



The South African Council for the Project and Construction Management Professions

— CONSTRUCTING NEW PERSPECTIVES —

YOU ARE HEREBY INVITED TO BID IN RESPECT OF THE PROVISION OF PROFESSIONAL LEGAL SERVICES TO THE SOUTH AFRICAN COUNCIL FOR THE PROJECT AND CONSTRUCTION MANAGEMENT PROFESSIONS (SACPCMP).			
BID DESCRIPTION	Panel of Attorneys for the provision of Legal services (Re-advert)		
BID NUMBER	Legal/10/2026		
NAME OF INSTITUTION	The South African Council for the Project and Construction Management Professions (SACPCMP)		
THE PLACE WHERE GOODS ARE TO BE DELIVERED	SACPCMP Offices 446 Rigel Avenue South Rigel Office Park Erasmusrand Pretoria 0181		
RFP DISTRIBUTION DATE	02 October 2026	Time	13h00
RFP QUERY CLOSING	20 October 2026	Time	16h00
RFP CLOSING DATE	26 October 2026	Time	16h00
CONTACT DETAILS	Electronic bids	All bids should be submitted to Nyiko Mthombeni tenders@sacpcmp.org.za	
	Admin queries	Nyiko Mthombeni tenders@sacpcmp.org.za	
	Fax	No facsimile bids will be considered	
	Email	tenders@sacpcmp.org.za	
	Technical queries	Linda Marumo tenders@sacpcmp.org.za	
CATEGORY	Open tender		
SECTOR	Regulatory Council		
REGION	Gauteng Province		

1. INTRODUCTION

The South African Council for the Project and Construction Management Professions (SACPCMP) derives its mandate from Section 22 of the Constitution of the Republic of South Africa, the relevant section dealing with freedom of trade, occupation and profession, states that “every citizen has a right to choose their trade, occupation, and profession freely. The practice of a trade, occupation or profession may be regulated by law.”

The SACPCMP was thus established to register, certify, regulate, and promote specific Built Environment Management Professions. It is further tasked with the protection of public interest, which is achieved by ensuring suitably qualified and registered professionals in specific Built Environment Management Professions in South Africa through promoting and enforcing high standards of professional ethics and conduct within the built environment.

The Minister of Public Works and Infrastructure is the Executive Authority of all the councils within the built environment including the SACPCMP. The Built Environment refers to the functional area within which registered persons practice and includes all structures that are planned and/or erected above or underground, as well as the land utilised for the purpose and supporting infrastructure. The CBE and the SACPCMP Acts enjoin us to work in concert in respect of the 13 administrative functions, alongside the eight mandates of the Council for the Built Environment (CBE) for a sustainable built environment.

The vision, mission and values provide overall direction and inspiration in meeting and exceeding the objectives of the mandate, summarised as follows:

VISION	To be a progressive regulatory body for the Built Environment Management Professions.
MISSION	To create an enabling environment for the promotion, growth, and transformation of Built Environment Management Professions through advocacy, research, and best practice.

2. SCOPE OF WORK

The Service Provider will:

- 2.1. The Service Provider must have experience in the following specialisation:
 - Administrative Law
 - Commercial/ Corporate Law
 - Labour Law
- 2.2. The Service Provider will assist Council in:

- Representation of the Council in labour matters (e.g., CCMA, Disciplinary Hearing Initiation, etc).
- Representation of the Council during internal appeals.
- Representation of the Council during appeals at the Council for the Built Environment.
- Legal Advice and Opinions.
- Contract Vetting.
- Representation of the Council during court cases.

2.3. The service provider will assist disciplinary tribunal as case presenters performing the following:

- Lead evidence and advance arguments in support of the charge.
- Cross-examine witnesses.
- Question any person who was subpoenaed in terms of Section 31(3) of the Act.
- Call anyone to give evidence or to produce any book, document, or object in his or her possession or custody or under his or her control which they suspect or believe has bearing on the Hearing.
- Call witnesses, present evidence, and address the Tribunal in aggravation of sentence.

3. SUBMISSION REQUIREMENTS

3.1. **To be eligible for evaluation, prospective bidders must furnish the following documents:**

- Completed and signed SBD 4 – Declaration of Interest (Annexure 1)
- Completed and signed SBD 6.1 – Preference Points Claim Form (Annexure 2)
- Valid Original tax clearance certificate and a compliant CSD report

3.2. **Quotations will be disqualified or excluded under the following conditions:**

- failure to submit the documents stipulated in section 3.1.
- Submission after the deadline.
- Quotations submitted at incorrect location/ email address.
- Service Providers whose tax matters are not in order at the time when SACPCMP makes an appointment.

