

SOUTH AFRICAN REVENUE SERVICE

REQUEST FOR PROPOSAL (RFP)

RFP 37/2022

**APPOINTMENT OF A SERVICE PROVIDER TO
CONDUCT A PUBLIC OPINION SURVEY ON TAX
COMPLIANCE AND TO DEVELOP THE ATTITUDE
TO TAX COMPLIANCE INDEX**

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

The purpose of this Request for Proposal (RFP) is for the South African Revenue Service (SARS) to invite suitably qualified service providers (bidders) for conducting a survey to gauge public opinion on taxpayer and trader compliance (tax compliance). SARS estimates the project would be conducted annually over a period of (36) thirty-six months.

The study will seek to establish the following:

- The drivers of taxpayer and trader compliance from the public perspective through a survey of randomly selected individuals.
- A South African 'attitude to tax compliance' index on the public's attitudes, motivations and behaviour towards tax compliance.

This RFP document incorporates, as far as possible, the scope of work required by SARS from the potential successful bidder(s). This RFP does not constitute an offer to do business with SARS, but merely serves as invitation to potential bidder(s) to facilitate a requirements-based decision process.

2 TECHNICAL LEGISLATION AND/OR STANDARDS

The bidder(s) should have knowledge of all legislation and/or standards applicable to the services required.

3 OVERVIEW OF SARS' REQUIREMENTS

3.1 Background

Revenue administrators in the world are realising the importance of identifying factors driving taxpayer compliance. Taxpayer compliance behaviour is influenced by several factors, including amongst others, the national and global economy, and legislative framework, physical, administrative, social, demographic and attitudinal environment. These factors can at times, combine to influence tax compliance behaviour. Some of these extend even beyond the bounds of tax administration and relate to changing social and economic conditions.

Observed global trends show that tax administrations are increasingly monitoring the public opinion and its impact on tax compliance behaviour to maintain a sustained balance on the compliance strategy. These additional obligations form part of the context within which SARS operate.

The public opinion survey on tax compliance will provide key input to the formulation of compliance strategy and at the same time afford SARS a complementary view on the drivers of tax compliance behaviour. One way of understanding the operating context is through measuring, tracking and monitoring tax compliance through public opinion surveys.

3.2 Summary of the scope OR Scope of Service

The following are SARS requirements for the provision of survey services on tax compliance and the successful Bidder will be required:

- 3.2.1 To survey a representative sample of four thousand individuals (three thousand six hundred registered taxpayers and four hundred non-registered taxpayers) who will be randomly selected from households across demographic variables that include but is not limited to age, income categories, education levels, industry type, employment segments, region / province / municipalities.
- 3.2.2 To review and enhance existing survey instruments, in conjunction with SARS, that will be used to collect data for this study.
- 3.2.3 To use the data collected to develop the Attitude to Tax Compliance Index at a national and provincial level.
- 3.2.4 To grant SARS non-exclusive, unfettered and perpetual access and use of data collected during the survey.
- 3.2.5 To transfer knowledge and skills to selected SARS personnel on how to conduct the survey study as well as the analysis of the results.
- 3.2.6 To share the results and actionable recommendations with relevant internal stakeholders for continuous improvement.

Quantitative Study – Target Group is individuals (Registered Taxpayers and N-registered taxpayers)

The successful bidder will be required to perform the following services, but is not limited to the services below:

- Conduct four thousand (4000) interviews with respondents of which three thousand six hundred (3600) comprises of Registered Taxpayers and four hundred (400) Non-registered taxpayers.

- Audience defined by quotas;
- Questions are mostly asked in rating scale and numeric format;
- Review and enhance existing survey instruments;
- Provide Fieldworkers training;
- Sample design (methodology);
- Sign-off of the project plan and survey questionnaires in conjunction with the SARS team;
- Potentially evaluating scale reliability and validity;
- Conduct interviews with respondents;
- Observations of actual interviews being conducted;
- Data cleaning and text analytics;
- Pivot tool design;
- Conduct data analysis;
- Analysing the survey results ;
- Design, develop and compute the Attitude to Tax Compliance Index;
- Produce and submit preliminary results in a PowerPoint presentation;
- Submit preliminary report incorporating recommendations; and
- Submit Final report.

