skills Development Act of 1998 to enable its stakeholders to advance the national and global position of the banking and micro-finance industry. As guided by its mandate the BANKSETA is an agent of transformation and will promote employment equity and Broad Based Black Economic Empowerment through skills development.
- 1.2 BANKSETA is a schedule 3A public entity with about 92 staff complement. BANKSETA has a head office in Gauteng at 349 Witch-Hazel Avenue, in Eco Park, Centurion, a satellite office in Free State and two regional offices, one in Limpopo and the other in Eastern Cape.
- 1.3 For further details on the BANKSETA, visit [www.bankseta.org.za](http://www.bankseta.org.za) and refer to the 2022– 2023 annual report under Media Center/publication/annual reports  
<https://www.bankseta.org.za/wp-content/uploads/2023/11/BANKSETA-2022-23-Annual-Report.pdf>

## **2. THE PURPOSE AND OBJECTIVES OF THE PROJECT**

- 2.1 The BANKSETA would like to appoint one service provider or 2 service providers, one for category A - SCM Tenders and one for Category B - Discretionary Grant funding windows. Bidders may apply for both categories. Bidders are encouraged to bid for both categories if they have expertise and experience for both categories.
- 2.2 The bidder must submit documents covering the requirements of the technical evaluation for Category A and Category B separately and clearly indicate in their proposal which Category they are bidding for, to be scored accordingly.

### **2.3 Category A – SCM probity/compliance review services**

- 2.3.1 BANKSETA as a public entity complies with public sector SCM legislation which includes amongst other
- i) Section 217 of the Constitution of the Republic of South Africa Act 108 of 1996
  - ii) The Public Finance Management Act
  - iii) Preferential Procurement Policy Framework Act 5 of 2000
  - iv) National Treasury SCM Instruction Notes, circulars and guidelines
  - v) State Information Technology Agency Act 88 of 1998
  - vi) Promotion of Access to Information Act 2 of 2000 (PAIA)
  - vii) Promotion of Administrative Justice Act 3 of 2000 (PAJA)
  - viii) Prevention and Combating of Corrupt Activities Act 12 of 2004
  - ix) Competition Act 89 of 1998
- 2.3.2 The purpose of the probity/compliance review is to have an independent assessment of BANKSETA's compliance with the applicable legislation, policy and process for each tender transaction before final award.

- 2.3.3 The probity/compliance review should also point out any weaknesses or recommendations for improvements in the tender processes.
- 2.3.4 This should strengthen the control environment, give an independent view of the compliance of the processes used and allow corrections in process or evaluation to be addressed before award.
- 2.3.5 The report will be tabled to the BANKSETA board sub-committee and ultimately to the board before the final award is made.
- 2.3.6 A special request for a probity review can be made as and when requested for the certain parts of the RFB or RFQ evaluation process.
- 2.3.7 All SCM tenders are subjected to a probity/compliance review. The contract will allow for probity review of approximately 20 tenders to be reviewed annually.

## **2.4 Category B - Discretionary Grants (DG) probity/compliance review services**

- 2.4.1 BANKSETA as a SETA uses the SETA Grant Regulations and the Skills Development Levies Act to allocate discretionary grants (DG) and the BANKSETA Discretionary Grant Policy to its sector employers and stakeholders through discretionary grant funding windows. The BANKSETA Discretionary Grant Policy is attached. The legislation is available online.
- 2.4.2 The purpose of the probity/compliance review is to have an independent assessment of BANKSETA's compliance with the applicable legislation, policy and process for each transaction reviewed.
- 2.4.3 It should also point out any weaknesses or recommendations for improvements.
- 2.4.4 This should strengthen the control environment, give an independent view of the compliance of the processes used and allow corrections in process or evaluation to be addressed before award.
- 2.4.5 For transactions above R5 million, the report will be tabled to the BANKSETA board sub-committee and ultimately to the board before the final award is made.
- 2.4.6 A special request for a probity review can be made as and when requested for the certain parts of the evaluation process.
- 2.4.7 In addition, All Discretionary Grant funding windows are subjected to a probity/compliance review. The contract will allow for probity review of approximately 11 funding windows to be reviewed annually.

## **2.5 OBJECTIVES OF BOTH BANKSETA SCM PROBITY/COMPLIANCE REVIEW AND DISCRETIONARY GRANT (DG) PROBITY REVIEW**

The objectives of the review and probity services are to ensure:

- 2.5.1 Compliance with BANKSETA Policies and relevant legislation.

- 2.5.2 Compliance with the Funding Window Guidelines and specific funding criteria and criteria and any other applicable legislation for DG,
- 2.5.3 Administrative compliance with funding window and SCM processes,
- 2.5.4 Compliance with internal controls and governance requirements.

### **3 SCOPE OF WORK**

#### **3.1 SCM PROBITY REVIEW (CATEGORY A)**

The scope of work should include, but is not limited to the following:

- 3.1.1 The service provider should check the entire process in line with the SCM policy and relevant legislation.
- 3.1.2 The service provider should check the scoring was done in line with the criteria for a sample of bids/quotes received.
- 3.1.3 The service provider should check accuracy of the reports produced.
- 3.1.4 Samples of the bid scoring and the consolidated scoring sheet must be reviewed.
- 3.1.5 A written report confirming whether the correct processes were utilised, outlining any shortcomings/non-compliance matters were noted and recommendations for corrections and detailing which bids scoring was checked in detail should be produced.

#### **3.1.6 SCM Probity /Compliance Review Services Other Information**

- i) Approximately 9% of BANKSETA's expenditure is procured under SCM processed.
- ii) All SCM procurement transactions undergo competitive bidding.
- iii) All transactions above R1 million are processed as tenders /Request for bids (RFBs) in line with legislation. Probity or compliance review services are required for all tender processes before BANKSETA makes the final award.
- iv) All transactions from R2,000 to R1 million are processed as requests for quotation (RFQs) and do not ordinarily undergo probity reviews.
- v) BANKSETA is expecting about 20 tender transactions a year needing this probity/compliance review. The number is dependent of the BANKSETA's needs each year.

#### **3.2 SCOPE OF WORK – DISCRETIONARY GRANT PROBITY REVIEW (CATERGORY B)**

The BANKSETA implements discretionary grant (DG) funding and the DG process in line with the applicable public sector legislation that include the following:

- i) Sector Education and Training Authorities (SETAs) Grant Regulations Regarding Monies Received by a SETA and Related Matters (Regulation No. 35940 of 3rd December 2012 as amended and contained in Regulation Gazette No. 9867 (Vol. 570)
- ii) The Skills Development Act, 1998 (No. 97 of 1998) Section 10(1) as amended

iii) The Skills Development Levies Act (No.9 of 1999) (SDLA)

The service provider will be expected to conduct a review of BANKSETA's compliance with the above legislation (thereafter called DG legislation) and the DG process as detailed in the approved funding window guidelines before award of each DG funding window.

Approximately 65% of BANKSETA's expenditure is provisioned under DG funding window process.

The review/probity services will be carried out on the following stages:

**3.2.1 Funding Window invitation stage:**

3.2.1.1 Confirm the approval of Funding Window Guidelines and specific funding criteria.

3.2.1.2 Review the Invitation Process and alignment to the approved guidelines and specific funding criteria.

3.2.1.3 Have briefings with applicable management and governance structures (where necessary).

**3.2.2 Funding Window Application Submission Stage**

3.2.2.1 Review the Appointment process of the Evaluation Committee

3.2.2.2 Review the Recording of applications received.

3.2.2.3 Review of Evaluation Tool

**3.2.3 DG Funding Window evaluation stage:**

3.2.3.1 Review the evaluation process.

3.2.3.2 Review and verify that all mandatory documents have been submitted and completed according to the requirements of the specification.

3.2.3.3 Admin evaluation – review that applicants are correctly declined or approved.

3.2.3.4 Ensure that the evaluation criteria are applied consistently by the Evaluation Committee according to the approved criteria.

3.2.3.5 From the population of the applications evaluated, a sample of the scoring must also be reviewed.

3.2.3.6 Cast and cross cast the scores by Evaluation Committee

3.2.3.7 Review the final Evaluation Committee report.

**3.2.4 Reporting**

3.2.4.1 Provide a detailed review report, including recommendations at each stage of the funding window process (i.e. the report should include Funding Window invitation, application, evaluation and recommendation stages).