4. MINIMUM FUNCTIONAL REQUIREMENTS

The service provider should meet the following minimum requirements:

- 4.1. At least five (5) written and contactable references from clients that you provided for similar legal services as indicated. (The references should not be older than 10 years from the date bid closure)
- 4.2. A Brief Profile of the Service Provider and an overview of the services provided, including number of years offering the services.
- 4.3. The firm, partner, manager, and team should be free of any conflicts of interest related to the provision of the services required.
- 4.4. The Resource Plan: Proposed Team, Qualifications, Experience of Team, and Proposed days to deal with each milestone.
- 4.5. Is a Legal Firm.

5. SPECIAL CONDITIONS

- 5.1. All enquiries must be made in writing to tenders@sacpcmp.org.za, during office hours between 09h00 and 16h30.
- 5.2. SACPCMP reserves the right not to consider any Quotation not fully completed.
- 5.3. By accepting taking part in the Quotation process, you agree to keep in confidence all information imparted to you about the Quotation process, not to disclose it to third parties, and not to use it for other purposes than the Quotation.
- 5.4. The Respondent is responsible for all costs incurred in the preparation and submission of the Quotation.
- 5.5. A copy/s of any affiliations, memberships and/or accreditations that support your submission must be included in the Quotation e.g. Proof of Admission.
- 5.6. SACPCMP is entitled to:
 - 5.6.1. Amend any RFQ conditions, validity period, specifications, or extend the closing date and/or time of RFQ's before the closing date. All Respondents, to whom the RFQ documents have been issued, will be advised in writing of such amendments in good time.
 - 5.6.2. Verify any information contained in a Quotation.
 - 5.6.3. Not appoint any bidder should SACPCMP not deem it necessary.
 - 5.6.4. alter, and/or amend the terms of this RFQ, at any time prior to the finalisation of its adjudication hereof.
 - 5.6.5. Disqualify Quotations that contain an omission of disclosure of material information, which is factually inaccurate, and/or contains a misrepresentation.
 - 5.6.6. Not accept the lowest Quotation or any Quotation in part or whole. The SACPCMP normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose Quotation is technically acceptable and/or financially advantageous to the SACPCMP.

5.6.7. Appointment as a successful contractor shall be subject to the parties agreeing to mutually acceptable contractual terms and conditions. In the event of the parties failing to reach such agreement within 30 (thirty) days from the appointment date, the SACPCMP shall be entitled to appoint the contractor who was rated 2nd (second), and so on.

5.6.8. Cancel or withdraw from this RFQ as a whole or in part without furnishing reasons and without attracting any liability.

5.6.9. This Quotation and its acceptance shall be subject to the terms and conditions contained in this RFQ document.

6. BID EVALUATION:

6.1. FIRST EVALUATION CRITERIA

CRITERIA FOR EVALUATION	MAXIMUM SCORES
1) Bidders Capability The bidder must have Experience, knowledge, and technical expertise, including track records of undertaking work of this similar nature (as per the scope of work). • 10 years+ 20 • 7 – 9 years 15 • 5 – 6 years 10 • 0 – 4 Years 5 The bidders are required to submit company profile highlighting the above	20
2). Composition of project team Include CVs and Qualifications for the proposed team members. Proposed Director who is a Project Leader- a Senior Attorney Senior Associate – Admitted Attorney Other team members who will be involved in a Project (candidate attorneys) Team members have at least 5 years' experience in providing legal consulting work in areas of specialisation. • 5 years 20 • 4 years 10 • 3 years 5 • 2 Years 2 • 1 Year 1	20

3) Detailed Methodology and Project Plan • Representation of the Council in Labour matters (e.g. CCMA, Disciplinary Hearing Initiation, etc.). • Representation of the Council during internal appeals. • Representation of the Council during appeals at the Council for the Built Environment. • Legal Advice and Opinions. • Contract Vetting. • Representation of the Council during court cases • Disciplinary Tribunal Hearing Scoring guidelines: • 20 - 30 Very Good - exceeds expectations significantly • 10 - 20 Acceptable - meets most expectations • 0 - 10 average – some concerns	30
4) References letters pertaining to similar projects undertaken and relevant contact details. 5 and above References 30 4 References 20 3 References 10 2 References 5	30
Total Points on Functionality must add to 100. The supplier must achieve minimum of 70 to be considered for the next evaluation	100

Bidders will be required to **score 70** points and above to move to the second phase of evaluation.

