

SOUTH AFRICAN REVENUE SERVICE

REQUEST FOR PROPOSAL

RFP 32-2022

**APPOINTMENT OF CONSULTING ENGINEERING FIRM IN THE FIELD OF TECHNICAL
SECURITY**

MAIN RFP DOCUMENT

INSTRUCTIONS, GUIDELINES, AND CONDITIONS OF TENDER

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REQUEST FOR PROPOSAL

Summary, Guidelines, Conditions and Instructions

1 PURPOSE OF THIS REQUEST FOR PROPOSAL

- 1.1 The purpose of this Request for Proposal (RFP) is for the South African Revenue Service (SARS) to invite suitably qualified service providers (bidders) to submit proposals (tenders) in accordance with the rules set out in this RFP on a non-exclusive basis.

2 OVERVIEW OF SARS' REQUIREMENTS

2.1 Summary of the scope

- 2.1.1 Details of the scope of work and the required goods and services are defined in more detail in the background and other documents forming part of this RFP.

2.2 Background

SARS has approximately one hundred and fifty-six (156) physical facilities which are differentiated as administrative buildings, state warehouse, dog detector units, branch offices, ports of entry (land, sea, and air) and other critical facilities where business processes are conducted in order to collect revenue due to the fiscus in line with organisation's mandate. The current technical security systems have not kept abreast with technological changes, and they have reached their useful life span which is approximately 3-5 years. There are currently approximately four thousand (4000) technical security devices deployed in SARS facilities aimed at mitigating security risks.

The National Security Management Unit (NSMU) is currently experiencing challenges with the deployed technical security systems that continue to negatively affect its support to business operations. Challenges emanate from limited data storage capacity, insufficient network allocated to NSMU, obsolete and outdated technical security systems with a majority last refreshed over ten (10) years ago. This has created a situation where these systems are increasingly making it difficult for the NSMU and SARS to fulfill their mandate.

SARS is in the process of modernisation its technical security systems.

2.3 Consulting Engineering Firm Requirements

SARS requires the services of a consulting engineering firm with experience in the field of technical security. The appointed consulting engineering firm, in the field of technical security will be appointed to render the following professional services:

- a. Provide SARS with professional services to compile and review specifications for technical security systems which are as follows but not limited to:
 - access control systems;
 - close circuit television system (CCTV);
 - alarm systems;
 - automatic number plate reader (ANPR);
 - electric fence integration; and
 - Integration and/or data sharing with SARS's business systems.
- b. Provide oversight and quality assurance on the technical security systems installers, integrator, and deliverables during each critical phase of technical security systems installation project as well as provide quality reviews during design and installation of technical security systems in accordance with the specification and SARS approved design documents.
- c. Conduct quality assurance on all installations and provide a report/certificate on systems performance in comparison to the technical specifications to ensure return on investment.
- d. Ensure that installed technical security systems are integrated with other SARS systems.
- e. Provide technical security system's architecture services to review of the design technical security system for an enterprise solution.
- f. Provide SARS with professional services on an ad hoc basis, including advising and recommending continuous improvements and possible technological enhancements to SARS at no additional costs.
- g. Conduct quality assurance on all installations and provide a report /certificate on Electrical Designs / Specifications/ Lighting Systems/ Solar Systems/ Uninterrupted Power Supply (UPS) and Generator.
- h. Should be able to issue all relevant certification required after installation.
- i. The successful consulting engineering firm will issue a report at the completion of each agreed work agreement.

2.4 SARS REQUIREMENTS

The successful consulting engineering firm will be required to provide the following technical capable resources:

- i) Security Systems Senior Design Engineer.
- ii) Security Systems Design Engineer.
- iii) Electrical Engineer.

SARS CONFIDENTIAL

The consulting company will be appointed for Construction Industry Development Board Standard Professional Service Contract (CIDB) stage 1 to 4, at this stage SARS will independently appoint a construction service provider, after which the firm will then manage Stages 5 to 6 Project Close out.

The potential Bidders are to note that SARS has pre-specified the percentage fee for each Stage (1 to 6).

Table 2A: Project stages

Stage	Name	Deliverable	Complete when	% Fee for Stage (out of 100%)	Number of Resources required
1	Project Inception	<p>Project Inception</p> <p>a) Conduct a conditional assessment on the existing services.</p> <p>b) Produce a report detailing the current status, remedial or upgrading work required to achieve the expected benefits of the integrated security systems.</p> <p>c) Prepare a project implementation plan for the approval of the project.</p> <p>d) SARS will review and accept the conditional assessment report and project implementation plan.</p> <p>e) Required to advise among other things on the following:</p> <p>I. Indicate phases that can be undertaken concurrently and sequentially.</p> <p>II. Indicate those phases that are dependent on a previous phase having been completed.</p> <p>III. Identification of all risks related to the various phases, and a detailed risk management plan on how these risks will be managed and reduced where possible.</p> <p>IV. The impact on existing infrastructure</p>	Stage 1 is complete when the Initiation Report is approved.	10%	<p>1 Security Systems Senior Design Engineer</p> <p>1 Security Systems Design Engineer</p> <p>1 Electrical Engineer</p>

Stage	Name	Deliverable	Complete when	% Fee for Stage (out of 100%)	Number of Resources required
		and outlining the possibilities of expanding existing infrastructure.			
2	Preliminary Design	Preliminary Design a) Prepare a preliminary design, project phases/milestones which are linked to cost estimates for the work required and project duration. SARS will approve the preliminary design report and cost estimates (budget). b) This stage may involve more than one meeting of presentations and discussions.	Stage 2 is complete when the Preliminary Design is approved by SARS.	10%	2 Security Systems Design Engineer. 1 Security Systems Senior Design Engineer
3	Design Development	Design Development Report A Design Development Report shall , as a minimum, provide the following: a) Develop in detail the approved concept to finalise the design and definition criteria. b) Establish the detailed form, character, function and costings. c) Define all components in terms of overall size, typical detail, and performance and outline specification. d) Describe how infrastructure or elements or components thereof are to function, how they are to be safely constructed, how they are to be maintained and how they are to be commissioned. e) Confirm that the project scope can be completed within the budget or propose a revision to the budget.	Stage 3 is complete when the Design Development Report is approved by SARS.	10%	2 Security Systems Design Engineer. 1 Security Systems Senior Design Engineer
4	Design Documentation	Design Documentation a) Draw up specifications for: I. Technical security systems. II. Connection of all to the existing Control	Stage 4 is complete when the Design Document	5%	2 Security Systems Design Engineer.

