

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT AN AUDIT ON ETHICS MANAGEMENT AT THE DEPARTMENT OF TRADITIONAL AFFAIRS

BENEFICIARY	DEPARTMENT OF TRADITIONAL AFFAIRS
CONTACT PERSON	GLADMAN NDLOVU
PHYSICAL ADDRESS	509 PRETORIUS STREET, PENCADIA 1,3 RD FLOOR, ARCADIA, PRETORIA, 0001.
PROJECT NAME	APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT AN AUDIT ON ETHICS MANAGEMENT
REFERENCE NO	DTA/IA/EM/01/2025/26
CLOSING DATE	01 December 2025
FORM OF SUBMISSION	Email: DTAQuotations@cogta.gov.za OR Hand delivery OR Postal address
POSTAL ADDRESS	PRIVATE BAG X 22 ARCADIA 0083
PHYSICAL ADDRESS	3 RD FLOOR PENCARDIA 1 BUILDING (OLD MUTUAL BUILDING) 509 PRETORIUS STREET ARCADIA

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**TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT AN
AUDIT ON ETHICS MANAGEMENT AT THE DEPARTMENT OF TRADITIONAL AFFAIRS**

1. INVITATION

To appoint a qualified service provider to conduct an independent ethics management audit to evaluate and review the adequacy, effectiveness, and implementation of ethics policies, practices, and ethical culture within the DTA under the management of the Internal Audit unit.

2. DURATION OF THE CONTRACT

The duration of the contract is four (4) months after signing of the contract.

3. BACKGROUND

- 3.1.** The key responsibilities of the Internal Audit Unit is to assist the Department of Traditional Affairs to improve the effectiveness of governance, risk management and internal control systems.
- 3.2.** The Internal Audit Unit of **DTA** is mandated by the Audit Committee to perform an audit on Ethics Management as per its approved risk based internal audit plan for 2025/2026.
- 3.3.** Auditing ethics management is vital for ensuring an organization's values align with its actual behaviour, promoting trust, mitigating risk, and enhancing reputation. Managing ethics effectively requires a commitment across all organizational levels, with specific roles and responsibilities to implement and oversee the ethics program.
- 3.4.** An ethics management audit is performed to ensure the organisation has processes and systems in place to ensure compliance with internal ethical standards (like its code of conduct) and external regulations. The importance of auditing ethics management lies in its ability to:

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- Ensure Compliance and Consistency
- Mitigate Risks and Prevent Misconduct
- Build Stakeholder Trust and Reputation
- Foster an Ethical Culture

4. OBJECTIVES OF THE PROJECT

- 4.1 To review the Ethical structures, policies and processes of DTA, in order to provide assurance that there are adequate and effective controls in place to enhance the governance, risk management, and control environment.
- 4.2 To assist the Internal Audit Unit with the execution of the audit on Ethics Management as per the **deliverables detailed in paragraph 5.2 below.**

5. SCOPE OF WORK AND TIMELINES

5.1. Review of Ethics Management Processes will focus on the following:

- Compliance with PSR regulations, policies and procedures
- Adequacy of existing Ethics Management Strategy/Policy
- Effective Functioning of Ethics Governance structures
- Status of Organisational Ethical culture
- Leadership Commitment to Ethical Conduct
- Ethics Management maturity with DTA
- Effectiveness of Ethics awareness programs/interventions
- Implementation of Consequence management
- Completeness of Ethics Risks profile
- Analyse Reporting Mechanisms (e.g., whistleblower systems)

5.2. The successful Service Provider will be required to perform the following functions:

- a) Perform high level review on compliance with departmental policies and relevant Government ethics prescripts / Frameworks