6.2. SECONDARY EVALUATION CRITERIA

The second and final phase will be evaluated as follows:

Description	Number of points for preference
Price	80
Specific goals	Number of points for preference
More than 30% black shareholding or owned enterprise.	10
More than 30% woman or women shareholding or owned enterprise.	2
More than 30% youth shareholding or owned enterprise.	2
More than 30% of people living with disability shareholding or owned enterprise.	1
RDP Goals	
SMMEs	5

7. Pricing Schedule

Price quote per seating, consulting and miscellaneous

Description	Rate per hour
Senior Attorney/Director	
Senior Associate	
Junior Associate	
Candidate	
Total Rate	

Charges per item	Photocopying	Telephone Calls	Rate per km	Traveling time per hour
Standard rates				

8. QUOTATION

8.1. Email Quotations should be submitted by **16h00 on 26 October 2026** to the following email addresses: tenders@sacpcmp.org.za

These requirements are only minimum requirements. It is required that the Service provider familiarise himself/herself with the details of the services/ supplies to be able for him/her to quote accordingly. The quoted price must be in South African Rands and be inclusive of 15% VAT if VAT registered vendor.

8.2. PRICING SCHEDULE

NB: The validity period for this RFP should be at least three (3) Months from the closing date.

9. General Conditions of Contract

General Conditions of Contract (GCC) as per National Treasury will apply. Service providers must familiarise themselves with these conditions as they will be applicable throughout the contract period.

10. Evaluation Criteria

Quotations received will be evaluated according to the prescriptions of the Preferential Procurement Policy Framework Act no 5 of 2000, the Procurement Regulations of 2017 pertaining to the Act and the SACPCMP Procurement Policy determined within the framework of the Act. The 80/20 preference point system will apply.

11. Contract Management

The Service Provider will be required to sign a Standard Contract based on the duration and value of services.

Authorised Bidder's Signature

Date

PLEASE NOTE

1. Any quotation submitted after the closing date and time shall **NOT** be considered.
2. Ensure that your quotation covers **ALL** the above aspects of the RFQ.
3. **DO NOT** include insurance in your quote as SACPCMP provides its individual insurance.
4. **ALL QUOTATIONS and ENQUIRIES** are to be addressed to the respective person stipulated on the Request for Quotation **in the Supply Chain Management Department**.
5. The SACPCMP reserves the right to cancel the procurement process at any time without notice and not issue the order.
6. Conditional quotations will be subject to SACPCMP acceptance and approval processes.

7. It is no longer compulsory for bidders to submit SBD 4, 8 & 9 together with this RFQ on the stipulated closing date.
8. The SACPCMP shall request the preferred bidder/service provider to complete and submit SBD 4, 8 & 9 before any awards are finalised. The SBD form shall be valid for twelve (12) months from the date submitted. The onus will rest with the service provider who has been awarded the services to inform SACPCMP of any changes to the information provided on such SBD forms. Failure to do so will result in misrepresentation of facts/ information and may result in SACPCMP terminating the service or contract.
9. Payment terms: compliant invoices will be processed within 30 days after receipt.

FOR OFFICE USE ONLY

RECEIVED BY: _____

COMPANY STAMP

BIDDER'S DISCLOSURE**1. PURPOSE OF THE FORM**

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

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

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

2.2.1 If so, furnish particulars:

.....

.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

YES/NO

2.3.1 If so, furnish particulars:

.....

.....

3. DECLARATION

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

- 3.1. I have read and I understand the contents of this disclosure.
- 3.2. I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect.
- 3.3. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.5. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

3.6. There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

3.7. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE

.....

Signature

.....

Date

.....

.....

Position

Name of

Bidder ANNEXURE 2

SBD 6.¹

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids/ Quotations:

- the 80/20 system for requirements with a Rand value of above R30,000 and up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 The value of this bid cannot exceed an estimated amount of R50 000 000 (including all applicable taxes) and therefore the 80/20 preferential procurement point system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

¹ .4 The maximum points for this bid/ Quotation are allocated as follows:

Description	Number of points for preference
Price	80
Specific goals	Number of points for preference
More than 30% black shareholding or owned enterprise.	10
More than 30% woman or women shareholding or owned enterprise.	2
More than 30% youth shareholding or owned enterprise.	2
More than 30% of people living with disability shareholding or owned enterprise.	1
RDP Goals	
SMMEs	5

- (a) Price; and
- (b) Specific goals

- 1.6 Any specific goal for which a point may be awarded must be clearly specified in the invitation to submit a tender.
- 1.7 Tenderer failing to submit proof of required evidence to claim preferences for other specified goals, may only score in terms of the 80 or 90 points for price; and scores points out of 20 or 10 points, the relating to specific goals stated in the invitation to submit a tender.
- 1.8 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim deemed fit in any manner required by the purchaser.

