



TERMS OF REFERENCE

**APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT A REVIEW
ON THE ANNUAL FINANCIAL STATEMENTS OF SANPARKS FOR
THE PERIOD 2020/2021**

RFQ NUMBER:

SANParks – 00104-11-20

REQUEST FOR PROPOSAL

You are hereby invited to submit proposal / price quotation for: **APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT A REVIEW ON THE ANNUAL FINANCIAL STATEMENTS OF SANPARKS FOR THE PERIOD 2020/21**

| | |
|---------------------------------------|--|
| RFQ NUMBER: | SANParks – 00108-11-20 |
| ADVERTISEMENT DATE: | 29 April 2021 |
| CLOSING DATE: | 06 May 2021 |
| CLOSING TIME: | 12:00pm |
| BID DOCUMENT DELIVERY ADDRESS: | scmquotations@sanparks.org (Please note that any submissions made to any other email other than the designated email will not be accepted) |
| BID VALIDITY PERIOD: | 90 days (commencing from the RFQ Closing Date) |
| TECHNICAL RELATED QUERIES | Phillip Vass – phillip.vass@sanparks.org |
| SCM RELATED QUERIES | Connie Kgoale – connie.kgoale@sanparks.org |

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

Bidders shall submit proposal responses in accordance with the prescribed manner of submissions as specified above. Bids received after the time stipulated shall not be considered.

Where applicable, the successful bidder will be required to fill in and sign a written Contract Form (SBD 7).

Bidders are not allowed to contact any other SANParks staff in the context of this RFQ other than the indicated officials under SBD 1 or as indicated above.

NB: No proposal shall be accepted by SANPARKS if submitted in any manner other than as prescribed above.

THIS RFQ IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

INVITATION TO BID

| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (SOUTH AFRICAN NATIONAL PARKS) | | | | | |
|---|---|---------------|--|---|-------|
| BID NUMBER: | SANParks – 00108-11-20 | CLOSING DATE: | 06 May 2021 | CLOSING TIME: | 12H00 |
| DESCRIPTION | APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT A REVIEW ON THE ANNUAL FINANCIAL STATEMENTS OF SANPARKS FOR THE PERIOD 2020/21 | | | | |
| BID RESPONSE DOCUMENTS MUST BE SENT TO THE DESIGNATED EMAIL ADDRESS | | | | | |
| scmquotations@sanparks.org | | | | | |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO | | | TECHNICAL ENQUIRIES MAY BE DIRECTED TO: | | |
| CONTACT PERSON | Connie Kgoale | | CONTACT PERSON | Phillip Vass | |
| TELEPHONE NUMBER | 012 426 5229 | | TELEPHONE NUMBER | 012 426 5167 | |
| E-MAIL ADDRESS | constance.kgoale@sanparks.org | | E-MAIL ADDRESS | phillip.vass@sanparks.org | |
| SUPPLIER INFORMATION | | | | | |
| NAME OF BIDDER | | | | | |
| POSTAL ADDRESS | | | | | |
| STREET ADDRESS | | | | | |
| TELEPHONE NUMBER | CODE | | NUMBER | | |
| CELLPHONE NUMBER | | | | | |
| E-MAIL ADDRESS | | | | | |
| VAT REGISTRATION NUMBER | | | | | |
| SUPPLIER COMPLIANCE STATUS | TAX COMPLIANCE SYSTEM PIN: | | OR | CENTRAL SUPPLIER DATABASE No: | MAAA |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE | TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No | | B-BBEE STATUS LEVEL SWORN AFFIDAVIT | [TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| [A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE] | | | | | |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF] | | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW] | |
| QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS | | | | | |
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW. | | | | | |

**PART B
TERMS AND CONDITIONS FOR BIDDING**

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

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

SIGNATURE OF BIDDER:

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

DATE:

1. PURPOSE

The purpose of these Terms of Reference (ToR) is to invite and/or request bidders to submit a quotation to render internal audit services, in particular a review of the annual financial statements for the period 2020/21.