4 SARS REQUIREMENTS FROM BIDDER

The bidders are required to submit their response to all the information in this section. The information will be used for technical evaluations.

4.1 Methodology and Sample Frame

The bidders must:

4.1.1 Use various methods and technologies to gather information;

4.1.2 Indicate the relevance of methods used to gather information against other research methods; and

4.1.3 Demonstrate the ability to design a national representative sample frame relevant for the survey.

4.2 Analysis

The bidders should provide in their response:

4.2.1 Data analysis techniques; and

4.2.2 Relevant Data analytic techniques for the SARS Public Opinion Survey.

4.3 Demonstrate the ability to deliver on the primary objectives

The bidders must:

4.3.1 Demonstrate understanding of the drivers of tax compliance from the public perspective;

4.3.2 Establish the Attitude to Tax Compliance Index on the public's attitudes, motivations and behaviour towards tax and trader compliance; and

4.3.3 Systematically demonstrate how to collect national data on an on-going (annual) basis on the role of public opinion in driving tax compliance.

4.4 Resources and Project Management

The bidders should provide in their response:

4.4.1 Research and Analytics Resources;

4.4.2 Key Personnel in the Project Team;

4.4.3 Project team / resources in relation to required implementation plan and high level project plan;

4.4.4 Reporting mechanism put in place and frequency (Meetings and specified contact people); and

4.4.5 A high level project plan.

4.5 Data Management

The bidders should in their response indicate:

4.5.1 Availability of raw data to research usable format.

4.6 Skills Transfer

Bidders must demonstrate their approach to ensure skills and knowledge transfer to the SARS team throughout the project.

4.7 Testimonial/ Reference Letters

Bidders must request the clients whom they have provided the services to within the previous (3) three years to Complete **Annexure A2**, testimonial/ reference letters from the bidder's client on their experience relevant to the scope of work.

The letter must include for each client (minimum of 3) the following information:

- Client name;
- The client contact person and phone number;
- Contract period;
- Description of the services;
- Challenges;
- Value added services; and
- Testimonials from the clients listed on the schedule.

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

The proposals submitted by Bidders must be as comprehensive as possible. Please refer to **Annexure A1 – Technical Scorecard** which clearly outlines how the bids will be evaluated for functionality.

4.8 Technical Compliance Checklist

Bidder(s) are required to complete the compliance checklist as outlined in **Annexure A3** to guide SARS evaluators where to find their technical responses.

5 STRUCTURE OF THE RFP PACK

5.1 Structure

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.

6 KEY ACTIVITIES AND DATES

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 37/2022

2.	Description	Appointment of a service provider to conduct a public opinion survey on compliance and to develop the attitude to tax compliance index.
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: 05 April 2023 b) National Treasury Tender Portal: 05 April 2023
6.	RFP pack available for download from SARS website	05 April 2023
8.	Virtual briefing session date and registration	The non-compulsory briefing session will be held on 14 April 2023 virtually via a Microsoft Teams meeting and can be accessed at the following link: Click here to join the meeting
9.	Bidders to submit written questions on or before	19 April 2023
10.	SARS to respond to bidders' written questions on or before	21 April 2023
11.	CLOSING DATE AND TIME (proposals due)	04 May 2023 & 11H00

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.

7 COMMUNICATION

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.

A bidder may not make any communication to SARS regarding this RFP other than through the official contact email 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.

8 TENDER PREPARATION AND SUBMISSION

8.1 Introduction

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), and the SARS internal Preferential Procurement Policy which prescribes that SARS' procurement processes be:

economical, efficient, fair, equitable, transparent, competitive and cost effective; and 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).

8.2 Question and answer process

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.

Between the dates given in paragraph 6, 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 be 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.

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.

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.

8.3 **Central Supplier Database**

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.

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.

8.4 **Proposal submission**

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.

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.**

The proposals may also be posted to the address provided in the afore-mentioned paragraph.

Proposals will only be considered if received by the SARS Tender Office before the closing date and time, regardless of the method used.

Late proposals will not be accepted.

8.5 Instruction for submitting a proposal

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.

All proposals and supporting documentation must be submitted in English.

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

8.5.1.1 A "hardcopy proposal" means an A4 ring bound lever arch file.

8.5.1.2 An "electronic copy" means a memory stick (USB stick).

8.5.2 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.