SARS CONFIDENTIAL

Stage	Name	Deliverable	Complete when	% Fee for Stage (out of 100%)	Number of Resources required
		<p>rooms.</p> <p>III. Upgrading of the existing server rooms & control rooms.</p> <p>IV. Providing mapping, layout and drawings of technical security systems but not limited to the following:</p> <ul style="list-style-type: none"> • CCTV, • Access control, • Alarm systems, • Electric fence, • Security barriers, • Technical security integration solution. <p>V. Providing mapping, layout and drawings of technical security system integration in collaboration with SARS Information Technology (IT) standard and space planning. The SARS standard will be provided to the awarded bidder.</p> <p>VI. Providing solution on alternative energy or power for technical security systems.</p> <p>b) Prepare a detailed design based on the approved preliminary design and the client (SARS) will approve the detailed design;</p> <p>c) Provide full Bill of Quantity.</p>	<p>ation</p> <p>Report is approved by SARS and all tender documentation is submitted.</p>		1 Security Systems Senior Design Engineer
5	Project Supervision and Administration	<p>Project Supervision and Administration.</p> <p>a) Hand over the sites to the contractor (the appointed service provider) for installation and construction of works as per the designs and specifications.</p> <p>b) Supervise the contractor together with SARS</p>	<p>Stage 5 is complete when the Works Completion Report is</p>	35 %	<p>2 Security Systems Design Engineer.</p> <p>1 Security Systems Senior Design Engineer</p> <p>2 Electrical Engineer</p>

Stage	Name	Deliverable	Complete when	% Fee for Stage (out of 100%)	Number of Resources required
		security manager as the internal project manager. c) The project manager will ensure that they facilitate and ensure that the final project completion certificates/s is issued to the client (SARS).	approved by SARS.		
6	Project handover and close-out Report	Project handover and close-out Report The following activities shall be undertaken during the handover stage: a) Finalise the project close-out report and handover the project close-out report. b) Hand over all operation and maintenance manuals, warranties, compliance certificates, licences, as-built drawings, end user guide and any document that will make system work, will be handed over to the client (SARS). c) Oversee the commissioning of the systems and the training requirement programme by the suppliers, for the operators. d) Full handover of all technical design documentation in AutoCAD and or equivalent format and balance of information in electronic (i.e. PDF) format.	Stage 6 is complete when the Handover / Record Information Report is approved by SARS.	30 %	2 Security Systems Design Engineer. 1 Security Systems Senior Design Engineer 2 Electrical Engineers

2.5 HIGH-LEVEL DELIVERABLES

The successful consulting engineering firm will be required to provide technically capable resource(s) that can deliver on the duties below.

2.5.1 Security Systems Senior Design Engineer

- Security systems senior design engineer with the relevant experience with a minimum of 7 years of proven experience in the field of technical security consulting.
- The security systems senior design engineer takes overall accountability of the project and its deliverables to SARS, including the outputs of installed security systems.

2.5.2 Security Systems Design Engineer

- a. Provide technical security system's architecture services to design technical security system for an enterprise solution.
- b. Security systems design engineer with the relevant experience with a minimum of 5 years of proven experience in the field of technical security consulting.
- c. Reviewing and updating technical specifications for technical security systems like access control, close circuit television, alarm systems, integration, unification and or data sharing with SARS's business systems.
- d. Provide oversight and quality assurance on the technical security systems installers, integrator and all deliverables during each critical phase of technical security systems installation of the project as well as provide quality reviews during design and installation of technical security systems in accordance with the specification and SARS approved design documents.
- e. Conduct quality assurance on all installations and provide a report /certificate on systems performance in comparison to the technical specifications to ensure return on investment; and
- f. Ensure that installed technical security systems are integrated with other SARS systems.

2.5.3 Electrical Engineer

- a. Conduct quality assurance on all installations and provide a report/ certificate on systems and performance in comparison to the technical specifications to ensure return on investment.
- b. Security systems senior design engineer with the relevant experience with a minimum of 5 years of proven experience in the field of technical security consulting.
- c. Conduct quality assurance on all installations and provide a report /certificate on Electrical Designs/ Specifications/ Lighting Systems/ Solar Systems/ Uninterrupted Power Supply (UPS) / Generator; and
- d. Provide Bill of Quantity (BoQ).
- e. Should be able to issue all relevant certification required after installation.

- 2.6** Then SARS will appoint the contractor (most suitable tenderer), then stage 4 will be complete. Bidders who are appointed in terms of this RFP, will be excluded from bidding for the construction services

tender.

2.7 Inclusion

Bidders are to note the following that may influence pricing:

SARS has:

- AutoCAD plans for floor layouts only.
- Sections and Elevations.
- Electrical Layouts.

2.8 National footprint

The successful bidder to show their ability to have resources in the following regions that are close to the SARS sites:

- Kwa Zulu – Natal
- Free State and Northwest
- Western Cape and Northern Cape
- Gauteng South
- Gauteng North
- Eastern Cape
- Limpopo
- Mpumalanga

Bidder(s) must disclose the limitations relating to the availability of some required resources listed in paragraph 2.5 within certain major towns of the regions where SARS operates.

2.9 Travel Cost and Accommodation cost

2.9.1 Kilometre travel claims

Travel expenses (specify, for example rate/km and total km, class of air travel, etc.). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices. SARS will not pay the first 60 kilometres per trip. The rates should be as per rates published by department of transport.

2.9.2 Accommodation

Other expenses, for example accommodation (specify, e.g. three star hotel, bed and breakfast). On the basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices. The rates cost should be as per rates published in terms of the national treasury circular no 7 of 2021/22 - cost containment measure.

2.10 SARS RESPONSIBILITIES

2.10.1 In order to ensure effective performance of the Service by the consulting engineering firm, SARS will provide the consulting engineering firms with the following:

2.10.1.1 At the inception stage, SARS will provide technical security system's business requirements and all relevant information to facilitate the drafting of technical specifications for technical security systems like access control, close circuit television, alarm systems, integration, unification and or data sharing with SARS's business systems.

2.10.2 Reasonable access to SARS premises during business hours and/or after hours as agreed upon by the parties to conduct the following:

2.10.2.1 Oversight and quality assurance on the technical security systems installers, integrator and deliverables during each critical phase of technical security systems installation project as well as provide quality reviews during design and installation of technical security systems in accordance with the specification and SARS approved design documents including that all ensuring installed technical security systems are integrated with other SARS systems; and

2.10.2.2 Conduct quality assurance on all installations and provide a reports /certificate on systems performance in comparison to the technical specifications to ensure return on investment.

2.10.3 SARS will maintain the physical environment of any hardware including the software component thereof which includes without being limited thereto.

2.10.4 Provide adequate stable power supply to meet the operating specifications of the hardware.

2.10.5 Provide adequate capacity to run the applications on a stable hardware.

3 BIDDERS' RESPONSES / DOCUMENTATION REQUIRED

Bidders must respond to all the information required in this paragraph, in their bid proposals. Bidders should also refer to paragraph 2, which details the background, scope of service and technical requirements.

3.1 TECHNICAL REQUIREMENTS

3.1.1 Company Profile

Bidders should provide a detailed (non-generic) company profile that is purpose written for this bid Submission that demonstrate with evidence:

3.1.1.1 The Bidder's ability to provide professional design and engineering services within the technical security consulting environment and years of being in business.

3.1.2 Capabilities

Details of the key contact person / key account manager including his/her role and responsibilities and a comprehensive CV, which must be signed by both the Bidder's authorised representative and the resource concerned, to confirm that it is accurate and complete.

Note:

- All CVs must be signed by the nominated individual and the representative of the Bidder
- Bidders must link their Designation/Title resource to a SARS resource title.

3.1.3 Qualifications

Bidders to provide proof of qualification for the required resources as set out in paragraph 2.5.

- **Security Systems Senior Design Engineer**
Minimum of NQF 7 qualification relevant to security system/ electrical engineering.
- **Systems Security Design Engineer**
Minimum of NQF 6 qualification relevant to security system/ electrical engineering.
- **Electrical Engineer**
Minimum of NQF 6 qualification relevant to security system/ electrical engineering.