2. BACKGROUND

The PFMA, section 55(1)(c) pertaining to the annual report and financial statements, states that *“The accounting authority for a public entity – must submit those financial statements within two months after the end of the financial year*

- (i) to the auditors of the public entity for auditing; and*
- (ii) If it is a business enterprise or other public entity under the ownership control of the national or a provincial government, to the relevant treasury.”*

SANParks is a schedule 3A public entity and thus must comply with the required applicable legislation.

3. SCOPE OF WORK

The scope for the review of the annual financial statements is as follow:

- A highly level review of the financial statements to ensure compliance with GRAP in respect of the following statements:
 - Statement of Financial Position;
 - Statement of Financial Performance;
 - Statement of Budget and Actuals;
 - Statement of Net Assets;
 - Statement of Cash Flow
 - Notes to the financial statements;
 - Review the accounting policies and the alignment to GRAP;
 - Adequacy and appropriateness of the disclosure notes in the AFS;
 - Cross referencing of figures to notes, Trial Balance (TB), General Ledger (GL) and asset register;
 - Supporting schedules casting, cross casting and accurate referencing between notes and schedules.

- Areas of specific focus will be the accounting treatment and reporting related to the following matters:
 - New GRAP Standards that came into effect for the 2020/21 financial year:
 - GRAP 110 – Living and non-living resources;
 - IGRAP 20 – Adjustment to Revenue;
 - Grants received from the Department of Environment, Forest and Fisheries, based on the allocation letters from the Department;
 - Commitments

The successful bidder will be required to have sufficient and appropriate knowledge; detailed understanding; and relevant experience and practical application of the following:-

- the Framework for the managing of programme performance information (FMPPI), issued by the National Treasury;
- the Framework for strategic plans and annual performance plans (FSAPP), issued by the National Treasury;
- GRAP requirements;
- the Environment Conservation Act including National Environmental Management: Protected Areas Act (NEMPAA); and
- the Public Finance Management Act (PFMA).

The audit work will be executed from the SANParks Head Office, in Pretoria.

4. EVALUATION PHASES OF THE RECEIVED PROPOSALS

| | | |
|---|------|--|
| <p><u>PHASE 1: MINIMUM REQUIREMENTS: COMPLIANCE RESPONSIVENESS CRITERIA</u></p> <p><i>In this phase all proposals received will be verified for compliance and completeness of the submitted proposal per the set of minimum requirements as listed in the RFQ document. Service Providers who comply with the listed requirements progresses to the <u>next</u> stage of mandatory requirements.</i></p> <p><i>NB: Only bidders who fully comply with minimum requirements progress to the next phase (2)</i></p> | 100% | |
| <p><u>PHASE 2: PRE-QUALIFICATION</u></p> <p>SANParks invite quotations from <u>bidders</u> who are B-BBEE <u>Level 1 up to Level 2</u>.</p> <p>NB. A bidder that fails to meet this pre-qualifying criteria will be declared unacceptable bidder</p> | 100% | |
| <p><u>PHASE 3: MANDATORY REQUIREMENTS</u></p> <p><i>In this phase all proposals received will be evaluated on mandatory requirements as listed under paragraph 4.2. Service Providers who comply with the listed requirements progresses to the next phase of price and preference</i></p> <p><i>NB: Only bidders who fully comply with minimum requirements progress to the next phase (4)</i></p> | 100% | |
| <u>PHASE 4: PRICE AND PREFERENCE (B-BBEE)</u> | | |
| Price | 80% | |
| B-BBEE | 20% | |
| TOTAL POINTS FOR PRICE AND B-BBEE | 100 | |

5. MINIMUM REQUIREMENTS COMPLIANCE RESPONSIVENESS CRITERIA

In this phase all responses received will be verified for compliance and completeness of the submitted proposal per the below set of requirements:

- Submission of fully completed SBD1 (Invitation to Bid),
- Submission of an official quotation on the company letter head as per pricing schedule under par 9.4
- Submission of fully completed SBD 4 (Declaration of Interest),
- Submission of fully completed SBD 6.1 (Preference Claim Certificate), accompanied by the original or certified B-BBEE Status Level Verification Certificate or original B-BBEE Sworn Affidavit,
- Submission of fully completed SBD8 (Declaration of Bidders Past SCM Practice),
- Submission of fully completed SBD9 (Certificate of Independent Bid Determination),
- Submission of proof of registration with Central Suppliers Database (CSD)

6. MANDATORY REQUIREMENTS COMPLIANCE RESPONSIVENESS CRITERIA

The service provider **may be** disqualified if they do not fully comply with all mandatory requirements. No “unanswered” questions will be allowed. If a response to a question has been indicated as comply but not elaborated upon or **substantiated** it shall be regarded as mandatory non-compliance and the bidder shall be disqualified.

- Company profile
 - Include a methodology of how the bidder will provide the required service accompanied by a project plan;
- Qualifications and Experience
 - Bidders must attach proof of the following certifications:
 - Valid registration with SAICA, or IRBA of the bidders key staff
 - Bidders must attach the following proof of qualification:
 - Team members and project leader with a minimum

Honours degree in Accounting/Finance

- Bidders must attach detailed CV's of key personnel who will be involved in the project as follows:
 - Team members with a minimum 5 years' experience in application of GRAP, PFMA, Treasury Regulations and policies in the public sector
- Bidders must attach detailed CV of the project leader which must include expertise and years of experience related to applying GRAP, PFMA, Treasury Regulations and policies in the public sector. The project leader must have a minimum 10 years' experience in application of GRAP, PFMA, Treasury Regulations and policies in the public sector.
- Reference Letters
 - Bidders must attach a minimum of three (03) reference letters not older than 5 years old with contact details. Reference letters should include details of services provided in the application of GRAP.

7. EVALUATION CRITERIA AND WEIGHTING

The **RFQ** stipulated that the responses to be evaluated using the 80/20 preference points system in accordance with the PPPFA guidelines. Based on this system the points will be allocated as follows:

| Criteria | Points |
|-------------------------|---------------|
| Price | 80 |
| Participation Goals/BEE | 20 |
| Total | 100 |

8. EVALUATION FORMULA FOR PRICE

The following formula will be applied to calculate the scores:

Price Formula

The following PPPFA formula was used to evaluate the price proposals submitted by bidders, this formula was used because price was the only criterion that was scored i.e. the whole 80 points were allocated to price.

$$PS = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Pmin

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

Pt = Rand value of bid under consideration.

Pmin = Rand value of lowest acceptable bid

9. AWARD

Bidder who complies with the specifications and scores highest total points on PRICE and B-BBEE claimed points shall be awarded the contract. SANParks reserves the right not to award this contract. SANParks reserves the right to negotiate with the awarded bidder.

10. TIMELINES

Time is of the essence in respect of execution of work and the assistance is required immediately. The successful service provider will be required to commence work immediately after appointment and issue of purchase order and letter of intent and the project period will not exceed 2 (two) weeks and must be completed by the second week of May 2021. Further the service provider will be expected to attend meetings of the SANParks' EXCO and Audit and Risk Committee during the last 2 weeks of May, if required.

11. FINANCIAL IMPLICATIONS

Payment will be made in accordance to the PFMA (within 30 days) after all required goods are delivered as per the scope of work.