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- b) Ensure compliance with the Institute of Ethics Management Guidelines and applicable frameworks
- c) Make contributions on improving ethics management of the Department by suggesting best practices, etc; and
- d) Attend planned meetings with the CAE or his/her delegate and relevant managers when required.
- e) Use DTA in-house Internal Audit methodology on planning, execution and reporting;
- f) Monitor and evaluate performance of team members on audit project;
- g) Perform the audit under the management of the Internal Audit Unit.
- h) Perform the audit according to the International Standards for the Professional Practice of Internal Auditing (ISPPIA);
- i) Write and present an audit report to the management which was subjected to the audit through the office of the Director: Internal Audit (CAE);
- j) All proposed reviews/projects completed and signed off within the prescribed time as per the contract.
- k) Be available when necessary to attend the DTA Audit Committee meeting which are held quarterly to discuss the outcomes of the audit.
- l) Develop quality Internal Audit reports that add value to the department.
- m) Provide a complete audit file per project (manual and soft copy).
- n) Perform quality assurance reviews of the project;

5.3.Detail Project Scope

No	Internal Audit Activities	Section audited	Audit Scope	Knowledge/Skills Required
	Ethics Management			

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No	Internal Audit Activities	Section audited	Audit Scope	Knowledge/Skills Required
1.	Review of Ethics management processes	ODG and Human Resource Management Units	➤ Compliance with PSR regulations, policies and procedures ➤ Effective Functioning of Ethics Governance structures ➤ Status of Organisational Ethical culture ➤ Ethical Leadership ➤ Adequacy of Ethics awareness programs/interventions ➤ Effective implementation of Consequence management ➤ Completeness of Ethics Risk profile	➤ Knowledge of PSR/DPSA regulations, and ethics frameworks such as the Public Sector Integrity Management Framework, Code of Conduct for the Public Service, and Protected Disclosures Act ➤ Knowledge of Guidelines from Ethics Institute ➤ Knowledge of King IV ➤ Knowledge of Global International Audit (GIA) Standards for the Professional Practice of Internal Auditors (ISPPIA)

5.4.DELIVERABLES OF SERVICE AND TIMEFRAMES

DELIVERABLES	TIMEFRAMES	PAYMENT TO THE SERVICE PROVIDER
Project plan outlining the deliverables and timeframes of the audit project	1 week after signing of the contract/SLA	-
Weekly progress reports on project to CAE	Weekly	-
1 st Draft Audit Report	1 week after execution of audit	50%

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DELIVERABLES	TIMEFRAMES	PAYMENT TO THE SERVICE PROVIDER
2 nd Draft audit report	2 weeks after execution of audit	-
Final Audit Report	1 week after engagement with management	30%
Complete manual audit file and signed off working papers	1 week after completion of audit project	20%

6. Company experience and competency

Required Expertise of the Service Provider:

- a) Knowledge and Understanding of ethical principles, codes, and standards
- b) Knowledge of Government prescripts/ethics frameworks such as the Public Sector Integrity Management Framework, Code of Conduct for the Public Service, and Protected Disclosures Act
- c) Knowledge of King IV:
- d) Knowledge of Guidelines recommended by Ethics Institute;
- e) Knowledge and Understanding of the Global Internal Audit standards;
- f) Relevant experience in ethics, compliance and auditing
- g) Capacity to execute the ethics management review;
- h) Skills to perform the review on ethics management;
- i) Ability to identify and assess ethical risks, including compliance, reputational, and operational risks.
- j) Skills in planning and executing ethics audits, including identifying scope, risks, objectives, and methodologies.
- k) Skill in preparing clear, concise reports and providing actionable recommendations.
- l) Generic audit skills:
 - Analytical skills; Ability to analyse complex data, identify patterns, and draw meaningful conclusions.

