

REFERENCE: RFP 16/2016

REQUEST FOR PROPOSAL

DESCRIPTION:

**PROVISION OF MEDICAL AID BROKERAGE SERVICES FOR
SARS**

DATE ISSUED: 09 SEPTEMBER 2016

CLOSING DATE: 11 OCTOBER 2016

TENDER BOX:

**GROUND FLOOR, LINTON HOUSE
BROOKLYN BRIDGE
570 FEHRSEN STREET
BROOKLYN, PRETORIA**

TABLE OF CONTENT

1.	INTRODUCTION	3
2.	OVERVIEW OF SARS	3
3.	PURPOSE OF THIS REQUEST FOR PROPOSAL (RFP)	4
4.	LEGISLATION	4
5.	BRIEFING SESSION	5
6.	DURATION OF CONTRACT	5
7.	TIMELINE OF THE BID PROCESS	5
8.	CONTACT	6
9.	BACKGROUND / SCOPE OF WORK / DOCUMENTATION REQUIRED	6
10.	INSTRUCTIONS TO BIDDER(S)	11
11.	AGREEMENTS	13
12.	EVALUATION AND SELECTION CRITERIA	14
13.	SPECIAL CONDITIONS OF THIS BID	19
14.	CONFLICT OF INTEREST, CORRUPTION AND FRAUD	21
15.	TECHNICAL EVALUATION CRITERIA	24
15.1	ANNEXURE A1 – TECHNICAL EVALUATION SCORECARD – 100 POINTS	24
15.2	ANNEXURE A2 – TECHNICAL COMPLIANCE CHECKLIST	26

1. INTRODUCTION

The South African Revenue Service (SARS) is uniquely placed to contribute to government's plan of action to address socio-economic growth and development, poverty alleviation and job creation. Through the vital role of providing the revenue to fund the full spectrum of initiatives, plans, programmes and strategies of national and provincial government departments, SARS plays a crucial enabling role for government delivery.

2. OVERVIEW OF SARS

Our Mandate

In terms of the South African Revenue Service Act, 1997 (Act No. 34 of 1997), SARS is mandated to:

- Collect all revenues due;
- Ensure maximum compliance with tax and customs legislation; and
- Provide a customs service that will maximise revenue collection, protect our borders and facilitate trade.

Our Vision

SARS is an innovative revenue and customs agency that enhances economic growth and social development, and that supports the country's integration into the global economy in a way that benefits all South Africans.

Our Mission

To optimise revenue yield, to facilitate trade and to enlist new tax contributors by promoting awareness of the obligation to comply with tax and customs laws, and to provide a quality, responsive service to the public.

Our Values

- Integrity;
- Fairness;
- Respect;

- Trust ;
- Honesty;
- Accountability; and
- Transparency.

Our Core Outcomes

Increased Customs Compliance;

Increased Tax Compliance;

Increased ease and fairness of doing business with SARS; and

Increased cost effectiveness, internal efficiency and institutional respectability.

3. PURPOSE OF THIS REQUEST FOR PROPOSAL (RFP)

The purpose of this Request for Proposal (RFP) is to solicit proposals from potential Bidder(s) “Broker” for the provision of Medical Aid Brokerage Services for SARS.

This RFP document details and incorporate, as far as possible, the tasks and responsibilities of the potential Bidder, required by SARS for the provision of Medical Aid Brokerage Services .

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.

4. LEGISLATION

4.1. TAX LEGISLATION

Bidder(s) must be compliant when submitting a Bid to SARS and remain compliant for the entire contract term with all applicable tax legislation, including but not limited to the Tax Administration Act, 2011 (Act No. 28 of 2011), Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991).

4.2. PROCUREMENT LEGISLATION

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), the Preferential Procurement Policy Framework Act, 2000 (Act No.5 of 2000) and the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003).

4.3. TECHNICAL LEGISLATIONS AND/OR STANDARDS

Bidder(s) should be cognisant of the following legislation and/or standards specifically applicable to the services, including but not limited to:

Acts (This list is not exhaustive.)

