

Doc Number:  
OF-SCM-01D

## REQUEST FOR BID SERVICES



Revision: 3.0

Effective date: 02 October 2023

## REQUEST FOR BID SERVICES

### BID DETAILS

**BID NUMBER:** SAHPRA/2024/INTERNAL AUDIT/RFB003

**CLOSE**      **Date:** Wednesday, 10 July 2024  
**Time:** 11:00

**DESCRIPTION:** 14BREQUEST FOR BID FOR SOURCING OF A SERVICE PROVIDER TO PROVIDE INTERNAL AUDIT SERVICES FOR A PERIOD OF 5 YEARS

**BRIEFING SESSION:** Yes  No

See Section A-1 Paragraph 2 on Bid Submission Conditions and Instructions that the Bidder needs to take note of.

### DETAILS OF BIDDER

**Organisation/individual:** \_\_\_\_\_

**Contact person:** \_\_\_\_\_

**Telephone/ Cell number:** \_\_\_\_\_

**E-mail address:** \_\_\_\_\_

**GLOSSARY**

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

**DOCUMENTS IN THIS BID DOCUMENT PACK**

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

**SECTION A**

**Note: Documents in this section are for information to/instruction of bidders and must be returned with bids.**

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

**SECTION B**

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

- Section B 1: Special Conditions of Bid and Contract: Special conditions that the Bidder needs to accept
- Section B 2: Declaration of Interest (SBD 4)
- Section B 3: Preference Points Claim Form in terms of the Preferential Procurement Regulations, 2022 (SBD 6.1)
- Section B 4: Invitation to Bid (SBD 1)
- Section B 5: Pricing Schedule (Professional Services) (SBD 3.3)

# SECTION A

(This section must be returned as part of the bid document)

## BID SUBMISSION CONDITIONS AND INSTRUCTIONS

### CONDITIONS AND INSTRUCTIONS THAT BIDDERS NEED TO TAKE NOTE OF

#### 1. FRAUD AND CORRUPTION

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

#### 2. BRIEFING SESSION

- 2.1. No briefing session required.

#### 3. CLARIFICATIONS/ QUERIES - UPDATE

- 3.1. Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing **(e-mail) from Malose.teffo@sahpra.org.za** by not later than **Monday 01 July 2024**. A reply will be forwarded within three (3) working days. Telephonic requests for clarification will not be accepted. The questions and answers will be uploaded on SAHPRA website on **Tuesday 02 July 2024**. The bid number should be mentioned in all correspondence.

Contact details for Malose Teffo

E-Mail: malose.teffo@sahpra.org.za

#### 4. SUBMITTING BIDS

- 4.1. **One (1) original document plus two (2) copies and one (01) USB must be handed in/ delivered to:**

Loftus Park, Building A,  
402 Kirkness St  
Arcadia  
Pretoria  
0083

***No posted, faxed or e-mailed bids will be accepted***

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

**\* Refer to Paragraph 5 below**

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1. Bids can only be delivered and deposited into the tender box or handed in at second floor any time during office hours **(08:30 to 16:00 Mondays to Fridays)** before or on the closing date. *Receipt of bid documents outside of these hours cannot be guaranteed.*

Section A 1: Bid Submission Conditions and Instructions

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2. Bids submitted or handed in at any other address than the one stated above will not be considered.

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

- BID NUMBER (**1BSAHPRA/2024/INTERNAL AUDIT/RFB003**)
- Closing date and time (**4BWednesday, 10 July 2024 @ 11:00 am**)
- The name and address of the Bidder.

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

## **5. LATE BID SUBMISSIONS**

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

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

## **6. BID VALIDITY**

The bid is valid for ninety (90) days from closing date.

## **7. GENERAL CONDITIONS OF CONTRACT**

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

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

## TERMS OF REFERENCE

### 1. INTRODUCTION

The South African Health Products Regulatory Authority (SAHPRA / The Authority) is the regulatory authority responsible for the regulation of health products intended for human and animal use, the conduct of clinical trials, as well as the licensing of manufacturers, wholesalers, and distributors of medicines and medical devices, radiation emitting devices, and radioactive nuclides.

The legislative mandates of SAHPRA are derived from the Medicines and Related Substances Act, 1965 (Act No. 101 of 1965), as amended (herein after referred to as “the Medicines Act”), and other relevant legislation, regulations, and policies.

In terms of the Medicines Act, the objectives of the Authority are to provide for the monitoring, evaluation, regulation, investigation, inspection, registration, and control of medicines, scheduled substances, clinical trials, medical devices, and radiation emitting devices, and related matters that are in the public’s interest.

SAHPRA transitioned into a public entity on 1 February 2018. Previously, the Authority was known as the Medicines Control Council (MCC), a sub-programme of the National Department of Health (NDOH).

