# PART A
## INVITATION TO BID

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE PUBLIC PROTECTOR SOUTH AFRICA (PPSA)**

| BID NUMBER: | PPZA: 006/2020 | CLOSING DATE: | 31/08/2020 | CLOSING TIME: | 11:00 |

**DESCRIPTION**
Appointment of service providers for inclusion in the Public Protector South Africa (PPSA) panel of external investigative resources and subject matter experts on as and when required basis for a period of three (3) years

**BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT**

**STREET ADDRESS**
175 Lunnion Street
Hillcrest Office Park
Hatfield, Pretoria
0083

## BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO

<table>
<thead>
<tr>
<th>CONTACT PERSON</th>
<th>Nsene Nemusimbori</th>
</tr>
</thead>
<tbody>
<tr>
<td>TELEPHONE NUMBER</td>
<td>012 306 7014</td>
</tr>
<tr>
<td>FAX/FACSIMILE NUMBER</td>
<td>Not applicable</td>
</tr>
<tr>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:nskene@pprotect.org">nskene@pprotect.org</a></td>
</tr>
</tbody>
</table>

## TECHNICAL ENQUIRIES MAY BE DIRECTED TO

<table>
<thead>
<tr>
<th>CONTACT PERSON</th>
<th>Thabang Maswi</th>
</tr>
</thead>
<tbody>
<tr>
<td>TELEPHONE NUMBER</td>
<td>012 306 7079</td>
</tr>
<tr>
<td>FAX/FACSIMILE NUMBER</td>
<td>Not applicable</td>
</tr>
<tr>
<td>E-MAIL ADDRESS</td>
<td><a href="mailto:Thabangma@pprotect.org">Thabangma@pprotect.org</a></td>
</tr>
</tbody>
</table>

## SUPPLIER INFORMATION

<table>
<thead>
<tr>
<th>NAME OF BIDDER</th>
</tr>
</thead>
<tbody>
<tr>
<td>POSTAL ADDRESS</td>
</tr>
<tr>
<td>STREET ADDRESS</td>
</tr>
<tr>
<td>TELEPHONE NUMBER</td>
</tr>
<tr>
<td>CELLPHONE NUMBER</td>
</tr>
<tr>
<td>FAX/FACSIMILE NUMBER</td>
</tr>
<tr>
<td>E-MAIL ADDRESS</td>
</tr>
<tr>
<td>VAT REGISTRATION NUMBER</td>
</tr>
</tbody>
</table>

## SUPPLIER COMPLIANCE STATUS

<table>
<thead>
<tr>
<th>TAX COMPLIANCE SYSTEM PIN:</th>
<th>CENTRAL SUPPLIER DATABASE No:</th>
</tr>
</thead>
<tbody>
<tr>
<td>OR LPR/MSR/SMR/SSR/TSR/TSR</td>
<td>MAAA</td>
</tr>
</tbody>
</table>

## B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE

- [ ] [TICK APPLICABLE BOX] Yes
- [ ] [TICK APPLICABLE BOX] No

## B-BBEE STATUS LEVEL SWORN AFFIDAVIT

- [ ] [TICK APPLICABLE BOX] Yes
- [ ] [TICK APPLICABLE BOX] 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

## ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?

- [ ] Yes
- [ ] No

[IF YES, ANSWER THE QUESTIONNAIRE BELOW ]

## QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- [ ] YES [ ] NO
- [ ] YES [ ] NO
- [ ] YES [ ] NO
- [ ] YES [ ] NO
- [ ] YES [ ] NO
- [ ] 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 PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.*

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

SIGNATURE OF BIDDER: .................................................................

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

DATE: .................................................................
# PRICING SCHEDULE
(Professional Services)

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DESCRIPTION</th>
<th>BID PRICE IN RSA CURRENCY <strong>(ALL APPLICABLE TAXES INCLUDED)</strong></th>
</tr>
</thead>
</table>

NB: Bidders must accept PPFA rates

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Any enquiries regarding bidding procedures may be directed to the —

(INsert name and address of department/entity)

Tel:

Or for technical information —

(INsert name of contact person)

Tel:

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1. pg. Appointment of service providers for inclusion in the Public Protector South Africa (PPFA) panel of external investigative resources and subject matter experts on an as and when required basis for a period of three (3) years PPFA 006/2020
PUBLIC PROTECTOR SOUTH AFRICA

(INVESTIGATION UNIT)

TARIFF OF FEES FOR PANEL OF EXTERNAL INVESTIGATIVE RESOURCES AND SUBJECT MATTER EXPERTS FOR PPSA OVER A PERIOD OF THREE (3) YEARS ON AS AND WHEN REQUIRED BASIS

Appointment of service providers for inclusion in the Public Protector South Africa (PPSA) panel of external investigative resources and subject matter experts on an as and when required basis for a period of three (3) years. PPSA 006/2010
### PROJECTS RATES STRUCTURE

1. Bidders shall note that:
   1.1 Rates include value added tax;
   1.2 Rates include the cost of all labour, equipment, materials and consumables required to execute the service as described in specification;

### NAME OF BIDDER / SUPPLIER

<table>
<thead>
<tr>
<th>ID</th>
<th>Position</th>
<th>Year 1 Rate per hour including VAT</th>
<th>Year 2 Rate per hour including VAT</th>
<th>Year 3 Rate per hour including VAT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Director</td>
<td>R 2500.00</td>
<td>The year 1 maximum rates will be negotiated</td>
<td>The year 2 maximum rates will be negotiated</td>
</tr>
<tr>
<td>2</td>
<td>Engineers</td>
<td>R 2500.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Investigation Manager / Forensic Investigator</td>
<td>R 2000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Legal Corporate Council</td>
<td>R 1 850.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Paralegal</td>
<td>R 850.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Project Manager</td>
<td>R 2000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Investigation audit Senior Manager</td>
<td>R 2 430.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Investigation audit Manager</td>
<td>R 1 983.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Investigation audit Assistant Manager</td>
<td>R 1 355.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Appointment of service providers for inclusion in the Public Protector South Africa (PPSA) panel of external investigative resources and subject matter experts on an as and when required basis for a period of three (3) years. PPSA 006/2020
<table>
<thead>
<tr>
<th></th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Quantity Survey</td>
<td>R 850.00</td>
</tr>
<tr>
<td>11</td>
<td>Estimator</td>
<td>1500.00</td>
</tr>
<tr>
<td>12</td>
<td>Procurement Specialist</td>
<td>R 850.00</td>
</tr>
<tr>
<td>13</td>
<td>Administrator</td>
<td>R 250.00</td>
</tr>
</tbody>
</table>

**NB:** By signing this document it will mean that the bidder agrees to PPSA rates no additional cost will be accepted.

**SIGNATURE OF DELEGATE**

**NAME OF DELEGATED SIGNATORY (PRINT)**

[signature]

in his capacity as

**DESIGNATION OF SIGNATORY (PRINT)**

[designation]

who warrants his authority to sign on behalf of

**NAME OF BIDDER (COMPANY)**

[company]

**DATE**

[signature]

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Appointment of service providers for inclusion in the Public Protector South Africa (PPSA) panel of external investigative resources and subject matter experts on an as and when required basis for a period of three (3) years PPSA 006/2020
DECLARATION OF INTEREST

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

- the bidder is employed by the state; and/or

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

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

2.1 Full Name of bidder or his or her representative: ..........................................................

2.2 Identity Number: ...........................................................................................................

2.3 Position occupied in the Company (director, trustee, shareholder²): ..................................

2.4 Company Registration Number: ...................................................................................

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

2.6 VAT Registration Number: ..........................................................................................

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

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

²Appointment of service providers for inclusion in the Public Protector South Africa (PPSA) panel of external investigative resources and subject matter experts on as and when required basis for a period of three (3) years. PPSA 006/2020
"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

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

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member: ..........................................................

Name of state institution at which you or the person connected to the bidder is employed:

Position occupied in the state institution:

Any other particulars:

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

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES / NO

2.7.2.1 If yes, did you attached proof of such authority to the bid document? YES / NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.)

2.7.2.2 If no, furnish reasons for non-submission of such proof:

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

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

2.8.1 If so, furnish particulars:

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

2.9 Do you, or any person connected with the bidder, have YES / NO

1. pg. 2 Appointment of service providers for inclusion in the Public Protector South Africa (PPSA) panel of external investigative resources and subject matter experts on an and when required basis for a period of three (3) years. PPSA 006/2020
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 any other 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 / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:


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

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Identity Number</th>
<th>Personal Tax Reference Number</th>
<th>State Employee Number / Personal Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</tbody>
</table>

1. pg. 3 Appointment of service providers for inclusion in the Public Protector South Africa (PPSA) panel of external investigative resources and subject matter experts on an as and when required basis for a period of three (3) years. PPSA 006/2020
4 DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

...................................................... ......................................................
Signature Date

...................................................... ......................................................
Position Name of bidder

May 2011

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1. pg. 4 Appointment of service providers for inclusion in the Public Protector South Africa (PPSA) panel of external investigative resources and subject matter experts on an as and when required basis for a period of three (3) years. PPSA 006/2020.
PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution


1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:
   - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
   - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2
   a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
   b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (delete whichever is not applicable for this tender).

