



MICT SETA Head Office
Supply Chain Management
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E-mail: rfqs@mict.org.za

RFQ NUMBER	RFQ/MICT/13/2024
RFQ DESCRIPTION	APPOINTMENT OF SERVICE PROVIDER FOR JOB PROFILING AND EVALUATION SERVICES
RFQ ISSUE DATE	30 April 2024
BRIEFING SESSION	N/A
CLOSING DATE & TIME	08 May 2024 @ 11:00 AM RFQ submitted after the stipulated closing date and time will not be considered.
LOCATION FOR SUBMISSIONS	rfqs@mict.org.za
NO: OF DOCUMENTS	1 SOFT COPY

For queries, please contact rfqs@mict.org.za before the closing date of this RFQ.

The MICT SETA requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above. **Late and incomplete submissions will invalidate the quote submitted.**

SUPPLIER NAME: _____

NATIONAL TREASURY (CSD) SUPPLIER NUMBER: _____

POSTAL ADDRESS: _____

TELEPHONE NO: _____

E-MAIL ADDRESS: _____

CONTACT PERSON: _____

CELL NO: _____

SIGNATURE OF BIDDER: _____

SUPPLIER REGISTRATION ON CSD

Prospective suppliers must register on the National Treasury Central Supplier database in terms of National Treasury circular no 4A of 2016/17. The bidder shall register prior submitting a proposal/bid.



RETURNABLE DOCUMENTS CHECKLIST

quotation invitation document must be completed, signed, and submitted as a whole by the authorised Company representative. All forms must be properly completed, list below serve as a checklist of your RFQ submission.

(Tick in the relevant block below)

DESCRIPTION	YES	NO
CSD Central Supplier Database (CSD) Registration Report		
Pricing Schedule		
Valid Tax Clearance Certificate (S) and or proof of application endorsed by SARS and/or SARS-issued verification pin		
SBD 4 – Bidder’s Disclosure		
SBD 6.1 - Preference Procurement Claim Form		
CIPC registration documents		
Director(s) Certified ID copy		
Shareholder Certificate		

Note: This RFQ must be completed and signed by the authorised company representative

MICT SETA –QUOTATION CONDITIONS

1. QUOTATION CONDITIONS

NOTE: Quotation for the supply of goods or services described in this document are invited in accordance with the provision of Government Procurement: General Conditions of Contract available for download from <http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/>

- a. **MICT SETA** does not bind itself to accept the lowest or any RFQ, nor shall it be responsible for or pay any expenses or losses which may be incurred by the bidder in the preparation and delivery of the RFQ.
- b. No RFQ shall be deemed to have been accepted unless and until a formal contract/letter of intent is prepared and executed.

1.1 **MICT SETA** reserves the right to:

- a. Not evaluate and award RFQ that do not comply strictly with the requirements of this RFQ.
- b. Make a selection solely on the information received in the RFQs and Enter into negotiations with any one or more of the preferred bidder(s) based on the criteria specified in the evaluation of this RFQ.
- c. Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders, and no change in the content of the RFQ shall be sought, offered, or permitted.
- d. Award a contract to one or more bidder(s).
- e. Withdraw the RFQ at any stage
- f. Accept a separate RFQ or any RFQ in part or full at its own discretion.
- g. Cancel this RFQ or any part thereof at any stage as prescribed in the PPPFA regulation.
- h. Select the bidder(s) for further negotiations based on the greatest benefit to MICT SETA and not necessarily on the basis of the lowest costs

2. COST OF BIDDING

The bidder shall bear all costs and expenses associated with the preparation and submission of its RFQ or RFQ, and the MICT SETA shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection processes.

TERMS OF REFERENCE

APPOINTMENT OF SERVICE PROVIDER FOR JOB PROFILING AND EVALUATION USING PARTERSON GRADING METHODOLOGY

1. Background

The Media, Information and Communication Technologies Sector Education and Training Authority, the "MICT SETA", was established in terms of the Skills Development Act, 1998 (Act No. 97 of 1998). Is responsible for skills development for its respective sub-sectors. The MICT sector is made up of five sub-sectors that are interconnected but also quite distinct and identifiable. These are Advertising, Film and Electronic Media, Electronics, Information Technology and Telecommunications.