### 2. PURPOSE

- 2.1. SAHPRA invites suitable independent service provider that can provide effective internal audit services for the RAG (Committee of the board) of SAHPRA. In terms of the Public Finance Management Act (PFMA), SAHPRA should have an effective internal audit function which should also comply with the Institute of Internal Auditors’ (IIA) standards.
- 2.2. The Internal Audit function should assist SAHPRA to accomplish its objectives by bringing a systematic and disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

### 3. SCOPE OF WORK AND SPECIFICATIONS

- 3.1. The scope of the Internal Audit function includes the following but not limited to:

3.1.1. Prepare the following in consultation with the RAG:

- A three-year rolling Internal Audit Plan based on the assessment of key risk areas for SAHPRA and complexity of operations,
- An annual risk -based Internal Audit Plan indicating the scope, cost, and timelines of each audit; and
- Audit reports directed to the RAG detailing its performance and progress against the plan to allow effective monitoring and intervention, when necessary.

Section A 3: Evaluation Process/ Criteria

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3.1.2.Co-ordinate with other internal and external assurance providers to ensure proper coverage and minimal duplication of effort.

3.1.3.Assist the RAG and the Board in maintaining effective controls by evaluating those controls and developing recommendations for enhancement.

3.1.4.Assist the Board in achieving the objectives of SAHPRA by evaluating and developing recommendations for the enhancement of the processes through which:

- Objectives and values are established and communicated;
- The accomplishment of objectives is monitored;
- Accountability is ensured;
- Corporate values are preserved;
- The adequacy and effectiveness of the system of internal control are reviewed and appraised;
- The relevance, reliability and integrity of management, financial and operating data and reports are appraised;
- Systems established to ensure compliance with policies, plans, procedures, guidelines, statutory requirements and regulations, which could have a significant impact on operations, are reviewed;
- The means of safeguarding assets are reviewed and deemed appropriate in verifying existence of such assets;
- The economy, efficiency and effectiveness with which resources are employed are appraised;
- The results of performance information are reviewed to ascertain whether they are consistent with SAHPRA's established objectives and goals and whether programmes are being carried out as planned; and
- The adequacy of established systems and procedures are assessed.

3.1.5.The audits that will need to be considered at SAHPRA are, among others:

- Operational Audits;
- Financial Audits;
- Audits of Performance Information;
- ICT security and system processes audit;
- Conducting special assignments and investigations, on behalf of the RAG or the CEO, into any matter or activity affecting the probity, interest and operating efficiency of SAHPRA;
- Audits designed to detect fraud; and
- Quality Management System (QMS) Audits

### 3.2. Fraud and Irregularities

3.2.1.In planning and conducting its work, the internal auditor should seek to identify serious defects in internal controls, which might result in possible malpractices or exposure to risks for SAHPRA.

3.2.2.Any such defects must be reported immediately to the CEO and/ or RAG without disclosing these to any other staff. This also applies to instances where serious fraud and irregularities have been uncovered.

### 3.3. Consultation / Advisory Work



Section A 3: Evaluation Process/ Criteria

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3.3.1.Consulting services which are mostly advisory in nature and will be performed at the specific request of SAHPRA.

3.3.2.Where the SAHPRA requires advice and information on a range of audit and associated matters or any other ad hoc projects, such work will be reimbursed at the agreed rate indicated in the supplier response.

3.3.3.When performing consulting services, the internal auditor should maintain objectivity and not assume management responsibility.

**3.4. Quality Assurance Reviews**

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

**3.5. Monitoring Progress of Assignments**

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

3.5.2.On a quarterly basis, a report on progress against the plan, significant findings and administrative matters must be presented to the RAG.

**3.6. Independence and Objectivity of Staff**

3.6.1.In carrying out the work, the auditor must ensure that their staff maintains their objectivity by remaining independent of the activities they audit.

3.6.2.The consultant or auditor shall:

- Have no executive or managerial powers, functions or duties except those relating to Internal Audit.
- Not be involved in the day-to-day operation of the SAHPRA and
- Not be responsible for the detailed development or implementation of new systems and procedures.

**4. COMPETENCY AND EXPERTISE REQUIREMENTS**

**4.1.** Bid submissions should clearly demonstrate the following aspects to qualify and be considered (Mandatory requirements):

4.1.1.Experience of the bidder in internal audit services in complex environments within the public service (regulatory environment).

4.1.2.The bidder must have 15 years’ experience in audit with 10 years being in internal audit.

4.1.3.Specialised skills, expertise and value-added services in the field of internal audit, with an emphasis on best practice methodology, tools and technology used.

4.1.4.Availability of the Technical unit, Forensic and ICT audit skills and tools.

4.1.5.Availability of auditing skills for Quality Management System/Integrated Management Systems, in particular ISO 9001 Requirements.