- 4.3.1 Financial Intelligence Centre Act , 2001 (Act no. 38 of 2001);
- 4.3.2 Financial Advisory and Intermediary Services Act ,2002 (Act no. 37 of 2002) and all Regulations promulgated thereunder; and
- 4.3.3 Medical Schemes Act, 1998 (Act No. 131 of 1998).

5. BRIEFING SESSION

A non-compulsory briefing session will be held at Linton House, Brooklyn Bridge, 570 Fehrser Street, Brooklyn, Pretoria, on 19 September 2016 at 14h00, to clarify the scope and extent of work to be executed.

6. DURATION OF CONTRACT

The appointment of a bidder for the provision of medical aid brokerage services will be for a period of forty eight (48) months.

7. TIMELINE OF THE BID PROCESS

The **period of validity** of tender and the withdrawal of offers, after the closing date and time is 180 days.

The project timeframes of this Bid are set out below:

Activity	Date Due
Advertisement of Bid in the Government Tender Bulletin	09 September 2016
Advertisement on e-Tender	09 September 2016

Distribution of Bid documents on SARS website	09 September 2016
Non Compulsory Briefing Session	19 September 2016 at 14h00
Questions relating to the bid from bidder(s)	12 September 2016 - 30 September 2016
Bid Closing Date	11 October 2016 at 11h00
Notice to bidder(s)*	November/December 2016

*Dates subject to change

All times and dates in this bid are South African Standard Time.

Any time or date in this bid is subject to change at SARS's sole discretion. The establishment of a time or date in this bid does not create an obligation on the part of SARS to take any action, or create any right in any way for any bidder to demand that any action be taken on the date established. The bidder accepts that, if SARS extends the deadline (the Closing Date) for bid submissions for any reason, the requirements of this bid otherwise apply equally to the extended deadline.

8. CONTACT

A nominated official of the bidder(s) can make enquiries in writing, to the specified person, Mr Aser Makgate (Procurement Tender Office) via email at tenderoffice@sars.gov.za and cc rft-professionalservices@sars.gov.za. Bidders must reduce all telephonic enquiries to writing and send them to the above email address.

9. BACKGROUND / SCOPE OF WORK / DOCUMENTATION REQUIRED

9.1 BACKGROUND

As an organisation with a large number of employees, it is therefore a mandatory requirement from the Council of Medical Aid Schemes to appoint a medical aid broker. To ensure that the members of medical aid schemes (employees) are properly serviced and advised in terms of medical aid cover, the Broker also ensure that the employer/employee is advised of medical aid changes to be affected on the payroll, therefore it is a business need



to appoint a medical aid broker to manage and administer all membership matters of the SARS employees.

9.2 SCOPE OF SERVICES

The successful bidder will be required to:

9.2.1 Medical Aid Service consulting to individual employees

- 9.2.1.1 Advise to new and existing employees on the different medical aid schemes options;
- 9.2.1.2 Assist existing employees with adding or removal of dependents;
- 9.2.1.3 Assist employees with medical accounts queries;
- 9.2.1.4 Provide awareness with regard to medical aid option changes and year end revision changes;
- 9.2.1.5 Provide one on one consultation pertaining to medical aid cover;
- 9.2.1.6 Provide monthly on site visits and consultations at all offices;
- 9.2.1.7 Provide Induction and comprehensive training;
- 9.2.1.8 Provide escalated query assistance; and
- 9.2.1.9 Provide regular product presentations and training.

9.2.2 Medical Aid Service consulting to SARS

- 9.2.2.1 Provide the employer with employees medical aid option changes and dependent information;
- 9.2.2.2 Provide the employer with advice on medical aid scheme changes and legislation changes;
- 9.2.2.3 Assist the employer with required medical aid schemes analysis and surveys;
- 9.2.2.4 Provide report on the previous year end revision process;
- 9.2.2.5 Provide review of demographic profile of active members;
- 9.2.2.6 Provide scheme and option comparisons;
- 9.2.2.7 Provide scheme demographics;
- 9.2.2.8 Provide legislative review and update;
- 9.2.2.9 Provide project planning and implementation; and
- 9.2.2.10 Conduct market trend analysis and forecasting.