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- Communication skills; Report writing and presentation of report/results to stakeholders, including senior management, employees, and external parties.
 - Critical thinking; Ability to evaluate evidence, assess ethics risks, and make informed decisions
 - Problem-solving; Capacity to identify and address ethical issues, develop solutions, and implement recommendations.
 - Interpersonal skills; Ability to build trust, collaborate with stakeholders, and facilitate discussions.
 - Stakeholder engagement; Ability to engage with stakeholders, including employees, management, and external parties.
- m) Desirable Skills:
- Data analysis tools; Familiarity with data analysis software and tools.
- n) Applicable qualifications/certifications
- a. Team leader should possess a minimum Bachelor's degree/Advance Diploma in ethics or auditing.
 - b. Team members should possess at minimum a national diploma in auditing.
 - c. Certifications like Certified Internal Auditor (CIA) or Ethics Officer Certification Programme (EOCP).
 - d. Registration with a recognised professional body like IIASA, IRBA (Independent Regulatory Board for Auditors) or SAICA or Ethics Institute SA

7. PROJECT MANAGEMENT

- 7.1 This project will be implemented per the provisions of the Public Finance Management Act 1999 (Act No. 1 of 1999), National Treasury of South Africa. 2015. Supply Chain Management: A Guide for Accounting Officers/Authorities. DTA policies and prescripts, DTA, which will guide the project.
- 7.2 The company supervisor will liaise with the project manager appointed by DTA.
- 7.3 The Service Provider is required to follow the Service Level Agreement and adhere to the terms and conditions and the time frames.

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8. FORMAT OF THE PROPOSAL

8.1 Service providers must submit their proposals with accurately completed bidding documents and the necessary supporting documents. In addition to this requirement, bidders are also requested to attach the following documents in support of their bids:

(a) Proposal:

- Three contactable references (testimonials).
- Bidder's understanding of the terms of reference, with particular focus on the scope of the assignment and the deliverables.
- Bidder's logistical and administrative capacity to render the required services.
- Methodology – a detailed outline of how the service provider intends to undertake the task.
- A breakdown of proposed fee(s) to be charged by the Service Provider.
- An unconditional discount that the bidder is prepared to share or offer DTA.
- Value-added tax.
- Assumption that bid prices will include annual industry increases.

9. CONFIDENTIALITY OF INFORMATION

9.1 Should the service provider be appointed, all information shared during this bidding process and project implementation will remain the property of DTA, be kept with the utmost confidentiality, and cannot be used or shared for any other purpose.

9.2 On completion of the project, all documents must be handed to the Department of Traditional Affairs, including soft and hard copies of working papers and reports.

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10. EVALUATION OF PROPOSALS

- Proposals will be screened to ensure responsiveness to the RFP's requirements. DTA may reject any non-responsive proposal that does not provide evidence of the specified mandatory requirements. DTA reserves the right to request additional information and clarification from any or all bidders regarding their proposals during the evaluation and selection process.
- Bids are invited based on proposals and will be evaluated in three stages: prequalification, functionality, price, and specific goals by the 80/20 preference points system.

10.1 STAGE 1 –SCM MANDATORY REQUIREMENTS

Mandatory requirements-failure to submit the mandatory requirements will disqualify this bid from further consideration. A detailed company profile.

- Proposal (a detailed project plan) for evaluation of functionality.
- Completed and appropriately signed Standard Bidding Documents: General Conditions of Contract, SBD 1, SBD 3.1, SBD 4.
- Registration with a professional body (proof must be attached).