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: (Table 4) (SBD and other documents), <i>excluding SBD 6.1 Preference point claim form</i>
		2	<ul style="list-style-type: none"> Response to technical requirements (Annexure A1, A2 & A3) Supporting documents for technical requirements

		3	<ul style="list-style-type: none">• Company profile• Supplementary information
		4	<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 (Annexure B)
		3	<ul style="list-style-type: none">• 3 most recent years audited / independently reviewed financial statements

Note:

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

9 EVALUATION OF PROPOSALS

9.1 Process after the closing date

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.

9.2 Administrative prequalification evaluation process (Gate 0)

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).

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

No.	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	YES

No.	Prequalification documents to be submitted	Instructions	Non-submission may result in disqualification?
		document.	
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.	Cost and Risk Assessment Questionnaire	Bidder to complete and sign the supplied pro forma document.	YES
5.	Proof of registration on the Central Supplier Database (CSD)	Bidder to submit the proof of registration on CSD.	YES Bidders must ensure that their tax status is "compliant"
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 3 most recent complete sets of audited or independently reviewed annual financial statements as detailed in this RFP.	YES Required for due diligence process for award purposes

9.3 Technical evaluation process (Gate 2)

Only bidders that have met the prequalification 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.

The technical evaluation will be scored out of a total of (100) **one hundred** points, and bidders are required to score a minimum threshold of **[70]** seventy out of (100) **one hundred** points to proceed to the next stage of evaluation, namely price and specific goals evaluation. The bidders will be evaluated for functionality as follows:

- Desktop Technical Evaluation – All bidders will be evaluated out of **(66) seventy** points during Desktop Evaluations.
- Presentation Evaluation – All bidders will be invited for presentations which will be evaluated out of **(34) thirty** points.

Only bidders that attain a combined score of seventy (70) points out of the total hundred (100)

points will proceed to the Price and specific goals stage (Gate 3).

Table 5: Desktop Technical evaluation criteria

#	Desktop Technical Evaluation Area		Guideline	Points
1.	METHODOLOGY & SAMPLES FRAME			5
1.1	Bidder must demonstrate the examples of various methods and technologies to gather information for the quantitative approach.	Bidder must fully demonstrate, with 3 examples, the methods and technologies to be used for the gathering of information/data for the quantitative approach	Bidder demonstrated the ability to employ methods and technologies for gathering information/data for quantitative studies with 3 or more examples.	3
1.2	Relevance of methods used to gather information against other research methods	Bidder to fully justify the choice of methods for the survey with examples.	Bidder justified the choice of methods used for individual taxpayer with 2 or more examples.	2
2.	ANALYSIS			16
2.1	Data collection, preparation and quality assurance	Bidder to demonstrate step by step (process) how data will be collected, prepared/processed to ensure its accuracy and integrity for the following categories: 1. Descriptive analysis 2. Correlation analysis 3. Thematic analysis 4. Factor analysis	Bidder demonstrated step by step (process) on how data will be collected, prepared/processed, validated and quality assured using quantitative analytic approach per category. = 1 Category = 4 Points = 2 Categories = 8 points = 3 Categories = 12 Points = 4 Categories = 16 Points The bidder will obtain four (4) points per category for demonstrating how data will be collected, prepare/processed, validated and quality assured.	16
3.	DEMONSTRATE THE ABILITY TO DELIVER ON THE PRIMARY OBJECTIVES			8
3.1	Understand the drivers of tax compliance	Bidder to demonstrate the understanding of the drivers/factors that explain tax compliance.	Bidder demonstrated an understanding of drivers of tax compliance	4
3.2	Establish the Attitude to Tax Compliance Index on the public's attitudes, motivations and behaviour towards tax and trader compliance	Bidder to demonstrate expert knowledge, understanding and the step by step process of constructing an Attitude to Tax Compliance Index	Bidder demonstrated knowledge, understanding and a step by step process on how to construct an Attitude to Tax Compliance Index.	4
4.	RESOURCES AND PROJECT MANAGEMENT			25
4.1	Research and Analytics Resources	Bidder to demonstrate that the Project Manager has a minimum of 6 years of project management experience in conducting public opinion surveys.	Bidder demonstrated that the Project Manager has 6 years and more years of project management experience in conducting public opinion surveys.	2
4.2	Key Personnel in the Project Team*	Bidder to provide and show that the team (key personnel) to be assigned to the project has the relevant qualifications (Relevant Degree, Diploma or equivalent, minimum NQF 6) and experience in	Bidder provided and showed that the team (key personnel) to be assigned to the project has the right qualifications and experience in research and analysis with	4

