



## **National Empowerment Fund**

**RFP No: NEF 01/2021/22**

**REQUEST FOR PROPOSAL:**

**Independent Business Review - Strategic Review, Business Model, Operating Model and Organisational Design Alignment**

**CLOSING DATE: 18 June 2021**

**TIME: 14H00**

**1. Proprietary Information:**

The National Empowerment Fund (NEF) considers this Tender and all related information, either written or verbal, which is provided to the respondent, to be proprietary to NEF. It shall be kept confidential by the respondent and its officers, employees, agents and representatives. The respondent shall not disclose, publish, or advertise this specification or related information in part or as a whole to any third party without the prior written consent of NEF.

**2. Enquiries**

All communication and attempts to solicit information of any kind relative to this Tender should be channeled to the officials named below:

**Contact persons (all questions should be in writing)**

**Technical**

Name: Mr. Setlakalane Molepo

Executive Director: Strategy, Planning &  
Significant Investments

**Commercial**

Name: Ms Kedibone Mboweni

Head: Supply Chain Management

Email address: [moleposc@nefcorp.co.za](mailto:moleposc@nefcorp.co.za)    Email address: [mbowenik@nefcorp.co.za](mailto:mbowenik@nefcorp.co.za)

Telephone Number Office: +27 11 305 8000    Fax Number: +27 11 305 8001

**3. Medium of Communication**

All the documentation submitted in response to this tender must be in English.

**4. Verification of Documents**

Tenderers should check the numbers of pages to satisfy themselves that none are missing or duplicated. No liability will be accepted by the NEF in regard to anything arising from the fact that pages are missing or duplicated.

## CONDITIONS AND UNDERTAKINGS BY TENDERER IN RESPECT OF THIS TENDER

### 5. Validity Period

Responses to this tender received from tenderers will be valid for a period of **150** days counted from the closing date of the tender.

### 6. Submission of Tenders

All proposals must be emailed to [tenders@nefcorp.co.za](mailto:tenders@nefcorp.co.za) clearly marked with RFP: NEF **01/2021/22**.

N.B In view of the levels of lockdown and to comply with the COVID-19 Regulations, particularly on movement and social distancing, only properly filled and signed documents in line with the tender requirements must be submitted on PDF format via email to the email address, **tenders@nefcorp.co.za** no later than 14h00 on **18 June 2021**. No tenders for will be accepted after cut-off time.

- 6.2 No tender received by telegram, telex, facsimile or similar medium will be considered.
- 6.3 Where a tender document is not received at the time of the tender closing, such a tender document will be regarded as a late tender. Late tenders will not be considered.
- 6.4 The tenderer is responsible for all the costs that shall be incurred in relation to the preparation and submission of the tender document.
- 6.5 A list of all references (minimum 3) with contact details must be included in the tender document.
- 6.6 Copies of qualifications, identity documents (IDs) and the curricula vitae (CVs) of persons who will be involved in the execution of this tender should the tenderer be successful must be attached to the proposal.

## CONDITIONS AND UNDERTAKINGS BY TENDERER IN RESPECT OF THIS TENDER

6.7 The following information also needs to be provided with the tender document:

Names and details of senior management

Employment equity details of employees at an operational level

Percentage of ownership by number of:

- Black ownership
- Black women ownership
- White women ownership
- Percentage of ownership by profit share of:
  - Black ownership
  - Black women ownership
  - White women ownership
  -

6.8 An original valid Tax Clearance certificate must be included in the tender document. Failure to submit a certificate would render your tender invalid.

6.9 Copy/ies of any affiliations that you may have must be attached to the response to this tender.

6.10 Kindly note that the NEF is entitled to amend any tender conditions, validity period, specifications, or extend the closing date of tenders before the closing date. All tenderers, to whom the tender documents have been issued, will be advised in writing of such amendments within reasonable time after they are made.

