SBD1

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE)					
BID NUMBER:	**SANBI: Q6911/2020**	CLOSING DATE:	**06 October 2020**	CLOSING TIME:	**11:00 AM**
Q6911/2020 ***The South African National Biodiversity Institute (SANBI) wishes to appoint a consultant to provide audit services to SANBI's Adaptation Policy and Resourcing Division***					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)*
Submission of proposals: Proposals must be emailed to S.SCM-Quotations@sanbi.org.za and copy Ms. Portia Mantjane at P.Mantjane@sanbi.org.za

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:	
CONTACT PERSON	**Ms. Portia Mantjane**	CONTACT PERSON	Ms. Faslona Martin
TELEPHONE NUMBER	**(012) 843 5075**	TELEPHONE NUMBER	(021)799 8895
FACSIMILE NUMBER	**N/A**	FACSIMILE NUMBER	n/a
E-MAIL ADDRESS	p.mantjane@sanbi.org.za	E-MAIL ADDRESS	f.martin@sanbi.org.za

SUPPLIER INFORMATION						
NAME OF BIDDER						
POSTAL ADDRESS						
STREET ADDRESS						
TELEPHONE NUMBER	CODE		NUMBER			
CELLPHONE NUMBER						
FACSIMILE NUMBER	CODE		NUMBER			
E-MAIL ADDRESS						
VAT REGISTRATION NUMBER						
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		**OR**	CENTRAL SUPPLIER DATABASE No:	MAAA	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No	

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐Yes ☐No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES /WORKS OFFERED?**	☐Yes ☐No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

PART B
TERMS AND CONDITIONS FOR BIDDING

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

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state[1], 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 an advertised competitive bid, a limited bid, a proposal or written price quotation). 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, shareholder[2], member): ……

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust: ……..…….……

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.

[2]" 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 attach 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 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? **YES / NO**

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? **YES/NO**

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? **YES/NO**

2.11.1 If so, furnish particulars:

……
……
……

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

Full Name	**Identity Number**	**Personal Income Tax Reference Number**	**State Employee Number / Persal Number**

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 SHOULD THIS DECLARATION PROVE TO BE FALSE.

…….. ……
Signature Date

…… ……
Position Name of bidder

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

---

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 R500 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or

b) The 80/20 preference point system will be applicable to 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:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
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:

80/20 **or** **90/10**

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

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:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

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:..... = ……(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:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		

Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

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

8.1 Name of company/firm:…….

8.2 VAT registration number:……

8.3 Company registration number:……..

8.4 TYPE OF COMPANY/ FIRM

- □ 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-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

i) The information furnished is true and correct;

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

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

the satisfaction of the purchaser that the claims are correct;

iv) If 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 *audi alteram partem* (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution.

WITNESSES 1. …….. 2. ……	…… SIGNATURE(S) OF BIDDERS(S) DATE: …….. ADDRESS …….. …….. ……..

SBD 8

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.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the *audi alteram partem* rule was applied).	Yes ☐	No ☐
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)? **ss this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.**	Yes ☐	No ☐
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?	Yes ☐	No ☐
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:		

SBD 8

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

CERTIFICATE OF INDEPENDENT QUOTATION DETERMINATION

1 This Standard Bidding Document (SBD) must form part of all quotations[1] 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 *pe 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.

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

Q6911/2020 THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) WISHES TO APPOINT A CONSULTANT TO PROVIDE AUDIT SERVICES TO SANBI'S ADAPTATION POLICY AND RESOURCING DIVISION

(Quotation Number and Description)

In response to the invitation for the quote made by:

SANBI

(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 consortium[3] 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.

[3] **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.**

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.

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

Request for Quotation

THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) WISHES TO APPOINT A CONSULTANT TO PROVIDE AUDIT SERVICES TO SANBI'S ADAPTATION POLICY AND RESOURCING DIVISION

Bid No: Q6911/2020

TERMS OF REFERENCE

ANNUAL AUDIT OF THE UMNGENI RESILIENCE PROJECT

Postal Address: Private Bag X7, Claremont 7735
Physical Address: Centre for Biodiversity Conservation, Kirstenbosch National Botanical Garden, Rhodes Drive, Newlands

Quotation Number: Q6911/2020

The South African National Biodiversity Institute (SANBI) wishes to appoint a consultant to provide audit services to SANBI's Climate Change Division

1. Introduction

SANBI wishes to appoint an Auditor to conduct an annual audit of the uMngeni Resilience Project (URP) in the uMgungundlovu District in KwaZulu-Natal. The URP is a six-and-a-half-year project that aims to increase the resilience of vulnerable communities to the impacts of climate change. The project started in September 2015.