#	Desktop Technical Evaluation Area		Guideline	Points
		research and analysis with combined experience of between 10 to 15 years.	combined experience of between 13 to 15 years. Suggestion Qualification = 2 No information = 0 Experience Combined experience of between 13 to 15 years = 2 Combined experience of between 10 -12 years = 1 Combined experience of less than years / no information = 0	
The resume of the proposed Key Personnel should be expansive and demonstrate their previous experience in delivering research and analytics services. Consider adding "If CV does not demonstrate their previous experience in delivering research and analytics services, CV will not be evaluated"				
4.3	Project team / resources in relation to required implementation plan	Bidder to show that they have a team with required experience for successful project implementation (field work, data analytic software, data collection , capturing and mining, presentation and report writing).	Bidder demonstrated that they have a team with required experience for successful project implementation by having (field work, data analytic software, data collection , capturing and mining, presentation and report writing).	3
4.4	Reporting mechanism put in place and frequency (Meetings and specified contact people)	Bidder to show the reporting mechanism that will be put in place and frequency of meetings or reporting.	Bidder showed the reporting mechanism to be put in place and frequency which must indicate: 1. Frequency of meeting; 2. Recording of minutes ; 3. Turnaround for delivery of minutes to SARS; 4. Contact person; 5. Dispute resolution; 6. Turnaround times for resolution of disputes. All of the above should be met, else bidder will score 0	12
4.5	High level project plan	Bidder to provide high level project plan (36 months) and a detailed project plan for the (12 months).	Bidder provided high level project plan for the 36 months (three year cycle) and detailed project plan for 12 months.	4
5.	CLIENT REFERENCES/ TESTOMONIALS			12
5.1	<p>The bidder must provide testimonials of relevant experience to the scope of work and proven track record over the past three (3) years.</p> <p>The schedule must include a (minimum of 3) clients for the following:</p> <ul style="list-style-type: none"> * Client Name; * The client contact person and number; * Contract period; * Description of the services; * Challenges; Please specify the challenges you overcame * Value added services; and * Testimonials from the clients listed on the schedule. 	<p>Provide testimonials of relevant experience for 3 clients relevant to the scope of work as per SARS requirements satisfying the points below:</p> <p>Scoring Criteria:</p> <p>Quality of service rendered = (1) Performance (1) Turn Around Time (1) Customer Satisfaction (1)</p> <p>NB: Evaluation guide for the above requirement Excellent = 1 Good = 0.5 Poor = 0</p> <p>Testimonial letters not relevant to the scope of work or no information provided = (0)</p> <p>Scoring criteria: Total number of Clients (3) multiplied by the Scoring criteria (4) = Maximum points (12)</p>	<p>Provided testimonials of relevant experience for 3 clients relevant to the scope of work as per SARS requirements satisfying the points below:</p> <p>Scoring Criteria:</p> <p>Quality of service rendered = (1) Performance (1) Turn Around Time (1) Customer Satisfaction (1)</p> <p>NB: Evaluation guide for the above requirement Excellent = 1 Good = 0.5 Poor = 0</p> <p>Testimonial letters not relevant to the scope of work or no information provided = (0)</p> <p>Scoring criteria: Total number of Clients (3) multiplied by the Scoring criteria (4) =</p>	12