12. ESTIMATED AUDIT HOURS

The hours to complete the respective engagements inclusive of a final report is estimated to be as follow:

| Audit Activity | Estimated hours |
|---|-----------------|
| Review of the Annual Financial Statements | 120 Hours |

13. AVERAGE HOURLY RATE CALCULATION

| Level | Hourly Rate excl VAT | % involvement | Average Rate per hour |
|--------------------------------------|----------------------|---------------|-----------------------|
| Partner / Director | R | % | R |
| Senior Manager | R | % | R |
| Manager | R | % | R |
| Assistant Manager | R | % | R |
| Senior Internal Auditor - Supervisor | R | % | R |
| Internal Auditor | R | % | R |
| Junior Internal Auditor | R | % | R |
| Total Average Rate per hour | | 100 % | R |

Price evaluation at hourly rate will be utilized for comparative and evaluation purpose only; as such it should be noted that the total estimated hourly rate does not represent the total contract value, instead the hourly rate will be used to determine the service provider who submitted acceptable rates for recommendation purpose only.

The recommended service provider must provide detailed timesheets to support the hours charged to SANParks.

14. Disbursements

All disbursements will be on an actual recovery basis and the recommended service provider will invoice SANParks for those costs. Car travel will be paid per kilometre, not exceeding AA rates.

15. PRICING SCHEDULE , COST FOR PROFESSIONAL SERVICES

| Requirements | Rate per hour excl VAT | Estimated hours | Total Price |
|---|-----------------------------------|----------------------------|--------------------|
| An total average hourly rate | | | |
| Disbursements | | | |
| VAT@15% | | | |
| Grand Total | | | |

DECLARATION OF INTEREST (SBD 4)

Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- 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, shareholder²):
.....

2.4 Company Registration Number:
.....

2.5 Tax Reference Number:
.....
.....

2.6 VAT Registration Number:
.....

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

¹“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.

²“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 attached 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.

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

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between

any other bidder and any person employed by the state
 who may be involved with the evaluation and or adjudication
 of this bid?

YES/NO

2.10.1 If so, furnish particulars.

.....

2.11 Do you or any of the directors / trustees / shareholders / members
 of the company have any interest in any other related companies
 whether or not they are bidding for this contract?

YES/NO

2.11.1 If so, furnish particulars:

.....

3 Full details of directors / trustees / members / shareholders.

| Full Name | Identity Number | Personal Reference Number | Tax | State Employee Number / Persal Number |
|-----------|-----------------|---------------------------|-----|---------------------------------------|
| | | | | |

| | | | |
|--|--|--|--|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

**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.

10. GENERAL CONDITIONS

10.1 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

10.2

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;

b)

10.3 Points for this bid shall be awarded for:

- (a) Price; and

(b) B-BBEE Status Level of Contributor.

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

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

10.5 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.

10.6 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.

11. 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;

12. POINTS AWARDED FOR PRICE

12.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

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

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

- 13.1** 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 (80/20 system) |
|------------------------------------|------------------------------------|
| 1 | 20 |
| 2 | 18 |
| 3 | 14 |
| 4 | 12 |
| 5 | 8 |
| 6 | 6 |
| 7 | 4 |
| 8 | 2 |
| Non-compliant contributor | 0 |

14. BID DECLARATION

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

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

- 15.1** B-BBEE Status Level of Contributor: . =(maximum of 20 points)

(Points claimed in respect of Paragraph 6.1 must be in accordance with the table reflected in Paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

16. SUB-CONTRACTING

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

(Tick applicable box)

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

16.1.1 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 last 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 | | |
| OR | | |
| Any EME | | |
| Any QSE | | |

17. DECLARATION WITH REGARD TO COMPANY/FIRM

17.1 Name of
Company/Firm:.....

17.2 VAT Registration
Number:.....

17.3 Company Registration
Number:.....

17.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

17.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

17.6 COMPANY CLASSIFICATION

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

[*TICK APPLICABLE BOX*]

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

17.8 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 4.1 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.