2. Objective

To invite prospective service providers to submit a proposal for appointment to conduct job profiling and evaluation using Paterson grading methodology.

3. Scope of work

- 3.1. The service provider will be required to perform the following activities:
- 3.1.1. Conduct a review of newly approved job requirements and develop updated job descriptions.
 - 3.1.2. Undertaking a thorough job analysis of each position
 - 3.1.3. Analyse and validate job profiles and create new job profiles where there is non-existent.
 - 3.1.4. Engagement with the job holders or line managers prior to finalisation of the job contents.
 - 3.1.5. Evaluate and grade positions based on the approved job profiles.
 - 3.1.6. Ensure that job profiles are signed off by line managers and incumbent who is holding a position before they are evaluated.
 - 3.1.7. Job grading according to the Paterson grading system.
 - 3.1.8. Provide MICT with a report that sets out the methodology that was followed, the recommended grade and motivation for the recommendation.
 - 3.1.9. Presentation of job profiling and grading results to relevant structures as requested.
 - 3.1.10. Attend to dispute resolution if any arose following the grading results.

The requirements are not limited to the above, other job analysis requirements may be required should it be necessary.

4. DURATION OF THE PROJECT

The duration of the project is six (6) months after appointment of the service provider.

5. SERVICES / PERFORMANCE

5.1. The service provider is required to profile and grade approximately twenty (20) positions on the newly approved organisational structure at MICT SETA.

Declaration:

I declare that I have read and understood the above scope of work, duration of the project and Services/Performance. I acknowledge and agree to comply with the above-outlined scope of work, duration, timelines as per our bid proposal and Services/ performance.

Failure to adhere to the requirements of this RFQ will lead to cancellation of the award and penalty charge of 5 % of the purchase order value which will be calculated and deducted.

Bidder representative: _____ Signature: _____

Date: _____

PRICING SCHEDULE

Name of bidder _____

RFQ number: _____

Closing date _____

RFQ submission shall remain valid for acceptance for a period of **90 days** counted from the closing date.

Bidders are to provide further cost breakdown where necessary under each line item, and sub-total and the overall RFQ price (Total) should be included. The below table is for illustration only:

Item	Requirement Description	Quantity	Unit Cost Incl. VAT	Total Cost Incl. VAT
	THE APPOINTMENT OF QUALIFIED AND EXPERIENCED SERVICE PROVIDER TO HELP THE MICT SETA CONDUCT A FEASIBILITY STUDY FOR ARTISANAL PROGRAMMES IN THE MICT SECTOR			
1.	Job profiles and thorough job analysis of each position	20	R	R
2.	Job profiles grade using Paterson system	20	R	R
3.	Provide a detailed report for each step of the project	1	R	R
4.	Presentation of results to management and other relevant stakeholder	1	R	R
TOTAL AMOUNT (Excl. VAT)				R
VAT @ 15%				R
TOTAL AMOUNT (Incl. VAT)				R

Complete below:

1. Delivery Address: **MICT SETA Head office**
Level 3 West wing, Gallagher House
19 Richards Drive, Halfway House
Midrand
2. Indicate Delivery period after order receipt.....
3. Is delivery period fixed? **Yes/No**
4. Is the price(s) fixed? **Yes/No**
5. Is the quote strictly to specification? **Yes/No**

I/We, the undersigned, agree that this bidding price shall remain binding on me/us and open for acceptance for the period stipulated above.

Authorised Company Representative:

Capacity under which this quote is signed.....

Signature:

Date:

EVALUATION CRITERIA

EVALUATION CRITERIA

The MICT SETA complies with the provisions of the Public Finance Management Act, Act No. 1 of 1999 as amended; Treasury Regulations of 2005; the Preferential Procurement Policy Framework Act, Act No. 5 of 2000; Preferential Procurement Regulations of 2022; and MICT SETA Supply Chain Management (SCM) Policy.

RFQ's received will be evaluated on functionality criteria and Price & specific goals comparison.