#	Desktop Technical Evaluation Area	Guideline	Points
		Maximum points (12)	
TOTAL			66

Table 6: Presentation Technical Evaluation Criteria

#	Presentation Technical Evaluation Area	Guideline	Points
1.	PRESENTATION EVALUATION CRITERIA		34
1.1	Bidder must systematically demonstrate how to collect national data on an (annual) basis on the role of public opinion in driving tax compliance	Bidder demonstrated the ability to systematically collect national data on an annual basis on the role of public opinion on tax compliance.	2
1.2	Bidder to demonstrate how they will design a full representative sample (by province, race, gender, income).	Bidder demonstrated the ability to design a full representative sample (by province, race, gender, income). Each sample will contribute a total of two (2) points each.	8
1.3	The bidder must demonstrate a detailed process of constructing an Attitude To tax Compliance Index using the following themes: 1. Tax Morality 2. Accessibility 3. Trustworthiness 4. Followership 5. Operational Efficiency	Bidder demonstrated a detailed process of constructing an attitude to tax compliance index using the following themes: Tax Morality Accessibility Trustworthiness Followership Operational Efficiency Each theme will contribute a total of three (3) points each.	15
1.4	The Bidder must demonstrate the ability to provide raw data in a compatible format to SARS with all explanatory notes and definitions of codes.	Bidder demonstrated the ability to provide raw data as follows: 1. In a compatible format 2. With explanatory notes; and 3. Definitions of codes used. The bidder will obtain 2 points for demonstrating the ability to provide raw data.	6
1.5	The bidder must provide a detailed knowledge and skills transfer implementation plan which includes a roll out of the plan	The bidder explained how the skills transfer implementation plan will be rolled out.	3
TOTAL			34

Note: The above Desktop and Presentation technical evaluation criteria only stipulates the points achievable when a bidder met all the criteria. The breakdown of the points is outlined in Annexure A1.

Bidders should refer to **Annexure A1** for the detailed technical evaluation criteria applicable to Desktop and Presentation and **Annexure 2** for the testimonial/ reference letters from the bidder's client on their experience relevant to the scope of work.

9.4 Price and specific goals evaluation (Gate 2)

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 specific goals evaluation

	Criteria	Points
1.	Price	80
2.	Specific goals	20
	TOTAL	100

9.4.1 Price evaluation (Gate 3, Stage 1)

Points for the price evaluation will be calculated in accordance with the formula stated below.

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 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

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

9.4.2.1 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.

- 9.4.2.2 Bidders who do not claim preference points will be scored zero for B-BBEE.
- 9.4.2.3 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 Specific goals are not claimed.
- 9.4.2.4 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/ consortium 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.
- 9.4.2.5 SARS reserves the right to request bidders to submit proof of any information, to substantiate claims made about their Specific goals.

Table 9: Specific goals evaluation points allocation

Specific goals will be evaluated in accordance with the table below. Bidders to claim points in SBD 6.1 in accordance with the table below.

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
The entity is an EME/QSE	15	
Large Enterprise	5	
Women Owned Enterprise 30%+	5	

Specific goals evaluation	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

9.4.2.6 The following table indicates the specific B-BBEE documents that must be submitted for this RFP to claim Specific goals points.

Table 8: B-BBEE documents checklist

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

9.4.3 Consolidation of price and Specific goals evaluation (Gate 3, Stage 3)

9.4.3.1 The points scored by a bidder for the price evaluation and the specific goals evaluation will be added together to determine the overall points a bidder's proposal will score out of one hundred points for the consolidated price and specific goals evaluation and ranking of the bidders.

9.5 Financial Risk Analysis

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

9.5.2 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:

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

9.5.2.2 A statement of financial position;

9.5.2.3 A statement of cash flows;

- 9.5.2.4 A statement of changes in equity / net assets; and
- 9.5.2.5 Accompanying notes.
- 9.5.3 The bidders are required to submit the public interest score (PIS) in compliance with the Companies Act, Act 71 of 2008.
- 9.5.4 Bidders who have been trading for less than three (3) financial periods must provide:
 - 9.5.4.1 A letter detailing the fact, signed by a duly authorised representative of the entity;
 - 9.5.4.2 The annual financial statements that the entity can provide, considering the period that it has been trading; and
 - 9.5.4.3 Any other information or documentation which would provide more clarity on the financial history of a bidder.
- 9.5.5 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:
 - 9.5.5.1 Holding company's / Parent company's accounts;
 - 9.5.5.2 Management accounts;
 - 9.5.5.3 Signed letter from a recognised financial institution confirming capital availability and bank statements; and/or
 - 9.5.5.4 Credit rating reports (confirming capital availability or access to capital).
- 9.5.6 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.
- 9.5.7 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.
- 9.5.8 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.
- 9.6 **Recommended bidders' due diligence and risk assessment prior to award**
 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.