1.3 Points for this bid shall be awarded for:
   (a) Price; and
   (b) B-BBEE Status Level of Contributor.

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

<table>
<thead>
<tr>
<th>Points</th>
<th>PRICE</th>
<th>B-BBEE STATUS LEVEL OF CONTRIBUTOR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>100</td>
</tr>
</tbody>
</table>

Total points for Price and B-BBEE must not exceed 100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.
2. DEFINITIONS

(a) "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

(b) "B-BBEE status level of contributor" means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(c) "bid" means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

(d) "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

(e) "EME" means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(f) "functionality" means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.

(g) "prices" includes all applicable taxes less all unconditional discounts;

(h) "proof of B-BBEE status level of contributor" means:
   1) B-BBEE Status level certificate issued by an authorized body or person;
   2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
   3) Any other requirement prescribed in terms of the B-BBEE Act;

(i) "QSE" means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(j) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

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

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

\[
P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)
\]

Where

\[
\begin{align*}
P_s &= \text{Points scored for price of bid under consideration} \\
P_t &= \text{Price of bid under consideration} \\
P_{\min} &= \text{Price of lowest acceptable bid}
\end{align*}
\]

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

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:
<table>
<thead>
<tr>
<th>B-BBEE Status Level of Contributor</th>
<th>Number of points (90/10 system)</th>
<th>Number of points (80/20 system)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>10</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>9</td>
<td>18</td>
</tr>
<tr>
<td>3</td>
<td>6</td>
<td>14</td>
</tr>
<tr>
<td>4</td>
<td>5</td>
<td>12</td>
</tr>
<tr>
<td>5</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>7</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Non-compliant contributor</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

5. **BID DECLARATION**

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

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

6.1 B-BBEE Status Level of Contributor: \( x \) = .......... (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

7. **SUB-CONTRACTING**

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

*(Tick applicable box)*

[ ] YES  [ ] NO

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted: .......%  

ii) The name of the sub-contractor: ..........................................................

iii) The B-BBEE status level of the sub-contractor: ........................................

iv) Whether the sub-contractor is an EME or QSE *(Tick applicable box)*

[ ] YES  [ ] NO

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

<table>
<thead>
<tr>
<th>Designated Group: An EME or QSE which is at last 51% owned by:</th>
<th>EME</th>
<th>QSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black people</td>
<td>√</td>
<td>√</td>
</tr>
<tr>
<td>Black people who are youth</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people who are women</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black people with disabilities</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Appointment of service providers for inclusion in the Public Protector South Africa (PPSA) panel of external investigative resources and subject matter experts on an as and when required basis for a period of three (3) years PPSA 006/2020
8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm: .........................................................

8.2 VAT registration number: .........................................................

8.3 Company registration number: .........................................................

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

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

i) The information furnished is true and correct;

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

iii) In the event of a contract being awarded as a result of points claimed as shown in
paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

(a) disqualify the person from the bidding process;
(b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
(c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
(d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audire alteram partem* (hear the other side) rule has been applied; and
(e) forward the matter for criminal prosecution.

WITNESSES
1. ........................................
2. ........................................

SIGNATURE(S) OF BIDDERS(S)

DATE: ........................................
ADDRESS  ........................................
........................................
........................................
DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Standard Bidding Document must form part of all bids invited.

2. It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3. The bid of any bidder may be disregarded if that bidder, or any of its directors have-
   
a. abused the institution’s supply chain management system;
   b. committed fraud or any other improper conduct in relation to such system; or
   c. failed to perform on any previous contract.

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

<table>
<thead>
<tr>
<th>Item</th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1</td>
<td>Is the bidder or any of its directors listed on the National Treasury’s Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <em>audi alteram partem</em> rule was applied).</td>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

   The Database of Restricted Suppliers now resides on the National Treasury’s website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.

| 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)? The Register for Tender Defaulters can be accessed on the National Treasury’s website (www.treasury.gov.za) by clicking on its link at the bottom of the home page. | ☐ | ☐ |

| 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?  

Yes ☐ No ☐

4.4.1 If so, furnish particulars:

CERTIFICATION

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

 Js365bW
CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Standard Bidding Document (SBD) must form part of all bids¹ invited.

2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a _per se_ prohibition meaning that it cannot be justified under any grounds.

3. Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:

   a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution’s supply chain management system and or committed fraud or any other improper conduct in relation to such system.

   b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

4. This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

5. In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

1. pg. Appointment of service providers for inclusion in the Public Protector South Africa (PPSA) panel of external investigative resources and subject matter experts on an as and when required basis for a period of three (3) years. PPSA 006/2020
CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: ___________________________ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

(a) has been requested to submit a bid in response to this bid invitation;
(b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
(c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. 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 consortium⁹ will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
   (a) prices;
   (b) geographical area where product or service will be rendered (market allocation)
   (c) methods, factors or formulas used to calculate prices;
   (d) the intention or decision to submit or not to submit, a bid;
   (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
   (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. 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.

⁹ 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.
10. 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.

Signature

Date

Position

Name of Bidder

Js914w 2

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1. Pg. Appointment of service providers for inclusion in the Public Protector South Africa (PPSA) panel of external investigative resources and subject matter experts on an as and when required basis for a period of three (3) years PPSA 006/2020
TERMS OF REFERENCE AND CONDITIONS OF BID

APPOINTMENT OF SERVICE PROVIDERS FOR INCLUSION IN THE PUBLIC PROTECTOR SOUTH AFRICA (PPSA) PANEL OF EXTERNAL INVESTIGATIVE RESOURCES AND SUBJECT MATTER EXPERTS FOR A PERIOD OF THREE (3) YEARS ON AN AS AND WHEN REQUIRED BASIS

BID NUMBER: PPSA 006/2020

COMPULSORY BRIEFING SESSION DATE: 13 AUGUST 2020 FROM 10H00AM

VENUE: PPSA HOUSE; 175 LUNNON STREET; HILLCREST OFFICE PARK, HATFIELD; PRETORIA

CLOSING DATE AND TIME OF BID: 31 AUGUST 2020 AT 11:00 AM

BID VALIDITY PERIOD: 120 DAYS

pg. 1 Appointment of service providers for inclusion in the panel of external investigative resources and subject matter experts for a period of three (3) years on an as and when required basis
1. **BACKGROUND**

1. Public Protector South Africa (PPSA) is a Chapter 9 institution constituted under Section 181 of the Constitution of the Republic of South Africa. In terms of section 182 (1) of the constitution the Public Protector has the power to:

1.1.1 Investigate any conduct in state affairs or in the public administration in any sphere of government that is alleged or suspected to be improper or that will result in impropriety or prejudice;

1.1.2 Report on that conduct; and

1.1.3 Take appropriate remedial action.

1.2 The Public Protector Act, 1994 is the primary legislation to give effect to the constitutional mandate of the Public Protector is to strengthen constitutional democracy by investigating and redressing improper and prejudicial conduct, maladministration and abuse of power in all state affairs; resolving administrative disputes or rectifying any act or omission in administrative conduct through mediation, conciliation or negotiation; advising on appropriate remedies or employing any other expedient means.

1.3 The Key mandate areas that can be discerned from the Constitution and additional statutes include the following:

1.3.1 Enforcement of Executive ethics as conferred by the Executive Members' Ethics Act of 1998 and the Executive Ethics Code.

1.3.2 Anti-corruption as conferred by the Prevention and Combating of Corrupt Activities Act 12 of 2004 read with the PP Act.

1.3.3 Whistle-blower protection as conferred by the Protected Disclosures Act 26 of 2000.

1.3.4 Regulation of information as conferred by the Promotion of Access to Information Act 2 of 2000;

1.3.5 Review of decisions of the Home Builders Registration Council regarding disputes involving construction contracts or agreements in the housing sector as determined by the Housing Protection Measures Act 95 of 1998;

pg. 2 Appointment of service providers for inclusion in the panel of external investigative resources and subject matter experts for a period of three (3) years on an as and when required basis
2 Adjudicating environmental disputes and grievances involving organs of state as envisaged in the National Environmental Management Act, 1998 and the Public Protector Act, 1994; and

2.1 Discharging other responsibilities as mandated by the following legislation:

2.1.1 National archives and Record Service Act 43 of 1996;
2.1.2 National Energy Act 40 of 2004
2.1.3 Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000;
2.1.3 Public Finance Management Act of 1999;
2.1.4 Lotteries Act 57 of 1997;
2.1.5 Special Investigation Units and Special Tribunals Act 74 of 1996; and
2.1.6 National Environmental Management Act 108 of 1999;
2.1.7 Electoral Commission Act 51 of 1996.

2.2 The Public Protector is independent and subject only to the Constitution and the law, always impartial and must exercise its powers and perform its functions without fear, favour or prejudice. PPSA is accountable to the National Assembly and must report on its activities and performance to the National Assembly at least once a year.

2.3 Currently PPSA is looking to appoint selected service providers to a panel of external investigative resources and subject experts to assist the Public Protector in conducting investigations and preparing draft reports on any investigation deemed appropriate for external investigation in terms of the provisions of section 182 of the Constitution, the Public Protector Act, the Executive Members Ethics Act and other relevant legislation regulating the powers and functions of the Public Protector as listed above.
3. **Objective of the bid**

3.1 To solicit bids from organisations or companies with skilled, experienced and suitably qualified individuals and professionals to apply for registration on the database of the Public Protector to be considered for rendering services, including investigative and forensic services, on an *ad hoc* basis to the Public Protector, as contemplated by the provisions of section 7(3)(b) of the Public Protector Act.