STAGE 1: FUNCTIONAL CRITERIA

Bids submitted will be evaluated on technical functionality out of a maximum of **100 points**. A threshold of **70** out of the **100 points** has been set.

Only bidders that have met or exceeded the qualification threshold on technical functionality of 70 points will qualify for further evaluation on price and specific goals.

NOTE: All bidders achieving less than the set threshold will be declared non-responsive. Assessment of evaluation of the functional/ technical criteria will be based on the table below:

Category	Description	Maximum Points
Company Experience	<p>Bidder must submit a company portfolio / profile outlining at least five (05) years of experience in conducting Job Evaluation and Grading services.</p> <p>Points on submission of company portfolio / profile will be allocated as follows:</p> <ul style="list-style-type: none">• Bidder submitted company profile highlighting ten (10) or more years of experience in conducting job evaluation and grading services = 10 points• Bidder submitted company profile highlighting five (05) years of experience in conducting job evaluation and grading services = 5 points• Bidder submitted company profile highlighting less than five (05) years' experience in conducting job evaluation and grading services = 0 points• Non-compliance with minimum requirements = 0 points	10

<p>Reference Letters</p>	<p>Bidders should demonstrate experience in conducting job profiling and grading using Peterson system.</p> <p>Bidders must submit five (05) signed contactable reference letters from different clients highlighting job profiling and grading services rendered in the past ten (10) years.</p> <p>NB: The reference letters must be on the client's letterhead, contactable, fully signed, indicate project description, and project duration/ implementation date.</p> <p>Points on submission of reference letters will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted five (05) signed reference letters from different clients for conducting job profiling and grading services rendered in the past ten (10) years = 15 points • Bidder submitted four (04) signed reference letters from different clients for conducting job profiling and grading services rendered in the past ten (10) years = 12 points • Bidder submitted three (03) signed reference letters from different clients for conducting job profiling and grading services rendered in the past ten (10) years = 09 points • Bidder submitted two (02) signed reference letters from different clients for conducting job profiling and grading services rendered in the past ten (10) years = 06 points • Bidder submitted one (01) signed reference for conducting job profiling and grading services rendered in the past ten (10) years = 03 points • Non-compliance with minimum requirements = 0 points <p>Important: In the event of sub-contracting, the bidder must furnish the above reference letters of the main bidder.</p> <p>MICT reserves the right to contact the references.</p>	<p>15</p>
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Methodology and Approach	<p>Bidders are required to provide a detailed methodology and approach that meets all the five (05) elements listed below:</p> <ul style="list-style-type: none"> • Project plan with milestones; • Project Team; • Reporting and Project close out; • Sample of job grading report; and • Sample bench marking report. <p>Points on submission of methodology and approach will be allocated as follows:</p> <ul style="list-style-type: none"> • Methodology and Approach that meets all five (05) elements = 20 points • Methodology and Approach that meets only four (04) elements = 16 points • Methodology and Approach that meets only three (03) elements = 12 points • Methodology and Approach that meets only two (02) elements = 08 points • Methodology and Approach that meets only one (01) element = 04 points • Non-compliance with the minimum requirements = 0 points 	20
Lead/delivery times	<p>The bidder must have the ability to delivery within the stipulated timelines, bidder must provide a report/plan which clearly articulates timelines.</p> <p>Points on submission of a report/plan with clear timelines will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted a report/plan that indicates completion of the project in two (02) weeks after the placement of an order = 30 points • Bidder submitted a report/plan that indicates completion of the project in three (03) weeks after the placement of an order = 15 points • Bidder submitted a report/plan that indicates completion of the project in four (04) weeks after the placement of an order = 5 points • Non-compliance with the minimum requirements = 0 points 	30
Bidder's professional affiliation	<p>Bidders must submit a valid copy of the Company's or Director's registration with the Association of Personnel Services Organisation (APSO), South African Reward Association (SARA), Institute of People Management (IPM) or SA Board for People Practices (SABPP)</p> <p>Points on submission of proof of registration or certificate with the APSO will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted a copy of a valid proof of registration or certificate with the APSO, SARA, IMP or SABPP = 05 Points 	05