6.11 The NEF reserves the right not to accept the lowest tender or any tender in part or in whole.

6.12 The NEF reserves the right to award this tender to a black empowered firm.

6.13 The NEF also reserves the right to award this tender to any party whom it decides as a whole or in part without furnishing reasons. The NEF reserves the right to withdraw this tender at any stage with or without giving reasons.

6.14 The tenderer hereby offers to render all or any of the services described in this tender document to the NEF on the terms and conditions and in accordance with the specifications stipulated in this tender document. This tender document and the tenderer's response thereto shall form part of any service level

## CONDITIONS AND UNDERTAKINGS BY TENDERER IN RESPECT OF THIS TENDER

agreement that may be concluded between the NEF and the tenderer. In the event of conflict between such documents, the service level agreement shall take precedence over all other documents.

- 6.15 Tenders submitted by juristic persons or partnerships must be signed by a person or persons duly authorized thereto by a resolution of a board of such juristic person, a copy of which resolution, duly certified be submitted with the tender.
- 6.16 The tenderer shall prepare for a possible presentation should NEF require such and the tenderer shall be notified thereof no later than 4 (four) days before the actual presentation date.
- 6.17 The tenderer hereby agrees that the offer herein shall remain binding upon him/her and will be open for acceptance by the NEF during the validity period indicated herein.
- 6.18 The tenderer furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her tender response, that the price(s) and rate(s) quoted cover all the work/item(s) specified in the tender response documents and that the price(s) and rate(s) cover all his/her obligations under a resulting contract and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.
- 6.19 The tenderer hereby accepts full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on him/her under this tender as the principal(s) liable for the due fulfillment of this tender and any contract that might be concluded pursuant hereto.
- 6.20 The NEF will treat your personal information as confidential and take all necessary steps to protect your information as required by the Protection of Personal Information Act of 2013. The NEF will only process your information (which involves but is not limited to collecting, collating, organising, disseminating and destroying) in the following circumstances:
- where you have granted the necessary consent;
  - where we are required to do so by law;

## CONDITIONS AND UNDERTAKINGS BY TENDERER IN RESPECT OF THIS TENDER

- where processing is necessary to protect our legitimate interests;
- where it is necessary for the conclusion or performance of a contract to which you are party; or
- where it is in the public interest to do so.

6.21 By signing this tender document (RFP), the bidder hereby consents to the use of their personal information which forms part of the tender process and as may be discovered by the NEF and confirm that the information is supplied voluntarily without undue influence from any party. Tenderers acknowledge that they are aware of their right to access the information at a reasonable time for purposes of rectification or object to the processing of the information.

6.22. **Bidders are required to register on the National Treasury Database as per National Treasury Circular No 3 of 2015/2016 – Central Supplier Database (CSD).**

## CONDITIONS AND UNDERTAKINGS BY BIDDERS IN RESPECT OF THIS TENDER

Name of your Company (in block letters)	
Signature(s) of the Bidders	
Name of person signing (in block letters)	
Capacity	
Are you duly authorized to sign this tender?	
Company Registration Number	
VAT Registration Number	
Postal address (in block letters)	
Physical address (in block letters)	
<i>Domicillium citandi et executandi</i> in RSA	(full) street address) (in block letters)
Contact Person	
Telephone Number	
Fax Number	
Cell Number	
E-mail	

**\*Failure to comply with any of the terms and conditions as set out above will invalidate the tender.**

## 7. EVALUATION CRITERIA

Tenders shall be evaluated in terms of the following parameters and shall be scored on the weightings stated below:

**Phase 1: Technical:** Bidders will need to score a **minimum of 49 points** in technical to qualify for further evaluation.