**4.2.** The detailed internal audit methodology proposed and its adherence to the standards.

4.2.1.The bidder’s methodology and approach, and its adherence to the IIA standards (approach to the new IIA Standards must also be featured)

Section A 3: Evaluation Process/ Criteria

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4.2.2.The proposed approach in developing the internal audit plan and the reporting quarterly and annually.

4.2.3.Demonstration of the quality assurance process on the methodology.

**4.3. Experience in the internal audit of complex public entities (regulatory) by the bidder and /or engagement director/partner and team members.**

4.3.1.The service provider shall be registered with (Institute of Internal Auditors South Africa (IIASA) and Institute of the Independent regulatory Board for Auditors (IRBA). Proof of membership must be supplied with the bid, there after membership must be submitted annually.

4.3.2.Advanced understanding of, and sufficient exposure, to the Public Finance Management Act and the Protocol on Corporate Governance for Public Entities.

4.3.3.Understanding of the Regulatory environment activities.

4.3.4.Experience in the auditing of public entities by the bidder and/or engagement director/partner.

**4.4. Qualifications and experience of team members.**

4.4.1.The engagement director/partner must be a Certified internal auditor (CIA) or Chartered accountant. Proof of membership with IIASA or SAICA must be supplied with the bid there after membership must be submitted annually.

4.4.2.The engagement director/partner must have at least 15 years audit experience, with 10 years as engagement director/partner for internal audit. This must be clearly demonstrated in the CV.

4.4.3.The team manager or equivalent with CIA qualification and should be members of the Institute of Internal Auditors South Africa (IIASA) with 5 years or more experience as manager/equivalent in internal audit assignments. Proof of membership must be supplied with the bid there after membership must be submitted annually.

4.4.4. Team members must be members of the Institute of Internal Auditors South Africa (IIASA) with three or more years of experience in internal audit assignments. Proof of membership must be supplied with the bid there after membership must be submitted annually.

4.4.5.The QMS team leader or equivalent must be registered with SAATCA or IRCA with NQF 7 and have 5 years extensive QMS experience, as manager or equivalent in auditing quality management systems in life sciences/pharmaceuticals/medical devices environments. Proof of membership must be supplied with the bid there after membership must be submitted annually.

4.4.6.The QMS team member/s must have NQF 6 with 5 years' experience in auditing quality management systems or Integrated Management Systems compliant to ISO 9001 in life sciences/pharmaceuticals/medical devices.

4.4.7.The bid must be accompanied by detailed CVs of all team members.

**4.5. Provide company profile detailing the following to ensure adequate institutional support:**

4.5.1. Organisational structure – indicating number of professional staff.

4.5.2.Years in business in providing required services in the bid.

**5. CONTRACT PERIOD**

The contract shall be for a maximum period of sixty (60) months commencing on **01 August 2024 or such other date as may be determined by SAHPRA.**

Approved for use!

**ALL BIDDERS MUST TAKE NOTE OF THE EVALUATION PROCESS THAT WILL BE FOLLOWED****1 EVALUATION PROCESS****1.1 COMPLIANCE WITH MINIMUM REQUIREMENTS**

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

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

Reference	Description	Compliant?	
		YES	NO
Part 1	Signed Special Conditions of Bid and Contract		
Part 2	Tax Compliance Requirements		
Part 3	Completed and signed Declaration of Interest (SBD 4)		
Part 5	Completed and signed Invitation to Bid (SBD 1)		
Part 7	Proof of registration on the CSD If there will be subcontracting, proof of CSD registration of the sub-contractor must be submitted		

**Failure to comply with or submit completed Pricing schedule, will render a bid non-responsive and will not be evaluated further.**

Reference	Description	Compliant?	
		YES	NO
Part 6	Completed Pricing Schedule in the prescribed format (SBD 3.3)		

- 1.1.2 Bidders must submit their proposal by the closing date and time. Proposals submitted after the closing date and time will be disqualified from further evaluation.

- 1.1.3 **Register the hard-copy proposals in the tender submission register at SAHPRA reception. Hard-copy Proposals not recorded on the tender submission register at SAHPRA reception will be disqualified from further evaluation.**

**1.2 DETERMINATION OF SCORE FOR FUNCTIONALITY**

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

Section A 3: Evaluation Process/ Criteria

Mandatory Requirements	Provide evidence/page no and/or location	Yes/No (Yes-proceed, No – Do not evaluate further)
Is the company/ bidder registered with IIASA and IRBA		
Does the company must have at least 15 years of experience in audit and 10 years in internal audit in the public sector.		
Is the Engagement partner/Director registered with IIASA		
Does the Engagement Partner/Director have at least 15 years audit experience with 10 years as Engagement partner/ Director for internal audit assignments.		