9.2.3 Wellness

Facilitate and administrate SARS initiated wellness days with accredited SARS Medical Aid

Schemes for identified wellness services which includes:

- 9.2.3.1 Health screening (through medical aid insured benefits) on wellness days;
- 9.2.3.2 Wellness days to be conducted by one provider to ensure consistency and uniformity (SARS does not expect each medical aid to conduct a separate wellness day for its members – broker to ensure one provider for all three medical aid schemes);
- 9.2.3.3 Provide health information material (e.g. health passports, brochures, leaflets, posters and so forth);
- 9.2.3.4 Provide onsite group information sessions during the wellness days;
- 9.2.3.5 The broker should provide capability to integrate with other medical aids outside of SARS preferred 3 medical aids (Employees who are not on SARS preferred medical aid schemes should also be covered during wellness days);
- 9.2.3.6 To identify and engage employees with chronic conditions through the wellness days and refer to SARS EAP and wellness provider for registration on the relevant medical aid chronic disease programme;
- 9.2.3.7 Participate in scheduled meetings (e.g. monthly and adhoc) at mutually agreed location;
- 9.2.3.8 Provide long stay hospital admissions to facilitate continuous interventions –quarterly;
- 9.2.3.9 Executive Wellness days screening (through medical aid insured benefits); and
- 9.2.3.10 Provide proof of existing customer relationship management (CRM) system, Web functionality, contact centre facility, SMS functionality and Business Continuity report.

9.2.4 Year End Revision Services

- 9.2.4.1 Project planning and implementation for all offices;
- 9.2.4.2 Year-end revision training of members and human resources;
- 9.2.4.3 Record Keeping of sessions i.e. attendance registers; and
- 9.2.4.4 Presentation and facilitation of sessions.

9.2.5 Reporting

9.2.5.1 Medical Aid brokerage reports:

- Process management ;
- Quarterly reporting;
- Risk management;
- Executive and annual reports; and
- Benchmark review.

9.2.5.2 Wellness Days reports:

- Provide regular and ad hoc comprehensive report (monthly dashboard, quarterly and annual) on wellness days Reports to be broken down according to regions, office, division and business unit;
- Provide comprehensive report / data of chronic disease registrations onto the medical aids and follow-ups (provide by regional distribution) quarterly; and
- Provide comprehensive report on the executive wellness days after each regional intervention and quarterly.

9.2.6 GEOGRAPHIC LOCATIONS

The tables below shows the geographic location of the land borders, ports of entry and call centres with estimated head count.

SARS Regional Offices and Head Count:

Region	Count
Eastern Cape	756
Free State	598
Gauteng Central	1406
Gauteng North	1690
Gauteng South	1801
Head Office	2693
Kwa-Zulu Natal	1780
Limpopo	492
Mpumalanga	470
North West	373
Northern Cape	195
Western Cape	1829
Grand Total	14083

9.3 DOCUMENTATION REQUIRED

Bidders are required to submit their response to all the information in this section.

9.3.1 Company Profile and Resources

Provide the following:

9.3.1.1 A Company profile, organisational structure and infrastructure to render the services;

9.3.1.2 Staff complement;

9.3.1.3 Level of expertise of key personnel that may be assigned to SARS, and competencies relevant to medical aid brokerage services; and

9.3.1.4 Full contact details of the key contact person / Accounts Manager.

9.3.2 Compliance (mandatory requirement)

Bidders(s) to provide proof of registration with the following bodies:

9.3.2.1 Council of Medical Scheme (CMS); and

9.3.2.2 Financial Service Board (FSB).

9.3.3 National Footprint

Provide evidence of national footprint in nine (9) provinces, rural areas and border posts for the provision of medical aid brokerage services and demonstrate the implementation plan on how to manage multiple sites in different regions/ province within required lead time.