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.

9.7 Proposed agreement

- 9.7.1 Any award made to a bidder under this RFP is conditional, amongst other provisions, upon SARS and such bidder concluding a written agreement Service Level Agreement ("SLA") within the period stipulated in the letter of award.
- 9.7.2 Upon award, SARS and the successful bidder will conclude the SLA regulating the specific terms and conditions applicable to the goods and services being procured by SARS. In this regard:
 - 9.7.2.1 SARS will enter into negotiations with the bidder with a view to concluding the SLA.
 - 9.7.2.2 SARS will be entitled to cease negotiating with a bidder if SARS, in its sole discretion, is of the opinion that: (i) the bidder is attempting to withdraw from positions or commitments made in its proposal; or (ii) an agreement may not be expeditiously concluded with the bidder for any other reason.
 - 9.7.2.3 SARS reserves the right to vary the terms and conditions of the proposed agreement during negotiations with a bidder at SARS' sole discretion.
- 9.7.3 The bidder must note that:
 - 9.7.3.1 SARS will prescribe certain performance standards (Service Levels) in the SLA that a successful bidder must comply with in the performance of the services.
 - 9.7.3.2 Failure to adhere to the Service Levels will result in SARS levying a financial penalty for the performance failure.
 - 9.7.3.3 Multiple Performance Failures with the SARS' prescribed Service Levels will constitute a material breach of the SLA.
 - 9.7.3.4 Notwithstanding the implementation of the Service Levels and Financial Penalties, SARS reserves the right and without derogation to any other remedies it may have in law, to terminate the SLA for breach (persistent

non-compliance) by the successful bidder

- 9.7.4 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 the SLA between SARS and the bidder for the provision of the goods and services in question.
- 9.7.5 If the successful bidder fails to sign the proposed SLA within the days prescribed by SARS, SARS reserves the right to:
- 9.7.5.1 cancel the award to the successful bidder;
 - 9.7.5.2 take any other action SARS deems reasonable and appropriate.

10 TRUSTS, JOINT VENTURES, CONSORTIUM, SUBCONTRACTING AND OTHER ARRANGEMENTS

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

- 10.1.1 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:
- 10.1.1.1 Details of the trustees of the trust; and
 - 10.1.1.2 Details of the beneficiaries of the trust. In instances where the beneficiary is a trust, the trust deed of that specific trust is required.
- 10.1.2 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:
- 10.1.2.1 identification of each party to the agreement in full;
 - 10.1.2.2 the percentage ownership of the joint venture of each party to the agreement (if applicable);
 - 10.1.2.3 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);
 - 10.1.2.4 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

- 10.1.2.5 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.
- 10.1.2.6 If a bidder is submitting a proposal in the form of an Unincorporated joint venture and consortium, 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.
- 10.1.2.7 Joint venture members should be advised that each member will be held jointly and severally liable for the performance of the joint venture.
- 10.1.3 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:
 - 10.1.3.1 the bidder must clearly indicate in the cover letter the intention to subcontract. If a bidder intends subcontracting to more than one subcontractor, it must include all the relevant information, and submit a separate attachment with the information required as per the Preference point claim form and reference must be made to the attachment.
 - 10.1.3.2 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.
 - 10.1.3.3 the successful bidder must, always, be solely and entirely accountable to SARS for the performance of its contractual obligations in terms of the agreement; and
 - 10.1.3.4 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, always, demand fair dealing in the relationship between a bidder and its subcontractor(s).
- 10.1.4 Any bidder, whether participating in a trust, joint venture and/or subcontracting arrangement, who participates in preparatory work based on 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.

11 COMPLAINTS AND ALLEGATIONS

- 11.1.1 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.
- 11.1.2 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.
- 11.1.3 The “SARS hotline” further provides an anonymous reporting channel for any unethical behaviour that a bidder wants to report.

12 GENERAL CONDITIONS OF BIDDING

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.

12.1 Reservation of rights

- 12.1.1 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:
 - 12.1.1.1 make no award, or to accept part of a proposal rather than the whole;
 - 12.1.1.2 withdraw, or cancel this RFP;
 - 12.1.1.3 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;
 - 12.1.1.4 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;
 - 12.1.1.5 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;
 - 12.1.1.6 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;
 - 12.1.1.7 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;
 - 12.1.1.8 request 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;

- 12.1.1.9 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
- 12.1.1.10 request presentations from such short-listed bidders. All costs relating to the preparation of such presentations will be borne by the bidders.