**If all conditions above are not met, do not evaluate further**

Technical Evaluation Criteria	Provide evidence/page no and/or location	Maximum points to be Awarded								
<p><b>Experience in Internal Audit</b></p> <p>Bidders are expected to attach copies of 3 reference letters from clients in the Public Sector, that they have provided internal audit services to in the last 5 years. The reference letters will be scored in accordance to the following criteria: (The reference letters shall not be older than five (05) years)</p> <p>Information that will be verified in the letter are the following:</p> <ul style="list-style-type: none"> <li>• The reference letters must be signed and, on an entity, letterhead</li> <li>• Clearly indicate the type of service provided.</li> <li>• Contract duration <b>(minimum of two (02) years)</b></li> <li>• Relevant contact person's name, surname and position</li> <li>• Relevant contact number/s</li> </ul> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">3 Letters satisfying all the above requirements</td> <td style="width: 50%;">20 points</td> </tr> <tr> <td>2 Letters satisfying all the above requirements</td> <td>15 points</td> </tr> <tr> <td>1 Letter satisfying all the above requirements</td> <td>10 points</td> </tr> <tr> <td>0 Letters satisfying all the above requirements</td> <td>0 points</td> </tr> </table>	3 Letters satisfying all the above requirements	20 points	2 Letters satisfying all the above requirements	15 points	1 Letter satisfying all the above requirements	10 points	0 Letters satisfying all the above requirements	0 points		<b>20</b>
3 Letters satisfying all the above requirements	20 points									
2 Letters satisfying all the above requirements	15 points									
1 Letter satisfying all the above requirements	10 points									
0 Letters satisfying all the above requirements	0 points									
<p><b>Internal Audit methodology and approach</b></p> <p>Detailed methodology indicting adherence to IIA standards, approach for new standards, approach to Internal audit plan, Quality assurance, Reporting, available tools and techniques; and approach to QMS in an effort to ensure assurance.</p> <p><b>Detailed methodology covering all 100% areas above = 40</b>  <b>Standard methodology covering 70% of areas above = 25</b>  <b>Limited methodology covering 50% of areas above = 10</b>  <b>Methodology covering less than 50% of areas above or no methodology submitted = 0</b></p>		<b>40</b>								

## Section A 3: Evaluation Process/ Criteria

Technical Evaluation Criteria	Provide evidence/page no and/or location	Maximum points to be Awarded
<p><b>Capacity and Capability</b></p> <p><b>Engagement Partner / Director:</b>            CA/Certified Internal Auditor – Provide proof            SAICA / IIASA registered - Provide proof            Four-year degree qualification (NQF 8)            CV indicating minimum of overall fifteen (15) years post qualification experience in auditing with minimum of 10 years in Internal Auditing as Engagement partner/ Director</p>		<b>10</b>
<p><b>Team Manager/ equivalent</b>            Certified Internal Auditor – Provide proof            IIASA registered - Provide proof            Three-year degree qualification (NQF 7)            CV indicating minimum of five (5) years post qualification experience in Internal Auditing, as a manager/equivalent</p>		<b>7</b>
<p><b>Team members (Internal auditors)</b>            IIASA registered - Provide proof            Three Year degree/diploma qualification (NQF 6)            CV indicating minimum of three (3) years post qualification experience in Internal Auditing</p>		<b>5</b>
<p><b>QMS Team</b></p> <p><b>QMS team leader or equivalent</b>            SAATCA or IRCA registered – Provide proof            Three-year degree qualification (NQF 7)            CV indicating minimum of five (5) years extensive QMS experience, as manager or equivalent in auditing quality management systems in life sciences/ Pharmaceuticals/medical devices environments, as manager/equivalent</p>		<b>7</b>
<p><b>QMS team member/s (QMS auditor)</b></p> <p>Three – year degree/diploma (NQF 6)            CV indicating minimum of (five) 5 years' experience in auditing quality management systems or Integrated Management Systems compliant to ISO 9001 in life sciences/pharmaceuticals/medical devices,</p>		<b>5</b>
<p><b>Does the bidder have adequate capacity and adequate institutional support to provide the services?</b></p> <p>The bidder's profile must indicate years in business in providing required services minimum 15 years in business, an organisational structure indicating number of professional staff to ensure ability to execute the project and ensure continuity.</p> <p>Where all requirements above are met = 6            Where 70% of requirements are met = 4            Where 50 % of requirements are met = 3            Where less than 50% of the requirements are met or no requirements are submitted = 0</p>		<b>6</b>
<b>Total Points</b>		<b>100</b>

a. The score for functionality shall be calculated as follows:

- i. The score of each panel member shall be added together and divided by the number of panel members to establish the average score obtained by each individual bidder for functionality.
- ii. The minimum technical threshold is **70 points**. Bidders that do not meet the minimum technical threshold will not be evaluated further for price and specific goals.