The uMgungundlovu District Municipality (uMDM) is the Executing Entity of the project, and the University of KwaZulu-Natal (UKZN) is the sub-Executing Entity. The project is funded by the Adaptation Fund, with SANBI acting as the National Implementing Entity.

SANBI requires the Auditor to conduct **two separate project audits** of the uMngeni Resilience Project (URP) that is currently under implementation, at the:

A) uMgungundlovu District Municipality (uMDM); and

B) University of KwaZulu-Natal (UKZN).

The specific details of the required audits are outlined below.

A) uMgungundlovu District Municipality (uMDM):

The uMgungundlovu District Municipality (uMDM) is the Executing Entity of the project. The project financial year runs from 1 October to 30 September. An annual audit of the URP is required for the period 1 January 2019 to 31 December 2019 i.e. Quarters 2, 3 and 4 of the fourth year of implementation of the URP, plus Quarter 1 of the fifth year of implementation. The Municipality's financial year runs from 1 July to 30 June and the required audit cuts across two financial years.

i. Background

A Project Management Unit (PMU) has been established within the Community Services Department of the uMDM to manage the project. uMDM processes and systems are used for transactions related to the URP. The uMDM part of the audit is restricted to transactions related to the URP only at the uMDM for the period under review.

ii. Consultations with concerned parties

The Auditor will consult with SANBI to confirm the scope of work and the conduct of the audit in general. In addition, upon completion of the draft audit report and management letter, the Auditor will be required to meet with the Project Manager and finance controllers from the uMDM, with representation from SANBI, to brief them on the major findings from the audit and the recommendations made for future improvements, as well as to seek feedback thereon.

SANBI will provide the Auditor with the following for the period 1 January 2019 to 31 December 2019 for uMDM:

- Global Statement of Expenditure;
- Quarterly Statements of Expenditure submitted to SANBI for the period under review (four quarterly Statements of Expenditure);
- A list of disbursements by SANBI to the uMDM;
- The asset register; and
- The project procurement guidelines.

iii. Audit Services Required

The audit shall be performed in accordance with International Standards of Auditing and cover the overall financial management of the project as well as implementation, monitoring and supervision processes and controls.

The scope of the audit is limited to the uMDM's expenses that are defined as including: (1) all disbursements listed in the quarterly financial reports submitted by the executing partner; and (2) the direct payments processed by SANBI.

The objectives are that the Auditor:

- Confirms that the quarterly Statements of Expenditure reports submitted to SANBI are valid, accurate, complete in relation to both activity and financial information, and are in line with the approved work plans.
- Expresses an opinion as to the overall financial situation of the project for the period 1 January 2019 to 31 December 2019 and will certify the accuracy of:
    (i) The Global Statement of Expenses for the period from 1 January 2019 to 31 December 2019;
    (ii) The Statement of Cash Position (cash and bank balances of the project) reported by the project as at 31 December 2019; and
    (iii) The Statement of Assets and Equipment held by the project as at 31 December 2019.
- To, as applicable, report in monetary value, the net financial impact of any modified audit opinion (modified opinions can be qualified, adverse, or disclaimer) on the Statement of Expenditure where applicable. This should also include prior year non-resolved issues.

IV. Management Letter

The management letter should include at least the following:

- Audit observations/recommendations (guidelines in Annexure 3);
- Financial findings;
- Assessment of internal controls;
- Management comments/response to audit observations and recommendations (project management and/or SANBI NIE, as applicable);
- Indication of observations that affect the audit opinion (when qualified, adverse or disclaimer of opinion is given); and
- Bring to SANBI's attention any other matters that the Auditors believe are pertinent.

v. Audit Report

- The audit report should clearly indicate the Auditor's opinion and include at least the following:
- That it is a special purpose and confidential report;
- The period covered by the audit opinion;
- The amount of expenses audited;
- The Global Statement of Expenditure for the period from 1 January 2019 to 31 December 2019
- The Statement of cash position reported by the project as at 31 December 2019 (Annexure 1); and
- The Statement of assets and equipment held by the project as at 31 December 2019 (Annexure 2).