3.2.4.2 Present the report to relevant BANKSETA management and governance structures (when required).

### **3.3 EXPECTED OUTCOMES**

- 3.3.2 To review whether discretionary grant funding windows and SCM tenders are initiated, advertised, evaluated and allocated in the correct manner according to the BANKSETA Discretionary Grant Policy or SCM Policy and relevant legislation.
- 3.3.3 When necessary, the probity reports will be tabled to the BANKSETA governance structure and ultimately to the board before the final award is made to provide an independent view on the compliance of the processes followed.

### **3.4 EXPECTED OUTPUTS AND DELIVERABLES**

- 3.4.2 Provide a detailed review report including recommendations for each stage of the funding window process when needed (i.e. the report should include Funding Window, invitation, application, evaluation and recommendation stages).
- 3.4.3 This should strengthen the control environment, give an independent view of the compliance of the processes used and allow corrections in the process or evaluation to be addressed before award.
- 3.4.4 Present the report to relevant BANKSETA management and governance structures before the final award is made (when required).

## **4. CATEGORIES.**

- 4.1. This tender has two categories which will be evaluated separately.
- 4.2 A service provider may bid for both categories.
- 4.3 Service providers who wish to bid for both categories must submit proposals with two separate sections each clearly showing the category, and each with information to support the requirements of that particular category.
- 4.4 Service providers bidding for one category must clearly indicate the category they are bidding for and submit information to support the requirements of that category.

## **5. COMPETENCY AND EXPERTISE REQUIREMENTS**

The service provider should provide the requested documents (CVs, resumes/profiles, copy qualifications, copy certificates/membership letters, reference letters etc) to demonstrate that they meet the requirements of the category they are bidding for. The competence, expertise and experience requirements per category are summarised below.

### **5.1 SCM PROBITY REVIEW (CATEGORY A)**

- 5.1.1 Bidder should provide a team of at least 2 persons with experience in auditing SCM work or providing SCM probity/compliance work within the public sector.  
The service provider should complete a table showing the names of the staff and the roles they will deliver.

5.1.2 The team provided should include at least one team member with a professional designation in audit or internal audit or finance or accounting, or SCM /procurement field for example.

- Chartered Accountant of South Africa (CA(SA)); or
- Association of Chartered Certified Accountants (ACCA); or
- Certified Internal Auditor (CIA); or
- Professional Internal Auditor (PIA);
- Chartered Institute of Procurement and Supply (CIPS) and/or other SCM professional designation, or
- Registered Government Auditor (RGA),

5.1.3 The team leader should possess

- Qualifications at minimum NQF6 level in any of the following fields – SCM or procurement, Internal Audit or Audit, Finance, Accounting, Law, Commerce related fields.
- at least 3 years' experience in auditing SCM within the public sector or providing SCM probity/compliance work in a public entity environment

The Team Leader should be an existing employee or director/partner or owner of the service provider.

5.1.4 The team should include a team member with at least 3 years' experience in auditing SCM within the public sector or providing SCM probity/compliance work within public entity environments.

5.1.5 The bidder should provide formal contactable references letters from clients in the public sector where the service provider has previously provided SCM probity review or audited SCM or Procurement processes. The reference letters should

- Be on the client's letterhead,
- Be signed and dated
- Indicate the type of work done,
- Indicate the period when the probity work was performed and concluded, (please note that the work should have been done not later than three (3) years from the tender closing date)
- Show the client contact details being the name, email address or telephone number.

5.1.6 The bidder must provide the methodology and approach followed in conducting probity review services covering Category A – SCM probity review.

## **5.2 DISCRETIONARY GRANT PROBITY REVIEW (CATEGORY B)**

5.2.1 Bidder should provide a team of at least 3 persons with experience in public sector auditing or internal audit or probity/compliance review services within the public sector.

The service provider should complete a table showing the names of the staff and the roles they will deliver.

5.2.2 The team provided should include at least one team member with a professional designation in audit or internal audit or finance or accounting for example.

- Chartered Accountant of South Africa (CA(SA)); or
- Association of Chartered Certified Accountants (ACCA); or
- Certified Internal Auditor (CIA); or
- Professional Internal Auditor (PIA);
- Registered Government Auditor (RGA),

#### 5.2.3 The team leader should possess

- Qualifications at minimum NQF7 level in any of the following fields - audit or finance or accounting or commerce AND
- at least 3 years' experience in public sector auditing or internal audit or probity/compliance review services within the public sector.
- The Team Leader should be an existing employee or director/partner or owner of the service provider

#### 5.2.4 The team should include a team member with at least NFQ 7 qualification in audit or finance or accounting or commerce. AND

at least 3 years' experience in public sector auditing or internal audit or probity/compliance review services within the public sector.

#### 5.2.5 The bidder should provide formal contactable references letters from clients in the public sector where it has previously provided Discretionary Grant probity review/compliance work or audited within the skills development and education sector, ( being Sector Educations and Training Authority (SETAs), Institution of Higher Learning, Department of Higher Education and Training (DHET), National Skills Authority (NSA), Quality Council for Trade and Occupations (QCTO), South African Qualifications Authority (SAQA) etc.).

The reference letters should

- Be on the client's letterhead,
- Be signed and dated
- Indicate the type of work done,
- Indicate the period when the probity work was performed and concluded, (please note that the work should have been done not later than three (3) years from the tender closing date)
- Show the client contact details being the name, email address or telephone number.

#### 5.2.6 The bidder must provide the methodology and approach they followed in conducting probity review services covering Category B – Discretionary Grant Funding Window probity).

## 6. DURATION OF THE CONTRACT

The contract will be valid for a period of three (03) years.

## 7. PRICING STRUCTURE

- ***N.B: The Pricing Schedule must be completed as per the attached annexure A. Bidders who fail to comply with this requirement will be disqualified because it will be impractical to compare across all submissions.***

- ***BANKSETA will allocate estimated hours to the listed activities. The calculated price as per Annexure A will be used for price comparison and evaluation purposes only.***

- 7.1 The quoted prices will remain fixed for the particular year indicated for the duration of the contract.
- 7.2 The attached pricing sheets (Appendix A) should be completed in full.
- 7.3 The BANKSETA will not entertain pricing adjustments after the signing of contract, and it is therefore important that all pricing elements are disclosed.
- 7.4 The pricing sheet should show VAT separately.
- 7.5 The Bidders are therefore required to indicate a total bidding price by completing the pricing schedule provided in full.
- 7.6 Sufficient detail should be included to enable the BANKSETA to fully understand the make-up of the overall pricing.
- 7.7 All pricing assumptions excluded costs and estimated costs should be clearly documented. The BANKSETA assumes that the pricing document as supplied is complete and covers all costs associated with this project.

## **8. SUBMISSION REQUIREMENTS**

- 8.1 All submissions should be delivered in individual envelopes as per clause 7.4 and 7.5 below.
- 8.2 Respondents should take particular care to ensure that there is no discrepancies between all submissions presented to the BANKSETA.
- 8.3 The BANKSETA reserves the right to reject any submissions if there are discrepancies identified in the submissions thereto.
- 8.4 Document should be submitted as follows:  
One hardcopy should be the original submission, clearly marked "Original" and one (1) copied version of the original and a soft (electronic) copy (preferably to be memory stick).
- 8.5 An Envelope 1 – Original
  - 8.5.1 Envelope 2 – Hard Copy of the original document and 1 Soft copy
  - 8.5.2 Envelope 3 – Pricing and SBD1 – (invitation to bid) together with

### **BANKSETA PREFERENCE POINTS CLAIM DOCUMENT**

- 8.5.3 Each individual envelope must be clearly marked with the following information:

Description of the Submission:

## **PROVISION OF SCM (CATEGORY A) AND DISCRETIONARY GRANT (CATEGORY B) PROBITY/COMPLIANCE REVIEW SERVICES.**

### **Submission Bid Number: BS/2024/RFB516**

- 8.6 Submissions that are faxed, sent via telex, and/ or electronic mail delivery will not be accepted. All submissions received by BANKSETA will become the property of the BANKSETA and will not be returned to the respondent.
- 8.7 The submissions must be inserted into the SUBMISSION BOX available at the

Reception Area of BANKSETA Offices at the following address: -

Eco Origin Office Park, (Please use gate 1 to enter the Eco-origins Office Park)  
Block C2,  
349 Witch-Hazel Avenue,  
Eco Park Estate,  
Highveld,  
Centurion,  
0144

**The BANKSETA is situated in a very large office park with security offices at the main gate. Please allow at least 30 minutes to clear security and navigate through the office park.**



- 8.8 NB: The Service provider is required to sign a register on their submission.
- 8.9 Unsuccessful bidders will be informed in writing when the process is concluded.
- 8.10 A tender will be considered late if received after the specified date and time.