2. DEFINITIONS

Black People”	has the meaning assigned to it in section 1 of the Broad Based Black Economic Empowerment Act.
“Disability”	means in respect of a person, a permanent means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being.
Highest acceptable tender;”	means a tender that complies with all specifications and conditions of tender and that has the highest price compared to other tenders
Historically Disadvantaged Individual (HDI)”	means a South African citizen: who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No 110 of 1983) or the Constitution of the Republic of South Africa, 1993, (Act No 200 of 1993) (“the Interim Constitution); and/or who is a female; and/or who has a disability: provided that a person who obtained South African citizenship on or after the coming to effect of the Interim Constitution, is deemed not to be a HDI

People with disabilities.”	In terms of the Code of Good Practice on the Employment of Persons with disabilities: it is persons who have a long-term or recurring physical or mental impairment, which substantially limits their prospects of entry into, or advancement in employment
Price”	means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
SMMEs”	means small businesses; as defined in section 1 of the National Small Business Act, 1996 (Act No 102 of 1996) a separate and distinct business entity, including co-operative enterprises and non-governmental organisations, managed by one owner or more which, including its branches or subsidiaries, if any, is predominantly carried on in any sector or sub sector of the economy mentioned in Column I of the Schedule and which can be classified as a micro-, a very small, a small or a medium enterprise by satisfying the criteria 40 mentioned in columns 3; 4 and 5 of the' Schedule opposite the smallest relevant size or class as mentioned in column 2 of the Schedule.
“Specific goals”	means specific goals as contemplated in section 2(1)(d) of the Act which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994;
“Tender”	means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
Youth”	means persons between the ages of 14 and 35 as the National Youth Development Agency Act 54 of 2008.

- (a) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or Quotations.
- (b) **“Broad-Based Black Economic Empowerment Act”** means the Broad-based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003).
- (c) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act.
- (d) **“Functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (e) **“prices”** includes all applicable taxes less all unconditional discounts.
- (f) **“Proof of B- BBEE status level of contributor”** means:
- 1) B-BBEE Status level certificate issued by an authorized body or person.
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice.
 - 3) Any other requirement prescribed in terms of the B-BBEE Act.
- (g) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act.
- (h) **“Rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes.

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20	or	90/10
$\frac{Ps - P_{min}}{Ps - P_{min}} \times 80$		$\frac{Ps - P_{min}}{Ps - P_{min}} \times 90$
$\frac{Ps - P_{min}}{Ps - P_{min}} \times 80$	or	$\frac{Ps - P_{min}}{Ps - P_{min}} \times 90$

Where-

Ps	=	Points scored for price of bid under
Pt	=	Price of the tender under consideration
Pmin	=	Price of lowest acceptable bid

4. POINTS AWARDED FOR SPECIFIC PREFERENTIAL GOALS

Specific goals	Number of points for preference	Number of points claimed (80/20 system) (To be completed by the tenderer)
More than 30% black shareholding or owned enterprise.	10	
More than 30% woman or women shareholding or owned enterprise.	2	
More than 30% youth shareholding or owned enterprise.	2	
More than 30% of people living with disability shareholding or owned enterprise.	1	
RDP Goals		
SMMEs	5	
TOTAL	100	

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: (maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted? (***Tick applicable box***)

YE		NO	
----	--	----	--

7.1.1. If yes, please indicate:

i) What percentage of the contract will be subcontracted.....% ii) The name of the subcontractor.....

.....
iii) The B-BBEE status level of the subcontractor..... iv) Whether the sub-contractor is an EME or QSE (***Tick applicable box***)

YE		NO	
----	--	----	--

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company name
firm.....

8.2 VAT registration number.....

8.3 Company registration
number.....

8.4 TYPE OF COMPANY/ FIRM [TICK APPLICABLE BOX]

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....
.....

8.6 COMPANY CLASSIFICATION [TICK APPLICABLE BOX]

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter,
etc.

8.7 Total number of years the company/firm has been in
business.....

8.8 I/we, the undersigned, who is/are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I/we acknowledge that:

- i) The information furnished is true and correct.
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.
- iv) If the B-BBEE status level of the contributor has been claimed or obtained on a fraudulent basis or any of the conditions of the contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding process.
- (b) recover costs, losses, or damages it has incurred or suffered as a result of that person's conduct.
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.
- (d) recommend that the bidder or contractor, its shareholders, and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES

1.....

2.....

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS:

Authorised Bidder's Signature

Date