4. **Scope of work**

4.1 **Investigations**

4.1.1 The bidder must be in a position to conduct administrative and forensic investigations by means of gathering information, evidence and facts, as well as dealing with, resolving and rectifying complaints and reporting on proposed findings and remedial action.

4.1.2 Bidders will be expected to investigate amongst others, allegations of improper or prejudicial conduct in state affairs on national, provincial and local government level, as well as all other organs of state.

4.1.3 Investigations may include the auditing of projects, procurement-related activities to help prevent and detect corruption or other forms of fraud, unfair bidding practices, collusion and/or corruption and the victimisation of whistle blowers.

4.1.4 Audit and analyse accounting and other financial information.

4.1.5 Investigations must be conducted in terms of an approved project plan, determining both the scope and duration of the investigation, with milestones and timelines, catering for, inter alia-

4.1.5.1 Gathering of documentary evidence.

4.1.5.2 Review project documentation, including contract documents.

4.1.5.3 Conduct interviews with involved parties, including complainants, implicated parties and government officials.

4.1.5.4 Conduct background inquiries of firms or individuals.
4.1.5.5 Forensic analysis of financial information and establish the amount of any loss resulting from fraudulent or corrupt practices or maladministration.

4.1.5.6 Resolve complaints through Alternative Dispute Resolution (ADR)

4.1.5.7 Prepare a report on investigative findings.

4.1.5.8 Provide for remedial action or solutions.

4.2 **Subject experts**

4.2.1 The services of panel members will be solicited to assist with or provide guidance on the assessment and investigation of complaints as experts in the fields of, *inter alia*—

a) Complaint handling  
b) Forensic services  
c) Public administration  
d) Public finance, including financial services and accounting  
e) Public law  
f) Mediation and alternative dispute resolution  
g) Legal drafting and report writing  
h) Human resources, including (public sector) labour and pension law  
i) Public Procurement  
j) Economics, including budgetary control  
k) Integrity management, including ethics and prevention and combating of corruption  
l) Whistleblowing protection laws  
m) Local government, including municipal services, structures and their duties, responsibilities, and governance.

4.3 **General**

4.3.1 PPSA may at its own discretion vary and issue instructions to increase or limit the scope of work.

4.3.2 The service provider may not sub-contract any part of the work assigned to it without prior written authorisation and appropriate designation by PPSA.

pg. 5 Appointment of service providers for inclusion in the panel of external investigative resources and subject matter experts for a period of three (3) years on an as and when required basis
4.3.3 The agreed tariff shall apply for the duration of the contract of the firm in the legal advisors panel.

4.3.4 The bidder must undertake to at all times provide its services with promptness, diligence, professionally and with all due care, skill and expertise.

4.3.5 Selected service providers will be bound by a confidentiality agreement preventing the unauthorised disclosure of any information regarding the Public Protector South Africa or of its activities to any other organisation or individual. The bidders may not disclose any information, documentation or products to other clients without written approval of the Public Protector South Africa.

4.3.6 Copyright of all documentation (reports) etc. in relation to this application, bid or proposal as well as any task directive emanating from an appointment as a panel member, belongs to the Public Protector South Africa.

4.3.7 The bidder is not guaranteed any work under this bid proposal.

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

5. The bid will be evaluated as outlined below:

5.1 Phase 1 evaluation: Bidders must ensure that they complete and sign documents as indicated below, and the documents must be submitted as part of the bid document by the closing date and time:

5.1.1 Signed SBD 1: Invitation to Bid letter

5.1.2 Signed SBD 4: Declaration of interest

5.1.3 Signed SBD 8: Declaration of bidder’s past supply chain management practices

5.1.4 Signed SBD 9: Certificate of independent bid determination

5.1.5 Signed SBD 6.1: Preference Points claim form in terms of the Preferential Procurement Regulations 2017

5.1.6 Original or certified valid BBBEE certificate

5.2 Phase 2 evaluation: Below is mandatory required documents which must be submitted with the bid document and only bidders that have submitted all the
documents will be evaluated for functionality. Non submission of all mandatory documents will disqualify the bidder.

5.2.1 Confirmation letter that the bidder agrees to PPSA rates and
5.2.2 Attendance of compulsory briefing session (certificate of attendance to be submitted with the bid document)

5.3 Phase 3 evaluations : Functionality evaluations

(a) Bidders must score at least 70 points out of 100 points on functionality to be considered to phase three (3). Bidders who score less than 70 points on functionality will be regarded as non-responsive submission and such bidder will be disqualified for phase 4 evaluations

(b) The functionality evaluations will be done for each area of expertise or specialisation hence the bidder must indicate in the form of a tick on which area is their company bidding for. Bidders are allowed to bid for more than one area of expertise or specialisation.

(c) Bidders must indicate in the table below which area of expertise are they bidding for:

<table>
<thead>
<tr>
<th>ID</th>
<th>Area of expertise or specialisation</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Finance, Economics and Accounting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Public Administration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Legal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Public Procurement and Supply Chain Management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Human Resource Management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Others</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
5.3.1 Evaluation criteria for Finance, Economics and Accounting expertise

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight 100</th>
<th>Sub-criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Competencies</td>
<td>10/100</td>
<td>(1) Working knowledge of legislative framework to the Public Protector, especially the Constitution of South Africa,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(2) Public Protector Act,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(3) the Executive Members' Ethics Act,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(4) Public Finance Management Act</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(5) and State Administration</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in all five (5) of the above requirements  = 5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any four (4) of the above requirements  = 4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any three (3) of the above requirements = 3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any two (2) of the above requirements = 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any one (1) of the above requirements = 1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder does not have experience in any of the above requirements = 0</td>
</tr>
</tbody>
</table>

Recommended knowledge

1. Specialised knowledge of effective investigation and interview techniques and protocols in public administration.
2. Experience in Audit and Forensic Investigations
3. Well-developed knowledge and skills of legal drafting and reporting procedures.

pg. 8 Appointment of service providers for inclusion in the panel of external investigative resources and subject matter experts for a period of three (3) years on as and when required basis.
4. Well-developed research methodology.
5. Demonstrated Knowledge and Experience of project management.
6. Specialised knowledge and experience of alternative dispute resolution procedures

- If the bidders resources have experience in all six (6) of the above required skills
  \[= 5\]
- If the bidders resources have experience in any (5) of the above required skills
  \[= 4\]
- If the bidders resources have experience in any four (4) of the above required skills
  \[= 3\]
- If the bidders resources have experience in any three (3) of the above required skills
  \[= 2\]
- If the bidders resources have experience in any of two (2) of the above required skills
  \[= 1\]
- If the bidders resources have experience in any one (1) of the above required skills
  \[= 0\]

<table>
<thead>
<tr>
<th>AREAS OF EXPERTISE OR SPECIALISATION</th>
<th>FINANCE, ECONOMICS AND ACCOUNTING, INCLUDING</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Forensic investigations</td>
<td>1. Forensic investigations</td>
</tr>
<tr>
<td>2. Public Financial Oversight and Accountability</td>
<td></td>
</tr>
<tr>
<td>5. Public Sector financial management</td>
<td>4. Local economic development</td>
</tr>
<tr>
<td>6. Risk Management</td>
<td>5. Public Sector financial management</td>
</tr>
<tr>
<td>8. Medical and Injury on duty claims Management</td>
<td>7. Healthcare Benefits administration and claims assessment</td>
</tr>
</tbody>
</table>

pg. 9 Appointment of service providers for inclusion in the panel of external investigative resources and subject matter experts for a period of three (3) years on as and when required basis
<table>
<thead>
<tr>
<th>Company experience:</th>
<th>20/100</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of years the company have involved in investigations or similar services, or experience as subject matter experts</td>
<td></td>
</tr>
</tbody>
</table>

- If the bidding company has all eight (8) areas of expertise and specialisation = 5
- If the bidding company has seven (7) areas of expertise and specialisation = 4
- If the bidding company has five (5) up to six (6) areas of expertise and specialisation = 3
- If the bidding company has three (3) up to four (4) areas of expertise and specialisation = 2
- If the bidding company has between one (1) up to two (2) areas of expertise and specialisation = 1

- If the bidder has more than five (5) years' experience = 5
- If the bidder has more than four (4) up to five (5) years' experience = 4
- If the bidder has more than three (3) up to four (4) years' experience = 3
- If the bidder has more than two (2) up to three (3) years' experience = 2
- If the bidder has between Bidding one (1) up to two (2) years' experience = 1
<table>
<thead>
<tr>
<th>References: The bidder must submit a reference letter/s from current and previous clients where similar services were successfully provided. All letters must be on the company letter head of the referee and signed by the referee. The referees must be contactable and the contact details provided must include:</th>
</tr>
</thead>
<tbody>
<tr>
<td>▶ Contact Person;</td>
</tr>
<tr>
<td>▶ Designation;</td>
</tr>
<tr>
<td>▶ Organisation/ Company name; and</td>
</tr>
<tr>
<td>▶ Cell number/Office number</td>
</tr>
<tr>
<td>20/100</td>
</tr>
<tr>
<td>• If the bidder submitted at least five (5) and more reference letters where similar services were successfully provided = 5</td>
</tr>
<tr>
<td>• If the bidder submitted at least four (4) reference letters where similar services were successfully provided = 4</td>
</tr>
<tr>
<td>• If the bidder submitted at least three (3) reference letters where similar services were successfully provided = 3</td>
</tr>
<tr>
<td>• If the bidder submitted at least two (2) reference letters where similar services were successfully provided = 2</td>
</tr>
<tr>
<td>• If the bidder submitted one (1) reference letter where similar services were successfully provided = 1</td>
</tr>
</tbody>
</table>