DECLARATION OF BIDDER'S PAST SCM PRACTICES (SBD 8)

| | | |
|--|-----|----|
| <ul style="list-style-type: none"> 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? If Yes, furnish particulars as an attached schedule: | Yes | No |
| <ul style="list-style-type: none"> 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)? If Yes, furnish particulars as an attached schedule: | Yes | No |
| <ul style="list-style-type: none"> 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? If Yes, furnish particulars as an attached schedule: | Yes | No |
| <ul style="list-style-type: none"> 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? If Yes, furnish particulars as an attached schedule: | Yes | No |
| <p>The Database of Restricted Suppliers and Register for Tender Defaulters resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the Home Page.</p> | | |

Name of Bidder:

CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)

| | | |
|---|-----|----|
| <p>I, the undersigned, in submitting this Bid in response to the invitation for the Bid made by the SANParks, do hereby make the following statements that I certify to be true and complete in every respect:</p> | | |
| <ul style="list-style-type: none"> I have read and I understand the contents of this Certificate; | Yes | No |
| <ul style="list-style-type: none"> I understand that the Bid will be disqualified if this Certificate is found not to be true and complete in every respect; | Yes | No |
| <ul style="list-style-type: none"> I am authorised by the Bidder to sign this Certificate, and to submit the Bid, on behalf of the Bidder; | Yes | No |
| <ul style="list-style-type: none"> Each person whose signature appears on the Bid has been authorised by the Bidder to determine the terms of, and to sign, the Bid on behalf of the Bidder; | Yes | No |
| <p>For the purposes of this Certificate and the accompanying Bid, I understand that the word “competitor” shall include any individual or organisation, other than the Bidder, whether or not affiliated with the Bidder, who:</p> <ul style="list-style-type: none"> 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 | | |
| <p>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 consortium³ will not be construed as collusive bidding.</p> | | |

Name of Bidder:

In particular, without limiting the generality of paragraphs 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.

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.

The terms of this 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.

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

³ 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.

Name of Bidder:

STANDARD BIDDING DOCUMENTS DECLARATION

The following documents are deemed to form and be read and construed as part of this agreement even where integrated in this document:

| |
|--|
| Invitation to Bid (SBD 1) |
| Declaration of Interest (SBD4) |
| Preference points claimed (SBD6.1) – Original or certified copy of B-BBEE certificate or Sworn Affidavit |
| Declaration of Bidder’s past SCM practices (SBD8); |
| Certificate of Independent Bid Determination (SBD9) |

The obligation to complete, duly sign and submit these declarations included in this SBD declaration pack cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the legal entity.

I declare that I have had no participation in any collusive practices with any Bidder or any other person regarding this or any other procurement. I certify that the information furnished in these declarations (SBD1, SBD4, SBD6.1, SBD8, SBD9) is correct and I accept that SANParks may reject the Offer or act against me should these declarations prove to be false. I confirm that I am duly authorised to sign this SBD declaration pack nominated in writing by the Chief Executive Officer or Senior Member/Person with management responsibility (Close Corporation, Partnership or Individual).

Name of Bidder:

| | |
|---------------------|--|
| NAME (PRINT) | |
| CAPACITY | |
| SIGNATURE | |
| NAME OF FIRM | |
| DATE | |

| | |
|-------------------|-------|
| WITNESSES: | |
| 1 | _____ |
| 2 | _____ |
| Date | _____ |

Name of Bidder:

ANNEXURE A

SBD 3.3

PRICING SCHEDULE

(Professional Services)

NAME OF BIDDER:RFQ NO: SANParks-004-11-21

CLOSING TIME 11:00

CLOSING DATE:06 May 2021

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

| ITEM | DESCRIPTION | BID PRICE IN RSA CURRENCY |
|------|-------------|-----------------------------------|
| NO | | **(ALL APPLICABLE TAXES INCLUDED) |

1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

R.....

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

4. PERSON AND POSITION

HOURLY RATE

DAILY RATE

R-----

R-----

R-----

R-----

R-----

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

R-----

----- days

R-----

----- days

R-----

----- days

R-----

----- days

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

Name of Bidder:

| 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.

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 |
|---------------------------------------|------|----------|--------|
|---------------------------------------|------|----------|--------|

Bid No.:

Name of Bidder:

| | | | |
|-------|-------|-------|--------|
| ..... | ..... | ..... | 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.

.....