9.3.4 Capability

9.3.4.1 Provide a schedule of the bidder's experience and proven track record over the past four (4) years in medical aid brokerage services. The information provided for each client (a minimum of 3) must include:

- Client name;
- Contact person, phone number, company business address;
- Contract period;
- Challenges; and
- Level of satisfaction.

Please note that SARS reserves the right to contact the clients for a reference check. It is important to ensure that the clients listed on the bidder's schedule are contactable.

9.3.4.2 Provide the number of accounts retained and lost over the past four (4) years.

9.3.5 Value - Added Services

Bidders (s) must list all other value added services included in their proposal and should indicate if there will be any financial implications for these services.

9.3.6 Testimonials

Provide two (2) most recent testimonials from any large clients and staff complement where similar services were provided. The testimonials must include but not limited to:

- Brief description of services rendered;
- Quality of service;
- Company address and contact person; and
- Performance.

9.3.7 Insurance

Provide proof that the broker has Professional Indemnity Insurance.

9.3.8 Technical Compliance Checklist

Bidders must complete the compliance checklist as outlined in **Annexure A2**.

9.4 CENTRAL SUPPLIER DATABASE (CSD) REGISTRATION

Service providers and suppliers who wish to render services to SARS will no longer register at SARS directly. Suppliers will have to register on National Treasury Central Supplier Database (CSD) as per National Circular No 3 of 2015/6 – Central Supplier Database; National Treasury will maintain the database for all suppliers for Government and its institutions; and

All existing and prospective suppliers are requested to register on the CSD by accessing the National Treasury website at www.CSD.gov.za.

10. INSTRUCTIONS TO BIDDER(S)

10.1. Bids must be properly packaged and deposited in the below mentioned tender box on or before the Closing Date and before the closing time at the SARS Tender Office situated at:

SARS Procurement Centre
Linton House - Ground Floor
Brooklyn Bridge, 570 Fehrsen Street
Brooklyn
Pretoria

10.2. Bid documents may also be posted to the Tender Office - SARS Procurement Department, Linton House, Brooklyn Bridge, 570 Fehrnsen Street, Brooklyn, Pretoria, 0181.

10.3. Bid documents will only be considered if received by SARS before the Closing Date and time, regardless of the method used to send or deliver such documents to SARS.

10.4. Late bids will not be accepted and shall be returned to bidder(s).

10.5. The bidder(s) are required to submit two (2) copies of each file (original and duplicate) and one (1) CD-ROM / USB with the contents of each file by 11 October 2016 at 11H00.

Each file and information in the CD-ROM / USB must be labelled and submitted in the following format:

FILE 1

Exhibit 1

- Pre-qualification documents (SBD documents)

Exhibit 2

- Technical Responses
- Supporting documents for technical responses
- References/testimonials
- 3 most recent Financial statements

Exhibit 3

- Company profile
- Supplementary information

Exhibit 4

- General Conditions of Contract (GCC)
- Draft Service Level Agreement (SLA)

Exhibit 5

- BEE Certificate (copy of the recent and valid)

Each file and CD-ROM / USB must be marked correctly and sealed separately for easy reference during the evaluation process.

11. AGREEMENTS

11.1. GENERAL CONDITIONS OF CONTRACT

Any award made to a bidder under this bid is conditional, amongst others, upon:

- 11.1.1. The bidder accepting the terms and conditions contained in the General Conditions of Contract as the minimum terms and conditions upon which SARS is prepared to enter into a contract with the successful bidder.
- 11.1.2. The bidder submitting the General Conditions of Contract to SARS together with its bid, duly signed by an authorised representative of the bidder.

11.2. SERVICES AGREEMENT

- 11.2.1. Upon award, SARS and the successful bidder will conclude a supplementary agreement regulating the specific terms and conditions applicable to the services being procured by SARS, more or less in the format of the draft Services Agreement included in this tender pack.
- 11.2.2. SARS reserves the right to vary the proposed terms and conditions of the draft Services Agreement during the course of negotiations with a bidder by amending or adding thereto (including for purposes of better giving effect to the objectives in paragraph 11.2.1).
- 11.2.3. Bidders are requested to:
 - Comment on the terms and conditions set out in the Services Agreement and where necessary, make proposals to the terms and conditions;
 - Each comment and/or amendment must be explained; and
 - All changes and/or amendments to the Services Agreement must be in an easily identifiable colour font and tracked for ease of reference.
- 11.2.4. SARS reserves the right to accept or reject any or all amendments or additions proposed by a bidder if such amendments or additions are unacceptable to SARS or pose a risk to the organisation.