The minimum qualifying score for functionality is 70%. All bids that fail to achieve the minimum qualifying score on functionality shall not be considered to form part of the panel.
### 5.3.2 Evaluation criteria for Public Administration expertise

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight 100</th>
<th>Sub-criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Competencies</td>
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<td>3. the Executive Members’ Ethics Act,</td>
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<td>4. Public Finance Management Act</td>
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<tr>
<td></td>
<td></td>
<td>5. and State Administration</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in all five (5) of the above requirements = 5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any four (4) of the above requirements = 4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any three (3) of the above requirements = 3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any two (2) of the above requirements = 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any one (1) of the above requirements = 1</td>
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<tr>
<td></td>
<td></td>
<td>• If the bidder does not have experience in any of the above requirements = 0</td>
</tr>
</tbody>
</table>

**Recommended knowledge**

1. Specialised knowledge of effective investigation and interview techniques and protocols in public administration.
2. Experience in Audit and Forensic Investigations
3. Well-developed knowledge and skills of legal drafting and reporting procedures.
## Areas of Expertise or Specialisation

|        | 6. Well-developed research methodology. 7. Demonstrated Knowledge and Experience of alternative dispute resolution procedures. 8. Experience in all six (6) of the above required skills. If the bidders' resources have experience in any four (4) of the above required skills. If the bidders' resources have experience in any three (3) of the above required skills. If the bidders' resources have experience in any two (2) of the above required skills. If the bidders' resources have experience in any one (1) of the above required skills. If the bidders' resources have experience in any one (1) of the above required skills. |

- If the bidders' resources have experience in any six (6) of the above required skills.
- If the bidders' resources have experience in any four (4) of the above required skills.
- If the bidders' resources have experience in any three (3) of the above required skills.
- If the bidders' resources have experience in any two (2) of the above required skills.
- If the bidders' resources have experience in any one (1) of the above required skills.
- If the bidders' resources have experience in any one (1) of the above required skills.
<table>
<thead>
<tr>
<th>Company experience:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of years the company have involved in investigations or similar services, or experience as subject matter experts</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>20/100</th>
</tr>
</thead>
</table>

- If the bidding company has more ten (10) up to eleven (11) areas of expertise and specialisation = 5
- If the bidding company has seven (7) up to nine (9) areas of expertise and specialisation = 4
- If the bidding company has five (5) up to six (6) areas of expertise and specialisation = 3
- If the bidding company has three (3) up to four (4) areas of expertise and specialisation = 2
- If the bidding company has between one (1) up to two (2) areas of expertise and specialisation = 1

- If the bidder has more than five (5) years' experience = 5
- If the bidder has more than four (4) up to five (5) years' experience = 4
- If the bidder has more than three (3) up to four (4) years' experience = 3
- If the bidder has more than two (2) up to three (3) years' experience = 2
- If the bidder has between Bidding one (1) up to two (2) years' experience = 1
**References:** The bidder must submit a reference letter/s from current and previous clients where similar services were successfully provided. All letters must be on the company letter head of the referee and signed by the referee. The referees must be contactable and the contact details provided must include:

The referees must be contactable and the contact details provided must include:

- ✔ Contact Person;
- ✔ Designation;
- ✔ Organisation/ Company name; and
- ✔ Cell number/Office number

| 20/100 | • If the bidder submitted at least five (5) and more reference letters where similar services were successfully provided = 5 |
| 20/100 | • If the bidder submitted at least four (4) reference letters where similar services were successfully provided = 4 |
| 20/100 | • If the bidder submitted at least three (3) reference letters where similar services were successfully provided = 3 |
| 20/100 | • If the bidder submitted at least two (2) reference letters where similar services were successfully provided = 2 |
| 20/100 | • If the bidder submitted one (1) reference letter where similar services were successfully provided = 1 |

The minimum qualifying score for functionality is 70%. All bids that fail to achieve the minimum qualifying score on functionality shall not be considered to form part of the panel.
### 5.3.3 Evaluation criteria for Legal expertise

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight 100</th>
<th>Sub-criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Competencies</td>
<td>10/100</td>
<td>1. Working knowledge of legislative framework to the Public Protector, especially the Constitution of South Africa, Public Protector Act,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Executive Members' Ethics Act, Public Finance Management Act and State Administration</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in all five (5) of the above requirements = 5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any four (4) of the above requirements = 4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any three (3) of the above requirements = 3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any two (2) of the above requirements = 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any one (1) of the above requirements = 1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder does not have experience in any of the above requirements = 0</td>
</tr>
</tbody>
</table>

### Recommended knowledge

1. Specialised knowledge of effective investigation and interview techniques and protocols in public administration.
2. Experience in Audit and Forensic Investigations.
3. Well-developed knowledge and skills of legal drafting and reporting procedures.
4. Well-developed research methodology.
5. Demonstrated Knowledge and Experience of project management.
6. Specialised knowledge and experience of alternative dispute resolution procedures

- If the bidders resources have experience in all six (6) of the above required skills = 5
- If the bidders resources have experience in any (5) of the above required skills = 4
- If the bidders resources have experience in any four (4) of the above required skills = 3
- If the bidders resources have experience in any three (3) of the above required skills = 2
- If the bidders resources have experience in any of two (2) of the above required skills = 1
- If the bidders resources have experience in any one (1) of the above required skills = 0

### AREAS OF EXPERTISE OR SPECIALISATION

| 40/100 | 1. Constitutional Law |
|  | 2. Administrative law |
|  | 3. Law enforcement |
|  | 4. Policing practices |
|  | 5. Criminal Investigations |
|  | 6. Paralegal Practice |
|  | 7. Criminal Procedure |
|  | 8. Protected disclosures |
|  | 9. Access to information |
|  | 10. Prevention and combating of corruption |

Legal, including

pg. 17 Appointment of service providers for inclusion in the panel of external investigative resources and subject matter experts for a period of three (3) years on as and when required basis
<table>
<thead>
<tr>
<th>Company experience:</th>
<th>20/100</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of years the company have involved in investigations or similar services, or experience as subject matter experts</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If the bidding company has nine (9) up to ten (10) areas of expertise and specialisation = 5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If the bidding company has seven (7) up to eight (8) areas of expertise and specialisation = 4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If the bidding company has five (5) up to six (6) areas of expertise and specialisation = 3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If the bidding company has three (3) up to four (4) areas of expertise and specialisation = 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If the bidding company has one (1) up to two (2) areas of expertise and specialisation = 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If the bidder has more than five (5) years’ experience = 5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If the bidder has more than four (4) up to five (5) years’ experience = 4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If the bidder has more than three (3) up to four (4) years’ experience = 3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If the bidder has more than two (2) up to three (3) years’ experience = 2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If the bidder has between one (1) up to two (2) years’ experience = 1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
References: The bidder must submit a reference letter/s from current and previous clients where similar services were successfully provided. All letters must be on the company letter head of the referee and signed by the referee. The referees must be contactable and the contact details provided must include:

The referees must be contactable and the contact details provided must include:

✓ Contact Person;
✓ Designation;
✓ Organisation/ Company name; and
✓ Cell number/Office number

- If the bidder submitted at least five (5) and more reference letters where similar services were successfully provided = 5
- If the bidder submitted at least four (4) reference letters where similar services were successfully provided = 4
- If the bidder submitted at least three (3) reference letters where similar services were successfully provided = 3
- If the bidder submitted at least two (2) reference letters where similar services were successfully provided = 2
- If the bidder submitted one (1) reference letter where similar services were successfully provided = 1

The minimum qualifying score for functionality is 70%. All bids that fail to achieve the minimum qualifying score on functionality shall not be considered to form part of the panel.
### 5.3.4 Evaluation criteria for Public Procurement and supply chain management expertise

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight 100</th>
<th>Sub-criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Competencies</td>
<td>10/100</td>
<td>1. Working knowledge of legislative framework to the Public Protector, especially the Constitution of South Africa, Public Protector Act, the Executive Members' Ethics Act, Public Finance Management Act and State Administration</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- If the bidder has experience in all five (5) of the above requirements = 5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- If the bidder has experience in any four (4) of the above requirements = 4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- If the bidder has experience in any three (3) of the above requirements = 3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- If the bidder has experience in any two (2) of the above requirements = 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- If the bidder has experience in any one (1) of the above requirements = 1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- If the bidder does not have experience in any of the above requirements = 0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recommended knowledge</th>
<th>10/100</th>
</tr>
</thead>
<tbody>
<tr>
<td>Specialised knowledge of effective investigation and interview techniques and protocols in public administration.</td>
<td></td>
</tr>
<tr>
<td>Experience in Audit and Forensic Investigations</td>
<td></td>
</tr>
<tr>
<td>Well-developed knowledge and skills of legal drafting and reporting procedures.</td>
<td></td>
</tr>
</tbody>
</table>
4. Well-developed research methodology.
5. Demonstrated Knowledge and Experience of project management.
6. Specialised knowledge and experience of alternative dispute resolution procedures