3.1.4 Professional Registration

3.1.4.1 Bidder must provide proof of registration with relevant professionals' body. A registered professional is a qualified persons who is registered with the Engineering of Council South Africa (ECSA).(Proof of certificate must be provided).

3.1.4.2 Bidder must provide number of years for which the bidder has been registered with the Engineering Council of South Africa (ECSA).`

3.1.4.3 Relevant experience is the actual number of years, measured from the date of first registration with the Engineering Council of South Africa (ECSA) or any other equivalent or similar international body recognised with South African Qualification Authority,as –

3.1.5 National Footprint

3.1.5.1 Bidder must provide proof of address in the form of a utility for each province they have office.

3.1.6 Project Management

Bidders must demonstrate that they have completed at least three or more projects within recent five (5) years in the field of technical security consulting. It should include the following:

- Name of Project
- Project Value
- Number of years
- Date started
- Date completed

Note: The appointment letter must be relevant to the services as set out in the RFP document

4 STRUCTURE OF THE RFP PACK

4.1 Structure

4.1.1 This RFP pack is organised in 5 (five) sections consisting of one or more documents in each section.

Table 1: RFP pack outline and contents

Section	Index	Description of section contents
1	Main RFP Document	Documents outlining the main RFP guidelines, instructions, conditions and documents necessary for a bidder to submit a proposal.
2	Business Requirements Specification	Document(s) outlining the business requirements specifications, technical requirements and other information required by a bidder to submit a proposal.
3	SBD Documents	Standard Bid Documents (SBDs) and other administrative documents that are required by National Treasury and SARS Procurement to be read, completed, and returned as part of a bidder's proposal.
4	Contract management	The General Conditions of Contract (GCC) and/or proposed agreement under which SARS wishes to contract the services.
5	Response templates	Where applicable, response templates that are required to be completed and returned as part of a bidder's proposal.

5 KEY ACTIVITIES AND DATES

5.1 The table below lists certain key dates and activities relevant from the time of issue of the RFP up to and until the closing date:

Table 2: Key activities and dates

No.	Activity	Date / Time / Details
1.	Bid Number	RFP 32/ 2022
2.	Description	Appointment of consulting engineering firm in the field of technical security
3.	Duration of contract	The successful bidder will be appointed for a period of thirty - six (36) months, subject to SARS terms and conditions.
4.	Validity period of proposals	Bids submitted will be valid for a period of 180 calendar days from closing date. SARS may however, subject to the bidders' consent, extend the validity period prior to expiry thereof.
5.	Advertisement of the RFP	a) SARS website: 19 April 2023 b) National Treasury Tender Portal: 19 April 2023
6.	RFP pack available for download from SARS website	19 April 2023
7.	Physical briefing session / site inspection date, location, and address	The non-compulsory briefing session / site inspection will take place on: 03 May 2023 at 11H00 And at the following address: SARS Procurement Centre, Lehae La SARS, 299 Bronkhorst Street, Nieuw Muckleneuk, Brooklyn, Pretoria
8.	Virtual briefing session date and registration	The non-compulsory briefing session will be held virtually via a Microsoft Teams meeting and can be accessed at the following link: Microsoft Teams meeting Join on your computer, mobile app or room device Click here to join the meeting Meeting ID: 353 470 416 051 Passcode: 5GMKnD Download Teams Join on the web
9.	Bidders to submit written questions on or before	10 May 2023
10.	SARS to respond to bidders' written questions on or before	12 May 2023

11.	CLOSING DATE AND TIME (proposals due)	22 May 2023 at 11H00
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- 5.2** All dates and times in this RFP are South African Standard Time. The establishment of a time or date in this RFP does not create an obligation on the part of SARS to take any action or create any right or expectation in any way for any bidder to demand that any action be taken on the date established, or on any other date. A bidder accepts that if SARS extends the deadline (closing date) for proposal submissions for any reason whatsoever, the requirements of this RFP will apply equally to the extended deadline.

6 COMMUNICATION

- 6.1** All communications to SARS must be addressed to the SARS Tender Office, emailed to tenderoffice@sars.gov.za, and must contain a clear reference to this RFP. Communication sent by SARS must only be regarded as official communication if sent from tenderoffice@sars.gov.za, or a communication accompanied by a letter of authorisation signed by the SARS Procurement Executive.
- 6.2** A bidder may not make any communication to SARS regarding this RFP other than through the official contact provided in this document. SARS may, at its sole discretion, disqualify a bidder if the bidder communicates or attempts to communicate any information regarding this RFP to any of SARS' employees; officials; or any third parties involved in the preparation, evaluation, or award of the RFP other than through the official contact provided.

7 TENDER PREPARATION AND SUBMISSION

7.1 Introduction

- 7.1.1** SARS has a detailed evaluation methodology premised on Treasury Regulation 16A3 promulgated under section 76 of the Public Finance Management Act, 1999 (Act No. 1 of 1999), which prescribes that SARS' procurement processes be:
- 7.1.1.1** economical, efficient, fair, equitable, transparent, competitive and cost effective; and
 - 7.1.1.2** consistent with the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000), its Regulations, and the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003).

7.2 Question and answer process

- 7.2.1** A bidder may submit questions to SARS as part of the question-and-answer process to gain a full understanding of any aspect of the RFP that is not clear to the bidder.
- 7.2.2** Between the dates given in paragraph 4, SARS will receive written questions sent by bidders by email through the official contact provided in this document. SARS will respond to these questions, but however is not obliged to respond to a question should it choose not to do so. The questions and answers will be published on the SARS website. The identity of a bidder who has directed a question to SARS will not be disclosed by SARS in such responses.

- 7.2.3 SARS may issue updated versions of documents issued in the RFP pack and/or may issue additional documentation to form part of the RFP pack. Such reissued or additional documentation will be published on the SARS website. It is a bidder's responsibility to visit the SARS website at regular intervals to ensure that a bidder uses the latest versions of documents in the RFP pack.
- 7.2.4 The SARS procurement website must be treated as the primary means of communication. In the event of any other communication that conflicts with communications posted on the SARS website, the SARS website communication will prevail.

7.3 Central Supplier Database

- 7.3.1 All bidders wishing to do business with SARS must register on the Government's Central Supplier Database (CSD) at www.CSD.gov.za, and to include in their submission their CSD Master Registration Number. The recommended bidder(s) must be registered on the CSD prior to an award letter / purchase order / signed contract being issued.
- 7.3.2 Foreign suppliers with neither South African tax obligations nor history of doing business in South Africa must complete the questionnaire on the Standard Bidding Document (SBD) 1.

7.4 Proposal submission

- 7.4.1 For this RFP, SARS will accept proposal submissions in the form of physical proposal submissions, either deposited in the SARS tender box or posted to the SARS Tender Office.
- 7.4.2 The physical proposal submissions must be deposited in the SARS tender box on or before the closing date and time at the SARS Tender Office, situated at the main entrance at:

**SARS Procurement Tender Office, Lehae La SARS,
299 Bronkhorst Street, Nieuw Muckleneuk, Brooklyn, Pretoria, 0181.**

- 7.4.3 The proposals may also be posted to the address provided in the afore mentioned paragraph.
- 7.4.4 Proposals will only be considered if received by the SARS Tender Office before the closing date and time, regardless of the method used.
- 7.4.5 Late proposals will not be accepted.