12. EVALUATION AND SELECTION CRITERIA

SARS has set minimum standards (Gates) that a bidder(s) needs to meet in order to be evaluated and selected as a successful bidder(s).

The minimum standards consist of the following:

- **Pre-Qualification Criteria (Gate 0)** – bidder(s) must submit all documents, as outlined in paragraph 12.1 below.
- **Technical Evaluation Criteria (Gate 1)** – bidder(s) will be evaluated out of 100 points during technical evaluations. Bidder(s) will be ranked and shortlisted, the process for the shortlisted bidders is outlined in paragraph 12.2.
- **BBBEE Evaluation (Gate 2)** – bidder(s) that have been shortlisted in gate 1 will be evaluated for BBBEE as outlined in paragraph 12.3.

12.1. PRE-QUALIFICATION CRITERIA – GATE 0

Without limiting the generality of SARS's other critical requirements for this bid, a bidder(s) must submit the documents listed in **Table 1** below. All documents must be completed and signed by the duly authorised representative of the prospective bidder(s). A bidder's proposal may be disqualified for non-submission of any of the documents.

Table 1: Documents that must be submitted for Pre-qualification

Name of the document that must be submitted	Non-submission may result in disqualification
CSD Registration Report (Central Supplier Database) from National Treasury	YES – Bidders must register on Central Supplier Database System and submit the Report as confirmation of registration.
Tax Clearance Certificate – SBD 2	YES – submit a valid and original copy of the certificate.
SARS' s Oath of Secrecy	YES – complete and sign the supplied pro forma document in the presence of a Commissioner of

Name of the document that must be submitted	Non-submission may result in disqualification
	Oaths and initial every page.
Invitation to Bid – SBD 1	YES – complete and sign the supplied pro forma document.
Declaration of Interest – SBD 4	YES – complete and sign the supplied pro forma document.
Preference Point Claim Form - SBD 6.1	NO – Non-submission will lead to a zero score on BBBEE.
General Conditions of Contract (GCC)	YES – sign the supplied GCC form.
Declaration of Bidder's Past Supply Chain Management Practices – SBD 8	YES – complete and sign the supplied pro forma document.
Certificate of Independent Bid Determination – SBD 9	YES – complete and sign the supplied pro forma document.
Bidder Compliance Form for Technical Evaluation	YES – complete and sign.
Mandatory Requirement Accreditation with Council of Medical Scheme (CMS) and Financial Service Board (FSB)	YES – submit proof

12.2. TECHNICAL EVALUATION (GATE 1) = 100 POINTS

Only Bidder(s) that have met the Pre-Qualification Criteria in (Gate 0) will be evaluated in Gate 1 for functionality. Functionality will be evaluated as follows:

Bidders will be evaluated out of 100 points and will be ranked according to the points achieved, therefore the Bidder(s) who achieved a minimum threshold of 75 points of 100 points will proceed to the next stage of evaluation (Gate 2).

12.3. BBBEE EVALUATION (GATE 2) = 10 POINTS

12.3.1 Stage 2 – BBBEE Evaluation (10 points)

- **B-BBEE Requirements**

In line with the requirements of the Preferential Procurement Regulations, 2011 (*Government Gazette* No. 34350) to the Preferential Procurement Policy Methodology Act, 2000 (Act No. 5 of 2000) [the “PPPFA”] tenders that have achieved the minimum qualifying score for functionality will be evaluated further in terms of the prescribed preference point systems:

- (i) Regulation 5 - 80/20: A maximum of 20 points may be allocated to a Bidder; or
- (ii) Regulation 6 - 90/10: A maximum of 10 points may be allocated to a Bidder.