- If the bidders resources have experience in all six (6) of the above required skills = 5
- If the bidders resources have experience in any (5) of the above required skills = 4
- If the bidders resources have experience in any four (4) of the above required skills = 3
- If the bidders resources have experience in any three (3) of the above required skills = 2
- If the bidders resources have experience in any of two (2) of the above required skills = 1
- If the bidders resources have experience in any one (1) of the above required skills = 0

**AREAS OF EXPERTISE OR SPECIALISATION**  

<table>
<thead>
<tr>
<th>40/100</th>
<th>Public Procurement and supply chain management</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>Procurement law</td>
</tr>
<tr>
<td>(2)</td>
<td>Contract management</td>
</tr>
<tr>
<td>(3)</td>
<td>Procurement professionals</td>
</tr>
</tbody>
</table>

- If the bidding company has three (3) areas of expertise and specialisation = 5
- If the bidding company has (2) areas of expertise and specialisation = 3
<table>
<thead>
<tr>
<th>Company experience: Number of years the company have involved in investigations or similar services, or experience as subject matter experts</th>
<th>20/100</th>
<th>• If the bidding company has one (1) area of expertise and specialisation = 1</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>References: The bidder must submit a reference letter/s from current and previous clients where similar services were successfully provided. All letters must be on the company letter head of the referee and signed by the referee. The referees must be contactable and the contact details provided must include: The referees must be contactable and the contact details provided must include: ✓ Contact Person; ✓ Designation; ✓ Organisation/ Company name; and ✓ Cell number/Office number</th>
<th>20/100</th>
<th>• If the bidder submitted at least five (5) and more reference letters where similar services were successfully provided = 5</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>• If the bidder submitted at least four (4) reference letters where similar services were successfully provided = 4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder submitted at least three (3) reference letters where similar services were successfully provided = 3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder submitted at least two (2) reference letters where similar services were successfully provided = 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder submitted one (1) reference letter where similar services were provided = 1</td>
</tr>
</tbody>
</table>
The minimum qualifying score for functionality is 70%. All bids that fail to achieve the minimum qualifying score on functionality shall not be considered to form part of the panel.

5.3.5 Evaluation criteria for Human Resource Management expertise

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight 100</th>
<th>Sub-criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Competencies</td>
<td>10/100</td>
<td>1. Working knowledge of legislative framework to the Public Protector, especially the Constitution of South Africa,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Public Protector Act,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3. the Executive Members’ Ethics Act,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4. Public Finance Management Act</td>
</tr>
<tr>
<td></td>
<td></td>
<td>5. and State Administration</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in all five (5) of the above requirements = 5</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any four (4) of the above requirements = 4</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any three (3) of the above requirements = 3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any two (2) of the above requirements = 2</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder has experience in any one (1) of the above requirements = 1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• If the bidder does not have experience in any of the above requirements = 0</td>
</tr>
<tr>
<td>Recommended knowledge</td>
<td>10/100</td>
<td>1. Specialised knowledge of effective investigation and interview techniques and protocols in public administration.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. Experience in Audit and Forensic Investigations</td>
</tr>
</tbody>
</table>

pg. 23 Appointment of service providers for inclusion in the panel of external investigative resources and subject matter experts for a period of three (3) years on an and when required basis
3. Well-developed knowledge and skills of legal drafting and reporting procedures.
4. Well-developed research methodology.
5. Demonstrated Knowledge and Experience of project management.
6. Specialised knowledge and experience of alternative dispute resolution procedures

- If the bidders' resources have experience in all six (6) of the above required skills = 5
- If the bidders' resources have experience in any (5) of the above required skills = 4
- If the bidders' resources have experience in any four (4) of the above required skills = 3
- If the bidders' resources have experience in any three (3) of the above required skills = 2
- If the bidders' resources have experience in any two (2) of the above required skills = 1
- If the bidders' resources have experience in any one (1) of the above required skills = 0

**AREAS OF EXPERTISE OR SPECIALISATION**

<table>
<thead>
<tr>
<th>40/100</th>
<th>Human Resource Management, including</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Labour relations management</td>
</tr>
<tr>
<td>2.</td>
<td>Retirement and</td>
</tr>
<tr>
<td>3.</td>
<td>Health care management</td>
</tr>
</tbody>
</table>

- If the bidding company all three (3) areas of expertise and specialisation = 5
- If the bidding company has two (2) areas of expertise and specialisation = 3
<table>
<thead>
<tr>
<th>Company experience:</th>
<th>20/100</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of years the company have involved in investigations or similar services, or experience as subject matter experts</td>
<td></td>
</tr>
</tbody>
</table>

- If the bidding company has one (1) area of expertise and specialisation = 1

<table>
<thead>
<tr>
<th>References:</th>
<th>20/100</th>
</tr>
</thead>
<tbody>
<tr>
<td>The bidder must submit a reference letter/s from current and previous clients where similar services were successfully provided. All letters must be on the company letter head of the referee and signed by the referee. The referees must be contactable and the contact details provided must include:</td>
<td></td>
</tr>
<tr>
<td>✓ Contact Person; ✓ Designation; ✓ Organisation/ Company name; and</td>
<td></td>
</tr>
</tbody>
</table>

- If the bidder has more than five (5) years’ experience = 5
- If the bidder has more than four (4) up to five (5) years’ experience = 4
- If the bidder has more than three (3) up to four (4) years’ experience = 3
- If the bidder has more than two (2) up to three (3) years’ experience = 2
- If the bidder has between one (1) up to two (2) years’ experience = 1

- If the bidder submitted at least five (5) and more reference letters where similar services were successfully provided = 5
- If the bidder submitted at least four (4) reference letters where similar services were successfully provided = 4
- If the bidder submitted at least three (3) reference letters where similar services were successfully provided = 3
- If the bidder submitted at least two (2) reference letters where similar services were successfully provided = 2
- If the bidder submitted one (1) reference letter where similar
The minimum qualifying score for functionality is 70%. All bids that fail to achieve the minimum qualifying score on functionality shall not be considered to form part of the panel.

5.3.6 Evaluation criteria for other area of expertise

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight 100</th>
<th>Sub-criteria</th>
</tr>
</thead>
</table>
| Competencies | 10/100     | 1. Working knowledge of legislative framework to the Public Protector, especially the Constitution of South Africa,  
|              |            | 2. Public Protector Act,                                                    |
|              |            | 3. the Executive Members’ Ethics Act,                                        |
|              |            | 4. Public Finance Management Act,                                            |
|              |            | 5. and State Administration                                                   |

- If the bidder has experience in all five (5) of the above requirements = 5
- If the bidder has experience in any four (4) of the above requirements = 4
- If the bidder has experience in any three (3) of the above requirements = 3
- If the bidder has experience in any two (2) of the above requirements = 2
- If the bidder has experience in any one (1) of the above requirements = 1
- If the bidder does not have experience in any of the above requirements = 0

Recommended knowledge

1. Specialised knowledge of effective investigation and interview techniques and protocols in public administration.
2. Experience in Audit and Forensic Investigations

pg. 26 Appointment of service providers for inclusion in the panel of external investigative resources and subject matter experts for a period of three (3) years on as and when required basis
3. Well-developed knowledge and skills of legal drafting and reporting procedures.
4. Well-developed research methodology.
5. Demonstrated Knowledge and experience of project management.
6. Specialised knowledge and experience of alternative dispute resolution procedures

- If the bidders' resources have experience in all six (6) of the above required skills = 5
- If the bidders' resources have experience in any (5) of the above required skills = 4
- If the bidders' resources have experience in any four (4) of the above required skills = 3
- If the bidders' resources have experience in any three (3) of the above required skills = 2
- If the bidders' resources have experience in any of two (2) of the above required skills = 1
- If the bidders' resources have experience in any one (1) of the above required skills = 0

### AREAS OF EXPERTISE OR SPECIALISATION

<table>
<thead>
<tr>
<th>40/100</th>
<th>Other such as</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- Environmental Management</td>
</tr>
<tr>
<td></td>
<td>- Nature Conservation and</td>
</tr>
<tr>
<td></td>
<td>- Agriculture</td>
</tr>
</tbody>
</table>

- If the bidding company has three (3) areas of expertise and specialisation = 3
- If the bidding company has two (2) areas of expertise and specialisation = 2
<table>
<thead>
<tr>
<th>Company experience: Number of years the company have involved in investigations or similar services, or experience as subject matter experts</th>
<th>20/100</th>
</tr>
</thead>
<tbody>
<tr>
<td>• If the bidding company has one (1) area of expertise and specialisation</td>
<td>= 1</td>
</tr>
<tr>
<td>References: The bidder must submit a reference letter/s from current and previous clients where similar services were successfully provided. All letters must be on the company letter head of the referee and signed by the referee. The referees must be contactable and the contact details provided must include:</td>
<td>20/100</td>
</tr>
<tr>
<td>✓ Contact Person; ✓ Designation; ✓ Organisation/ Company name; and</td>
<td></td>
</tr>
<tr>
<td>• If the bidder has more than five (5) years’ experience</td>
<td>= 5</td>
</tr>
<tr>
<td>• If the bidder has more than four (4) up to five (5) years’ experience</td>
<td>= 4</td>
</tr>
<tr>
<td>• If the bidder has more than three (3) up to four (4) years’ experience</td>
<td>= 3</td>
</tr>
<tr>
<td>• If the bidder has more than two (2) up to three (3) years’ experience</td>
<td>= 2</td>
</tr>
<tr>
<td>• If the bidder has between one (1) up to two (2) years’ experience</td>
<td>= 1</td>
</tr>
<tr>
<td>• If the bidder submitted at least five (5) and more reference letters where similar services were successfully provided</td>
<td>= 5</td>
</tr>
<tr>
<td>• If the bidder submitted at least four (4) reference letters where similar services were successfully provided</td>
<td>= 4</td>
</tr>
<tr>
<td>• If the bidder submitted at least three (3) reference letters where similar services were successfully provided</td>
<td>= 3</td>
</tr>
<tr>
<td>• If the bidder submitted at least two (2) reference letters where similar services were successfully provided</td>
<td>= 2</td>
</tr>
<tr>
<td>• If the bidder submitted one (1) reference letter where similar services were successfully provided</td>
<td>= 1</td>
</tr>
</tbody>
</table>
The minimum qualifying score for functionality is 70%. All bids that fail to achieve the minimum qualifying score on functionality shall not be considered to form part of the panel.