**b. PRICE AND SPECIFIC GOALS POINTS**

- i. All remaining bids will be evaluated as follows:
- ii. The 80/20 preference point system will be applied. Points for price and specific goals will be awarded in accordance with the stipulations in the Preference Point Claim Form in terms of the Preferential Procurement Regulations, 2022.
- iii. If appropriate, implied contract price adjustments will be made to the cost proposals of all remaining bids.
- iv. The point scored for the specific goals for each acceptable bid will now be added to the price point.
- v. The bid must be awarded to the supplier that obtained the highest preference points or may be awarded to a supplier that did not score the highest points only in accordance with section 2(1)(f) of the PPPFA.

**c. ADJUDICATION OF BID**

- i. The relevant award structure will consider the recommendations and make the final award. The successful bidder will usually be the service provider scoring the highest number of points.
- ii. The bid must be awarded to the supplier that obtained the highest preference points or may be awarded to a supplier that did not score the highest points only in accordance with section 2(1)(f) of the PPPFA.

**CONTRACT FORM: RENDERING OF SERVICES**

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

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

- 1. I/we hereby undertake to render services described in the attached bidding documents to SAHPRA in accordance with the requirements and task directives/proposals specifications stipulated in Bid Number 1BSAHPRA/2024/INTERNAL AUDIT/RFB003 at the price/s quoted. My/our offer/s remain binding upon me/us and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
- 2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - 2.1 Bidding documents, viz
    - Invitation to bid
    - Tax clearance certificate
    - Pricing schedule(s)
    - Filled in terms of reference/task directive/proposal
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2022;
    - Declaration of interest
    - Declaration of bidder’s past SCM practices
    - Special Conditions of Contract
  - 2.2 General Conditions of Contract
  - 2.3 Other (specify)
- 3. I/we confirm that I/we have satisfied myself as to the correctness and validity of my/our bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
- 4. I/we accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me/us under this agreement as the principal liable for the due fulfilment of this contract.
- 5. I/we declare that I/we have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
- 6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) \_\_\_\_\_

CAPACITY \_\_\_\_\_

SIGNATURE \_\_\_\_\_

NAME OF FIRM \_\_\_\_\_

DATE \_\_\_\_\_

WITNESSES	
1	_____
2	_____
DATE:	_____



**CONTRACT FORM: RENDERING OF SERVICES**

**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

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

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

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

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

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

SIGNED AT ..... ON .....

NAME (PRINT) .....

SIGNATURE .....

Section A 4: Contract Form

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OFFICIAL STAMP

WITNESSES

1 \_\_\_\_\_

2 \_\_\_\_\_

DATE: \_\_\_\_\_

Approved for use!

**SECTION B**

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

Approved for use!

**SPECIAL CONDITIONS OF BID AND CONTRACT**  
**Return as Part 1**

<b>SPECIAL CONDITIONS</b>	
<b>1</b>	<b>GENERAL</b>
1.1	The Bidder must clearly state if a deviation from these special conditions are offered and the reason therefor. If an explanatory note is provided, the paragraph reference must be indicated in a supporting appendix to the application submission.
1.2	Should Bidders fail to indicate agreement/compliance or otherwise, the SAHPRA will assume that the Bidder is in compliance or agreement with the statement(s) as specified in this bid.
1.3	Bids not completed in this manner may be considered incomplete and rejected.
1.4	SAHPRA shall not be liable for any expense incurred by the Bidder in the preparation and submission of a bid.
<b>2</b>	<b>CANCELLATION OF PROCUREMENT PROCESS</b>
2.1	This procurement process can be postponed or cancelled at any stage at the sole discretion of SAHPRA provided that such cancellation or postponement takes place prior to entering into a contract with a specific service provider to which the bid relates.
<b>3</b>	<b>BID SUBMISSION CONDITIONS, INSTRUCTION AND EVALUATION PROCESS/CRITERIA</b>
3.1	The Bid submission conditions and instructions as well as the evaluation process/criteria have been noted.
<b>4</b>	<b>NEGOTIATION AND CONTRACTING</b>
4.1	SAHPRA have the right to enter into negotiation with one or more Bidders regarding any terms and conditions, including price(s), of a proposed contract.
4.2	Under no circumstances will negotiation with any Bidders, including preferred Bidders, constitute an award <sup>1</sup> or promise/ undertaking to award the contract.
4.3	SAHPRA shall not be obliged to accept the lowest or any bid, offer or proposal.
4.4	A contract will only be deemed to be concluded when reduced to writing in a formal contract and Service Level Agreement (if applicable) signed by the designated responsible person of both parties. The designated responsible person of SAHPRA is the CEO.
4.5	SAHPRA also reserves the right to enter into one contract with a Bidder for all required functions or into more than one contract with different Bidders for different functions.
<b>5</b>	<b>ACCESS TO INFORMATION</b>

<sup>1</sup> See GLOSSARY.