Service providers are therefore strongly advised to ensure that Tenders be despatched allowing enough time for any unforeseen events that delay the delivery of the Tender.

## 9. ENQUIRIES/COMMUNICATION

9.1 *Contact person for enquiries regarding the tender document:*

Mr Jackie Kwinika

Title: Specialist: Supply Chain Management Unit

Email Address: [jackiek@bankseta.org.za](mailto:jackiek@bankseta.org.za) copy [scm@bankseta.org.za](mailto:scm@bankseta.org.za)

9.2 Bidders who wish to attend virtual *briefing* session should indicate in writing within 5 Days after advertising date by emailing: Email: [jackiek@bankseta.org.za](mailto:jackiek@bankseta.org.za) copy [scm@bankseta.org.za](mailto:scm@bankseta.org.za)

- 9.3 All *clarifications* or enquiries should to be made in writing and received by the BANKSETA at least **14** Days before closing date of the Tender. Telephonic requests for clarification will not be accepted.
- 9.4 All *questions* received after the briefing session and BANKSETA's answers will be updated on the BANKSETA website under the tender for all service providers' information. Kindly check BANKSETA's website for this information before finalisation of your bid
- 9.5 Should any questions submitted not be included in the responses on the website at least five days before a tender closes, kindly email this to [jackiek@bankseta.org.za](mailto:jackiek@bankseta.org.za) copy [scm@bankseta.org.za](mailto:scm@bankseta.org.za) and also escalate to [rapulas@bankseta.org.za](mailto:rapulas@bankseta.org.za) and [info@bankseta.org.za](mailto:info@bankseta.org.za).

### RFB TIMELINES

Activity	Time	Date
Tender Advertised	11:00	Thursday 25 April 2024
Non-compulsory Virtual Briefing  Bidders who wish to attend an online briefing session should indicate in writing 5 Days after advertising date.	11:00	Friday 3 May 2024
Final questions and answers emailed to BANKSETA. Responses will be published on the website under the tender,	Close Of Business(C.O.B)	Thursday 9 May 2024
<b>Closing date</b>	<b>11h00</b>	Thursday 23 May 2024
Tender evaluation, Bidder Verification and Due Diligence	C.O.B	Within 3 weeks of bid closing
Clarification presentations by Service Providers if required/ Due Diligence	C.O.B.	Within 3 weeks of bid closing
Provisional Contract Award	C.O.B	By 25 June 2024
Contract Signatures	C.O.B.	9 July 2024

### 10. TENDER EVALUATION/ADJUDICATION

Bids will be evaluated in three phases:

- 10.1 Compliance/eligibility (Bids that do not pass the compliance eligibility evaluation will be disqualified from participating in the next evaluation stage)

- 10.2 Technical/Functionality (Bids that do not meet the minimum threshold indicated in technical/function evaluation, will not participate in the final evaluation stage)
- 10.3 Price and BANKSETA Preferential Procurement points (Bidder will be appointed on the highest scores).

## 11 COMPLIANCE STATUS

- 11.1 The service provider must be registered on the Central Supplier Database (CSD) maintained by the National Treasury and accessible on [www.treasury.gov.za](http://www.treasury.gov.za)
- 11.2 The BANKSETA, before making an award, shall check on the central supplier database (CSD) whether;
- (a) the bidder or any of its directors are not listed / indicated as restricted from doing business with the public sector, and person prohibited
  - (b) the bidder's tax status is compliant.
  - (c) the bidders, its directors or management are not employees of the state, or if a director is an employee of the state, the service provider and or directors have permission to do business with the state, as provided for in the legislation.
- 11.3 The BANKSETA will not award any bids to service providers who do not comply with the above.
- 11.4 The BANKSETA will afford bidders a chance to clarify and provide evidence where there is any adverse information on the CSD reports.

## 12. COMPLIANCE/ELIGIBILITY EVALUATION

Respondents who do not meet the requirements below **will be** immediately disqualified.

***NB: (For Joint Venture (JV) submissions each partner to the JV must submit all documents listed in the table below and the JV agreement).***

N.B All relevant forms/documents as prescribed by the PFMA Regulation: Framework for Supply Chain Management accompanying this document must be completed in full and signed where applicable by a duly authorized official of the primary contractor / bidder.

NB: Failure to submit the items listed below will result in the bid being immediately disqualified.

1	Submission of proposal (response document) and pricing schedule – Annexure A The Pricing Schedule must be completed as per the attached annexure A. Failure to comply will lead to disqualification because it will be impractical to compare pricing across all submissions.
2	Submission of the following fully completed and signed returnable documents: - SBD 1 Invitation to submission - SBD 4 Declaration of interest

	- SBD 6.1 Preference points claim form where applicable (complete the part that is applicable to the BANKSETA Preference Points Claim Document). NB. BANKSETA will not allocate points for BBBEE status Level Contributor
3	Special Conditions that the bidder needs to accept by signing the last page and submit.
4	Submission of Central Supplier Database report (should the bidder have any challenges with the printing or providing CSD report on closing of the tender and the CSD MAAA number be provided)

### 13. FUNCTIONAL/TECHNICAL EVALUATION

**TABLE 13.1 – SCM PROBITY REVIEW (CATEGORY A)**

CRITERIA	WEIGHTS
<b>1. Team Qualifications – Professional designation</b>	<b>15</b>
<p>The team should have at least one member who has a professional designation related to auditing or accounting or finance or SCM fields (for example (CA(SA), ACCA, CIA, PIA, CISA, CIPS, CISSP, RGA)).</p> <p>The service provider should submit the current valid certificate/s or letter/s for the professional designation for that team member</p> <p>On evaluation the BANKSETA will award points as follows:</p> <p>a) The bidder’s submission does not include any proof of professional designation related to auditing = 0 Points</p> <p>b) Submission of a valid certificate or letter to confirm that at least one team member holds a professional designation related to auditing or finance/accounting or SCM for example (CA(SA), ACCA, CIA, PIA, CISA, CIPS, CISSP, RGA)= 5 points</p>	
<b>2. Team leader Qualification and Experience</b>	<b>20</b>
<p>The Team leader should have experience in auditing SCM within the public sector or providing probity/compliance work in relation to SCM within the public sector AND a minimum of NQF Level 6 qualification in any of the following fields – SCM, Internal Audit/Audit, Finance, Accounting, Law or Commerce related fields.</p> <p>The service provider should submit</p> <ul style="list-style-type: none"> <li>- the professional profile,/resume or CV of the proposed team leader which clearly indicate the relevant experience AND</li> <li>- copies of the relevant qualifications.</li> </ul> <p><b>A CV without qualifications will not be scored</b></p> <p><b>NB: The team leader must be an existing employee or director/partner or owner of the bidder in order to be scored.</b></p> <p>On evaluation the BANKSETA will award points as follows:</p> <p>a) Less than 3 years’ experience = 0 Points</p>	

<p>b) 3 years to less than 4 years experience = 1 points  c) 4 years to less than 5 years' experience = 3 points  d) 5 years or more experience = 5 points</p> <p><b>*Bidder should complete table on page 15 and indicate the Team Leader names.</b></p>	
<p><b>3.1. Team Member Experience</b></p>	<p><b>10</b></p>
<p>The other team member should have experience in auditing SCM within the public sector or performing probity/compliance work in relation to SCM within the public sector</p> <p>The bidder should submit</p> <ul style="list-style-type: none"> <li>- The CV of the proposed team member leader which clearly indicate the relevant experience</li> </ul> <p>On evaluation the BANKSETA will award points as follows:</p> <p>a) Less than 3 years' experience = 0 Points</p> <p>b) 3 years to less than 4 years' experience = 1 point  c) 4 years to less than 5 years' experience = 3 points  d) 5 years or more experience = 5 points</p> <p><b>Bidder should complete table on page 15 and indicate the Team member's name.</b></p>	
<p><b>3.2. Bidder's Scope and Approach</b></p>	<p><b>20</b></p>
<p>The bidder must provide the methodology and approach followed in conducting probity review services covering Category A – SCM probity review. The methodology and approach should cover the main steps within the tender process including the following;</p> <ul style="list-style-type: none"> <li>• Appointment of Bid Specification Committee (BSC); Bid Evaluation Committee (BEC); Bid Adjudication Committee (BAC) members</li> <li>• Declaration of interest of BSC; BEC; BAC members</li> <li>• Confirmation of the budget</li> <li>• Approval of bid specifications</li> <li>• Tender Advertisement:</li> <li>• Tender submission register and tender opening register</li> <li>• Phase 1: Compliance/Eligibility:</li> <li>• Phase 2: Functionality evaluation</li> <li>• Phase 3: Price points and preference points calculation and allocation</li> <li>• Recommendations and awarding</li> </ul> <p>On evaluation the BANKSETA will award points as follows</p> <p>a) The service provider has not submitted a methodology and approach or doesn't cover all the steps in the process (Category A (SCM probity review) = 0 Points</p> <p>b)</p>	