7.5 Instruction for submitting a proposal

- 7.5.1 This section details the instructions to bidders for preparing a proposal in response to this RFP, which must be followed in detail to enable the information contained in a bidder's proposal to be read, understood and evaluated in a common and consistent layout, and to ensure that the information submitted is correct, complete and well structured. Should a proposal be received that is not in the correct format, SARS reserves the right to disqualify the entire proposal or portions of the proposal depending on the extent of the deviation from the format described in this document.
- 7.5.2 All proposals and supporting documentation must be submitted in English.
- 7.5.3 A bidder's proposal is required to be submitted as:

1 x Original hardcopy	One (1) original hardcopy proposal clearly marked as “ <i>Original</i> ”
1 x Duplicate hardcopy	One (1) duplicate proposal clearly marked as “ <i>Copy</i> ”
1 x Electronic copy	One (1) electronic copy of the original hardcopy proposal

7.5.3.1 A “hardcopy proposal” means an A4 ring bound lever arch file.

7.5.3.2 An “electronic copy” means a memory stick (USB stick).

7.5.4 Each hardcopy proposal and electronic copy must be marked and labelled correctly, and must be outer sealed, wrapped and packaged, for ease of reference during the evaluation process.

7.5.5 **Pricing information must be included in a separate file (File 2), and not be included in the technical file (File 1).**

7.5.6 A bidder is required to submit the contents of its proposal (hardcopy and electronic) in the following format:

Table 3: Format and organisation of proposal

Files		Section	Responses
File 1: TECHNICAL proposal	<ul style="list-style-type: none"> • RFP reference • Description • Bidder name 	1	<ul style="list-style-type: none"> • Prequalification documents (SBD and other documents), <i>excluding SBD 6.1 Preference point claim.</i>
		2	<ul style="list-style-type: none"> • Response to mandatory requirements (if applicable) • Supporting documents for mandatory requirements (if applicable)
		3	<ul style="list-style-type: none"> • Response to technical requirements • Supporting documents for technical requirements
		4	<ul style="list-style-type: none"> • Company profile • Supplementary information
		5	<ul style="list-style-type: none"> • Draft agreement
File 2: PRICE and B-BBEE proposal	<ul style="list-style-type: none"> • RFP reference • Description • Bidder name 	1	<ul style="list-style-type: none"> • B-BBEE certificate or sworn affidavit • SBD 6.1 Preference point claim form
		2	<ul style="list-style-type: none"> • Pricing response template
		3	<ul style="list-style-type: none"> • 3 most recent years audited / independently reviewed financial statements

8 EVALUATION OF PROPOSALS

8.1 Process after the closing date

- 8.1.1 After the closing date and time SARS will evaluate the proposals with reference to SARS' evaluation criteria. SARS reserves the right to employ subject matter experts to assist in performing such evaluations.

8.2 Administrative Prequalification evaluation process (Gate 0)

- 8.2.1 SARS has defined minimum administrative prequalification criteria that must be met by a bidder. The table below contains the administrative prequalification documents that are required as part of a bidder's proposal, which must be completed and signed by the duly authorised representative of the prospective bidder(s).
- 8.2.2 Where a bidder's proposal fails to comply fully with any of the administrative prequalification criteria, SARS may at its discretion allow the bidder an opportunity to submit and/or supplement the information and/or documentation provided within a period of **five (5) working days** or such alternative period as SARS may determine to achieve full compliance with these criteria before disqualifying the bidder.

Table 4: Administrative Prequalification criteria

	Prequalification documents to be submitted	Instructions	Non-submission may result in disqualification?
1.	SBD 1: Invitation to bid form	Bidder to complete and sign the supplied pro forma document.	YES
2.	SBD 4: Bidder's Disclosure	Bidder to complete and sign the supplied pro forma document.	YES
3.	SBD 6.1: Preference points claim form	Bidder to complete and sign the supplied pro forma document.	NO - Non-submission will lead to a zero score on B-BBEE
4.	Proof of registration on the Central Supplier Database (CSD)	Bidder to submit the proof of registration on CSD.	YES
5.	Supplier Risk Questionnaire	Bidder to and sign the supplied pro forma document	YES
6.	General Conditions of Contract (GCC) and/or Draft Agreement	Bidder to sign the supplied pro forma document.	YES
7.	A complete set of three (3) most recent audited / independently reviewed financial statements	Submit complete sets of audited or independently reviewed annual financial statements as detailed in this RFP.	YES - Required for due diligence process for award purposes

8.3 Mandatory evaluation process (Gate 1)

- 8.3.1 Only Bidders that have met the administrative prequalification Criteria in Gate 0 will be evaluated in Gate 1 for mandatory evaluation. The table below contains the mandatory evaluation criteria.

- 8.3.2 If a bidder does not meet any of the mandatory evaluation criteria, the bidder will be disqualified, and the bidder's proposal will not be evaluated further.

Table 5: Mandatory evaluation criteria

	Mandatory evaluation criteria	Bidder to submit as proof
1.	Proof of a letter of good standing with Private Security Industry Regulatory Authority (PSIRA) for the company and valid at the closing date of the tender.	Proof of a letter for a good standing with Private Security Industry Regulatory Authority (PSIRA) for the company.
2.	Valid proof of registration with Private Security Industry Regulatory Authority (PSIRA) for the company and valid at the closing date of the tender.	Proof of a valid registration with Private Security Industry Regulatory Authority (PSIRA) for the company.

8.4 Technical evaluation process (Gate 2)

- 8.4.1 Only bidders that have met the prequalification and mandatory evaluation requirements will be evaluated for technical capability and functionality, strictly according to the technical evaluation criteria below. A bidder is required to provide a technical solution for the required goods and services that meet SARS' requirements, and that is financially competitive and offers value for money.
- 8.4.2 The technical evaluation will be scored out of a total of 100 points, and bidders are required to score a minimum threshold of **70** out of 100 points to proceed to the next stage of evaluation, namely price and B-BBEE evaluation.

Table 6: Technical evaluation criteria

	Technical evaluation criteria	Scoring criteria	Points
1.	Bidder experience		5
1.1	Bidders company profile should demonstrate the bidders' years of being in business relevant to the scope of work.	(5) = 10 years plus (4) = 7 to 9 years (3) = 5 – 6 years (2) = 3 – 4 years (1) = Less than 3 years. (0) =No information provided	5
2.	Capabilities		4
2.1	The bidder(s) to provide full contact details of a key account manager, with a minimum of three (3) years of experience who will be assigned to SARS including:- one page CV, containing his/her qualifications (certified copy of certificates). which must be signed by both the Bidder's authorised representative and the resource concerned, in order to confirm that it is accurate and complete.	The Bidder has provided the following: The Bidder has provided one page CV of the key account manager including his/her role and responsibilities and, containing his/her qualifications (certified copy of certificates)= (4) No information and or irrelevant information= 0	4
3.	Qualifications		15
3.1	Bidders to provide proof of qualification for the required resources as set out in paragraph 2.5 • Security Systems Senior Design Engineer	Bidder must provide the following: Certificate for qualification must be provided	