5.4 Pricing and BBBEE

In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations 2017, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight</th>
<th>Sub-criteria</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Price</td>
<td>80/100</td>
<td>Benchmark against lowest quote</td>
</tr>
<tr>
<td>Contribution to BBBEE</td>
<td>20/100</td>
<td>Points will be awarded to bidders according to their BBBEE status level of contributor as indicated in the BBBEE accreditation certification as indicated below:</td>
</tr>
</tbody>
</table>

### BBBEE LEVELS

<table>
<thead>
<tr>
<th>Level</th>
<th>SCORES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level 1</td>
<td>20</td>
</tr>
<tr>
<td>Level 2</td>
<td>18</td>
</tr>
<tr>
<td>Level 3</td>
<td>14</td>
</tr>
<tr>
<td>Level 4</td>
<td>12</td>
</tr>
<tr>
<td>Level 5</td>
<td>8</td>
</tr>
<tr>
<td>Level 6</td>
<td>6</td>
</tr>
<tr>
<td>Level 7</td>
<td>4</td>
</tr>
<tr>
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<td>2</td>
</tr>
<tr>
<td>Non-compliant Contributor</td>
<td>0</td>
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</tbody>
</table>

5.4.2 Bidders are required to complete the preference claim form (SBD 6.1), and submit their original and valid B-BBEE status level verification certificate or a certified copy thereof at the closing date and time of the bid in order to claim the B-BBEE status level point.

5.4.3 The points scored by a bidder in respect of the level of B-BBEE contribution will be added to the points scored for price.

5.4.4 Only bidders who have completed and signed the declaration part of the preference claim form and who have submitted a B-BBEE status level certificate issued by a registered auditor, accounting officer (as contemplated in section 60(4) of the Close
Corporation Act, 1984 (Act no. 69 of 1984)) or an accredited verification agency will be considered for preference points.

5.4.5 Failure on the part of the bidder to comply with paragraphs 5.4.3 and 5.4.4 above will be deemed that preference points for B-BBEE status level of contribution are not claimed and will therefore be allocated a zero (0).

5.4.6 The points scored will be rounded off to the nearest 2 decimals.

5.4.7 In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of preference points for B-BBEE.

5.4.8 However, when functionality is part of the evaluation process and two or more bidders have scored equal points including equal preference points for B-BBEE, the contract will be awarded to the bidder scoring the highest for functionality.

5.4.9 A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.
PART B: CONDITIONS OF BID

pg. 31 Appointment of service providers for inclusion in the panel of external investigative resources and subject matter experts for a period of three (3) years on an as and when required basis
6. Company profile

6.1 Bidders must furnish the following information clearly indicated per annexure regarding their company as part of the bid. Where not applicable, it must clearly be indicated as such:

6.1.1 Personnel complement, divided into -
6.1.1.1 Management personnel;
   Part time: .....................

6.1.2 Composition in terms of share
6.1.1.2 Supervisors; and
6.1.1.3 Workers. Full time: ....................... Holding
6.1.3 Address of Head Office.
6.1.4 Addresses of regional offices/branches
6.1.5 Bidders to indicate date from when the company commenced its operations.

6.1.6 Bidders to provide the details of completed contracts for the provision of panel of external investigative resources and subject matters experts including the signed reference letters / contracts which were successfully completed within the past five (5) years, e.g. names of clients, contract period and value, and the names and telephone numbers of the persons with who contact can be made for reference purposes.

6.1.7 Bidders to indicate their company financial position i.e. annual turnover.

6.1.8 Bidders to submit the names, postal address and telephone number(s) of banker(s) and the name of the contact person where financial enquiries may be answered.

6.1.9 Bidders to submit the name, address and telephone number of auditor(s) and the name of the contact person where financial enquiries may be answered.

6.1.10 Bidders to indicate the name, identity numbers and street addresses of all partners must be indicated where persons, who are a partnership or a company / Joint Ventures / Consortium comprising a partnership, tender.

6.1.11 Bidders must take into consideration that it is the responsibility and accountability provision of panel of external investigative resources and subject matters experts will remain with the successful Bidder/s.
6.1.12 Bidders to submit their delivery methodology indicating how the entire contract will be handled over the three (3) year period.

7. Other bid requirements

7.1 The PPSA reserves the right to disqualify any bidder which does not comply with any one or more of the required information as indicated below:

7.1.1 If the bidder/s submit their bids without all the data and information requested.
7.1.2 Proposal that did not submit mandatory documents stipulated in the RFP document;
7.1.3 Proposal that fails to comply with the specification.
7.1.4 Proposal that contains any information that is found to be incorrect or misleading in anyway or Bidders who submit information that is fraudulent, factually untrue or inaccurate information.
7.1.5 Bidders who submit incomplete information and documentation according to the requirements of this RFP document;
7.1.6 Bidders who receive information not available to other potential bidders through fraudulent means;

8. PPSA reserve the rights:

8.1.1 Not to award or cancel this bid at any time
8.1.2 To negotiate with one or more Preferred or Reserved Bidders identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other Bidder who has not been awarded the status of the Preferred or Reserved Bidder.
8.1.3 To award in part or in full.
8.1.4 To award this bid to one or more bidders.
8.1.5 To negotiate prices of items that are contracted and should these items be available at a competitive price than the contracted price, PPSA will request the current bidder to reduce their price to be inline failing which; these will be purchase out of contract.
8.1.6 To cancel and/or terminate the bid process at any stage, including after the Closing Date and/or after presentations have been made, and/or after bids have
been evaluated and/or after the Preferred Bidders have been notified of their status as such.

8.1.7 To carry out explanatory meetings in order to verify the nature and quality of the services bided for, whether before or after adjudication of the bid at bidder's corporate offices and/or at client sites if so required.

8.1.8 To award the contract to a Bidder whose bid was not the lowest in price.

8.1.9 To award the bid to a Bidder who is not the highest scoring Bidder.

8.1.10 To correct any mistakes at any stage of the bid that may have been in the bid documents or occurred at any stage of the bid process.

8.1.11 The PPSA is entitled to amend any bid conditions, bid validity period, RFP specifications, or extend the bid closing date, all before the bid closing date. All bidders, to whom the RFP documents have been issued and where the PPSA have record of such bidders, may be advised in writing of such amendments in good time and any such changes will also be posted on the PPSA's website under the relevant tender information. All prospective bidders should therefore ensure that they visit the website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.

8.1.12 The PPSA reserves the right not to accept the lowest priced bid or any bid in part or in whole. It normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose bid is functionally acceptable and/or financially advantageous to the PPSA.

8.1.13 The PPSA reserves the right to request all relevant information, agreements and other documents to verify information supplied in the bid response.

8.1.14 The bidder hereby gives consent to the PPSA to conduct background checks, including FICA verification, on the bidding entity and any of its directors / trustees / shareholders / members

8.2 No attempt may be made, whether directly or indirectly, to canvass any member of PPSA employees before the award of the contract.

8.3 Any enquiries must be referred, in writing, to the specified persons.
8.4 Counter Conditions

8.4.1 Bidder's attention is drawn to the fact that amendments to any of this condition of bid by bidders may result in the invalidation of the bids.

9. Undertakings by the Bidder

9.1 By submitting a bid in response to the RFP, the bidder will be taken to offer to render all or any of the services described in the bid response submitted by it to the PPSA on the terms and conditions and in accordance with the specifications stipulated in this RFP document.

9.2 The bidder shall prepare for a possible presentation should PPSA require such and the bidder shall be notified before the actual presentation date. Such presentation may include a practical demonstration of services as called for in this RFP.

9.3 The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the PPSA during the bid validity period indicated in the RFP and calculated from the bid closing hour and date such offer and its acceptance shall be subject to the terms and conditions contained in this RFP document read with the bid.

9.4 The bidder furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all his/her obligations under a resulting contract for the services contemplated in this RFP; and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.