The Chief Financial Officer (CFO) of the uMDM must certify the above Statements.

The Auditor will be required to submit a draft audit report within 1 month of signing the contract.

B) University of KwaZulu-Natal (UKZN):

The University of KwaZulu-Natal (UKZN) is the sub-Executing Entity. The project financial year runs from 1 October to 30 September. An annual audit of the URP is required for the period 1 January 2019 to 31 December 2019 i.e. Quarters 2, 3 and 4 of the fourth year of implementation of the URP, plus Quarter 1 of the fifth year of implementation. The University's financial year from 1 January to 31 December.

i. Background

Within UKZN the project is managed from within the School of Agricultural, Earth and Environmental Sciences. UKZN processes and systems for are used for transactions related to the URP. The UKZN part of the audit is restricted to transactions related to the URP only at UKZN for the period under review.

ii. Consultations with concerned parties

The Auditor will consult with SANBI to confirm the scope of work and the conduct of the audit in general. In addition, upon completion of the draft audit report and management letter, the Auditor will be required to meet with the Project Manager and finance controllers from the uMDM and UKZN, with representation from SANBI, to brief them on the major findings from the audit and the recommendations made for future improvements, as well as to seek feedback thereon.

SANBI will provide the Auditor with the following for the period 1 January 2019 to 31 December 2019 for UKZN:

- Global Statement of Expenditure;
- Quarterly Statements of Expenditure submitted to SANBI for the period under review (four quarterly Statements of Expenditure);
- A list of disbursements by SANBI to the Executing Entities;
- The asset register; and
- The project procurement guidelines.

iii. Audit Services Required

The audit shall be performed in accordance with International Standards of Auditing and cover the overall financial management of the project as well as implementation, monitoring and supervision processes and controls.

The scope of the audit is limited to the implementing partner expenses, which are defined as including: (1) all disbursements listed in the quarterly financial reports submitted by the sub-executing partner; and (2) the direct payments processed by SANBI.

The objectives are that the Auditor:

- Confirms that the quarterly Statements of Expenditure reports submitted to SANBI are valid, accurate and complete in relation to both activity and financial information and are in line with the approved work plans.
- Expresses an opinion as to the overall financial situation of the project for the period 1 January 2019 to 31 December 2019 and will certify the accuracy of:
    (i) The Global Statement of Expenses for the period from 1 January 2019 to 31 December 2019;
    (ii) The Statement of Cash Position (cash and bank balances of the project) reported by the project as at 31 December 2019; and
    (iii) The Statement of Assets and Equipment held by the project as at 31 December 2019.

- To, as applicable, report in monetary value, the net financial impact of any modified audit opinion (modified opinions can be qualified, adverse, or disclaimer) on the Statement of Expenditure where applicable. This should also include prior year non resolved issues.

iv. Management Letter

The management letter should include at least the following:

- Audit observations/recommendations (guidelines in *Annexure 3*);
- Financial findings;
- Assessment of internal controls;
- Management comments/response to audit observations and recommendations (project management and/or SANBI NIE, as applicable);
- Indication of observations that affect the audit opinion (when qualified, adverse or disclaimer of opinion is given); and
- Bring to SANBI's attention any other matters that the Auditors believe are pertinent.

v. Audit Report

The audit report should clearly indicate the Auditor's opinion and include at least the following:

- That it is a special purpose and confidential report;
- The period covered by the audit opinion;
- The amount of expenses audited;
- The Global Statement of Expenditure for the period from 1 October 2018 to 31 December 2019;
- The Statement of cash position reported by the project as at 31 December 2019 (Annexure 1);
- The Statement of assets and equipment held by the project as at 31 December 2019 (Annexure 2);
- The Chief Financial Officer (CFO) of the UKZN must certify the above Statements; and
- The Auditor will be required to submit a draft audit report within 1 month of signing the contract.

2. Requirements

- The Auditor must be a Registered Accountant or Auditor (i.e. registered with the Independent Regulatory Board for Auditors and/or the South African Institute of Chartered Accountants).
- Previous audit engagements of Municipalities and institutions of higher learning would be advantageous.