	Technical evaluation criteria	Scoring criteria	Points
	<ul style="list-style-type: none"> • Security Systems Design Engineer • Electrical Engineer 	Systems Security Senior Design Engineer (5) = Minimum of NQF 7 relevant to security system/ electrical engineering Systems Security Design Engineer (5) = Minimum of NQF 6 relevant to security system/ electrical engineering Electrical Engineer (5) = Minimum of NQF 6 relevant to electrical engineering (Irrelevant information and or No information provided = 0	15
4.	Professional Registration		36
4.1	<p>Bidder must provide proof of registration with relevant professionals' body for their resources assigned to SARS for the duration of the project . A registered professional is a qualified persons who is registered with the ECSA.(Proof of certificate must be provided).</p> <p>The details of each Professional (Professional Registration number and body i.e., ECSA. membership) must be supplied for the following:</p> <ul style="list-style-type: none"> • Security Systems Senior Design Engineer • Security Systems Design Engineer • Electrical Engineer 	<p>Bidder must provide proof of registration with relevant professionals' body for the following: (Proof of certificate must be provided)</p> <p>(6) = Security Systems Senior Design Engineer.</p> <p>(6) = Security Systems Design Engineer.</p> <p>(6) = Electrical Engineer .</p> <p>Irrelevant information and or No information provided = 0</p>	18
4.2	<p>Bidder must provide number of years for which it has been registered with the Engineering Council of South Africa (ECSA).Relevant experience is the actual number of years, measured from the date of first registration with the Engineering Council of South Africa (ECSA) for the following.</p> <ul style="list-style-type: none"> • Security Systems Senior Design Engineer • Security Systems Design Engineer • Electrical Engineer 	<p>Bidder must provide number of years for which it has been registered with the Engineering Council of South Africa (ECSA). Relevant experience is the actual number of years, measured from the date of first registration with the Engineering Council of South Africa (ECSA) .</p> <p>Security Systems Senior Design Engineer.</p> <p>(6) = 7 or more years active registration with ECSA.</p> <p>Less than 7 years and or Irrelevant information and or No information provided = 0</p> <p>Security Systems Design Engineer.</p> <p>(6) = 5 or more years active registration with ECSA .</p> <p>Less than 5 years and or Irrelevant information and or No information provided = 0</p> <p>Electrical Engineer .</p> <p>(6) = 5 or more years active registration</p>	18

	Technical evaluation criteria	Scoring criteria	Points
		with ECSA . Less than 5 years and or Irrelevant information and or No information provided = 0	
5	National Footprint		10
5.1	Bidders must provide proof of address in the form of a utility for each province where they have office.	The Bidder has provided proof of address in the form of a utility bill for each province where they have office: <ul style="list-style-type: none"> • Provided minimum of 5 to 9 offices in 5 to 9 provinces= 10 • Provided 4 offices in 4 different provinces =8 • Provided 3 offices in 3 different provinces = 6 • Provided 2 offices in 2 different provinces = 3 • Provided 1 office in 1 province = 2 No information or irrelevant information provided= 0	10
4.	Proof of Project Completed		30
4.1	<p>Projects:</p> <p>Bidders must demonstrate that they have completed at least three or more projects in the recent five (5) years' in the field of technical security consulting. It should include the following:</p> <ul style="list-style-type: none"> • Name of Project • Project Value • Number of years • Date started • Date completed 	<p>The Bidder must provide the following:</p> <ul style="list-style-type: none"> • Signed appointment letter together with completion certificate of the project stamped by their clients, Name of project, Project value, Number of years , date started and date completed. <p><u>Project value</u> (5 points per each project) = Project value above R 1 500 000.00 (3 points per each project) = Project value from R 1 000 000.00 to R 1 499 999.99 (1 points per each project) = Project value from R 500 000.00 to R 999 999.99 (0 point per each project)= Project below R 500 000 or no information provided</p> <p><u>Number of years for the project completion</u> (5 points per each project) = 3 Years and above from start to completion. (3 points per each project) = 1- 2 Years from start to completion. (0)= No completed projects and projects below 1 year .</p> <p>Note: Each reference letter will be evaluated individually. Bidders must refer to Annexure A i.t.o. calculation of reference letters.</p>	30
	TOTAL		100

8.5 Price and B-BBEE evaluation (Gate 3)

- 8.5.1 In line with the requirements of the Preferential Procurement Policy Framework Act, 2000, and its Regulations, only bidders that have met or exceeded the minimum threshold for functionality in the technical evaluation, will be evaluated further in terms of the following preference point system:

Table 7: Price and B-BBEE evaluation

	Criteria	Points
1.	Price	80
2.	B-BBEE status	20
	TOTAL	100

8.5.2 Price evaluation (Gate 3, Stage 1)

- 8.5.2.1 Points for the price evaluation will be calculated in accordance with the formula stated below.
- 8.5.2.2 Bidders are required to complete all line items in the pricing response template provided by SARS, which will be used for the price evaluation. The price should be all-inclusive for all the goods and services required in the scope of work, and bidders must ensure the completeness and accuracy of the pricing figures provided in the pricing response template. Failure to complete the pricing response template/bill of quantities may lead to a bidder scoring zero for the pricing evaluation or disqualification of the bidder.

Table 8: Pricing evaluation formula

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

Where

- P_s = Points scored for price of proposal under consideration
 P_t = Rand value of proposal under consideration
 P_{min} = Rand value of lowest acceptable proposal

8.5.3 B-BBEE evaluation (Gate 3, Stage 2)

- 8.5.3.1 Points for the Specific goals evaluation will be allocated in accordance with a bidder's B-BBEE size. Points for Specific goals can only be awarded to a bidder who submits a valid B-BBEE certificate or sworn affidavit together with the SBD 6.1 Preference points claim form
- 8.5.3.2 Bidders who do not claim preference points will be scored zero for B-BBEE.

- 8.5.3.3 Failure of a bidder to submit a B-BBEE certificate from a verification agency accredited by the South African Accreditation System (SANAS), a CIPC B-BBEE Certificate for Exempted Micro Enterprise (EME), or a sworn affidavit confirming annual turnover and level of black ownership in the case of an Exempted Micro Enterprise (EME) and Qualifying Small Enterprise (QSE) together with the proposal, will be interpreted to mean that preference points for B-BBEE are not claimed.
- 8.5.3.4 The B-BBEE certificate or sworn affidavit should be submitted in the name of the bidding entity. If the proposal is submitted by an *incorporated* joint venture, the *incorporated* joint venture must submit their B-BBEE status level verification certificate or sworn affidavit. If the proposal is submitted by an *unincorporated* joint venture arrangement, the *unincorporated* joint venture must submit a consolidated B-BBEE certificate or sworn affidavit as if they were a group structure, and that such consolidated B-BBEE certificate or sworn affidavit is prepared for every separate proposal.
- 8.5.3.5 SARS reserves the right to request bidders to submit proof of any information, to substantiate claims made about their B-BBEE status.

Table 9: B-BBEE evaluation points allocation

B-BBEE evaluation Criteria	Points
Bidders to submit: a) A duly completed SBD 6.1 Preference point claim form, and b) A valid B-BBEE certificate or sworn affidavit.	20

- 8.5.3.6 The specific goals for the tender and points claimed are indicated per the table below.

Table 10: Specific goals for the tender and points claimed.

	The specific goals allocated points in terms of this tender.	Number of points allocated (80/20 system)
1.	The entity is an EME/QSE	15
2.	Large Enterprise (LE)	5
3.	Women Owned Enterprise	5
MAXIMUM POINTS AWARDED FOR SPECIFIC GOALS		20

- 8.5.3.7 The following table indicates the specific B-BBEE documents that must be submitted for this RFP.