Section B 1: Special Conditions of Bid and Contract

5.1	All bidders will be informed of the status of their bid once the procurement process has been completed.
5.2	Requests for information regarding the bid process will be dealt with in line with the SAHPRA SCM Policy and relevant legislation.
<b>6</b>	<b>REASONS FOR REJECTION</b>
6.1	SAHPRA shall reject a proposal for the award of a contract if the recommended Bidder has committed a proven corrupt or fraudulent act in competing for the particular contract.
6.2	The SAHPRA may disregard the bid of any bidder if that bidder, or any of its directors: <ul style="list-style-type: none"> <li><input type="checkbox"/> Have abused the SCM system of the SAHPRA.</li> <li><input type="checkbox"/> Have committed proven fraud or any other improper conduct in relation to such system.</li> <li><input type="checkbox"/> Have failed to perform on any previous contract and the proof exists.</li> </ul> Such actions shall be communicated to the National Treasury.
<b>7</b>	<b>GENERAL CONDITIONS OF CONTRACT</b>
7.1	The General Conditions of Contract must be accepted.
<b>8</b>	<b>ADDITIONAL INFORMATION REQUIREMENTS</b>
8.1	During evaluation of the bids, additional information may be requested in writing from Bidders. Replies to such request must be submitted, within 2 (two) working days or as otherwise indicated. Failure to comply, may lead to your bid being disregarded.
8.2	No additional information will be accepted from any individual Bidder without such information having been requested
<b>9</b>	<b>CONFIDENTIALITY</b>
9.1	The bid and all information in connection therewith shall be held in strict confidence by Bidders and usage of such information shall be limited to the preparation of the bid. Bidders shall undertake to limit the number of copies of this document.
<b>10</b>	<b>INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT</b>
10.1	Copyright of all documentation relating to this contract belongs to the client. The successful Bidder may not disclose any information, documentation or products to other clients without the written approval of the Board or the delegate.
10.2	This paragraph shall survive termination of this contract.
<b>11</b>	<b>NON-COMPLIANCE WITH DELIVERY TERMS</b>
11.1	As soon as it becomes known to the contractor that he/she will not be able to deliver the services within the delivery period and/or against the quoted price and/or as specified, SAHPRA must be

## Section B 1: Special Conditions of Bid and Contract

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

## Section B 1: Special Conditions of Bid and Contract

16.2	<b>Bidders are to set out their proposal in the format prescribed hereunder.</b> This means that the proposal must be structured in the parts noted below. <u>Information not submitted</u> in the relevant part, may not be considered for evaluation purposes.
16.3	<b>Part 1: Special Conditions of Bid and Contract</b>
16.3.1	Bidders must initial each page and sign the last page and return the Special Conditions of bid and Contract (Section B-1).  Bids submitted without a completed Special Conditions of Bid form <b>may</b> be deemed to be non-responsive.
16.4	<b>Part 2: Tax Compliance</b>
16.4.1	Bidders must ensure compliance with their tax obligations.  Bidders are required to submit their unique personal identification number (PIN) issued by SARS to enable the organ of state to view the taxpayer's profile and tax status.  Application for tax compliance status (TCS) or PIN may also be made via e-filing. In order to use this provision, taxpayers will need to register with SARS as e-filers through the website <a href="http://www.sars.gov.za">www.sars.gov.za</a> .  Bidders may also submit a printed TCS together with the bid.  In bids where consortia/ joint ventures/ sub-contractors are involved; each party must submit a separate proof of TCS/ PIN/ CSD number.  Where no TCS is available, but the bidder is registered on the Central Supplier Database (CSD), a CSD number must be provided.  Bids submitted without any one of the above particulars, <b>may</b> be deemed to be non-responsive.
16.5	<b>Part 3: Declaration of Interest</b>
16.5.1	<b>Each party</b> to the bid must complete and return the "Declaration of Interest" (Section B-2).  Bids submitted without a complete and signed Declaration of Interest <b>may</b> be deemed to be non-responsive.
16.6	<b>Part 4: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022</b>
16.6.1	Bidders must complete, sign and return the full "Preference Points Claim Form" (Section B-3) document.  In addition, a valid BBBEE certificate must be submitted.  Quotes submitted without a completed and signed Preference Points Claim Form and a valid BBBEE certificate will be awarded zero points for specific goals.