<p><b>c)</b> The service provider has submitted a detailed methodology and approach covering all the steps in the process for (Category A SCM probity review) = 5 Points</p>	
<p><b>4. Reference Letters</b></p>	<p><b>35</b></p>
<p>The bidder should provide formal contactable references letters from clients in the public sector where it has previously provided <b>SCM probity or compliance reviews, or audited SCM or Procurement processes.</b></p> <p>The reference letters should</p> <ul style="list-style-type: none"> <li>- Be on the client’s letterhead,</li> <li>- Be signed and dated</li> <li>- Indicate the type of work done,</li> <li>- Indicate the period when the SCM probity/compliance work or audit of SCM or Procurement processes was performed and concluded, (please note that the work should have been done not later than three (3) years from the tender closing date )</li> <li>- Show the client contact details being the name, email or telephone number.</li> </ul> <p>BANKSETA may contact the references to verify the information.</p> <p>On evaluation the BANKSETA will award points as follows:</p> <ul style="list-style-type: none"> <li>a) less than 3 acceptable reference letters = 0 points.</li> <li>b) 3 acceptable reference letters = 3 points</li> <li>c) 4 acceptable reference letters =4 points</li> <li>d) 5 or more acceptable reference letters = 5 points</li> </ul>	
<p><b>TOTAL WEIGHTING</b></p>	<p><b>100</b></p>
<p><b>MINIMUM WEIGHTING THRESHOLD TO PASS TECHNICAL/FUNCTIONAL EVALUATION</b></p>	<p><b>70</b></p>

**TEAM TO BE ASSIGNED TO THIS WORK  
(SCM PROBITY REVIEW - CATEGORY A)**

DESCRIPTION	NAME	SURNAME
Team Leader		
Team member		

**TABLE 13.2 – DISCRETIONARY GRANT PROBITY REVIEW (CATEGORY B)**

CRITERIA	WEIGHTS
<b>1. Team Qualifications – Professional designation</b>	<b>15</b>
<p>The team should comprise of at least one member who has a professional designation related to auditing or accounting/finance or IT (for example CA(SA), ACCA, CIA, PIA, CISA, CISSP, RGA)),</p> <p>The service provider should submit the current valid certificate/s or letter/s for the professional designation for that team member.</p> <p>On evaluation the BANKSETA will award points as follows:</p> <p>a) The bidder’s submission does not include any proof of professional designation related to auditing or accounting/finance or IT = 0 Points</p> <p>b) The bidder’s submission includes a team with at least one member with a professional designation related to auditing and proof in the form of a valid certificate or letter to confirm that they have a professional designation related to auditing or accounting/finance or IT for example (CA(SA), ACCA, CIA, PIA, RGA)= 5 points</p>	
<b>2. Team leader Qualification and Experience</b>	<b>20</b>
<p>The proposed team leader must have experience in a public sector auditing or probity review environment and qualifications at least NQF 7 in any of the following fields - Finance or Accounting or internal Audit/Audit or Commerce related.</p> <p>The service providers should submit the following for the proposed team leader</p> <ul style="list-style-type: none"> <li>- the professional profile, resume or CV which clearly indicate the experience in public sector auditing and/or probity review environment, AND</li> <li>- copies of qualifications on at least NQF 7 in any of the following fields – Finance, Accounting, internal Audit, Audit or Law or Commerce</li> </ul> <p><b>NB: The team leader must be an existing employee or director/partner or owner of the bidder in order to be scored.</b></p> <p><b>A CV without qualifications will not be scored</b></p> <p>On evaluation the BANKSETA will award points as follows:</p> <p>a) Less than 3 years’ experience = 0 Points</p> <p>b) 3 years to less than 4 years’ experience = 1 points</p> <p>c) 4 years to less than 5 years’ experience = 3 points</p> <p>d) 5 years experience or more = 5 points</p> <p><b>*Bidder should complete table on page 19 and indicate the Team Leader names.</b></p>	
<b>3.1. Team Member’ Experience</b>	<b>10</b>
<p>The proposed team member must have experience in a public sector auditing or probity review environment and qualifications on at least NQF 7 in any of the</p>	

<p>following fields - Finance or Accounting or internal Audit or Audit or Law or Commerce.</p> <p>The service providers should submit</p> <ul style="list-style-type: none"> <li>- the cv of the proposed team member which clearly indicate the experience in public sector auditing or probity review environment, AND</li> <li>- copies of qualifications at least NQF 7 in any of the following fields - Finance or Accounting or internal Audit/Audit or Commerce</li> </ul> <p><b>A CV without qualifications will not be scored</b></p> <p>On evaluation the BANKSETA will award points as follows:</p> <ol style="list-style-type: none"> <li>a) Less than 3 years' experience = 0 Points</li> <li>b) 3 years to less than 4 years' experience = 1 points</li> <li>c) 4 years to less than 5 years experience = 3 points</li> <li>d) 5 years experience or more = 5 points</li> </ol> <p><b>Bidder should complete table on page 19 and indicate the Team member.</b></p>	
<p><b>3.2. Bidder's Scope and Approach</b></p>	<p><b>20</b></p>
<p>The bidder must provide the methodology and approach followed in conducting probity review services covering Category B - Discretionary Grant Funding Window probity)</p> <p>The methodology and approach should cover the following;</p> <ul style="list-style-type: none"> <li>• Compliance with BANKSETA Discretionary Grant Policy.</li> <li>• Compliance with the funding window guidelines, specific funding criteria and any other applicable legislation.</li> <li>• Administrative compliance with funding window process.</li> <li>• Internal controls and governance requirements.</li> </ul> <p><b>Funding Window Invitation and Application Stage:</b></p> <ul style="list-style-type: none"> <li>• Confirmation of approval of the funding window guidelines and specific funding criteria.</li> <li>• Review the invitation process and alignment to the approved guidelines and specific funding criteria.</li> <li>• In cases of ambiguity discussions with management for clarity will be held.</li> <li>• Evaluation Committee Appointment process review.</li> <li>• Applications received recording process review.</li> <li>• Evaluation tool consistency application review.</li> </ul> <p><b>Funding Evaluation Stage:</b></p> <ul style="list-style-type: none"> <li>• Evaluation process.</li> <li>• Attendance Register and Declaration of Interest and Confidentiality</li> <li>• Mandatory documents completion and submission review and verifications.</li> <li>• Consistent application of the evaluation criteria by the committee according to approved criteria review.</li> <li>• Admin Evaluation review (correct approvals and declines).</li> <li>• Consistent scoring system application review.</li> <li>• Recalculation of scores by the Evaluation Committee.</li> <li>• Evaluation Committee report review.</li> </ul>	

