

REQUEST FOR QUOTATION (RFQ)

REQUISITION NUMBER	RFQ-17-01-2024
DESCRIPTION	Appointment of service provider for the Maintenance, servicing and repair of Air-conditioners for twenty-four (24) months period
ISSUE DATE	17 January 2024
CLOSING DATE	26 January 2024
BID VALIDITY PERIOD	90 Days (Commencing from RFQ Closing date)
CLOSING TIME	12:00 Noon

1. PURPOSE

The purpose of this Request for Quotation is to invite suitably qualified service providers to submit proposals for the Maintenance, servicing and repair of Air-conditioners for the National Arts Council of South Africa (NAC).

2. BACKGROUND

The National Arts Council of South Africa, an Agency of the Department of Sport, Arts and Culture, is the de- facto successor in title to the Foundation for the Creative Arts, originally established in 1989. NACSA's mandate as set out in the National Arts Council Act, Act 56 of 1997, specifies its Objects as:

- To provide, and encourage the provision of, opportunities for persons to practice the arts
- To promote the appreciation, understanding and enjoyment of the arts
- To promote the general application of the arts in the community
- To foster the expression of a national identity and consciousness by means of the arts
- To uphold and promote the right of any person to freedom in the practice of the arts
- To give the historically disadvantaged such additional help and resources as are required to give them greater access to the arts
- To address historical imbalances in providing infrastructure for the promotion of the arts
- To promote and facilitate national and international liaison between individuals

3. PURPOSE

The National Arts Council of South Africa (NAC) is seeking to appoint an experienced service provider for the Maintenance, servicing, and repair of Air-conditioners for a period of twenty-four (24) months.

4. OBJECTIVE

The main objective is to ensure that service providers perform their work as per the specification and ensure conducive working environment without interruption.

The contractor will in terms of this terms of reference regularly and systematically on a Bi Annual basis inspect, clean, adjust, lubricate and maintain all the equipment as described in the scope of work.

The scope of work will include but not limited to the following:

- Clean condenser and evaporator
- Clean drip tray and drainpipe
- Clean evaporator and condenser fans
- Clean filters on evaporator (renew if necessary)
- Check all electrical connections, voltages, and currents.
- Check LP and Hp pressures
- Clean condenser and evaporator.
- Test units heating and cooling for correct operation
- Clean filters (Inspection of Filters and Filter Frames)
 - ✓ Remove all filters from one air handling unit at a time.
 - ✓ Inspect filters for defects.
 - ✓ Inspect and clean filter frame properly before re-installing filters
- Service
- Check refrigerators
- Check for correct operation
- Supply of trunking where required

Air-conditioning Register

AREA	LOCATION AND NUMBER OF AIR CONDITIONING UNITS	CAPACITY
1. Basement	Server Room X 1 Aircon	18000 BTU
2. Ground Floor	Offices X 9 Aircons	12000 BTU
3. First Floor	Offices X 11 Aircons	12000 BTU
4. Second Floor	Offices X 12 Aircons	12000 BTU
5. Third Floor	Offices X 2 Aircons	12000 BTU
Board Rooms	Main & Small Board Rooms X 2	30 000 BTU & 24000 BTU

Total number of Air-Conditioners = **37**

The NAC is located at 66 Margaret Mcingana Street, Johannesburg, Newtown. The building consists of 4 floors which includes a basement area.

5. DELIVERABLES

5.1 The successful bidder will be required to provide maintenance of air-conditioners as described in the scope of work above;

5.2 The quality of work will be continuously inspected and should the quality-of-service decline or become unsatisfactory, the service provider will be required to re-perform such work at their own costs.

5.3 The successful bidder will be required to sign service level agreement prior to execution of work and,

5.4 The successful service provider will be appointed for a period of twenty-four (24) months.

6. EVALUATION CRITERIA

Mandatory Technical Requirements

The service provider must indicate their compliance/ non-compliance to the following requirements and to substantiate as required. The bidder must respond in the format below, where additional information is provided/ attached somewhere else; such information must be clearly referenced.

6.1.1 REGISTRATION WITH PROFESSIONAL BODIES	Comply	Not Comply
<p>The bidder must be registered with the Construction Industry Development Board (CIDB) with Mechanical Engineering (ME) designation of Grade 2 or higher.</p> <p>Valid proof of registration with CIDB on grading of 2ME or Higher must be submitted as part of the bidder’s proposal.</p>		
Substantiate / Comments		

NO	FUNCTIONALITY CRITERIA	WEIGHTING FACTOR
1.	<p>References and Experience</p> <p>The bidder must provide reference letter(s)/purchase orders on the letterhead of the services client and should reflect at least the name of the client, full description of the service rendered, contact person and contact details relevant to the providing air conditioner, refrigeration repairs and maintenance services. The reference letter must indicate the quality of the service rendered.</p> <p>The letters must be signed by the authorized person</p> <p>Experience (20 Points)</p> <ul style="list-style-type: none"> • 1 year = 1 point • 2 years = 2 points • 3 years = 3 points • 4 years = 4 points • 5 or more years = 5 points 	40