NB: ANY PROPOSAL THAT DOES NOT COMPLY WITH ANY OF THE ABOVE MANDATORY REQUIREMENTS WILL BE DISQUALIFIED

10.2 STAGE 2: EVALUATION ON FUNCTIONALITY

Criteria	Maximum possible score
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1. Company with experience in conducting Ethics Management reviews in the Public Sector Bidders to provide a minimum of three (3) contactable references in a form of testimonials on a company's letterhead (a) Less than 3 testimonials = 2 Points (b) 3 testimonials = 3 Points (c) 4 testimonials = 5 Points (d) 5 testimonials = 7 Points (e) More than 5 testimonials = 10 Points 2. Company experience Bidder should at least have a minimum of three years' experience in providing ethics management service. (a) Less than 3 years = 2 points (b) 3 years but less 5 = 3 Points (c) 5 years and above = 5 points	15
3. Understanding of the scope of work to be included in a detailed project plan: (a) No understanding of the scope of work = 0 points (b) Clear understanding of the scope of work = 3 points (c) Clear understanding of the scope of work and indication of availability of resources = 5 points (d) Clear understanding of the milestones/deliverables and timelines to be included in a project plan = 7 points (e) Clear understanding of the scope of work, indication of availability of resources and alignment of project with prescribed deliverables and timeframes=10 points	10
4. Methodology/Approach of Audit project A clearly defined Proposal stating suitable methods or approach to perform the Ethics Management review: a) No outline of the approach and timelines for different milestones/deliverables of the project=0 points b) Demonstrating knowledge about a recognisable method/approach to perform the ethics management review and outlining the detail activities or steps that will be followed to perform the review = 5 points c) Clear approach, suitable methods for undertaking the project, detailed process plan on how the project will be approached, clear project timelines aligned to the stipulated timeframes = 10 points d) Demonstrating knowledge about a recognisable method/approach to perform the ethics review, outlining the detail activities or steps that will be followed to perform the review and indicate the risk/benefits to the organisation for implementing or not implementing a recognised ethics methodology. = 15 points	15

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5. Qualifications and Experience of team leader 5.1 Qualifications of Team leader (a) Bachelor's degree/Advance Diploma in Auditing/Ethics (NQF7) and Certification (CIA/Ethics) = 5points (b) Post graduate diploma/honours degree in Auditing/Ethics (NQF8) and Certification (CIA/Ethics) = 7 points (c) Masters in Auditing/Ethics Management (NQF9) and Certification (CIA/Ethics) = 10 points 5.2 Registered membership at a Professional Body like IIA/IRBA/SAIGA/Ethics Institute South Africa =3 points 5.3 Experience of the team leader (Detailed CV's to be included) (a) 1-2 years' experience in Ethics review within Public Sector =3 points (b) Above 2-5 years' experience in Ethics review within Public Sector =5 points (c) Above 5 years' experience and more in Ethics review within Public Sector = 7 points	20
6. Qualifications and Experience of team members 6.1 Resource 1 (a) National Diploma in Auditing (NQF6) =3 points (b) Bachelors degree/advance diploma in Auditing (NQF7) and Certification (CIA/Ethics) = 5 points (c) Post graduate diploma/Honours degree in Auditing/Ethics (NQF8) and Certification (CIA/Ethics) = 7 points (d) Masters in Auditing/Ethics Management (NQF9) and Certification (CIA/Ethics) = 10 points 6.2 Registered membership at a Professional Body like IIA/IRBA/SAIGA/Ethics Institute South Africa = 3 points 6.3 Experience of team members (Detailed CV's to be included): (a) 1-2 years' experience in Ethics review within Public Sector = 3 points (b) Above 2-5 years' experience in Ethics review within Public Sector = 5 points (c) Above 5 years' experience in Ethics review within Public Sector = 7 points	20
6.4 Resource 2 (a) National Diploma in Auditing (NQF6) =3 points (b) Bachelors degree/advance diploma in Auditing (NQF7) and Certification (CIA/Ethics) = 5 points (c) Post graduate diploma/Honours degree in Auditing/Ethics (NQF8) and Certification (CIA/Ethics) = 7 points	20

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(d) Masters in Auditing/Ethics Management (NQF9) and Certification (CIA/Ethics) = 10 points 6.5 Registered membership at a Professional Body like IIA/IRBA/SAIGA/Ethics Institute South Africa = 3 points 6.6 Experience of team members (Detailed CV's to be included): (a) 1-2 years' experience in Ethics review within Public Sector = 3 points (b) Above 2-5 years' experience in Ethics review within Public Sector = 5 points (c) Above 5 years' experience in Ethics review within Public Sector = 7 points	
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BIDDERS WHO FAIL TO ACHIEVE A MINIMUM OF 65 POINTS OUT OF 100 POINTS ON FUNCTIONALITY WILL BE DISQUALIFIED FOR EVALUATION ON STAGE THREE (PRICE AND SPECIFIC GOALS).