<p><b>Reporting Stage:</b></p> <ul style="list-style-type: none"> <li>• Providing a report that includes recommendations for the three (3) stages of the Discretionary Grant for employed Funding Window processes.</li> <li>• Presentation of the report to the relevant BANKSETA management and governance structures.</li> </ul> <p>On evaluation the BANKSETA will award points as follows</p> <p>a) The service provider didn't submit a methodology and approach or methodology and approach doesn't cover all the steps in the process Category B - Discretionary Grant Funding Window probity review = 0 Points</p> <p>b) The service provider has submitted a detailed methodology and approach covering all the steps in the process for Category B (Discretionary Grant Funding Window probity review) = 5 Points</p>	
<p><b>4. Reference Letters</b></p>	<p><b>35</b></p>
<p>The bidder should provide formal contactable references letters from clients in the public sector where it has previously provided <b>Discretionary Grant probity/compliance reviews or Audit work within the skills development and education sector, (Sector Educations and Training Authority (SETAs), Institution of Higher Learning, Department of Higher Education and Training (DHET), National Skills Authority (NSA), Quality Council for Trade and Occupations (QCTO), South African Qualifications Authority (SAQA) etc.).</b></p> <p>The reference letters should</p> <ul style="list-style-type: none"> <li>- Be on the client's letterhead,</li> <li>- Be signed and dated</li> <li>- Indicate the type of work done,</li> <li>- Indicate the period when the probity/compliance work or audit work was performed and concluded, (please note that the work should have been done not later than three (3) years from the tender closing date)</li> <li>- Show the client contact details being the name, email or telephone number.</li> </ul> <p>BANKSETA may contact the references and verify the information.</p> <p>On evaluation the BANKSETA will award points as follows:</p> <ul style="list-style-type: none"> <li>a) less than 3 acceptable reference letters = 0 points.</li> <li>b) 3 acceptable reference letters = 3 points</li> <li>c) 4 acceptable reference letters =4 points</li> <li>d) 5 or more acceptable reference letters = 5 points</li> </ul>	
<p><b>TOTAL WEIGHTING</b></p>	<p><b>100</b></p>
<p><b>MINIMUM WEIGHTING THRESHOLD TO PASS TECHNICAL/FUNCTIONAL EVALUATION</b></p>	<p><b>70</b></p>

The minimum weighting threshold for technical / functional evaluation is 70%. Any bidder scoring less than 70% or 70 weights will be disqualified from further evaluation.

**TEAM TO BE ASSIGNED TO THIS WORK (DISCRETIONARY GRANT PROBITY REVIEW - CATEGORY B)**

DESCRIPTION	NAME	SURNAME
Team Leader		
Team member		

**14. Functionality will be evaluated using the following formula for each criterion or sub-criterion.**

$$Pf = (So/Ms) \times Ap$$

Where:

- Pf – is the percentage/weighting scored for functionality for that criterion or sub-criterion under consideration.
- So – is the total score evaluated by the BANKSETA for the criterion or sub-criterion under consideration.
- Ap – is the percentage allocated for functionality for the criterion or sub-criterion.
- Ms – is the maximum score possible per criterion or sub-criteria which is 5.

14.1 Each technical /functional evaluation criterion or sub-criterion shows how it will be evaluated by BANKSETA out of a maximum of 5 points. i.e Ms =5 points.

14.2 The score/points evaluated per criterion or sub-criterion by BANKSETA is divided by 5 and then multiplied by the weighting of the criteria to arrive at the percentage for that criterion/sub-criterion.

14.3 The percentages for all criteria/sub-criteria are added together to reach the final percentage or weighting.

14.4 Any proposals not meeting a minimum total weight threshold of **70 percentage or 70 weighting on** functionality/technical evaluation will not participate in the price/preference points evaluation.

**15. PRICE AND PREFERENCE POINTS EVALUATION**

The tender will be evaluated using the following:

## 80/20 PRICEPREFERENCE POINT SYSTEMS

Points for Price	Preference Points Utilising BANKSETA Goals	Total Points
80	20	100

A maximum of 80 points is allocated for price using the following formula:

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

Where

**Ps** = Points scored for price of bid under consideration.

**Pt** = Price of bid under consideration.

**Pmin** = Price of lowest acceptable bid.

### 16. PREFERENCE POINTS UTILISING BANKSETA GOALS

In terms of Gazette 2721, the BANKETA has allocated preference points to be awarded to tenderers who meet certain BANKSETA Goals as follows:

No	Specific Goals	80/20 Preference Point system
1.	Empowerment of black persons- Ownership by black persons – 51% threshold as explained below	7
2.	Empowerment of Women - Women Ownership- Threshold 33% as explained below	4
3.	Youth Empowerment Youth Ownership – 33% Threshold as explained below	3
4.	Empowerment of Persons with Disabilities - Ownership of People with Disabilities – 10% threshold for Ownership and/or 5% threshold for Employment of Persons with Disabilities as explained below	3
5.	Promotion of small and medium businesses, co-operatives, and non-governmental institutions in all areas- rural and urban areas – as explained below	3
	<b>Total Points allocated towards specific goals</b>	<b>20</b>

**The Service provider should complete the preference point bidding form attached.**

## EXPLANATIONS

- 16.1 Black persons are as defined in Broad based black economic empowerment Act (B-BBEE) which currently means Africans, Coloureds and Indians and Chinese people:  
(a) who are citizens of the Republic of South Africa by birth or decent; or  
(b) who became citizens of the Republic of South Africa by naturalisation –  
(i) before 27 April 1994.  
(ii) on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to that date.
- 16.2 Black Person Ownership points will be awarded to a Tenderer who have 51% or more black ownership.. The shareholding will determine the ownership.
- 16.3 Youth ownership points will be awarded to a Tenderer who have 33% or more youth ownership being persons 35 years and below, determined at the date of tender/ RFQ closing. Youth ownership will be determined based on the shareholding of the members who are defined as youth and are South African citizens.
- 16.4 Persons with Disability Ownership points will be awarded to a Tenderer who have 10% or more shareholding by South African citizen persons with disability **AND/OR** to tenderers who employ 5% or more South African persons with disability on a permanent basis. Disability ownership will be determined by the shareholding of the enterprise owned by such a South African citizen person with disability OR by enterprises whose permanent staff complement consists of 10% or more South African citizen persons with disabilities. The disabilities need to be legally verifiable for points to be claimed.
- An entity may only claim once under this category regardless of if it qualifies under both South African citizen persons with disabilities ownership and employment of South African persons with disability.
- 16.5 Small and medium business includes all South African businesses, co-operatives and non-governmental organisations with annual turnover up to R10 million or alternatively, these entities are recently incorporated, have been operating for less than one year and are projected to have annual turnover of less than R10 million in the first year. The ownership of small and medium business, co-operatives or non-governmental organisations should be 100% South African citizens (or entities owned 100% by South Africa citizens).
- 16.6 An entity may claim points based on the same shareholding or persons in more than one category. For example black female disabled shareholders under 35 who is a SA citizen may lead a business to claim points under Empowerment of women, youth empowerment and empowerment of persons with disabilities.

## 16.7 False Information from Bidders

Should the BANKSETA ascertain that any bidder has submitted any false information, the BANKSETA may disqualify the bidder/service provider, cancel any award without prejudice to any other remedies available to BANKSETA and report the service provider to National Treasury.

The bidder/service provider will be given an opportunity to give reasons why BANKSETA should not take actions detailed above where false information has been submitted.

- 16.8 The points scored by a bidder in respect of the PREFERENCE POINTS UTILISING BANKSETA GOALS contribution will be added to the points scored for price to arrive at the overall score. Points will be rounded off to the nearest 2 decimals. If two or more tenders have scored equal total points, the contract will be awarded to the bidder scoring the highest number of points for the specified goals or PREFERENCE POINTS UTILISING BANKSETA GOALS contribution.

## 17 REVIEW PROCESS

- 17.1 In order to evaluate and adjudicate proposals effectively, it is imperative that applicants submit responsive applications. To ensure an application will be regarded as responsive it is imperative to comply with all conditions pertaining to the application and to complete all the mandatory fields and questionnaires.
- 17.2 All applications duly lodged as per the submission requirements will be evaluated in accordance with the stipulated evaluation criteria.
- 17.3 All proposals will go through Bid Evaluation Committee (BEC) for evaluation on functionality.
- 17.4 The proposals from BEC will be tabled before the Bid Adjudication Committee (BAC).

## 18 REASONS FOR REJECTION

- 18.1 Applicants shall not contact BANKSETA on any matter pertaining to the application from the time the application is closed to the time the application has been adjudicated. The results of the Tender will be published by the BANKSETA on portal any other platform which was advertised. Any effort by an applicant to influence the evaluation, application comparisons or application award decisions in any matter, may result in rejection of the applicant concerned.
- 18.2 BANKSETA shall reject a submission if the applicant has committed a proven corrupt or fraudulent act in competing for a particular contract.