Technical	Points
<ul style="list-style-type: none"> <li>• Relevant proof of consulting experience in similar organisational design review projects.               <ul style="list-style-type: none"> <li>○ CVs (one page) of employees in your company showing experience in similar projects</li> </ul> </li> </ul>	5
<ul style="list-style-type: none"> <li>• Demonstration of previous experience in the Development Finance Industry.               <ul style="list-style-type: none"> <li>○ Reference Letters from 5 service providers, on their letterhead, with contact details of the relevant managers</li> </ul> </li> </ul>	10
<ul style="list-style-type: none"> <li>• Project Management, Management Consulting, Communication, Project Reporting and Presentation skills.               <ul style="list-style-type: none"> <li>○ Minimum 5 or 10years' experience or</li> <li>○ One year will be equivalent to one point</li> </ul> </li> </ul>	15
<ul style="list-style-type: none"> <li>• Have current technical and logistical capacity and be able to independently deliver the project with the defined scope, time frame, and budget.               <ul style="list-style-type: none"> <li>○ Detailed project plan with clear timelines and a list of the technical team.</li> </ul> </li> </ul>	20
<ul style="list-style-type: none"> <li>• Promotion of B-BBEE in the service provider's entity and where this requirement is not met, partnership with an entity that satisfies this requirement would be acceptable.</li> </ul>	10
<ul style="list-style-type: none"> <li>• Provide a list of the project team, project leader and each member's CV.</li> </ul>	10
<b>TOTAL</b>	<b>70</b>



**Phase 2: Virtual Presentation:** Bidders will need to score a *minimum of 21 points* in order to be evaluated further.

<b>Presentation</b>	<b>Points</b>
• Understanding of the scope and Project plan	5
• Experience of large entity (i.e. DFIs or Financial Institutions) valuation	10
• Capability and knowledge of staff to be used for the assignment (qualifications, demonstrated skills and experience)	10
• Ability to generate a valuation report and recommendations for use by NEF for reporting purposes and for dependence by external auditors	5
<b>TOTAL</b>	<b>30</b>

**Phase 3: 80/20 Preference Point System**

All tenders that will achieve the minimum qualifying score for technical will be evaluated further in terms of the preference point system as follows:

<b>CRITERIA</b>	<b>POINTS</b>
Price	80
BEE	20
<b>TOTAL</b>	<b>100</b>

**SECTION: 2**

**TERMS OF REFERENCE /**

**SCOPE OF SERVICE**

## **2.1 Preamble**

The National Empowerment Fund Act No.105 of 1998 established the National Empowerment Fund Trust (NEF), for the purpose of promoting and facilitating economic equality and transformation, by providing development finance for Black Empowered South African businesses and by designing investment products in promoting savings and investment activity amongst Black South Africans. The NEF is an agency of the Department of Trade, Industry and Competition (**the dtic**) and is committed to the implementation of the Broad Based Black Economic Empowerment Act, Act 55 of 2003, and the Codes of Good Practice.

## **2.2 BACKGROUND AND PURPOSE**

The overall objective of the study is to provide a critical strategic review to ensure that the NEF's focus going forward is an increase on the developmental impact already achieved. The NEF's key strategic objectives/outcomes as contained in its Annual Performance Plan (APP) and Corporate Plan (CP) for the next five years are:

- i. growing black economic participation in the South Africa economy.
- ii. growing BEE through partnerships.
- iii. maintaining financial sustainability.
- iv. human capital development; and
- v. non-financial support

Based on the above objectives, it has become apparent that for the NEF to achieve its developmental mandate, and aiming at maximising impact on the five above-mentioned strategic objectives, a different approach is required. The approach is to develop sector value chains with recommendations related to the operating model and organisational structure to support the new business model.