- **Bid Evaluation Process Gate 2: B-BBEE EVALUATION**

B-BBEE points may be allocated to bidders on submission of the following documentation or evidence:

Adjudication Criteria	Points
BBBEE Evaluation (BBBEE Certificate and submission of SBD 6.1)	10

The checklist below indicates the B-BBEE documents that must be submitted for this tender. Failure to submit the required documents will result in bidders scoring zero for B-BBEE.

Classification	Turnover	Submission Requirement
Exempted Micro Enterprise (EME)	Below R10 million p.a.	Certified copy of B-BBEE Rating Certificate from a SANAS accredited rating agency or a Registered Auditor approved by IRBA or a letter from an Accounting Officer as contemplated in the CCA.

Qualifying Small Enterprise (QSE)	Between R10 million and R50 million p.a.	Certified copy of B-BBEE Rating Certificate from a SANAS accredited rating agency or a Registered Auditor approved by IRBA.
Large Enterprise (LE)	Above R50 million p.a.	Certified copy of B-BBEE Rating Certificate from a SANAS accredited rating agency or a Registered Auditor approved by IRBA.

Bidders who do not claim Preference Points will be scored zero for B-BBEE, but will not be excluded from the tender process. Bidders who do not fill SBD6.1 in its entirety will not be awarded points for BBEE.

- **Use and acceptance of Affidavits**

All companies will need to request the information which proves Black Ownership and Turnover in addition to the Affidavit, or request that their EME/QSE suppliers be verified and have this confirmed on the Affidavit.

SARS reserves the right to request that bidders submit their Black ownership and turnover information in support of their Affidavits.

- **Joint Ventures and Consortiums**

Incorporated JVs must submit the B-BBEE status of the entity. Unincorporated JVs must submit a consolidated B-BBEE scorecard as if they were a group structure for every separate tender.

- **Sub-contracting**

Bidders who want to claim preference points will have to comply fully with regulations 11(8) and 11(9) of the Preferential Procurement Regulations, 2011 with regard to sub-contracting:

Regulation 11(8)

A person must not be awarded points for B-BBEE status level if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a tenderer qualifies for, unless the intended sub-contractor is an Exempted Micro Enterprise that has the capability and ability to execute the sub-contract.

Regulation 11(9)

A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an Exempted Micro Enterprise that has the capability and ability to execute the sub-contract.

12.4. FINANCIAL STATEMENTS

Bidders are required to submit complete sets of audited / reviewed annual financial statements for the three (3) most recent financial periods in the name of the bidding entity. The financial statement analysis will be conducted on the shortlisted bidders.

12.4.1 The annual financial statements must contain:

- Statement of Profit and Loss and Other Comprehensive Income;
- Statement of Financial Position;
- Statement of Cash Flows; and
- Accompanying Notes.

12.4.2 Entities which are trading for less than three (3) financial periods should provide:

- A letter detailing that fact, signed by a duly authorised representative of the entity; and
- Any other information or documentation which would provide more clarity on the financial history of the bidder.

12.4.3 In the event that the subsidiary is the bidding entity and submits the financial statements of the holding company for financial evaluation purposes, the holding

company must furnish a Performance Guarantee that is signed by a duly authorised representative of the entity.

12.4.4 In the event of the bid being in the form of a JV, the following is required:

- Annual financial statements of the JV; and
- A JV legal agreement detailing the percentage ownership of each entity.

SARS reserves the right to request further information with regards to the annual financial statements of a bidder at a later stage.

12.5. SUCCESSFUL BIDDER(S)

The successful Bidder(s) will be appointed according to the following process:

Evaluation	Qualifying Criteria	Appointment
Technical Evaluation	Bidder(s) who achieved a minimum threshold of 75 points of 100 points will proceed to the next stage (Gate2) of Price and BBEE.	
Financial Statement	Financial statement analysis will be conducted only to the Bidder(s) who achieved a minimum threshold of 75 points of technical Evaluation.	
Price & BBEE	Bidder(s) who achieved a minimum threshold of 75 points of technical evaluation will be evaluated for BBEE.	Appointment will be made to a Bidder with the highest BEE score, however if there is a tie Bidder with the highest technical points will be appointed.