## 19 TENDER CONDITIONS

- 19.1 BANKSETA reserves the right to withdraw or amend terms of reference by notice in writing by advertising in the media in which the tender was originally advertised prior to the closing date.
- 19.2 BANKSETA reserves the right not to award this tender or partially award the tender.
- 19.3 The cost of preparing the applications will not be reimbursed.
- 19.4 The BANKSETA reserves the right to conduct a due diligence (including site visits, capacity, assessment, and financial capability assessment) on short listed tender submitters before contracting.
- 19.5 BANKSETA reserves the right to verify the information submitted and request for further information during evaluation of the proposal.
- 19.6 BANKSETA shall not be liable for any direct, indirect, consequential or other losses or damages including loss of profit that may be incurred by any person including, but not limited to, an Applicant, Short Listed Applicant or Successful Applicant, or any director, officer or associated company thereof, as a result of any reliance on or use of information supplied in response to this tender or as a result of the tender process contemplated in this tender document.
- 19.7 BANKSETA makes no representations, undertakings, or warranties whatsoever to any person in respect of the tender or any information contained in the tender.
- 19.8 This tender is confidential and proprietary to BANKSETA and may not be used, reused, copied, or distributed for any purpose, other than in relation to the tender process, without BANKSETA's prior written consent.
- 19.9 POPIA - The Protection of Personal Information Act, ("POPIA") includes the right to protection against unlawful collection, retention, dissemination and use of personal information. BANKSETA complies with POPIA in collecting, processing, and distributing of Personal Information, which include cooperation with the Regulator as provided for in the act.
- 19.10 In order to evaluate and adjudicate proposals effectively, it is imperative that applicants submit responsive applications. To ensure an application will be regarded as responsive it is imperative to comply with all conditions pertaining to the application and to complete all the mandatory fields and questionnaires.
- 19.11 All applications duly lodged as per the submission requirements will be evaluated in accordance with the stipulated evaluation criteria.
- 19.12 All proposals will go through Evaluation Committee for evaluation on functionality.
- 19.13 The proposals from the tender evaluation committee will be tabled before the Bid Adjudication Committee (BAC).
- 19.14 The validity period of proposals is 150 days after closing.

## 20 FRAUD ALERT

- 20.1 The BANKSETA does not charge for any documents or information or any matter in regard to any procurement or any BANKSETA work.
- 20.2 The BANKSETA is aware of fraudsters approaching potential bidders purporting to be able to influence tenders or RFQ for a fee.
- 20.3 Some of these fraudsters may also try to impersonate BANKSETA staff and may have details of your bids which they obtain from the legislated tender reporting.
- 20.4 Bidders are warned that they should NOT pay any person or entity in regard to BANKSETA procurement. This will be viewed as participating in corrupt and fraudulent practices.
- 20.5 No one is able to influence any tender or RFQ outcome.
- 20.6 Any approaches from any person or entity in this regard should be reported to the BANKSETA fraud hotline on 0800 204 661 or tip-offs.
- 20.7 Bidders are requested to give as much detail as possible in any reports so the BANKSETA can investigate the matter and take action against the perpetrators.

## **21 JOINT VENTURE**

- 21.1 In the case of a Joint Venture, the following will be Applicable:
- 21.2 Each JV Member must have a valid Tax Clearance Certificate issued by SARS; or CSD report showing tax status.
- 21.3 Submission of a signed Joint Venture Agreement by the JV Partners and attached to this tender document; and
- 21.4 Submission of a Joint added BANKSETA Preference Points Claim Document

**SBD 1**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE BANKSETA**

BID NUMBER:	BS/2023/RFB516	CLOSING DATE: <b>WEDNESDAY 22 MAY 2024</b>	CLOSING TIME:11:00am
DESCRIPTION	PROVISION OF SCM (CATEGORY A) AND DISCRETIONARY GRANT (CATEGORY B) PROBITY/COMPLIANCE REVIEW SERVICES		
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>			

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

**Eco Origin Office Park, Block C2, 349 Witch-hazel Avenue, Eco Park Estate, Highveld, Centurion,**

**NB: Bidders as part on requirement - Submission of soft copy on PDF must be part of bid submissions.**

**SUPPLIER INFORMATION**

NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE		NUMBER
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE		NUMBER
E-MAIL ADDRESS			
VAT REGISTRATION NUMBER			
	TCS PIN:		OR CSD No:
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?			
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)	
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)	
	<input type="checkbox"/>	A REGISTERED AUDITOR	

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 PART B:3 BELOW]
SIGNATURE OF BIDDER	.....	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of			

authority to sign this bid, e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
DEPARTMENT/ PUBLIC ENTITY	BANKSETA	CONTACT PERSON	
CONTACT PERSON	Mr Jackie Kwinika	TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS	<a href="mailto:jackiek@bankseta.org.za">jackiek@bankseta.org.za</a>		

**SBD4  
 BIDDER'S DISCLOSURE**

**1. PURPOSE OF THE FORM**

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

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

**2. Bidder's declaration**

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of institution	State

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:  
 .....  
 .....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?  
**YES/NO**

2.3.1 If so, furnish particulars:  
 .....  
 .....

**3 DECLARATION**

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<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

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

- 3.1 I have read, and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect.
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring 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 services 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 services 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

<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

**SBD 6.1**

**PREFERENCE POINTS CLAIM FORM IN TERMS OF BANKSETA PREFERENCE POINTS CLAIM**

This preference form must form part of all bids invited. It contains general information a **NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS,**

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**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 **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 preference point system will be applicable to this tender

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) Preference points using BANKSETA's preference point system.

1.4 The maximum points for this bid are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	<b>80</b>
<b>PREFERENCE POINTS USING BANKSETA PREFERENCE POINTS SYSTEM</b>	<b>20</b>
<b>Total points for Price and Preference points must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to complete and submit BANKSETA's preference points form together with the bid, will be interpreted to mean that preference points 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) **“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;
- (b) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (c) **“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;
- (d) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (e) **“prices”** includes all applicable taxes less all unconditional discounts;
  - 1)
- (f) **“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;
- (g) **“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. PREFERENCE POINTS CLAIMED THE BIDDER SHOULD COMPLETE THE ATTACHED BANKSETA PREFERENCE POINTS CLAIM DOCUMENT

## 5. SUB-CONTRACTING

5.1 Will any portion of the contract be sub-contracted?(***Tick applicable box***)

YES		NO	
-----	--	----	--

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted .....%.
- ii) The name of the sub contractor .....

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

6.1 Name of company/firm:.....

6.2 VAT registration number:.....

6.3 Company registration number:.....

6.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
  - One person business/sole propriety
  - Close corporation
  - Company
  - Pty Limited
- [TICK APPLICABLE BOX]

6.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

6.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc. [***TICK APPLICABLE BOX***]

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

6.8 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 BANKSETA preference points system, 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 bidder has been claimed or obtained preference points 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	.....
	.....
	.....

## 7. PREFERENCE POINTS UTILISING BANKSETA GOALS

In terms of Gazette 2721, the BANKETA has allocated preference points to be awarded to tenderers who meet certain BANKSETA Goals as follows:

No	Specific Goals	80/20 Preference Point system
1.	Empowerment of black persons- Ownership by black persons – 51% threshold as explained below	7
2.	Empowerment of Women - Women Ownership- Threshold 33% as explained below	4
3.	Youth Empowerment Youth Ownership – 33% Threshold as explained below	3
4.	Empowerment of Persons with Disabilities - Ownership of People with Disabilities – 10% threshold for Ownership and/or 5% threshold for Employment of Persons with Disabilities as explained below	3
5.	Promotion of small and medium businesses, co-operatives, and non-governmental institutions in all areas- rural and urban areas – as explained below	3
	<b>Total Points allocated towards specific goals</b>	<b>20</b>

**The Service provider should complete the preference point bidding form below.**

### **BANKSETA PREFERENCE POINTS CLAIM DOCUMENT**

1.1 The service provider is requested to complete the form below accurately and fully to show the areas where it wishes to claim preference points. It is the service providers responsibility to ensure that the form is accurately and fully completed.

1.2 For shortlisted service providers, BANKSETA may request additional information and evidence to support the preference points claimed.

1.3 An entity may claim points based on the same shareholding or persons in more than one category. For example, black female disabled shareholders under 35 who is a SA

citizen may lead a business to claim points under Empowerment of women, youth empowerment and empowerment of persons with disabilities.