Table 11: B-BBEE documents checklist

	Classification	Turnover	Submission requirement
1.	Exempted Micro	Below R10 million p.a.	<ul style="list-style-type: none"> A sworn affidavit or certificate from

	Enterprise (EME)		CIPC.
2.	Qualifying Small Enterprise (QSE)	Between R10 million and R50 million p.a.	<ul style="list-style-type: none"> • A sworn affidavit only 51% Black Ownership and above; or • A copy of B-BBEE Rating Certificate from a SANAS accredited rating agency.
3.	Large Enterprise (LE)	Above R50 million p.a.	<ul style="list-style-type: none"> • A copy of B-BBEE Rating Certificate from a SANAS accredited rating agency.
4.	Women Owned Enterprise	Not Applicable	<ul style="list-style-type: none"> • A copy of B-BBEE Rating Certificate from a SANAS accredited rating agency and sworn affidavit.

8.5.4 Consolidation of price and B-BBEE evaluation (Gate 4)

8.5.4.1 The points scored by a bidder for the price evaluation and the B-BBEE evaluation will be added together to determine the overall points a bidder's proposal will score out of 100 points for the consolidated price and B-BBEE evaluation and ranking of the bidders.

8.6 Financial risk analysis

8.6.1 SARS may conduct a financial risk analysis on the bidders.

8.6.2 The bidders are required to submit complete sets of audited / independently reviewed annual financial statements, for the three (3) most recent financial periods in the name of the bidding entity. The annual financial statements must contain:

8.6.2.1 A statement of profit and loss and other comprehensive income;

8.6.2.2 A statement of financial position;

8.6.2.3 A statement of cash flows;

8.6.2.4 A statement of changes in equity / net assets; and

8.6.2.5 Accompanying notes.

8.6.3 The bidders are required to submit the public interest score (PIS) in compliance with the Companies Act, Act 71 of 2008.

8.6.4 Bidders who have been trading for less than three (3) financial periods must provide:

8.6.4.1 A letter detailing the fact, signed by a duly authorised representative of the entity;

8.6.4.2 The annual financial statements that the entity can provide, considering the period that it has been trading; and

8.6.4.3 Any other information or documentation which would provide more clarity on the financial history of a bidder.

8.6.5 SARS reserves the right to request further information regarding the annual financial statements of a bidder at a later stage to demonstrate the potential bidder's financial capability. These will include, but are not limited to:

- 8.6.5.1 Holding company's / Parent company's accounts;
- 8.6.5.2 Management accounts;
- 8.6.5.3 Signed letter from a recognised financial institution confirming capital availability and bank statements; and/or
- 8.6.5.4 Credit rating reports (confirming capital availability or access to capital).

8.6.6 In the event of a subsidiary being the bidding entity and it submits the holding company's financial statements for financial analysis purposes, the holding company must furnish a Performance Guarantee that is signed by a Financial Service Provider (Guarantor) of the holding company, stating that the Guarantor will undertake to cover any or all risks associated with a bidder, in the event the bidder is awarded the RFP.

8.6.7 If the proposal is submitted by an *incorporated* joint venture, the *incorporated* joint venture is required to submit annual financial statements of the joint venture. If the proposal is submitted by an *unincorporated* joint venture arrangement, the *unincorporated* joint venture is required to submit annual financial statements of each of the parties to the arrangement.

8.6.8 SARS reserves the right to request a financial guarantee from the recommended bidder(s) prior to award, based on the financial risk evaluation outcome, which will be 10% of the tender value. Where the project is capital intensive and the recommended bidder(s) overall financial risk is assessed as high, SARS reserves the right to request a financial guarantee prior to award, of up to 50% of the average annual tender value, to cover the upfront costs and to enable the bidder(s) to commence with the project.

8.7 Recommended bidders' due diligence and risk assessment prior to award

8.7.1 SARS has a moral obligation to ensure that a supplier's financial position does not place public money or services at unacceptable risks, and will therefore perform due diligence and risk assessment of recommended bidder(s) prior to award.

8.7.2 Where SARS requested the annual financial statements as part of the prequalification or mandatory evaluation requirements, these will be used as a basis on assessing the financial capability and assessing a contract limit size considered "safe" to award to a potential bidder. To assist in encouraging new business and in the spirit of encouraging supplier growth, SARS will engage the bidder to demonstrate any further evidence of financial risk, capacity, or capability mitigations.

8.8 Proposed agreement

8.8.1 Any award made to a bidder under this RFP is conditional, amongst other provisions, upon SARS and such bidder concluding a written agreement within the time frame stipulated in the letter of award.

8.8.2 Upon award, SARS and the successful bidder will conclude an agreement regulating the specific terms and conditions applicable to the goods and services being procured by SARS. In this regard:

8.8.2.1 SARS will enter into negotiations with the bidder with a view to concluding the agreement.

8.8.2.2 SARS will be entitled to cease negotiating with a bidder and negotiate with another bidder if SARS, in its sole discretion, is of the opinion that: (i) the bidder has made misrepresentations in its proposal; (ii) the bidder is attempting to withdraw from positions or commitments made in its proposal; (iii) the bidder is not negotiating in good faith; or (iv) an agreement may not be expeditiously concluded with the bidder for any other reason.

8.8.2.3 SARS reserves the right to vary the terms and conditions of the proposed agreement during

the course of negotiations with a bidder at SARS' sole discretion.

- 8.8.3 A bidder should note that the terms of its proposal will be incorporated in the proposed agreement by reference and that SARS relies upon the bidder's proposal as a material representation in making an award to a successful bidder and in concluding an agreement with the bidder. It follows therefore that any misrepresentations in a proposal may result in legal action or other processes by SARS against the bidder, notwithstanding the conclusion of an agreement between SARS and the bidder for the provision of the goods and services in question. In the event of a conflict between the bidder's proposal and the agreement concluded between the parties, the agreement will prevail.
- 8.8.4 If the successful bidder fails to sign the proposed agreement within twenty-one (21) days, or as requested by SARS, calling upon it in writing to do so, SARS reserves the right to:
- 8.8.4.1 cancel the award to the successful bidder;
 - 8.8.4.2 enter into negotiations with reserve bidder(s) and conclude the proposed agreement with such reserve bidder(s); or
 - 8.8.4.3 take any other action SARS deems reasonable and appropriate.