12.1.2 SARS will disqualify any bidder, who:

- 12.1.2.1 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;
- 12.1.2.2 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;
- 12.1.2.3 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;
- 12.1.2.4 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 to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a government entity;
- 12.1.2.5 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;
- 12.1.2.6 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;
- 12.1.2.7 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 a prison term or penalty was imposed;

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

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

12.1.3 Bidders' own conditions

12.1.3.1 Bidders may not produce 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.

12.2 Conflict of interest

12.2.1 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.

12.3 Confidentiality

12.3.1 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.

12.3.2 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.

12.4 Fronting

12.4.1 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.

12.4.2 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) fourteen 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.

12.5 Insurance

12.5.1 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.

12.6 Indemnity

12.6.1 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.

12.6.2 A Successful Bidder shall indemnify, hold harmless and agree to defend SARS and its officers, employees, agents, successors-in-title, and assigns, from any and all Losses arising from, or in connection with, any of the following-

12.6.2.1 third party claims attributable to any breach of the provisions of Applicable Law or the provisions of the SLA by the Successful Bidder;

12.6.2.2 third party claims attributable to theft, fraud or other unlawful activity or any negligent, wilful or fraudulent conduct by the Successful Bidder or the Successful Bidder's Personnel and claims attributable to errors and/or omissions;

12.6.2.3 third party claims arising from or related to the death or bodily injury of any SARS agent, employee, business invitee, or business visitor or other person on SARS' premises caused by the negligent acts or omissions of the Successful Bidder or the Successful Bidders' Personnel; and

12.6.2.4 third party claims arising from damage to property owned or leased by SARS or a third party caused by the Successful Bidder or the Successful Bidder's Personnel's negligence or misconduct.

12.7 **Intellectual property**

12.7.1 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.

12.8 **Limitation of liability**

12.8.1 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 because of the bidder's participation in this RFP process.

12.9 **Preparation costs**

12.9.1 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.

12.10 **Precedence**

12.10.1 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.

12.11 **Responsibility for bidder's personnel and subcontractors**

12.11.1 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.

- 12.11.2 If SARS allows a bidder to make use of subcontractors, such subcontractors will always remain the responsibility of the bidder and SARS will not under any circumstances be liable for any losses or damages incurred by such subcontractors.
- 12.11.3 The proposal shall however be awarded to the bidder 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.
- 12.11.4 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.
- 12.11.5 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

12.12 **RFP not an offer**

- 12.12.1 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, advisers and representatives) is a representation that SARS will offer, award or enter into an agreement with the bidder.

12.13 **SARS' oath / affirmation of secrecy**

- 12.13.1 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.

12.14 **Security Screening and vetting of a bidder**

- 12.14.1 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.

12.14.2 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.

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

12.15 **Tax compliance**

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

12.16 **Tender defaulters and restricted suppliers**

12.16.1 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.

12.17 **Local production and content**

12.17.1 SARS supports and promotes local production and local content, environmentally friendly products, and sustainable sourcing.

12.17.2 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.

12.17.3 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.

12.18 **Validity of information**

12.18.1 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.

12.18.2 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.

12.19 **Governing law**

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

13 **CHECKLIST OF RETURNABLES**

Table 10: 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 5: National Industrial Participation Programme form has been completed and signed.		
7.	SBD 6.1: Preference points claim form has been completed and signed.		
8.	SBD 6.2: Declaration certificate for local production and content form and Annexure C.		
9.	Proof of registration on the Central Supplier Database (CSD) has been submitted.		
10.	General Condition of Contract (GCC) and Draft Service Level Agreement (SLA) has been completed and signed.		

	Checklist of returnable documents	Comply	Do not comply
11.	A complete set of three (3) most recent audited / independently reviewed financial statements has been included.		
12.	All the mandatory evaluation requirements have been submitted with this bid.		
13.	All the technical evaluation requirements have been submitted with this bid.		
14.	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.		
15.	All the B-BBEE evaluation requirements have been submitted with this bid.		