Section B 1: Special Conditions of Bid and Contract

16.7	<b>Part 5: Invitation to Bid</b>
16.7.1	Bidders must complete, sign and return the full "Invitation to Bid" (Section B-4) document.  Bids submitted without a completed and signed Invitation to Bid <b>may</b> be deemed to be non-responsive.
16.8	<b>Part 6: Pricing Schedule</b>
16.8.1	All costs related to the bid are to be allowed for in the pricing schedule and in the format prescribed and must be returned as part of the submission (Section B-5).  Bids submitted without a price or with an incomplete price, or with a price which is not in the prescribed format, <b>will</b> be deemed to be non-responsive.
16.8.2	Price for sixty (60) months of the contract must be firm and must be indicated in the format prescribed.
	<input type="checkbox"/> VAT: Value Added Tax must be included and shown separately.
16.9	<b>Part 7: Registration on the CSD</b>
16.9.1	In this part, bidders must submit proof of their registration, or proof that they have applied for registration on the Central Supplier Database.  Bids submitted without the required proof, <b>may</b> be deemed to be non-responsive.

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

Name of Bidder: \_\_\_\_\_

Signature of Bidder: \_\_\_\_\_

Date: \_\_\_\_\_



**BIDDERS DISCLOSURE (SBD 4)  
Return as Part 3**

**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>2</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 State institution

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

2.2.1 If so, furnish particulars:

.....  
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

**YES/NO**

2.3.1 If so, furnish particulars:

.....  
.....

<sup>2</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.

Section B 2: Declaration of Interest

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**3 DECLARATION**

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

- 3.1 I have read, and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>3</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 investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

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

Section B 2: Declaration of Interest

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.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

Approved for use!

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (SBD 6.1)**

**Return as Part 4**

**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, 2022.**

**1. GENERAL CONDITIONS**

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

	<b>POINTS</b>
PRICE	80
Specific Goals	20
Total points for Price and Specific goals must not exceed	100

- 1.5 Failure on the part of a bidder to submit proof of specific goals claim as stipulated on paragraph 4 below together with the bid, will be interpreted to mean that preference points claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

**2. DEFINITIONS**

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

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

**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:

<b>80/20</b>	<b>or</b>	<b>90/10</b>
$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	or	$P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$

Where

- P<sub>s</sub> = Points scored for price of bid under consideration
- P<sub>t</sub> = Price of bid under consideration
- P<sub>min</sub> = Price of lowest acceptable bid

**4. POINTS AWARDED FOR SPECIFIC GOALS**

SAHPRA SPECIFIC PREFERENTIAL PROCUREMENT GOALS					
Description / Goals		Allocated points		Evidence or Proof of claim	Number of points claimed (80/20 system) (To be completed by the tenderer)
		Preference Point System			
<b>Category A: Promotion of SMMEs</b>		<b>80/20</b>	<b>90/10</b>	<ul style="list-style-type: none"> <li>- Valid BBBEE certificate</li> <li>- Valid affidavit</li> <li>- Director(s)' certified ID copy</li> <li>- CSD report</li> </ul>	
<b>1.</b>	100% Black owned EME and QSE	20	10		
<b>2.</b>	At least 51% Black owned EME and QSEs	18	9		
<b>3.</b>	Zero and less than 51% Black owned EME and QSEs	16	8		
<b>Category B: Promotion of Historically Disadvantaged Individuals -HDI (Large enterprises)</b>		<b>BBBEE Level</b>	<b>Preference Point System</b>		<b>Evidence / proof of claim</b>
<b>4.</b>	<u>% Ownership</u>		<b>80/20</b>	<b>90/10</b>	
	a) 30% - 100% Black women	All levels	20	10	<ul style="list-style-type: none"> <li>- CSD report</li> <li>- Valid affidavit</li> <li>- Valid BBBEE certificate</li> <li>- Directors(s) certified ID copy</li> <li>- Declaration / proof of disability issued by medical practitioner</li> </ul>
	b) 51% - 100% Black youth				
	c) 51% - 100% Black people with - disability				
	a) 51% - 100% Black		1	18	
		2	16	8	
		3	14	7	
		4	12	6	

		5	8	5	
		6	6	4	
		7	4	2	
		8 and Non-compliant	0	0	
<b>Category C: Promotion of BBBEE Contributors - large enterprises</b>		<b>BBBEE Level</b>	<b>Preference Point System</b>		<b>Evidence / proof of claim</b>
			<b>80/20</b>	<b>90/10</b>	
<b>10.</b>	Nonblack and Non-HDI enterprises	1	12	6	Valid BBBEE certificate
		2	10	5	
		3	8	4	
		4	6	3	
		5 to non-compliant	0	0	

**5. BID DECLARATION**

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

**6. SPECIFIC GOALS CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4**

6.1 B-BBEE Status Level of Contributor: = ..... (maximum of 10 or 20 points)  
 (Points claimed in respect of paragraph 6.1 must be in accordance with the table reflected in paragraph 4 and must be substantiated by relevant proof)

**7. SUB-CONTRACTING**

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

**(Tick applicable box)**

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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7.1.1 If yes, indicate:

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

**(Tick applicable box)**

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

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise.