The BANKSETA will allocate preference points as follows:

No	Specific Goals	80/20 Preference Point system
1.	Empowerment of black persons- Ownership by black persons – 51% threshold as explained below	7
3.	Empowerment of Women - Women Ownership- Threshold 33% as explained below	4
4	Youth Empowerment Youth Ownership – 33% Threshold as explained below	3
5.	Empowerment of Persons with Disabilities - Ownership of People with Disabilities – 10% threshold for Ownership and/OR 5% threshold for employment of Persons with Disabilities as explained below	3
6.	Promotion of small and medium businesses, co-operatives, and non-governmental institutions in all areas- rural and urban areas – as explained below	3
	<b>Total Points allocated towards specific goals</b>	<b>20</b>

#### 1.4 Empowerment of black persons- 51% or More Ownership by black persons Black Person Ownership

1.4.1 Black persons are as defined in Broad based black economic empowerment Act (B-BBEE) which currently means Africans, Coloureds, and Indians and Chinese:

- (a) who are citizens of the Republic of South Africa by birth or decent; or
- (b) who became citizens of the Republic of South Africa by naturalisation –
  - (i) before 27 April 1994.
  - (ii) on or after 27 April 1994 and who would have been entitled to acquire

citizenship by naturalisation prior to that date.

Preference Point	Service Provider to INDICATE YES OR NO	No of Points per BANKSETA Preference point System	For BANKSETA USE Only Points Claimed
Does the service provider wish to claim points under black ownership where 51% or more ownerships is by black people		<b>7</b>	

**IF YES please provide the following details**

DETAILS OF BLACK OWNERS				
	Full Name of Black Owners	ID Number	Ownership Percentage (via shareholding)	Position in the Company
<b>1</b>				
<b>2</b>				
<b>3</b>				
<b>4</b>				
<b>5</b>				
<b>6</b>				
<b>7</b>				
<b>8</b>				
<b>9</b>				
<b>10</b>				
	<b>TOTAL Black Ownership</b>			

The service provider should include information and evidence to support the preference points claimed being IDs, CSD report, naturalisation records for owners not South African by birth.

**1.5 Preference Points Claimed for Empowerment of Women – Through Women Ownership of the Entity- Threshold 33%**

Women ownership points will be awarded to a Tenderer who have 33% or more women ownership, of the company or enterprise. The woman must be South African citizens.

Preference Point	Service Provider to Indicate YES OR NO	No of Points per BANKSETA Preference point System	For BANKSETA USE Only Points Claimed
Does the service provider wish to claim points under women ownership where 33% or more ownerships is by women who are South African citizens		<b>4</b>	

IF YES please provide the following details

DETAILS OF WOMEN OWNERS WHO ARE SOUTH AFRICAN CITIZENS				
	Full Name of Black Owners	ID Number	Ownership Percentage (via shareholding)	Position in the Company
<b>1</b>				
<b>2</b>				
<b>3</b>				
<b>4</b>				
<b>5</b>				
<b>6</b>				
	TOTAL WOMEN OWNERSHIP			

The service provider should include information and evidence to support the information shown for the preference points claimed being IDs copies, naturalisation records for owners not South African by birth and CSD report.

**1.6 Preference Points Claimed for Empowerment of Youth Through Youth Ownership of the Service Provider /Enterprise– 33% Threshold**

1.7.1 Youth ownership points will be awarded to a Tenderer who have 33% or more youth ownership being persons 35 years and below, determined at the date of tender/ RFQ closing. Youth ownership will be determined based on the shareholding of the members who are defined as youth and are South African citizens, .

Preference Point	Service Provider to Indicate YES OR NO	No of Points per BANKSETA Preference point System	For BANKSETA USE Only Points Claimed
Does the service provider wish to claim points under Youth Ownership – 33% Threshold. The youth should be South African citizens		3	

IF YES please provide the following details

DETAILS OF YOUTH OWNERS WHO ARE SOUTH AFRICAN CITIZENS				
	Full Name of Black Owners	ID Number	Ownership Percentage (via shareholding)	Position in the Company
1				
2				
3				
4				
5				
6				
	TOTAL YOUTH OWNERSHIP			

The service provider should include information and evidence to support the information shown for the preference points claimed being IDs copies, naturalisation records for owners not South African by birth and CSD report.

**1.8 Preference Points Claimed for Empowerment of Persons with Disabilities - Ownership or Employment of People with Disabilities – 10% threshold for Ownership and/OR 5% threshold for Employment of Persons with Disabilities of Youth Empowerment**

1.8.1 Persons with Disability Ownership points will be awarded to a Tenderer who have 10% or more shareholding by South African citizen persons with disability AND/OR to tenderers who employ 5% or more South African persons with disability on a permanent basis.

Disability ownership will be determined by the shareholding of the enterprise owned by such a South African citizen person with disability.

OR

by enterprises whose permanent staff complement consists of 10% or more South African citizen persons with disabilities. Any disabilities need to be legally verifiable for points to be claimed.

Kindly note that full points are awarded for either ownership of persons with disabilities or employment of persons with disabilities.

Preference Point	Service Provider to Indicate YES OR NO	No of Points per BANKSETA Preference point System	For BANKSETA USE Only Points Claimed
Does the service provider wish to claim points under Persons with Disability Ownership points will be awarded to a Tenderer who have 10% or more shareholding by South African citizen persons with disability AND/OR to tenderers who employ 5% or more South African persons with disability on a permanent basis.		<b>3</b>	

IF YES please provide the following details

DETAILS OF OWNERS WHO HAVE DISABILITIES AND ARE SOUTH AFRICAN CITIZENS
--

	Full Name of Persons with Disabilities Owners	ID Number	Ownership Percentage (via shareholding)	Position in the Company
1				
2				
3				
4				
5				
6				
	TOTAL PERSON WITH DISABILITIES OWNERSHIP			

AND/OR

Total Number of Permanent Employees	Number of Permanent Employees with Disabilities	% Of Employees with Disabilities

. The service provider should include information and evidence to support the information shown for the preference points claimed being IDs copies, naturalisation records for owners not South African by birth and CSD report, employee list highlighting those with disabilities and a certification/report of the disability/ies.

### **1.9 Preference Points Claimed for Empowerment Small and Medium Enterprises Including Co-operatives and Non-Governmental Organisations in All Areas – Rural and Urban**

1.9.1 Small and medium business includes all South African businesses, co-operatives, and non-governmental organisations with annual turnover up to R10 million or alternatively, these entities are recently incorporated, have been operating for less than one year and are projected to have annual turnover of less than R10 million in the first year. The ownership of small and medium business, co-operatives or non-governmental organisations should be 100% South African citizens (or entities owned 100% by South

Africa citizens).

Preference Point	Service Provider to Indicate YES OR NO	No of Points per BANKSETA Preference point System	For BANKSETA USE Only Points Claimed
Does the service provider wish to claim points under small and medium business includes all South African businesses, co-operatives, and non-governmental organisations with annual turnover up to R10 million or alternatively, these entities are recently incorporated, have been operating for less than one year and are projected to have annual turnover of less than R10 million in the first year. The ownership of small and medium business, co-operatives or non-governmental organisations should be 100% South African citizens (or entities owned 100% by South Africa citizens).		3	

IF YES please provide the following details

DETAILS OF THE BUSINESS				
Dated Business Incorporated	Financial Year Ending	Turnover in Prior Financial Year of the Enterprise	Budgeted Turnover This Current Financial Year	Turnover to Date in Current Financial Year

The service provider should include information and evidence to support the information shown for the preference points claimed being IDs copies, naturalisation records for owners not South African by birth and CSD report, employee list highlighting those with disabilities and a certification/report of the disability/ies.

#### 1.10 False Information from Bidders

Should the BANKSETA ascertain that any bidder has submitted any false information, the BANKSETA may disqualify the bidder/service provider, cancel any award without prejudice to any other remedies available to BANKSETA and report the service provider to National Treasury.

The bidder/service provider will be given an opportunity to give reasons why BANKSETA should not take actions detailed above where false information has been submitted.

**SPECIAL CONDITIONS THAT THE BIDDER NEEDS TO COMPLY WITH.**

**BIDDER TO COMPLETE AND SIGN ON THE LAST PAGE**

NB: Complete only the part which is applicable for this tender.