## 2.3 PROPOSED INDEPENDENT BUSINESS REVIEW

The study/report should entail the following:

- i. A strategic review of NEF's current strategic realities and its business model.
- ii. Review the funding landscape in the development financial institutions space and conduct a competitive analysis.
- iii. Conduct detailed review of portfolio analysis.
- iv. An in-depth analysis of operational effectiveness and human capital requirements.
- v. Review of our credit and risk management

### 2.3.1 A strategic review of the current NEF's 'as is' or internal environment

NEF's strategic goals referred to in the current Strategic and Annual Performance Plans are primarily achieved through the following activities:

- **Fund Management, which comprises:**
  - The Venture Capital & Corporate Finance Division, which is comprised of uMnotho Fund, the Woman Empowerment Fund, and the Strategic Projects Fund.
  - The SME & Rural Development Division, which consists of Pre-Investment Unit, iMbewu Fund, Rural & Community Development Fund, and the regional offices.
  - General Counsel Division, which provides legal support, post investment, turnaround, workout and restructure services.
- **Asset Management and Socio-Economic Development Unit**, through which the NEF aims to foster a culture of savings and investment among its beneficiaries, as well as Enterprise Development.
- **NEF's governance structure/s** that deals with day-to-day activities, which in the main involves approvals of transactions is structured as follows:
  - The Board of Trustees (BoT) is the governing body that directs the strategy of the organisation.
  - The CEO is the accounting officer of the NEF, who provides strategic guidance to management.

- Investment Committees that approve the investments in terms of the Delegation of Authority.
    - BoT considers and approves all transaction above R50 million.
    - Board Investment Committee (BIC), considers and approves transactions above R15 million up to R50 million. BIC recommends to BoT on all deals above R50 million.
    - Executive Management Committee Investment Committee (EXCOIC), consider and approves deals above R5 million up to R15 million. All deals above R15 million will be recommended to BIC.
    - Fund Management Investment Committee (FMIC) considers and approves all deals from R250 000 up to R5 million. All deals above R5 million will be escalated to EXCO IC.
    - It is important to note that all transactions depending on the escalation requirements as outlined in the DoA, starts at FMIC, which can result in a transaction/s taking between 3 and 25 days for final approval up to BoT level.
  
- **The study/report is intended to review the ‘as is’ and provide guidance on how these can be improved where applicable for maximum impact.**
  - Review the BEE project in the country. How is BEE unfolding in South Africa considering several discourses in the public domain.
  - Review NEF’s current funding sources and develop future strategy, especially considering the need for amongst others future equity/cash calls on the SPF portfolio.
  - Provide refinement of the Business Model, if required.
  - Clarify the target market (including sectors and priority) and develop NEF’s value proposition based on market insights.
  - Design a branding, marketing and communications strategy to support the above.

### 2.3.2. Review the funding landscape in the development financial institutions space and conduct a competitive analysis.

It goes without saying that there are significant overlaps in funding mandates and activities between DFIs that play in the same space as NEF.

Despite the overlaps, there are certain activities that distinguish the organisations where funding products are concerned. The NEF funds across all sectors of the economy with funding products which cater for start-up and early-stage businesses. It provides a suite of products like acquisitions, expansionary funding, etc. especially in sectors where there is a need for transformation. NEF also through its Asset Management division played a major role in helping B-BBEE groupings for the first time to acquire shares in MTN through the MTN Asonge Share Scheme. This division also does investor education and promotion of savings amongst black people.

#### 2.3.2.1. Market Segments

The table below summarises comparison between DFIs in the market in which they operate. It assesses these segments among several dimensions such as economic sectors in which the DFIs operate, size of businesses targeted. The analysis also includes a high-level comparison of products and services available from the different DFIs.

**Table 1: Summary of market segments and products and services coverage**

	<i>IDC</i>	<i>sefa</i>	<i>NEF</i>	<i>Comments</i>
<b>Economic Sector</b>				Neither <i>sefa</i> nor NEF has any limitations on the economic sectors for which they provide funding. IDC's focus on industrial development results in it being more focused on industrial sectors, especially manufacturing, as well as some infrastructure that supports industrial development and value-adding services. Annexure A shows a comparison of sectoral spread of activities.
Agriculture, forestry and fishing	①	●	●	
Mining and quarrying	●	●	●	
Manufacturing	●	●	●	
Electricity, gas and water	②	●	●	
Construction	○	●	●	
Trade, catering and accommodation	③	●	●	
Transport, storage and communication	④	●	●	
Finance, real estate and business	⑤	●	●	