3 Requirements for applications and evaluation criteria

Service providers interested in this project should submit a concise quotation for undertaking the assignment.

The quotation must include:

- The audit scope indicating the proposed timeframes that shall be applied.
- A budget for the time allocation to the proposed work, including VAT, that is clearly split between professional services and disbursements, and that clearly indicates which project staff will be working on the assignment.
- Details of the individual/s who will provide the service, including relevant skills, experience and track record, responding to the main requirements and skills and competencies required as outlined above
- Equity status of service provider (HDI, women and disability) according to the attached form (SBD 6.1).
- SBD FORMS (1 ,4 .6.1.8 & 9)
- Full Central Supplier Database (CSD) A valid certified copy of BBBEE certificate or sworn affidavit. (Please note that failure to submit a valid certified BBBEE certificate/sworn affidavit mentioned above will not necessarily result in a bid being disqualified, but no points will be awarded for B-BBEE status).

Failure to attach the above documents will lead to your bid being disqualified.

The Preferential Procurement Policy Framework Act (No. 5 of 2000) and SANBI's procurement process apply to these Terms of Reference. Note that service providers are required to comply with the processes outlined here and failure will result in the disqualification of proposals:

- Service providers are required to submit a valid tax clearance certificate with their proposals (see SBD 2 form). Where the service provider is not in possession of a valid tax clearance certificate, this should be applied for in good time ahead of the proposal deadline.
- The 80/20-point system will be applied in evaluating proposals, where price constitutes 80 points and the BBBEE scorecard constitutes 20 points.

Evaluation criteria:

Proposals passing the functionality threshold** below, will go into an evaluation on price and equity.

Criteria for measuring functionality	**Weight**
1. Qualification, expertise and competencies of the service providers	
• CVs and Qualifications of personnel assigned to SANBI	25
• Expertise and competencies of the personnel assigned to SANBI	25
2. Relevant prior experience of the service providers	
• Scope of work and scale of current and previous projects undertaken in providing similar services	25
• References of current and or previous organisations in providing similar services (minimum 3)	25
TOTAL	**100**

** Service providers who fail to score a minimum of 70 points out of a possible 100 points on functionality criteria will not be eligible for further consideration.

4. Contractual arrangements

The contract will be drawn up between SANBI and the service provider.

Accountability will be to the SANBI Chief Director: Adaptation Policy and Resourcing.

Responsibility for contract management and other day-to-day direction may be delegated as required.

All written deliverables must be submitted in MS Office and/or PDF and/or design package format, as appropriate.

Invoices will be paid on completion of planned deliverables that are produced in accordance with the contract.

SANBI will pay for the satisfactory completion of work within 30 days of submission of invoices. In the case of invoices submitted to SANBI, they must be addressed to the Chief Director: Adaptation Policy and Resourcing.

Copyright is retained by SANBI.

5. Submission of Proposal

Submission of proposals: Proposals should be emailed to S.SCM-Quotations@sanbi.org.za with a copy to Ms. Portia Mantjane P.Mantjane@sanbi.org.za

Closing date for submissions: 06th October 2020 @ 11H00 am

Emailed applications must not be more than 10MB in size.

Request for further information to these specifications must be emailed to: f.martin@sanbi.org.za

Annexure 1:

Certification of Statement of Cash Position

Statement of Cash Position as at

	Account Description	**Amount ZAR**
1		
2		

Cash balance as at

We hereby confirm the completeness and accuracy of the Statement of Cash Position above as at

Signed by: Date

Designation: CHIEF FINANCIAL OFFICER

Annexure 2:

Certification for Statement of Assets

Statement of Assets and Equipment

Asset Id	Asset Description	User	Date Acquired	Amount R

Total value of assets as at **0.00**

We hereby confirm the completeness and accuracy of the Fixed Asset Register as at

Signed by: Date

Designation: CHIEF FINANCIAL OFFICER

Annexure 3:

						No of key control weaknesses		
Executing Entity	Audited expenditures	Financial findings	% of audited expenditure	Audit opinion	No of financial findings	Low	Medium	High

SANBI
Biodiversity for Life
South African National Biodiversity Institute

Stop Fraud, Theft and Corruption without Fear or Favour - Call our Hotline 086 011 1899 Anytime