10.3 STAGE 3 POINTS AWARDED FOR SPECIFIC GOALS

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 tender 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.

- 10.3.1 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 organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

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DTA'S SPECIFIC GOALS	POINTS	
SPECIFIC/PREFERENTIAL GOALS	80/20	90/10
B-BBEE compliance based on section 10 of the BBEE Act 53 of 2003 as amended by act 46 of 2013	8	4
Black ownership (51% or More)	4	2
Women ownership (51% of More)	4	2
Youth	2	1
People with Disabilities	2	1

B-BBEE status level of contributors	Number of points (80/20 system)	B-BBEE status level of contributors	Number of points (90/10 system)
1	8	1-2	4
2	7	3-4	3
3	6	5-6	2
4	5	7-8	1
5	4	Non-compliant contributors	0
6	3		
7	2		
8	1		
Non-compliant contributors	0		

DECLARATION WITH REGARD TO COMPANY/FIRM

10.4 Name of company/firm.....

10.5 Company registration number:

10.6 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

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[TICK APPLICABLE BOX]

- 10.7 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.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

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11. TRADITIONAL AFFAIRS RIGHTS

Traditional Affairs reserves the right to cancel this solicitation in whole or in part, at its sole discretion, at any time before the Agreement is fully executed. This RFQ does not commit Traditional Affairs to award an Agreement, to pay any costs incurred by bidders in preparing their proposals submitted in response to this RFQ, or to procure or contract services. Traditional Affairs reserves the right to modify or cancel this RFQ in whole or in part, reject any proposals, and accept the proposal it considers most favourable to Traditional Affairs' interests at its sole discretion. Traditional Affairs further reserves the right to reject all proposals and seek new proposals when considering such a procedure in its best interest. If there is any evidence indicating that two or more bidders are in collusion to restrict competition or are otherwise engaged in anti-competitive practices, the proposals of all such bidders shall be rejected. The evidence of such practices shall be reported to the relevant authorities.

The Department of Traditional Affairs reserves the right to hold discussions and negotiations with any individual or qualified company, to interview or not, to request additional information or revised proposals, or to request the best and final offers if it is in the Department of Traditional Affairs' best interest to do so. However, the Department of Traditional Affairs may award without conducting interviews or negotiations; therefore, recommended service providers are encouraged to submit their best proposal at the outset.

12. INTELLECTUAL PROPERTY RIGHTS AND OWNERSHIP OF MATERIAL

All intellectual property rights relating to any work produced by the service provider in relation to the performance of this Contract shall belong to DTA. The service provider shall give DTA all the required assistance in protecting such intellectual property rights. All material, in paper, electronic, or any recorded format produced by the service provider in the performance of this Contract shall remain the property of DTA and must be handed over to DTA within one month of the completion of the contract.

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All service providers undertake not to infringe on the intellectual property of third parties. Should any action or claim be instituted by DTA emanating from an infringement of intellectual property or an alleged infringement of intellectual property, the service providers hereby indemnify DTA against such claims or actions as well as all costs (including legal costs on an attorney and client scale).

13. AMENDMENTS AND VARIATION

The terms of reference, the offer made by the successful bidder, DTA's acceptance, and the General Conditions of Contract shall constitute the formal agreement between DTA and the successful bidder. No amendment of this agreement, variation, waiver, relaxation, or suspension of any of its provisions shall have any force or effect unless reduced to in writing and signed by both parties.

The service provider shall be appointed as an independent contractor, and DTA shall not be held liable for any obligations or liabilities arising from the service provider's actions.

The service provider does not have the right to bind DTA in any way during the execution of their mandate under this contract.

14. REPORTING

The appointed service provider will report to the appointed Project Manager of DTA. The detailed reporting requirements will be provided to the successful service provider during the contract negotiation and project inception.

Upon completion of a task, the service provider shall write a report to the DTA Project Manager on specific problems, suggestions, improvement methods, work programmes, personnel turnover, complaints, remedial actions taken and all other matters relating to the provision of response handling services.