13. SPECIAL CONDITIONS OF THIS BID

13.1. SARS reserves the right:

- Not to award or cancel this bid at any time and shall not be bound to accept the lowest or any bid;

- To negotiate with one or more preferred bidder(s) identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other bidder(s) who has not been awarded the status of the preferred bidder(s);
- To accept part of a bid rather than the whole bid;
- To cancel and/or terminate the bid process at any stage, including after the Closing Date and/or after presentations have been made, and/or after Bids have been evaluated and/or after the preferred bidder(s) have been notified of their status as such;
- To carry out site inspections, product evaluations or explanatory meetings in order to verify the nature and quality of the services offered by the bidder(s), whether before or after adjudication of the bid; and
- To correct any mistakes at any stage of the bid that may have been in the bid documents or occurred at any stage of the bid process.

13.2. SARS REQUIRES BIDDER(S) TO DECLARE

In the Bidder's Technical response, Bidder(s) are required to declare the following:

13.2.1. List the names of the key individuals i.e representative of the Bidder(s) that will act on behalf of the Bidder(s) if successful in this Bid.

13.2.2. Confirm that the Bidder(s) is to:

- Act honestly, fairly, and with due skill, care and diligence, in the interests of SARS;
- Have and employ effectively the resources, procedures and appropriate technological systems for the proper performance of professional activities;
- Act with circumspection and treat SARS fairly in a situation of conflicting interests;
- Comply with all applicable statutory or common law requirements applicable to the conduct of business;
- Make adequate disclosures of relevant material information including disclosures of actual or potential own interests, in relation to dealings with SARS;
- Avoid fraudulent and misleading advertising, canvassing and marketing;
- Conduct its business activities with transparency and consistently uphold the interests and needs of SARS as a client before any other consideration; and
- Ensure that any information acquired by the Bidder(s) from SARS will not be used or disclosed unless the written consent of the client has been obtained to do so.

14. CONFLICT OF INTEREST, CORRUPTION AND FRAUD

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

- a. engages in any collusive tendering, anti-competitive conduct, or any other similar conduct, including but not limited to any collusion with any other bidder in respect of the subject matter of this bid;
- b. 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;
- c. makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of SARS's officers, directors, employees, advisors or other representatives;
- d. 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;
- e. 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;
- f. pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift or any other consideration, that is contingent upon or results from, the award of any tender, contract, right or entitlement which is in any way related to procurement or the rendering of any services to a Government Entity;
- g. has in the past engaged in any matter referred to above; or
- h. has been found guilty in a court of law on charges of fraud and/or forgery, regardless of whether or not a prison term was imposed and despite such bidder, member or director's name not specifically appearing on the List of Tender Defaulters kept at National Treasury.

14.1 MISREPRESENTATION DURING THE LIFECYCLE OF THE CONTRACT

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

It follows therefore that misrepresentations in a bid may give rise to service termination and a claim by SARS against the bidder notwithstanding the conclusion of the Services Agreement between SARS and the bidder for the provision of the services in question.

14.2 PREPARATION COSTS

The bidder will bear all its costs in preparing, submitting and presenting any response or tender to this bid and all other costs incurred by it throughout the bid process. Furthermore, no statement in this bid will be construed as placing 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 bid.

14.3 INDEMNITY

If a bidder breaches the conditions of this bid 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 bid 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.

14.4 PRECEDENCE

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

14.5 LIMITATION OF LIABILITY

A bidder participates in this bid process entirely at its own risk and cost. SARS shall not be liable to compensate a bidder on any grounds whatsoever for any costs incurred or any damages suffered as a result of the bidder's participation in this bid process.

14.6 TAX COMPLIANCE

No tender shall be awarded to a bidder who is not tax compliant. SARS reserves the right to withdraw an award made, or cancel a contract concluded with a successful bidder in the event that it is established that such bidder was in fact not tax compliant at the time of the award, or has submitted a fraudulent Tax Clearance Certificate (TCC) to SARS. SARS further reserves the right to cancel a contract with a successful bidder in the event that such bidder does not remain tax compliant for the full term of the contract. The bidder will be required to submit a new TCC upon expiry of the TCC previously submitted.