	SPECIAL CONDITIONS	CONFIRMATION		
		Yes	No	If no, indicate deviation
<b>1</b>	<b>GENERAL</b>			
1.1	<p>Respondents must indicate compliance or noncompliance on a paragraph-by-paragraph basis. Indicate compliance with the relevant special conditions by marking the YES box and noncompliance by marking the NO box. The bidder must clearly state if a deviation from these special conditions are offered and the reason therefore. If an explanatory note is provided, the paragraph reference must be attached as an appendix to the bid submission. Responses not completed in this manner may be considered incomplete and rejected. Answering questions or supplying detail by referring to other sections will not be accepted.</p> <p>Should respondents fail to indicate agreement/compliance or otherwise, BANKSETA will assume that the respondents is <b>not</b> in compliance or agreement with the statement(s) as specified in this request for quotation.</p>			
<b>2</b>	<b>THE SPECIAL CONDITIONS OF REQUEST FOR QUOTATION, REQUEST FOR BID AND CONTRACT</b>			
		<b>Yes</b>	<b>No</b>	<b>If no, indicate deviation</b>
2.1	Special Conditions of Request for Quotation, Request for Bid and Contract has been noted.			

<b>3</b>	<b>GENERAL CONDITIONS OF CONTRACT</b>			
		<b>Yes</b>	<b>No</b>	<b>If no, indicate deviation</b>
3.1	The General Conditions of Contract must be accepted by signing the last page of this document.			
<b>4</b>	<b>ADDITIONAL INFORMATION REQUIREMENTS</b>			
		<b>Yes</b>	<b>No</b>	<b>If no, indicate deviation</b>
4.1	During evaluation of the responses, additional information may be requested in writing from respondents. Replies to such request must be submitted, within 5 (five) working days or as otherwise indicated. Failure to comply, may lead to your response being disregarded.			
<b>5</b>	<b>VENDOR INFORMATION</b>			
		<b>Yes</b>	<b>No</b>	<b>If no, indicate deviation</b>
5.1	<b>Vendor are encouraged to register on the Central Supplier Database (CSD) as an award cannot be made to a vendor who is not registered and tax compliant on CSD.</b>			

<b>6</b>	<b>CONFIDENTIALITY</b>			
		<b>Yes</b>	<b>No</b>	<b>If no, indicate deviation</b>
6.1	The response and all information in connection therewith shall be held in strict confidence by respondents and usage of such information shall be limited to the preparation of the response. Respondents shall undertake to limit the number of copies of this document.			
6.2	All respondents are bound by a confidentiality agreement preventing the unauthorised disclosure of any information regarding BANKSETA or of its activities to any other organisation or individual. The respondents may not disclose any information, documentation or products to other clients without written approval of the accounting authority or the delegate.			

7	<b>INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT (Only applicable to services requiring IP)</b>			
7.1	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.			
7.2	All the intellectual property rights arising from the execution of this contract shall vest in BANKSETA who shall be entitled to cede and assign such to the Department of Higher Education and Training (DHET) and the contractor undertakes to honour such intellectual property rights and all future rights by keeping the know-how and all published and unpublished material confidential.			
7.3	In the event that the contractor or any project team member would like to use information or data generated by the project, for academic or any other purpose, prior written permission must be obtained from the client. Such permission will not be unreasonably withheld and if it is withheld, written reasons will be provided.			
7.4	BANKSETA shall own all deliverables produced by the Contractor during the course of, or as part of the contract whether capable of being copyrighted or not ("IP") and which are or may become eligible for copyright under the laws of the Republic of South Africa and which relates to the contract or which arises directly from this contract. This IP BANKSETA shall be entitled to freely cede and assign to the Department of Higher Education and Training. No other document needs to be executed to give effect to this session, assignment or transfer.			
7.5	The provisions of this clause 7 shall only apply to such IP that is created during the course and scope in terms of this contract.			

7.6	The contractor assigns to BANKSETA or the Department of Higher Education and Training, as BANKSETA directs, the rights conferred upon itself as author by section 20(1) of the Copyright Act, No 98 of 1978, as amended.			
7.7	The Contractor acknowledges and agrees that each provision of clause 7 is separate, severally and separately enforceable from any other provisions of this contract.			
7.8	The invalidity or non-enforceability of any one or more provision hereof, shall not prejudice or effect the enforceability and validity of the remaining provisions of this contract.			
7.9	This contract contains various stipulatio alteri in favour of the Department of Higher Education and Training, which rights shall continue in effect after termination of this contract, and which rights can be exercised and enforced at any time by the Department of Higher Education and Training.			
7.10	This clause 7 shall survive termination of this contract.			
<b>8</b>	<b>NON-COMPLIANCE WITH DELIVERY TERMS</b>			
		<b>Yes</b>	<b>No</b>	<b>If no, indicate deviation</b>
8.1	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, BANKSETA must be given immediate written notice to this effect.			

<b>9</b>	<b>WARRANTS and PAYMENTS</b>			
		<b>Yes</b>	<b>No</b>	<b>If no, indicate deviation</b>
9.1	The Contractor warrants that it is able to conclude this agreement to the satisfaction of the BANKSETA.			
9.2	The successful respondent IS NOT required to furnish to the purchaser a performance security.			

9.3	Although the contractor will be entitled to provide services to persons other than BANKSETA, the contractor shall not without the prior written consent of BANKSETA, be involved in any manner whatsoever, directly or indirectly, in any business or venture which competes or conflicts with the obligations of the contractor to provide Services.			
9.4	The BANKSETA will pay the contractor the fee as set out in the final contract. No additional amounts will be payable by the BANKSETA to the contractor.			
9.5	The Contractor shall from time to time during the currency of the contract, invoice the BANKSETA for the services rendered. No payment will be made to the contractor unless an invoice complying with section 20 of the VAT act No 89 of 1991 has been submitted to the BANKSETA.			
9.6	Payment shall be made into the contractor's bank account normally 30 days after the receipt of an acceptable and valid invoice. Banking details must be submitted with the contractor's first invoice. Proof of the banking details will be accepted in the following forms: <input type="checkbox"/> Copy of a cancelled cheque; <input type="checkbox"/> Letter from bank; <input type="checkbox"/> Statement.			
9.7	The contractor shall be responsible for accounting to the appropriate authorities for its income tax, VAT or other monies required to be paid in terms of applicable law.			

9.8	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.			
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<b>10</b>	<b>PARTIES NOT AFFECTED BY WAIVER OR BREACHES</b>			
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		<b>Yes</b>	<b>No</b>	<b>If no, indicate deviation</b>
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10.1	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			
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	conditions hereof .			
10.2	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.			
<b>11</b>	<b>RETENTION</b>			
		<b>Yes</b>	<b>No</b>	<b>If no, indicate deviation</b>
11.1	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 BANKSETA.			
11.2	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 this requirement shall be in writing			
<b>12</b>	<b>Dispute Resolution</b>			
		<b>Yes</b>	<b>No</b>	<b>If no, indicate deviation</b>
12.1	If any dispute or difference of any kind whatsoever arises between the purchaser and the supplier in connection with or arising out of the contract, the parties shall make every effort to resolve amicably such dispute or difference by mutual consultation.			
12.2	If, after thirty (30) days, the parties have failed to resolve their dispute or difference by such mutual consultation, then either the Purchaser or the Supplier may give notice to the other party of his			
	intention to commence with mediation. No mediation in respect of this matter may be commenced unless such notice is given to the other party. Such notice shall be in English.			

12.3	Notice of intention to commence with mediation shall be writing, in the English language, and served on the other party either personally, by facsimile or electronic mail.			
12.4	If the parties are unable to agree on a mediator or to resolve any disputes by way of mediation within 14 days (fourteen days) of any party requesting in writing that the dispute be resolved by mediation, it may be settled in a South African court of law.			
12.5	All disputes shall be referred to mediation with an AFSA accredited and appointed mediator in accordance with the then current rules of the Arbitration Foundation of Southern Africa or its successor.			
12.6	Notwithstanding any reference to mediation and/or court proceedings herein,  (a) the parties shall continue to perform their respective obligations under the contract unless they otherwise agree; and (b) the purchaser shall pay the supplier any monies due the supplier			
<b>13</b>	<b>FORMAT OF REQUEST FOR QUOTATION, REQUEST FOR BID AND CONTRACT</b>			
		<b>Yes</b>	<b>No</b>	<b>If no, indicate deviation</b>
13.1	Respondents must complete all the necessary quotation documents and undertakings required in this quotation document. Respondents are advised that their responses should be concise, written in plain English and simply presented. Respondents are to set out their quotation in the format prescribed in the RFQ/RFB documents:			
13.2	Respondents must complete and return Special Conditions of Contract.			

<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <b>NAME OF BIDDER</b> <hr style="border: none; border-top: 1px solid black; margin-top: 10px;"/> <hr style="border: none; border-top: 1px solid black; margin-top: 10px;"/> <b>SIGNATURE</b>	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <b>DATE</b>
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