Designated Group: An EME or QSE which is at least 51% owned by:	EME	QSE
	√	√
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

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

- 8.1 Name of company/firm: .....
- 8.2 VAT registration number: .....
- 8.3 Company registration number: .....

**8.4 TYPE OF COMPANY/ FIRM**

**(Tick applicable box)**

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

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....  
 .....



.....  
 .....

**8.6 COMPANY CLASSIFICATION**  
**(Tick applicable box)**

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

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If points for specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

WITNESSES  1. ....   2. ....	..... SIGNATURE(S) OF BIDDERS(S)  DATE: .....  ADDRESS: .....  .....
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Section B 3: Preference Points Claim Form to the Preferential Procurement Regulations 2011

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	.....
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Approved for use!

Section B 4: Invitation to Bid

**INVITATION TO BID**  
**Return as Part 5**

<b>YOU ARE HEREBY INVITED TO QUOTE FOR REQUIREMENT OF SAHPRA</b>					
BID NUMBER:	SAHPRA/2023/ RFB 003	CLOSING DATE:	4BWednesday, 10 July 2024	CLOSING TIME:	11:00 am
DESCRIPTION	8B14BREQUEST FOR BID FOR SOURCING OF A SERVICE PROVIDER TO PROVIDE INTERNAL AUDIT SERVICES FOR A PERIOD OF 5 YEARS				
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Malose Teffo		CONTACT PERSON	Malose Teffo	
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	Malose.teffo@sahpra.org.za		E-MAIL ADDRESS	Malose.teffo@sahpra.org.za	
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					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		<b>OR</b>	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 <b>THE GOODS /SERVICES /WORKS OFFERED?</b>	<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		

Section B 4: Invitation to Bid

**INVITATION TO BID  
Return as Part 5**

**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.  
TERMS AND CONDITIONS FOR BIDDING**

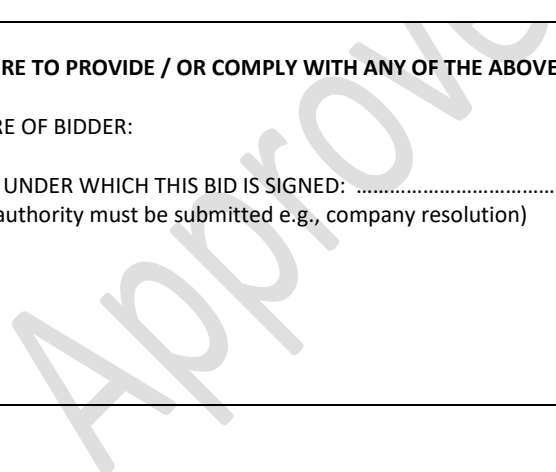
<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER: .....

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

DATE: .....



**PRICING SCHEDULE (SBD 3.3)**  
Services  
Return as Part 6

**NAME OF BIDDER:** \_\_\_\_\_

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

The pricing schedule as indicated below must be completed in the format provided. No alterations to this pricing schedule will be allowed and the bids of bidders who do so will be regarded as non-responsive and will not be evaluated.

**Bids submitted without a price or with an incomplete price, or with no total weighted average Hourly rates for a period of five (05) years or with a price which is not in the prescribed format, will be deemed to be non-responsive.**

It is recognised that internal audits are based on hourly rates and that budgets are compiled once the appointed auditor has assessed the likely extent of the work. Financial proposals will be compared on the basis of TOTAL WEIGHTED average hourly rates for five (05) years. Bidders are required to submit their hourly rates as per the table below. Rates should be inclusive of all overheads (Including VAT). If a particular category in the table below does not exist for a bidder, it can be omitted.

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

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

<b>Resource Type</b> (Where applicable for the Bidder)	<b>Hourly Rate (Including VAT)</b>	<b>Typical percentage of time spent on Project</b>	<b>Weighted Average Hourly Rate</b>
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Section B 5: Pricing schedule

Percentage increase year 3	_____ %
<b>Total Weighted average hourly rates (YEAR 3)</b>	<b>R</b>
Percentage increase year 4	_____ %
<b>Total Weighted average hourly rates (YEAR 4)</b>	<b>R</b>
Percentage increase year 5	_____ %
<b>Total Weighted average hourly rates (YEAR 5)</b>	<b>R</b>
<b>Total weighted average Hourly rates for a period of five (05) years</b>  <b>Add Total weighted hourly rates for YEAR 1 + YEAR 2+YEAR 3+YEAR 4 +YEAR 5</b>	

.....  
Bidder Representative Signature

Title: .....

Name: .....

Date: .....

Bid No: 1BSAHPRA/2024/INTERNAL AUDIT/RFB003

Section B 5: Pricing schedule

Approved for use!