14.7 NATIONAL TREASURY

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

14.8 GOVERNING LAW

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

14.9 RESPONSIBILITY FOR SUB-CONTRACTORS AND BIDDER'S PERSONNEL

A bidder is responsible for ensuring that its personnel (including agents, officers, directors, employees, advisors and other representatives), its sub-contractors (if any) and personnel of its sub-contractors comply with all terms and conditions of this bid and in particular the provisions of paragraph 12.3.1 above. In the event that SARS allows a bidder to make use of sub-contractors, such sub-contractors 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 or caused by such sub-contractors.

14.10 CONFIDENTIALITY

Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this bid or a bidder's bid proposal(s) will be disclosed by any bidder or other person not officially involved with SARS's examination and evaluation of a bid.

No part of the bid may be distributed, reproduced, stored or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a bid. This bid and any other documents supplied by SARS remain proprietary to SARS and must be promptly returned to SARS upon request together with all copies, electronic versions, excerpts or summaries thereof or work derived there from.

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

No confidential information relating to the process of evaluating or adjudicating bids or appointing a bidder will be disclosed to a bidder or any other person not officially involved with such process.

14.11 SARS PROPRIETARY INFORMATION

Bidder will on their bid covering letter make declaration that they did not have access to any SARS proprietary information or any other matter that may have unfairly placed that bidder in a preferential position in relation to any of the other bidders.

15. TECHNICAL EVALUATION CRITERIA

15.1 ANNEXURE A1 – TECHNICAL EVALUATION SCORECARD – 100 points

Bidders must complete the technical evaluations compliance checklist as outlined in Annexure A1:

#	Technical Evaluation Criterion	Weight
12.1	Company Profile, Resources and Infrastructure/Systems	20
12.1.1	<p>Provide:</p> <ul style="list-style-type: none"> • Company profile, organisational structure to render the services; • Level of expertise of key personnel that may be assigned to SARS, qualifications and competencies relevant to the scope of service; • Full contact details of the key contact person / Account Manager; • Company organogram, branch infrastructure (geographic locations) and Disaster recovery plan and certificate; and • Proof of existing systems: CRM system, Web functionality, Contact/call centre functionality, SMS functionality and Business continuity report. 	
12.2	Capability	20
12.2.1	<p>Provide:</p> <p>Proof of experience in providing brokerage services regarding medical aid scheme and proven track record over the past (4) four years.</p> <p>The information provided for each client (a minimum of 3) must include:</p> <ul style="list-style-type: none"> • Company name; • Address; • Contact details including contact name, surname & telephone number; • Duration of contract; • Staff complement; • Brief description of all the services provided with examples and stats ; and • Level of satisfaction (rate 1-10). 	

#	Technical Evaluation Criterion	Weight
	Provide the number of accounts retained and lost over the past four (4) years.	
12.3	National Footprint	20
12.3.1	Provide evidence of national footprint in nine (9) provinces , rural areas and border posts for the provision of medical aid brokerage services and demonstrate the implementation plan on how to manage multiple sites in different regions/ province within required lead time.	
12.4	Value add services	15
12.4.1	Provide: <ul style="list-style-type: none"> A list of all other value added services and indicate if there will be any financial implications for these services. 	
12.5	Testimonials	20
12.5.1	Provide two (2) most recent testimonials from any large clients and staff complement where similar services were provided.The testimonials must include but not be limited to: <ul style="list-style-type: none"> Brief description of services rendered; Quality of service; Company address and contact person; and Performance. 	
12.6	Insurance	5
12.6.1	Provide: Proof of Professional Indemnity Insurance.	
	TOTAL	100

15.2 ANNEXURE A2 – TECHNICAL COMPLIANCE CHECKLIST

The bidder is required to complete technical compliance checklist in order to guide the evaluators where to find the bidder's technical responses.