9 TRUSTS, JOINT VENTURES, SUBCONTRACTING AND OTHER ARRANGEMENTS

9.1 Proof of existence of a trust, joint venture and subcontracting arrangements

- 9.1.1 Where, for the purposes of this RFP, a bidder submits its proposal as a trust, such bidder must submit concrete proof of the existence of a trust. SARS will accept a registered trust deed as acceptable proof of the existence of a trust. The trust deed must include amongst others:
- 9.1.1.1 Details of the trustees of the trust; and
 - 9.1.1.2 Details of the beneficiaries of the trust. In instances where the beneficiary is a trust, the trust deed of that specific trust is required.
- 9.1.2 Where, for the purposes of this RFP, a bidder submits its proposal as a joint venture (incorporated or unincorporated), the bidder must submit the joint venture agreement, which sets forth the following details:
- 9.1.2.1 identification of each party to the agreement in full;
 - 9.1.2.2 the percentage ownership of the joint venture of each party to the agreement (if applicable);
 - 9.1.2.3 the precise functions and responsibilities which each party will fulfil in terms of the agreement. This should include details of the delimitations of scope within the goods and services to be assigned to such a party(ies);
 - 9.1.2.4 the anticipated percentage of the revenue that the party(ies) would receive (anticipated revenue that the party(ies) would receive as a percentage of the total revenue the bidder would anticipate receiving over the term of the agreement with SARS), if the bidder is successful; and
 - 9.1.2.5 clearly set out the roles and responsibilities of the Lead Partner and the remainder joint venture party(ies). The agreement must also clearly identify the Lead Partner, who shall be given the power of attorney to bind the other party(ies) in respect of matters pertaining to the joint venture.
- 9.1.2.6 If a bidder is submitting a proposal in the form of an *unincorporated* joint venture, the SBD 4 Bidder's disclosure form should be completed by each party participating in the joint venture agreement, and

proof of CSD registration should be submitted for all parties participating in the joint venture for this RFP.

9.1.2.7 Joint venture members should be advised that each member will be held jointly and severally liable for the performance of the joint venture.

9.1.3 Where, for the purposes of this RFP, a bidder has or intends to subcontract areas of scope of the goods and services, bidders must note the following:

9.1.3.1 the bidder must complete paragraph 7 of the SBD 6.1 Preference point claim form. If a bidder intends subcontracting to more than one subcontractor, it must include all the relevant information in the form, or alternatively submit a separate attachment with the information required as per the Preference point claim form and reference must be made to the attachment;

9.1.3.2 the agreement will be concluded between the main contractor(s) and SARS, therefore, the main contractor(s) and not its/their subcontractor(s) will be held liable for performance in terms of its contractual obligations

9.1.3.3 the successful bidder must, at all times, be solely and entirely accountable to SARS for the performance of its contractual obligations in terms of the agreement; and

9.1.3.4 Without diminishing the bidder's accountability in any way for the delivery of the services, including the performance standards, SARS may require: access to and transparency in the subcontracting agreements; the full details of the functions which the subcontractor will fulfil in terms of the agreement including details of the delimitations of scope within the services to be assigned to such a subcontractor; monitoring and reporting of subcontractor's participation and performance to SARS; direct participation of subcontractor(s) in the account and project planning activities; and subcontractors' representation in account governance structures and committees. SARS will, at all times, demand fair dealing in the relationship between a bidder and its subcontractor(s).

9.1.4 Any bidder, whether participating in a trust, joint venture and/or subcontracting arrangement, who participates in preparatory work on the basis of which another tender will flow, may not participate in the resultant tender because of the advantage of having been privy to the underlying preparatory work.

10 COMPLAINTS AND ALLEGATIONS

10.1.1 Should a Bidder have reasons to believe that the technical specifications are not open and/or are written for a particular bidder, brand or product; the bidder is urged to notify the Procurement Department within ten (10) days after publication of the bid.

10.1.2 Any suspicious calls asking for upfront payment to secure an award of a bid or in lieu of claims that the outcome of a tender can be influenced towards your company, please immediately inform the SARS Fraud/Anti-Corruption Hotline at 0800-002870 for further investigation.

10.1.3 The "SARS hotline" further provides an anonymous reporting channel for any unethical behaviour that a bidder wants to report.

11 GENERAL CONDITIONS OF BIDDING

11.1 By bidding, a bidder, is deemed to have accepted all terms and conditions of this RFP; and is further deemed to have accepted that if successful, any award made will be made subject to the terms and

conditions of this RFP.

11.2 Reservation of rights

- 11.2.1 In addition to any rights which SARS has reserved to itself in this document or any other document in the RFP pack, SARS reserves the right in its sole discretion to:
- 11.2.1.1 make no award, or to accept part of a proposal rather than the whole;
 - 11.2.1.2 withdraw, or cancel this RFP;
 - 11.2.1.3 amend, vary, or supplement any of the information, terms or requirements contained in this RFP, any information or requirements delivered pursuant to this RFP, or the structure of the RFP process;
 - 11.2.1.4 schedule additional briefing sessions / site inspections, and to conduct site visits, site inspections, product evaluations, local content evaluations, and/or perform audits on any bidder whenever SARS deems it prudent to do so;
 - 11.2.1.5 no longer consider a bidder's proposal where adverse information about the bidder or its proposal submission has come to the attention of SARS, provided that such bidder is informed accordingly and afforded an opportunity to object;
 - 11.2.1.6 award a proposal based on which bidder is offering the best value for money, even if such proposal is not scored the highest points during the evaluation;
 - 11.2.1.7 conduct a risk assessment of a bidder's capability to deliver the goods and perform the services in accordance with the specified service levels and/or achieve SARS' objectives;
 - 11.2.1.8 request additional information, clarification or verification in respect of any information contained in or omitted from a bidder's proposal, which SARS may do either in writing or at a meeting convened with the bidder for that purpose;
 - 11.2.1.9 conduct a due diligence on any bidder or its subcontractor, which may include interviewing customer references or performing other activities to verify information and capabilities submitted, claimed, or otherwise, (including visiting a bidder's, subcontractors, or customer reference premises, sites and/or facilities to verify certain stated facts or assumptions). The bidder will be obliged to grant SARS with all such access, assistance and/or information as SARS may reasonably request. The bidder must respond within the timeframes set by SARS, failing which SARS reserves the right not to consider the bidder's proposal any further; and/or
 - 11.2.1.10 request presentations from such short-listed bidders. All costs relating to the preparation of such presentations will be borne by the bidders.
- 11.2.2 SARS will disqualify any bidder, who:
- 11.2.2.1 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 RFP;
 - 11.2.2.2 seeks any assistance, other than assistance officially provided by a government entity, from any employee, advisor or other representative of a government entity in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a government entity;
 - 11.2.2.3 makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of SARS' officers, directors, employees, advisors or other representatives;
 - 11.2.2.4 makes or offers any gift, gratuity, anything of any value or other inducement, to any

government entity'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 a government entity;

11.2.2.5 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 a government entity;

11.2.2.6 pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift or any other consideration, which 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 a government entity;

11.2.2.7 has been found guilty in a court of law or administrative or regulatory authority having appropriate jurisdiction on charges of unethical or improper conduct, regardless of whether or not a prison term or penalty was imposed;

11.2.2.8 is listed on the National Treasury's Register for Tender Defaulters or the National Treasury's Database of Restricted Suppliers; or

11.2.2.9 whose tender contains a misrepresentation which is materially incorrect or misleading.

11.2.3 Bidders' own conditions

11.2.3.1 Bidders may not come up with their own terms and conditions, counter conditions, modify or vary any of the terms, conditions or requirements herein. SARS may disqualify any bidder who fails to comply with this clause.

11.3 Conflict of interest

11.3.1 If at any time a bidder identifies an actual or potential conflict of interest, the bidder must immediately notify SARS in writing. SARS reserves the right to exclude the proposal submitted by such bidder from further consideration, unless the bidder is able to resolve the conflict to SARS' satisfaction. If it comes to SARS' knowledge that there was indeed a conflict of interest or a potential conflict of interest, same will be grounds for the immediate disqualification of the bidder.