9.5 The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under the supply agreement and SLA to be concluded with PPSA, as the principal(s) liable for the due fulfilment of such contract.
9.6 The bidder accepts that all costs incurred in the preparation, presentation and
demonstration of the solution offered by it shall be for the account of the bidder.
All supporting documentation and manuals submitted with its bid will become
PPSA property unless otherwise stated by the bidder/s at the time of
submission.

10. Previous experience

10.1 Bidders must submit written and signed reference letter/s from current or
previous client/s where the provision of panel of external investigative
resources and subject matters experts were successfully provided. Provide
signed reference letters that indicates the following:
10.1.1 Value of the project,
10.1.2 Contract period and
10.1.3 The industry/sector were the contract was carried out.
10.2 The bidder must also submit a company profile as well as CV/s of the relevant
individual/s that may be rendering assistance to the PPSA in the area/s of
expertise as indicated.
10.3 Due diligence may be conducted to verify all information that has been provided
on the shortlisted bidders.

11. Contract requirements

11.1 Contract period

The start date of the project implementation will be confirmed with the
successful bidder upon contract negotiations. The initiative is based on
deliverables. The provision of panel of external investigative resources and
subject matters experts for a period is three (3) years subject to annual review
of service provider’s performance.
11.2 General terms and conditions of contract

Bidders must complete the attached the General Terms and Conditions of the contract.

12. Price basis

12.1 Bidders shall take into account that PPSA's total requirements will not be allocated to one bidder.

12.2 Bidders shall quote prices in South African Rand and Value Added Tax shall be included.

12.2.1 The bidders must agree to rates provided by PPSA, which will be fixed or a period of one (1) year, Year 2 and Year 3 rates will be negotiated with the appointed panel of service providers for the provision of provision of panel of external investigative resources and subject matters experts and implemented accordingly.

12.3 Bidders shall quote on the basis indicated in the Pricing Schedule.

12.4 Prices tendered for must be inclusive of all required deliverables as per specification.

12.5 Where figures are referred to in numerals and in words and there is a conflict between the two, the words will prevail.

12.6 The successful bidder shall commit to the programme of continuous improvement, which will result in cost-efficiencies during the duration of the contract.

13. Payment terms

13.1 The standard 30 day payment period will apply on the payment of all invoices from receipt of valid invoice.

14. Tax clearance certificate

14.1 Government is committed to reducing supply chain related fraud and ensuring that persons conducting business with the State are not afforded any scope to

pg. 37 Appointment of service providers for inclusion in the panel of external investigative resources and subject matter experts for a period of three (3) years on an as and when required basis
abuse the supply chain management system.

14.2 It is therefore essential to ensure that persons conducting business with the State are tax compliant when participating in tenders or other bidding processes. On 18 April 2016, the South African Revenue Service (SARS) introduced an enhanced TCS system aimed at improving compliance and making it easier for taxpayers to manage their tax affairs.

14.3 Implementation of the tax compliance status system

14.3.1 In order to comply with the new TCS system and the condition of bids that a successful bidder’s tax matters must be in order, Accounting Officers and accounting authorities of all PFMA complaint institutions must:

14.3.1.1 Designated officials, preferably from Supply Chain Management Unit, whose function will be to verify the tax compliance status of a bidder on the South African Revenue Services’ Tax compliance status system housed on eFiling.

14.3.1.2 Utilise the SBD1 issued by National Treasury when inviting bids,

14.3.1.3 As a bid condition, accounting officer or accounting authorities must request bidders to register on Government’s Central Supplier Database and to include in their bid their Master Registration Number (Supplier Number) in order to enable the institution to verify the supplier’s tax status on the Central Supplier Database.

14.4 The CSD and tax compliance status PIN are the approved methods to be used to prove tax compliance as the South African Revenue Services (SARS) no longer issues Tax Clearance Certificates but has made provision online, via e-Filing, for bidders to print their own Tax Clearance Certificates which they can submit with their bids or price quotations.

14.5 Accounting Officers are therefore required to accept printed or copies of Tax Clearance Certificates submitted by bidders and verify their authenticity on e-Filing. The verification result will be filed for audit purposes.
14.6 Where a bidder does not submit a tax compliance status PIN but provides a Central Supplier Database (CSD) number, the accounting officer and accounting authority must utilise the CSD number via its website www.csd.gov.za to access the supplier records and to verify the bidder's tax compliance status. A printed screen view at the time of verification should then be attached to the supplier's records for audit purposes.

15. Fronting

15.1 The PPSA support the Broad Black Based Economic Empowerment and recognizes that the real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent and legally compliant manner. Based on the above (PPSA) condemns any form of fronting.

15.2 The PPSA, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in the bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such enquiry/investigation, the onus will be on the bidder/contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the bid/contract and may also result in the restriction of the bidder/contractor to conduct business with the public sector for a period not exceeding ten years. The matter may be reported to the National Prosecuting Authority (NPA) for criminal investigation and charges in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.
16. Promotion of Emerging Black owned bidders

16.1 It is the PPSA’s objective to promote transformation across all industries and/or sectors of the South African economy and as such, bidders are encouraged to partner with a black owned entity (being 50%+1 black owned and controlled). Such partnership may include the formation of a Joint Venture and/or subcontracting agreement etc., where a portion of the work under this tender would be undertaken by black owned entities. To give effect to this requirement, bidders are required to submit a partnership / subcontracting proposal detailing the portion of work to be outsourced, level of involvement of the black owned partner and where relevant, submit a consolidated B-BBEE scorecard in-line with the provisions of the PPPFA Regulations which will be considered as part of the B-BBEE scoring.

17. Supplier Performance Management

17.1 Supplier Performance Management is viewed by the PPSA as a critical component in ensuring value for money acquisition and good supplier relations between the PPSA and all its suppliers.

17.2 The successful bidder shall upon receipt of written notification of an award, be required to conclude a Service Level Agreement (SLA) with the PPSA, which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor and assess the supplier’s performance and ensure effective delivery of service, quality and value-add to PPSA’s business.

17.3 Successful bidders will be required to comply with the above-mentioned conditions, and also provide a scorecard on how their product / service offering is being measured to achieve the objectives of these conditions.
18. **Supplier Development**

18.1. The PPSA promotes enterprise development. In this regard, successful bidders may be required to mentor SMMEs and/or designated group which are at least 51% owned by:

18.1.1 black people
18.1.2 black people who are youth
18.1.3 black people who are women
18.1.4 black people that formed a cooperative (primary, secondary or tertiary cooperative) or
18.1.5 black people living in rural areas or underdeveloped area or township.

19. **Screening**

19.1 Acceptance of this bid may be subject to the condition that the successful bidder must be cleared by the appropriate authorities to render the service within the organ of the state.

20. **PPSA requires bidder(s) to declare**

In the Bidder's T-Technical response, Bidder(s) are required to declare the following:

20.1 Confirm that the bidder(s) is to:

20.1.1 Act honestly, fairly, and with due skill, care and diligence, in the interests of PPSA;
20.1.2 Have and employ effectively the resources, procedures and appropriate technological systems for the proper performance of the services;
20.1.3 Act with circumspection and treat PPSA fairly in a situation of conflicting interests;
20.1.4 Comply with all applicable statutory or common law requirements applicable to the conduct of business;
20.1.5 Make adequate disclosures of relevant material information including...
disclosures of actual or potential own interests, in relation to dealings with PPSA;

20.1.6 Avoidance of fraudulent and misleading advertising, canvassing and marketing;

20.1.7 To conduct their business activities with transparency and consistently uphold the interests and needs of PPSA as a client before any other consideration; and

20.1.8 To ensure that any information acquired by the bidder(s) from PPSA will not be used or disclosed unless the written consent of the client has been obtained to do so.

21. Conflict of interest, corruption and fraud

21.1 PPSA reserves its right to disqualify any bidder who either itself or any of whose members (save for such members who hold a minority interest in the bidder through shares listed on any recognised stock exchange), indirect members (being any person or entity who indirectly holds at least a 15% interest in the bidder other than in the context of shares listed on a recognised stock exchange), directors or members of senior management, whether in respect of PPSA or any other government organ or entity and whether from the Republic of South Africa or otherwise ("Government Entity")

21.1.1 Engages in any collusive tendering, anti-competitive conduct, or any other similar conduct, including but not limited to any collusion with any other bidder in respect of the subject matter of this bid;

21.1.2 Seeks any assistance, other than assistance officially provided by PPSA, from any employee, advisor or other representative of PPSA in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to PPSA;

21.1.3 Makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of PPSA’s officers, directors, employees, advisors or other representatives;

pg. 42 Appointment of service providers for inclusion in the panel of external investigative resources and subject matter experts for a period of three (3) years on an as and when required basis
21.1.4 Makes or offers any gift, gratuity, anything of any value or other inducement, to any PPSA’s officers, directors, employees, advisors or other representatives in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to PPSA;

21.1.5 Accepts anything of value or an inducement that would or may provide financial gain, advantage or benefit in relation to procurement or services provided or to be provided to PPSA;

21.1.6 Pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift or any other consideration, that is contingent upon or results from, the award of any tender, contract, right or entitlement which is in any way related to procurement or the rendering of any services to PPSA;

21.1.7 Has in the past engaged in any matter referred to above; or

21.1.8 Has been found guilty in a court of law on charges of fraud and/or forgery, regardless of whether or not a prison term was imposed and despite such bidder, member or director’s name not specifically appearing on the List of Tender Defaulters kept at National Treasury.