	<ul style="list-style-type: none"> • Bidder did not submit proof of registration or certificate with APSO, SARA, IMP or SABPP = 0 points • Non-compliance with the minimum requirements = 0 points 	
Qualification and CV of the Project Manager	<p>The Project Manager must have at least NQF level 8 qualification in Human Resource Management, Project Management, Business Management/Administration, Financial /Accounting Management, or Industrial Psychology.</p> <p>Points on submission of Qualifications of the Project Manager will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted NQF level 8 or more qualification of the Project Manager = 10 points • Bidder submitted NQF level 7 qualification of the Project Manager = 08 points • Bidder submitted NQF level 6 qualification of the Project Manager = 05 points • Bidder submitted NQF level 5 qualification of the Project Manager = 03 points • Non-compliance with the minimum requirements = 0 points <p>CV of Project Manager must demonstrate at least five (05) years of experience in delivering job profiling and grading services. CV should clearly indicate the client, duration, responsibilities.</p> <p>Points on submission of CV of the Project Manager in managing/delivering job profiling and grading services will be allocated as follows:</p> <ul style="list-style-type: none"> • Bidder submitted CV of the Project Manager that indicates five (05) years or more in conducting job profiling and grading services = 10 points • Bidder submitted CV of the Project Manager that indicates four (04) years of experience in conducting job profiling and grading services = 06 Points • Bidder submitted CV of the Project Manager that indicates three (03) years' experience in conducting job profiling and grading services = 03 Points • Bidder submitted CV of the Project Manager that indicate less than three (03) years' experience in conducting job profiling and grading services = 0 points • Non-compliance with the minimum requirements = 0 points 	20
Total Score		100
Minimum Score		70

STAGE 2: PRICE AND SPECIFIC GOALS EVALUATION

Only bidders that have met the requirements of the functional Criteria will qualify for further evaluation on Price and Specific Goals according to the 80/20 preference point system in terms of the Preferential Procurement Regulations 2022, where 80 points will be for Price and 20 points will be for Specific Goals.

Specific Goal to be evaluated out of **20 Points**:

Special Goal Criteria	Points
Enterprises which are at least 51% owned by historically disadvantaged persons.	10
Enterprises which are at least 51% owned by historically disadvantaged women.	5
Enterprises which are at least 51% owned by historically disadvantaged youth.	5
Total	20

**** Enterprises that are not owned by historically disadvantaged persons will be allocated 0 points.**

Bidder must submit the following documents:

- Certified ID copies of the company's directors as per the CIPC documents. (Certified copies must not be older than six (6) months)
- CIPC Documents and/or Shareholder Certificate (for companies that have two or more directors as per CIPC document)

Failure on the part of a service provider to submit proof or documentation required in terms of this RFQ to claim points for specific goals will be interpreted to mean that preference points for specific goals are not claimed.

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ 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

2.1.2. 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:

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

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation

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

PREFERENCE PROCUREMENT CLAIM FORM

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1 GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

- a) The applicable preference point system for this tender is the **80/20** preference point system.
- b) the **80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
(b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2 DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3 FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

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

Where

Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \quad \text{or} \quad Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
 - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below. Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Enterprises which are at least 51% owned by historically disadvantaged persons.	10	
Enterprises which are at least 51% owned by historically disadvantaged women.	5	
Enterprises which are at least 51% owned by historically disadvantaged youth.	5	

DECLARATION WITH REGARD TO COMPANY/FIRM

- 4.3. Name of company/firm.....
- 4.4. Company registration number:

- 4.5. TYPE OF COMPANY/ FIRM
- Partnership/Joint Venture / Consortium
 - One-person business/sole propriety
 - Close corporation
 - Public Company
 - Personal Liability Company
 - (Pty) Limited
 - Non-Profit Company
 - State Owned Company
- [TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

<p>.....</p> <p>SIGNATURE(S) OF TENDERER(S)</p> <p>SURNAME AND NAME:</p> <p>DATE:</p> <p>ADDRESS:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>