<sup>1</sup> High-value agriculture with processing activities and new agricultural activities (latter introduced as part of IDC's *Project Evolve*)

<sup>2</sup> Renewable energy and industrial infrastructure

<sup>3</sup> Tourist accommodation

<sup>4</sup> Communication infrastructure and high-impact logistics

	<b>IDC</b>	<b>sefa</b>	<b>NEF</b>	<b>Comments</b>
services				
Personal services	○ <sup>6</sup>	●	●	
<b>Enterprise size</b>				All three DFIs operate in the medium-enterprise space. It is expected that IDC's activities related to small enterprises will be phased out as <b>sefa</b> 's capacity increases. NEF's involvement in large projects is limited to early-stage equity investments on behalf of future black shareholders.
Micro	○	●	○	
Small	①	●	●	
Medium	●	●	●	
Large	●	○	○	
<b>Funding amount to final beneficiary</b>				Overlap between IDC, <b>sefa</b> and NEF in the range between R1 million and R5 million. NEF's funding range overlaps with that of <b>sefa</b> 's direct lending activities up to R15 million and with that of IDC range from R1 million up to R75 million for target markets where both institutions play. NEF and <b>sefa</b> 's footprint is limited to South Africa, whilst IDC 's is also outside SA.
Minimum	R1m	R500 <sup>7</sup>	R250k	
Maximum	R1.5b <sup>8</sup>	R15m	R75m	
<b>Regional coverage</b>				
South Africa	●	●	●	
Rest of Africa	●	○	○	
<b>Business stage</b>				NEF provides early-stage funding during feasibility studies up to financial close and so does IDC. It is only <b>sefa</b> that doesn't provide early stage funding.
Idea/Pre-feasibility	●	○	○	
Seed/Feasibility	●	○	●	
Start-up	●	●	●	
Development	●	●	●	
Expansion	●	●	●	
<b>Funding channels</b>				All three DFIs utilise direct funding channels with <b>sefa</b> the only one that utilises intermediaries to a large extent.
Direct	●	●	●	
Wholesale	○ <sup>9</sup>	●	○	
<b>Non-financial support</b>				All three DFIs provide non-financial support to businesses.
Business/technical support	●	○ <sup>10</sup>	●	
<b>Funding products</b>				All three DFIs provide loan funding, with both IDC and NEF providing equity funding. As a ' <b>black economic empowerment facilitator</b> ' as per the B-BBEE Codes of Good Practice, NEF's equity in a business is viewed as black shareholding.
Grants	○ <sup>11</sup>	○	○	
Loans	●	●	●	
Equity	●	○ <sup>12</sup>	●	
<b>Owners contribution</b>				NEF and <b>sefa</b> do not necessarily ask for a specific minimum amount for owners contribution, whilst IDC asks for a minimum of 2.5% which can be reduced in special circumstances such as when assisting youth-owned enterprises. NEF recognises operational involvement as part of the " <i>skin in the game</i> " that should be recognized as sacrifice by the entrepreneur.
Minimum contribution	●	○	○	
<b>Eligible borrowers</b>				IDC is the only one of the three DFIs that will provide funding for foreign owned businesses. NEF focusses exclusively on black-owned businesses, with blacks as defined.
South African – black <sup>13</sup>	●	●	●	
South African – white	●	●	○	
Foreign citizens	●	○	○	

**Legend**  
○ No engagement   ○ Limited engagement   ① Medium level of engagement   ● Full engagement

<sup>5</sup> IT services

<sup>6</sup> Healthcare, film and broadcast entertainment

<sup>7</sup> Through intermediaries

<sup>8</sup> Transaction limit – cumulative approval within a financial year

<sup>9</sup> In very few cases, utilising funds, lines of credit and businesses operating in specific sectors for small business development

<sup>10</sup> No business support to businesses themselves, but do provide technical support to some intermediaries

<sup>11</sup> Business support grants, community forestry grant and funds managed on behalf of government

<sup>12</sup> Apart from equity investments in funds, and equity holdings through these funds

<sup>13</sup> As defined in the Broad-Based Black Economic Empowerment Act

### **2.3.3. Conduct detailed review of portfolio analysis**

- Conduct a detailed portfolio analysis to inform yourself if there is a need for sub-segmentation, new product programmed including the understanding of the root causes of relatively high NPLs.
- Complete IT and MIS gap analysis and develop recommendations to address the same.
- Establish if there is a need to establish an MIS unit.