	<p>Bidders should provide/attach a table outlining current and previous clients in the public sector, state-owned and private entities reflecting names and contact details of clients, type of service rendered, start, end dates and value of contracts.</p> <p>Number of projects (20 points)</p> <ul style="list-style-type: none"> • 1 Project = 1 point • 2 Projects = 2 points • 3 Projects = 3 points • 4 Projects = 4 points • 5 or more years = 5 points 	
2.	<p>Capacity</p> <p>The bidder must attach an organogram with their proposal that is specific to the requirements of this Project.</p> <p>The bidder must also attach 3-page CVs that demonstrate the Experience Skills and Qualifications of all the technical personnel that will be assigned to this project.</p>	30
3.	<p>Bidder's Proposed Methodology</p> <p>The bidder must demonstrate thorough understanding of the objectives and deliverables of this project.</p> <p>The bidder must provide a detailed proposal of the methodology/ approach to be used to carry out the scope of work outlined above and clearly demonstrating their timelines for responding to breakdowns and repairs.</p>	30
<p>Total Points A FUNCTIONALITY SCORE OF LESS THAN (70) POINTS WILL ELIMINATE THE PROPOSAL FOR FURTHER EVALUATION</p>		100

NB: Only qualifying quotations will be evaluated for 80/20 preference points, in terms of the preference point system described in the PPPFA.

7. PRICE AND PREFERENCE POINTS EVALUATION

	Preference Point Criteria	Points Allocation
1.	Price	80
2.	Specific Goals	20
Total Points		100

8. Proposal Submission

Closing Date: **26 January 2024**

Time: **12:00**

Attention : Esona Zandile

Email: supplychain@nac.org.za

Kindly submit your quotation electronically to the Supply Chain Management Unit (supplychain@nac.org.za).

9. Enquiries

SCM Enquiries:	Esona Zandile Tel: 011 838 1383/4/5 Email: supplychain@nac.org.za
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10. PRICING SCHEDULE:

No.	Item Description	Total
1.	Hourly rate for Technician	R
2.	Hourly rate for assistant	R
3.	After hour rate for Technician	R
4.	After hour rate for assistant	R
5.	Traveling cost Per KM (AA rates)	R
	Subtotal	R
	VAT @ 15%	R
	Grand Total	R
6.	Mark up on material in percentage %	%

Price Declaration Form

Please indicate your total RFQ price here:

R_____ **(Compulsory)** Important:

It is mandatory to indicate your total RFQ price as requested above. This price must be the same as the total RFQ price you submit in your pricing schedule. Should the total RFQ prices differ, the one indicated above shall be considered the correct price.

11. Terms and Conditions:

- a. The completed SBD 1, SBD 4 and SBD 6.1 should be submitted with the quotation
- b. Proof of registration with the Central Supplier Database (CSD) must be submitted.
- c. No late quotations will be accepted under any circumstances.
- d. Price(s) quoted must be valid for at least ninety (90) days from date of offer for evaluation purposes.
- e. Tenderers original valid tax clearance certificate must be attached.
- f. Tender original or certified B-BBEE Certificate must be attached to the document
- g. Documents should not exceed **10mb**
- h. Suppliers must complete and **return all the required documents**, failing which, the supplier's quotation will be declared invalid.
- i. Disclaimer: The NAC reserves the right not to make an appointment.
- j. **The NAC reserves the right not to accept the lowest quote received**

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	RFQ-17-01-2024	CLOSING DATE:	26 January 2024	CLOSING TIME:	12:00
DESCRIPTION	APPOINTMENT OF SERVICE PROVIDER FOR THE MAINTENANCE, SERVICING AND REPAIR OF AIR-CONDITIONERS FOR TWENTY-FOUR (24) MONTHS PERIOD				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
supplychain@nac.org.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Esona Zandile		CONTACT PERSON	Esona Zandile	
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	supplychain@nac.org.za		E-MAIL ADDRESS	supplychain@nac.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] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No [[IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [[IF YES, ANSWER THE QUESTIONNAIRE BELOW]
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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, 2022, 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:

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise,
employed by the state? **YES/NO**

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

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

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

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

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

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

3.1 I have read and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND

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

COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS
DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

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

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

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

1. GENERAL CONDITIONS

1.1 The following preference point system is applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

1.2 To be completed by the organ of state

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

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEM

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

80/20

$$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

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

3.2.1. **POINTS AWARDED FOR PRICE**

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

80/20

$$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, the 80/20 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, the 80/20 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for the 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Black Ownership	10	
30% Black Women Ownership	5	
Any % of ownership by Black Designated Groups > 0	3	
Reconstruction Development Programme Objective: Promotion of SMMEs (Entities that are EME or QSE)	2	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

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