15. MONITORING AND EVALUATION

DTA or its nominee reserves the right to monitor and evaluate the progress and outcome of this intervention as well as other services provided by the selected service provider; DTA or its nominee reserves the right to replace the service provider if the quality of service rendered is being compromised.

16. ASSESSMENTS

Assessments of the performance of the service provider will be conducted during the relevant periods in line with activities and in accordance with the key deliverables. If there is dissatisfaction with the performance, written notice outlining the deficiencies will be provided to the service provider, who will have 7 working days to rectify the deficiency, failing which the contract will be terminated.

17. PAYMENTS

DTA does not pay any amount in advance. Only original signed invoices must be submitted for payment. The service provider will be paid within 30 days after the invoice is approved, when the services have been fully rendered to the satisfaction of DTA, and this will be done by electronic transfer directly into the service provider's bank account.

18. TERMINATION OF THE CONTRACT

If the service provider does not commence to work on the project, and after 7 days of written notice addressed to their domicilium address to start, they still fail to start working on the project, this contract may be cancelled forthwith.

This contract may be cancelled for reasons other than poor performance or breach of contract by giving the service provider 14 days written notice to rectify or address the cause of concern where-after. DTA shall have the right to summarily cancel the contract upon written notice to the service provider.

20. SUBMISSION OF PROPOSALS

Service provider/s must submit the proposals on or before **01 December 2025 @ 11H00** at **DTA Office at Pencardia 1 buildings, 509 Pretorius Street, Arcadia, Pretoria**. Bidders should note that no late submission will be accepted by the department.

21. ENQUIRIES

Submit all enquiries, preferably in writing, quoting the RFQ number in the subject line, to DTAQuotations@cogta.gov.za.

10ART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	DTA/IA/EM/01/2025/26	CLOSING DATE:	01/12/2025	CLOSING TIME:	11h00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT AN AUDIT ON ETHICS MANAGEMENT				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE4 BID BOX SITUATED AT (STREET ADDRESS)					
509 Pretorius Street					
Pencardia 1 Building,3 rd Floor					
Arcadia					
0083					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Hellen Mokoka		CONTACT PERSON	Judy Mokgothu	
TELEPHONE NUMBER	012 065 3431		TELEPHONE NUMBER	012 065 3431	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	dtaquotations@cogta.gov.za		E-MAIL ADDRESS	dtaquotations@cogta.gov.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:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ 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?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		☐ Yes ☐ No [IF YES, ANSWER PART B:3]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?					☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?					☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?					☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?					☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?					☐ YES ☐ NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

PART B **TERMS AND CONDITIONS FOR BIDDING**

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

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....Bid number: DTA/IA/EM/01/2025/26
Closing Date: 01/12/2025
Closing Time: 11:00
OFFER TO BE VALID FOR 30 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY (INCLUDING VAT)
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Grand Total inclusive of all cost

- Brand and model *
- Country of origin *
- Does offer comply with specification? *_YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery *
- Delivery basis (all delivery costs must be included in the bid price) *_Delivery: Firm/not firm

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.
*Delete if not applicable

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

- 2.2 Do you, or any person connected with the bidder, have a relationship

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.

with any person who is employed by the procuring institution? YES/NO

2.2.1 If so, furnish particulars:

.....

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

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

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

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.

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.

.....	
Signature	Date
.....	
Position	Name of bidder

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**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 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	
SPECIFIC GOALS	
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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)} \end{array}$$

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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

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 organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
B-BBEE compliance	4	8		
Black ownership (51% or More)	2	4		

Women ownership (51% of More)	2	4		
Youth	1	2		
People with Disabilities	1	2		

B-BBEE status level of contributors	Number of points (80/20 system)	B-BBEE status level of contributors	Number of points (90/10 system)
1	8	1-2	4
2	7	3-4	3
3	6	5-6	2
4	5	7-8	1
5	4	Non-compliant contributors	0
6	3		
7	2		
8	1		
Non-compliant contributors	0		

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.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

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