22. Misrepresentation

22.1 The bidder should note that the terms of its Tender will be incorporated in the proposed contract by reference and that PPSA relies upon the bidder’s Tender as a material representation in making an award to a successful bidder and in concluding an agreement with the bidder.

22.2 It follows therefore that misrepresentations in a Tender may give rise to service termination and a claim by PPSA against the bidder notwithstanding the conclusion of the Service Level Agreement between PPSA and the bidder for the provision of the Service in question. In the event of a conflict between the bidder’s proposal and the Service Level Agreement concluded between the parties, the Service Level Agreement will prevail.
23. Preparation costs

23.1 The Bidder will bear all its costs in preparing, submitting and presenting any response or Tender to this bid and all other costs incurred by it throughout the bid process. Furthermore, no statement in this bid will be construed as placing PPSA, its employees or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the bidder(s) in the preparation of their response to this bid.

24. Indemnity

24.1 If a bidder breaches the conditions of this bid and, as a result of that breach, PPSA incurs costs or damages (including, without limitation, the cost of any investigations, procedural impairment, repetition of all or part of the bid process and/or enforcement of intellectual property rights or confidentiality obligations), then the bidder indemnifies and holds PPSA harmless from any and all such costs which PPSA may incur and for any damages or losses PPSA may suffer.

25. Precedence

25.1 This document will prevail / take precedence over any information provided during any briefing session whether oral or written, unless such written information provided, expressly amends this document by reference.

26. Limitation of liability

26.1 A bidder participates in this bid process entirely at its own risk and cost. PPSA shall not be liable to compensate a bidder on any grounds whatsoever for any costs incurred or any damages suffered as a result of the Bidder's participation in this Bid process.
27. **Tender defaulters and restricted suppliers**

27.1 No tender shall be awarded to a bidder whose name (or any of its members, directors, partners or trustees) appear on the Register of Tender Defaulters kept by National Treasury, or who have been placed on National Treasury's List of Restricted Suppliers. PPSA reserves the right to withdraw an award, or cancel a contract concluded with a Bidder should it be established, at any time, that a bidder has been listed as defaulted with National Treasury by another government institution.

28. **Governing Law**

28.1 South African law governs this bid and the bid response process. The bidder agrees to submit to the exclusive jurisdiction of the South African courts in any dispute of any kind that may arise out of or in connection with the subject matter of this bid, the bid itself and all processes associated with the bid.

29. **Responsibility for sub-contractors and bidder's personnel**

29.1 A bidder is responsible for ensuring that its personnel (including agents, officers, directors, employees, advisors and other representatives), its sub-contractors (if any) and personnel of its sub-contractors comply with all terms and conditions of this bid. In the event that PPSA allows a bidder to make use of sub-contractors, such sub-contractors will at all times remain the responsibility of the bidder and PPSA will not under any circumstances be liable for any losses or damages incurred by or caused by such sub-contractors.

30. **Confidentiality**

30.1 Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this bid or a bidder's tender(s) will be disclosed by any bidder or other person not officially involved with PPSA's examination and evaluation of a Tender.
30.2 No part of the bid may be distributed, reproduced, stored or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a Tender. This bid and any other documents supplied by PPSA remain proprietary to PPSA and must be promptly returned to PPSA upon request together with all copies, electronic versions, excerpts or summaries thereof or work derived there from.

30.3 Throughout this bid process and thereafter, bidder(s) must secure PPSA’s written approval prior to the release of any information that pertains to (a) the potential work or activities to which this bid relates; or (b) the process which follows this bid. Failure to adhere to this requirement may result in disqualification from the bid process and civil action.

31. Proposal documents

31.1 No bids submitted by Facsimile, telegram, email will be considered. It is the bidder’s sole responsibility to ensure that the complete bid has been received by the Closing Date and Time. Giving the bid to a courier prior to the Closing Date without actual receipt by PPSA before the Closing Date and Time will not excuse the late delivery of a bid.

31.2 If a courier service company is being used for delivery of the bid response, the bid description must be endorsed on the delivery note/courier packaging and the courier must ensure that documents are placed / deposited into the bid box. The PPSA will not be held responsible for any delays where bid documents are handed to the PPSA Receptionist.

31.3. Where a bid response is not in the bid box at the time of the bid closing, such a bid document will be regarded as a late bid. It is the PPSA’s policy not to consider late bids for tender evaluation.

31.4 All documents and correspondence must be in English, failure to comply, the bid proposal will not be evaluated.
31.4.1 Proposals must be compiled in the following manner:

31.4.1.1 One (1) original proposal (marked 'original') must be submitted and should not be retyped and one electronic copies (on CD)

31.4.1.2 Two (2) copies of the proposal (marked 'copy') must be submitted;

31.4.1.3 All Annexures, company profiles, CV's, etc., shall form part of the ‘ORIGINAL’ as well as the ‘COPY’ proposals

31.4.2 All proposals must be delivered sealed. The following information shall appear on the outside of the sealed proposal be placed in the bid box at the Main Reception area at, 175 Lunnon Street, Hillcrest Office Park, Hillcrest, Pretoria:

31.4.3 Name of bidder;

31.4.4 Description of proposal;

31.4.5 Bid / tender number;

31.4.6 Closing date and time;

31.4.7 The name and address of the Bidder must be written on the front or back side of the proposal/envelope.

31.4.8 Bids submitted by bidders which are, or are comprised companies must be signed by a person or persons duly authorized thereto by a resolution of the applicable Board of Directors, a copy of which Resolution, duly certified, must be submitted with the bid.

31.5 The bidder should check the numbers of the pages of its bid to satisfy itself that none are missing or duplicated. No liability will be accepted by PPSA in regard to anything arising from the fact that pages of a bid are missing or duplicated.

32. Consultation prior to submission of the bid documents

Bidders shall consult, in writing, with the PPSA's officials indicated below should there appear to be any discrepancy, ambiguity or uncertainty pertaining to the meaning or effect of any description, dimension, quality, quantity or any other information contained in this bid. PPSA undertakes to provide clarification in writing to all Bidders, provided that the request is received prior to the closing date and time for clarifications.
<table>
<thead>
<tr>
<th>Officials</th>
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<th>Contact Details</th>
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<td>Nkele Nemusimbori</td>
<td>Public Protector South</td>
<td>Tel: 012 366 7014 / 7079</td>
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<td>Africa</td>
<td>Email: <a href="mailto:nkelen@pprotect.org">nkelen@pprotect.org</a></td>
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<td></td>
<td>Pretoria</td>
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33. Clarifications and communication

33.1 Bidders are encouraged to submit clarification questions in writing to Public Protector South Africa (PPSA) officials mentioned above not later than **11H00 on the 19th of August 2020**. No further questions will be entertained after this period.

33.2 The PPSA will respond in writing to queries and distribute to all bidders who attended the briefing session after receipt of questions.

33.3 The PPSA may respond to any enquiry in its absolute discretion and the bidder acknowledges that it will have no claim against the PPSA on the basis that its bid was disadvantaged by lack of information, or inability to resolve ambiguities.

33.4 Oral communication or instruction by PPSA or its representative shall have no standing in this bid unless and until they have been confirmed in writing.

33.5 PPSA accepts no responsibility for the failure of any bidder not receiving notifications or correspondence relating to this bid.

33.6 Whilst all due care has been taken in connection with the preparation of this bid, PPSA makes no representations or warranties that the content of the bid...
33.7 If Bidder(s) finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this bid or any other information provided by PPSA (other than minor clerical matters), the Bidder(s) must promptly notify PPSA in writing of such discrepancy, ambiguity, error or inconsistency in order to afford PPSA an opportunity to consider what corrective action is necessary (if any).

33.8 Any actual discrepancy, ambiguity, error or inconsistency in the bid or any other information provided by PPSA will, if possible, be corrected and provided to all Bidder(s) without attribution to the Bidder(s) who provided the written notice.

33.9 All persons (including Bidder(s)) obtaining or receiving the bid and any other information in connection with the Bid or the Tendering process must keep the contents of the Bid and other such information confidential, and not disclose or use the information except as required for the purpose of developing a proposal in response to this Bid.

34. **BIDDER DECLARATION**

The bidder hereby declares the following:

We confirm that ________________________________

(Bidder’s Name) will:

a. For the provision of panel of external investigative resources and subject matters experts some of the investigations to all PPSA offices on request.

b. Act honestly, fairly, and with due skill, care and diligence, in the interests of the PPSA;

c. Employ effectively the resources, procedures and appropriate technological systems for the proper performance of the services;

d. Act with circumspection and treat PPSA fairly in a situation of conflicting interests;
e. Comply with all applicable statutory or common law requirements applicable to the conduct of business;
f. Make adequate disclosures of relevant material information including disclosures of actual or potential own interests, in relation to dealings with PPSA;
g. Avoid fraudulent and misleading advertising, canvassing and marketing;
h. Conduct business activities with transparency and consistently uphold the interests and needs of PPSA as a client before any other consideration; and
i. Ensure that any information acquired by the bidder(s) from PPSA will not be used or disclosed unless the written consent of the client has been obtained to do so.

Signature: 

_________________________________________ Date: ________________

Print Name of Signatory: ____________________________ Designation ____________________________

FOR AND ON BEHALF OF

CONTENTS OF THIS DOCUMENT IS NOTED:

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