### **2.3.4. An in-depth analysis of operational effectiveness and human capital requirements**

- Review to see if the organisational structure delivers on the Strategic Plan (SP) and Annual Performance Plan (APP), including skills are correctly aligned. Where necessary recommend plan to build human capital.
- Review the distribution model if it covers the target model.
- Review the human capital management strategies.
- Review the frontline, i.e., pre-investment and regional offices, on their effectiveness and what the conversion ratios on transactions, etc are.
- Check how the operational controls are effective to provide better risk management.
- Is the technology responsive to what is expected of NEF, e.g., implementation plan, automation to improve workflows.

### **2.3.5. Review of our credit and risk management**

- Review and streamline/improve risk appetite and credit policy.
- Review if credit processes are adequately optimised.
- Check availability of scorecards if not available provide recommendations.
- How can portfolio management, monitoring systems and procedures be strengthened,
- Are there Early Warning Systems (EWS) tools and provide recommendation to improve recovery policies and processes in line with best practice. If not existence, provide recommendation on how to develop EWS.



## **2.4. SERVICE PROVIDER'S OBLIGATIONS**

- a. The engaged service provider undertakes to act as an independent contractor in respect of the work.
- b. Attend meetings with NEF officials whenever required to do so for the purposes of obtaining information or advice regarding the work and assignments or any matters arising there from or in connection therewith.
- c. Responsible for its own computers and its own technical literature to adequately perform its functions.
- d. Shall exercise all reasonable skill, care and diligence in the execution of the work and shall carry out their obligations in accordance with international professional standards. The consultant shall in all professional matters act as a faithful advisor to NEF as well as respecting the laws and customs of the country and provinces in which any business in relation to the projected is conducted.
- e. The engaged service provider shall be deemed to have satisfied itself as to the correctness and sufficiency of the rates and prices set out in the contract for the work to be rendered.
- f. The service provider must plan and provide all possible risks that may affect the delivery project on time and what mechanisms are in place to manage such risks.
- g. Engage meaningfully with NEF staff throughout the project. Be ready to assume work as soon as possible.

## **2.5. NEF'S OBLIGATIONS**

- a. NEF will provide resources (i.e., project leader) to supervise the project.
- b. The Project Leader from contracted service provider will serve as the contact person on all matters relating to the project.
- c. The project leader will review, evaluate and approve the services provided by consultants or researchers against the Service Level Agreement on an on-going basis.
- d. NEF will supply all reasonable, relevant, available documents, data and information as required and requested by the engaged service provider for the proper execution of the services. NEF will also provide assistance as shall

reasonably be required by the engaged service provider in carrying out their duties under this contract.

## **2.6. CONTRACT DURATION**

The appointment of the successful service provider will be subject to a contract period of 6 months with an option to renew for a further period of 6 months at the NEF's discretion.

# SECTION: 3

## PRICING

### Pricing (Attach a price schedule, stating all pricing information)

Bidders will be expected to quote us on each of the following areas to be reviewed:

Item	Amount (Incl VAT)	Timelines
1. A strategic review of NEF's current strategic realities and its business model	<i>Please indicate</i>	<i>Please indicate</i>
2. Review the funding landscape in the development financial institutions space and conduct a competitive analysis	<i>Please indicate</i>	<i>Please indicate</i>
3. Conduct detailed review of portfolio analysis	<i>Please indicate</i>	<i>Please indicate</i>
4. An in-depth analysis of operational effectiveness and human capital requirements	<i>Please indicate</i>	<i>Please indicate</i>
5. Review of our credit and risk management	<i>Please indicate</i>	<i>Please indicate</i>
<b>TOTAL</b>	<b><i>Please indicate</i></b>	<b><i>Please indicate</i></b>

- Tenderers are expected to submit the pricing per phase of implementation as indicated above and the total project cost.
- Please note that the NEF may decide to execute the project in full or look at critical areas and execute the project in stages.