11.4 Confidentiality

11.4.1 Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, information contained in a bidder's proposal(s) may not be disclosed by any bidder, other than to a person officially involved with SARS' examination and evaluation of a proposal.

11.4.2 Throughout this RFP process and thereafter, the bidders must secure SARS' written approval prior to the release of any information that pertains to (i) the potential work or activities to which this RFP relates; or (ii) the process which follows this RFP. Failure to adhere to this requirement may result in disqualification from the RFP process and such legal action as SARS may deem suitable.

11.5 Fronting

11.5.1 SARS supports the spirit of broad-based black economic empowerment and recognises that 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. Against this background SARS condemns any form of fronting.

- 11.5.2 SARS, 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 representations 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, in addition to any other remedies SARS may have against the bidder / contractor concerned.

11.6 Insurance

- 11.6.1 The successful bidder will be required, on or before the effective date of the agreement and for the duration of the agreement, to have and maintain in force adequate insurance cover consistent with acceptable and prudent business practices and acceptable to SARS, which shall include, without limitation, professional indemnity insurance cover.

11.7 Indemnity

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

11.8 Intellectual property

- 11.8.1 SARS retains ownership of all intellectual property rights in the documents that form part of this RFP. Bidders will retain the intellectual property rights in their proposals but grant SARS the right to make copies.

11.9 Limitation of liability

- 11.9.1 A bidder participates in this RFP process entirely at its own risk and cost. SARS will 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 RFP process.

11.10 Preparation costs

- 11.10.1 A bidder will bear all its costs in preparing, submitting, delivering, and presenting any response or proposal to this RFP and all other costs incurred by it throughout the RFP process. No statement in this RFP will be construed as placing SARS, its employees or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the bidders in the preparation of their response to this RFP.

11.11 Precedence

- 11.11.1 The terms and conditions of this document will prevail over any information provided during any briefing session or communication, whether oral or written, unless such information is official written

communication, as set out per the Communication paragraph in this document, and that such information expressly states that it amends this document.

11.12 Responsibility for bidder's personnel and subcontractors

- 11.12.1 A bidder is responsible for ensuring that its personnel (including agents, officers, directors, employees, advisors and other representatives of a bidder), its subcontractors (if any), and personnel of its subcontractors comply with all the terms and conditions of this RFP.
- 11.12.2 If SARS allows a bidder to make use of subcontractors, such subcontractors will at all times remain the responsibility of the bidder and SARS will not under any circumstances be liable for any losses or damages incurred by such subcontractors.
- 11.12.3 The proposal shall however be awarded to the Vendor as a primary contractor who shall be responsible for the management of the awarded proposal. No separate contract shall be entered into between SARS and/or its client and any such subcontractors.
- 11.12.4 If a bidder includes evidence of experience of individuals that are not currently employed by the said bidder, then the bidder is required include in their submission a letter or agreement from the respective individual whose evidence of experience is included in the proposal, that the individual is aware and is in agreement that their evidence of experience may be included for tendering purposes, and that the said individual confirms to commit and will make him/herself available for the contract period should the contract be awarded.
- 11.12.5 If a bidder includes experience of an entity other than the bidder itself, then the bidder must include in their submission a letter or agreement from the respective entity that the entity is aware and agrees that their experience may be included for tendering purposes. Copies of the signed agreements between the relevant parties must be attached to the proposal responses

11.13 RFP not an offer

- 11.13.1 This RFP does not constitute an offer to do business with SARS, but merely serves as an invitation to bidders to facilitate a requirements-based decision process. Nothing in this RFP or any other communication made between SARS (including its officers, directors, employees, advisors and representatives) is a representation that SARS will offer, award or enter into an agreement with the bidder.

11.14 SARS' oath / affirmation of secrecy

- 11.14.1 SARS has a Policy in terms of which the successful bidder; key personnel or any other personnel as may be determined by SARS will be required, upon award, to individually take a mandatory oath/ declaration/ affirmation of secrecy. The award will therefore be made subject to the condition that the successful bidder along with the personnel referred to above comply with the afore mentioned Policy.

11.15 Screening and vetting of a bidder

- 11.15.1 Acceptance of a bidder's proposal is subject to the condition that both the contracting firm and its personnel providing the goods and services, must be screened and cleared by the appropriate authorities to the grade of clearance in line with SARS Policy.
- 11.15.2 Obtaining the necessary clearance is the responsibility of the contracting firm concerned. If the principal contractor appoints a subcontractor, the same provisions and measures will apply to the

subcontractor.

- 11.15.3 The bidders shall supply and maintain a list of personnel involved on the project indicating their clearance status.

11.16 Tax compliance

- 11.16.1 No bid will be awarded to a bidder who is not tax compliant. As part of good governance, directors/owners of the bidding entity should also maintain their tax compliance status.

11.17 Tender defaulters and restricted suppliers

- 11.17.1 No bid will be awarded to a bidder whose name (or any of its members, directors, partners or trustees) appears on the National Treasury's Register for Tender Defaulters or the National Treasury's Database of Restricted Suppliers.

11.18 Local production and content

- 11.18.1 SARS supports and promotes local production and local content, environmentally friendly products, and sustainable sourcing.
- 11.18.2 To enable this objective to be adequately assessed and as part of contract management, bidders shall advise SARS of its local and regional strategy and its initiatives to involve, support and use local/regional entities and workforce.
- 11.18.3 The appointed supplier shall provide and use, for the performance of this contract, local subcontractors or locally acquired materials, equipment and facilities, to the extent available and within reasonable costs, to produce the quality and quantity of work and materials required by this contract.

11.19 Validity of information

- 11.19.1 SARS has made reasonable efforts to ensure the accuracy of the information contained in this RFP. However, neither SARS, nor its employees, officers, advisers or agents will be liable (directly or otherwise) to a bidder or any third party for any inaccuracy or omission of any information in the RFP or in respect of any additional information SARS may provide to a bidder as part of the RFP process.
- 11.19.2 A bidder is deemed to have examined this RFP and any other information supplied by SARS to the bidder and to have satisfied itself as to the correctness and sufficiency of such information before submitting any of its responses.

11.20 Governing law

- 11.20.1 This RFP and any resultant agreement shall be governed by the laws of the Republic of South Africa.

12 CHECKLIST OF RETURNABLES

Table 12: Checklist of returnable documents

	Checklist of returnable documents	Comply	Do not comply
1.	An original, a copy and an electronic RFP proposal has been submitted for this RFP.		
2.	The pricing information is included as a separate file (File 2) and is not included in the technical file (File 1).		
3.	The tender proposal has been organised as per the format required for this tender (paragraph 6).		
4.	SBD 1: Invitation to bid form has been completed and signed.		
5.	SBD 4: Bidder's Disclosure has been completed and signed.		
6.	SBD 6.1: Preference points claim form has been completed and signed.		
7.	Proof of registration on the Central Supplier Database (CSD) has been submitted.		
8.	General Condition of Contract (GCC) has been completed and signed.		
9.	A complete set of three (3) most recent audited / independently reviewed financial statements has been included.		
10.	All the mandatory evaluation requirements have been submitted with this bid.		
11.	All the technical evaluation requirements have been submitted with this bid.		
12.	All the pricing evaluation requirements have been submitted with this bid and the pricing template / Bill of Quantities has been completed in full and signed.		
13.	All the B-BBEE evaluation requirements have been submitted with this bid.		