**SECTION: 4**

**BROAD-BASED BLACK ECONOMIC  
EMPOWERMENT**

**B-BBEE Supplier Assessment Form**

Trading name of entity \_\_\_\_\_

Contact person \_\_\_\_\_

Physical Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contact telephone number \_\_\_\_\_

Fax number \_\_\_\_\_

Cell phone \_\_\_\_\_

Email address \_\_\_\_\_

Percentage black shareholding \_\_\_\_\_

Percentage black women shareholding \_\_\_\_\_

Percentage white women shareholding \_\_\_\_\_

Do you fall within a gazetted industry  
charter? \_\_\_\_\_

Are you a Qualifying Small Enterprise?  
(Annual turnover between R10 million  
and R50 million) \_\_\_\_\_

Are you an Exempt Micro Enterprise?  
(Annual turnover less than R10 million) \_\_\_\_\_

**If you are in possession of a B-BBEE rating or scorecard, please attach the certificate.**

I, the undersigned, certify that the information contained in this document is accurate and correct. I am fully responsible for all representations in this document and am aware of the repercussions that may arise as a result of any misrepresentation.

Name: \_\_\_\_\_ ID/Passport Number: \_\_\_\_\_

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

Position: \_\_\_\_\_

**LIST OF TENDER RETURNABLES**

- Original valid Tax Clearance Certificate
- Signed declaration of Interest form
- Declaration of tenderer's past supply chain management practices
- Completed and signed tender document.
- BEE credentials / rating certificate
- The following information also needs to be provided with the tender document:
  - Names and details of Senior Management.
  - Shareholders Certificate.
  - Details of employees at an Operational Level.
  - Percentage of ownership by:
    - Black Shareholders
    - Black Women
    - White Women

**Failure to submit the required documents will result in the proposal being noncompliant and will be disqualified.**

## Declaration of tenderer's past supply chain management practices

- 1 This tender may be disregarded if the tenderer, or any of its directors have:
  - Abused the institutions supply chain management systems.
  - Committed fraud or any other improper conduct in relation to such a system; or
  - Failed to perform on any previous contract.
  
- 2 In order to give effect to the above, the following questionnaire may be completed and submitted with the tender.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).		
4.1.1	If so, furnish particulars		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access this Register enter the National Treasury's website, <a href="http://www.treasuy.gov.za">www.treasuy.gov.za</a> . click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 326 5445		
4.2.1	If so, furnish particulars		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?		
4.3.1	If so, furnish particulars		
4.4.	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?		
4.4.1	If so, furnish particulars		

I, THE UNDERSIGNED (FULL NAME) ..... CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder



## DECLARATION OF INTEREST

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

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative:

.....

2.2 Identity Number:

.....

2.3 Position occupied in the Firm (director, shareholder etc):

.....

2.4 Firm Registration Number:

.....

2.5 Tax Reference Number:

.....

2.6 VAT Registration Number:

.....

\* "State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:  
Name of person / director / shareholder/ member:

.....

Name of state institution to which the person is connected:

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

.....

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

2.8.1 If so, furnish particulars:

.....

.....

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?

2.9.1 If so, furnish particulars.

.....

.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between the bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

2.10.1 If so, furnish particulars

.....

.....

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

2.11.1 If so, furnish particulars

.....

.....

.....

**DECLARATION**

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2.1 TO 2.11.1 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE/NEF MAY ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT ISSUED BY NATIONAL TREASURY SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder