EXPRESSION OF INTEREST:

POTENTIAL BIDDERS ARE REQUIRED TO NOTIFY THE LAND BANK SUPPLY CHAIN DEPARTMENT VIA E-MAIL OF THEIR INTENTION TO TENDER FOR THE ABOVEMENTIONED TENDER
NOTIFICATION OF INTENT TO BID FOR THIS TENDER WILL ALLOW THE SUPPLY CHAIN DEPARTMENT TO SHARE CRITICAL INFORMATION DURING THE DURATION OF THE TENDER
POTENTIAL BIDDERS ARE TO SUBMIT THE FOLLOWING DETAILS VIA E-MAIL TO Tenders@landbank.co.za
NAME OF COMPANY:
CONTACT PERSON(S):
PHONE:
CSD REGISTRATION NUMBER:
BBBEE LEVEL:
E-MAIL ADDRESS:

REQUEST FOR PROPOSAL

REQUEST FOR PROPOSALS FOR THE DISPOSAL OF THE LAND BANK'S NON-PERFORMING LOAN PORTFOLIO

The Land and Agricultural Development Bank of South Africa
P O Box 375 Pretoria 0001 First Floor Block A, Lakefield Office Park
272 Lenchem Avenue (Corner of Lenchen Avenue and West Avenue
De Hoewes, Centurian
Webaddress: www.landbank.co.za
Registered credit provider: Regnumber NCRCP18

1. TABLE OF CONTENTS

1. **INVITATION TO TENDER** 4
2. **OVERVIEW OF LAND BANK** 7
3. **TERMS OF REFERENCE** 8
4. **CONFIDENTIAL** 13
5. **MISCELLANEOUS** 13
6. **PREFERENCE AND FINANCIAL EVALUATION** 13
7. **TERMS OF CONTRACT** 13
8. **GENERAL MANDATORY CONDITIONS** 13
9. **OBJECTIONS AND RISK** 14
10. **SUBMISSION REQUIREMENTS** 15
11. **FICA AND COMPLIANCE** 15
12. **PROTECTION OF PERSONAL INFORMATION** 15

ANNEXURE A: VENDOR INFORMATION SHEET
ANNEXURE B: BIDDERS DISCLOSURE
ANNEXURE C: CONVENANT OF INTERGRITY
ANNEXURE D: FICA REQUIREMENTS
ANNEXURE E: SBD 6.1 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011
ANNEXURE F: TERMS AND CONDITIONS
ANNEXURE G: DRAFT SERVICE LEVEL AGREEMENT
ANNEXURE H: BRIBERY AND CORRUPTION DECLARATION

1. INVITATION TO TENDER

Tender Number	T18-11- 26
Title of this RFP	**Request for proposals for the disposal of the Land Bank's non-performing loan portfolio**
Issue Date	26 November 2026
Non-Compulsory briefing date	03 December 2026 at 11h00am on teams - https://teams.microsoft.com/meet/348798842421904?p=CRSnvNQR3jmKJ0Rmgk
Written questions of clarification closing date	08 December 2026 at 16h00
Written response to all clarifications	10 December 2026 at 16h00
RFP Closing Time & Date	**19 January 2027 @ 11:00am**
Delivery Address	Land Bank Head Office, Tender Box
	Lakefield Office Park, Block A, first floor
	272 West Avenue
	Die Hoewes, Centurion
Originals to be submitted	1 Original proposal
Copies to be submitted	1 soft copy (USB) **(soft copy and original document must contain the same information)**
Tender Validity Period	120 business days from the closing date

SBD 1 – Part one

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE LAND BANK					
BID NUMBER:	T18-11-26	CLOSING DATE:	19 January 2027	CLOSING TIME:	11h00am
DESCRIPTION	Request for proposals for the disposal of the Land Bank's non-performing loan portfolio				
BID RESPONSE DOCUMENTS MUSY BE HAND DELIVERED AT:					
Land Bank Head Office, Tender Box					
Lakefield Office Park, Block A, first floor					
272 West Avenue					
Die Hoewes, Centurion					

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**	
CONTACT PERSON	**Mr. S. Mthombeni**	CONTACT PERSON	**Mr. S. Mthombeni**
TELEPHONE NUMBER		TELEPHONE NUMBER	
E-MAIL ADDRESS	Tenders@landbank.co.za	E-MAIL ADDRESS	Tenders@landbank.co.za

SUPPLIER INFORMATION						
NAME OF BIDDER						
POSTAL ADDRESS						
STREET ADDRESS						
TELEPHONE NUMBER	CODE		NUMBER			
CELLPHONE NUMBER						
FACSIMILE NUMBER	CODE		NUMBER			
E-MAIL ADDRESS						
VAT REGISTRATION NUMBER						
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		**OR**	CENTRAL SUPPLIER DATABASE No:	MAAA	
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	☐Yes ☐No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?		☐Yes ☐No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....
(Proof of authority must be submitted e.g. company resolution)

DATE: .....

2. OVERVIEW OF LAND BANK

Established in 1912 to promote agricultural and rural development, the Land Bank provides production, instalment sale finance, and medium-term or mortgage loans to emerging and commercial farmers. From time to time, the Bank also administers other government programmes, such as drought relief schemes and flood assistance. The Land Bank is wholly- owned by the South African government, and is in turn the sole shareholder of LBIC and LBLIC,which provide insurance products in the agricultural sector.

The Bank's objectives flow from the Land Bank Act, No. 15 of 2002, and are aligned with government policies and the country's socio-economic needs. The Bank is expected to play a pivotal role in advancing agriculture and rural development. Its broad mandate, as expressed in the Land Bank Act, covers 11 objectives:

- Equitable ownership of agricultural land, in particular increasing the ownership ofagricultural land by historically disadvantaged persons
- Agrarian reform, land redistribution or development programmes aimed at historically disadvantaged persons
- Land access for agricultural purposes
- Agricultural entrepreneurship
- Removal of the legacy of racial and gender discrimination in agriculture
- Enhancing productivity, profitability, investment and innovation
- Growth of the agricultural sector and better use of land
- Environmental sustainability of land and related natural resources
- Rural development and job creation
- Commercial agriculture
- Food security

Land Bank is committed to contributing to socio-economic transformation in South Africa and will therefore be contributing to the Preference System of all suppliers who are complaint to the Broad–Based Black Economic Empowerment Act no.53 of 2003 and the Preferential Procurement Policy Framework Act no.5 of 2011.

3. TERMS OR REFERENCE FOR THE REQUEST FOR PROPOSALS FOR THE DISPOSAL OF THE LAND BANK'S NON-PERFORMING LOAN PORTFOLIO

I. BACKGROUND

The Land Bank is undertaking a strategic initiative to optimise the management of its non-performing assets in accordance with its approved strategy. As part of this initiative, the Land Bank is pursuing the disposal of identified non-performing loan exposures through a structured and competitive process.

This Request for Proposal (RFP) sets out the requirements, conditions and evaluation process applicable to the proposed disposal and invites suitably qualified and interested parties to participate in the process.

2. THE PURPOSE OF THIS REQUEST FOR PROPOSAL

The purpose of this RFP is to solicit proposals from suitably qualified, experienced and financially capable parties for the acquisition of the identified non-performing loan portfolio. The Land Bank seeks to identify a purchaser that offers the most commercially advantageous proposition, taking into consideration the bidder's technical capability, relevant experience, operational capacity and financial offer.

The RFP is intended to:

- Facilitate a transparent, fair and competitive process for the disposal of the portfolio.
- Assess bidders' technical capabilities, experience and capacity to undertake the proposed acquisition.
- Obtain competitive financial offers that support the Bank's objective of maximising value recovery from the disposal.
- Identify and appoint a preferred purchaser in accordance with the evaluation criteria and requirements set out in this RFP.

The procurement process will follow a **two-envelope system**, whereby bidders are required to submit their technical proposals, addressing the requirements under stage one and stage two, by the stipulated RFP closing date and time. Financial proposals must not be included in the initial submission.

Following the evaluation of technical proposals, only bidders who meet the prescribed requirements and are shortlisted by the Bank will be invited to submit their financial proposals. The financial proposals will be evaluated separately in accordance with the financial evaluation criteria and process set out in this RFP.

3. SCOPE OF WORK

Land Bank intends to dispose of a portfolio from its loan book in support of its approved strategy for the management of non-performing assets. This request for proposal relates to the part of that strategy concerned with the disposal of a portfolio of Land Bank's non-performing loan book, which includes both on-balance sheet and off-balance sheet exposures.

The non-performing loan portfolio identified for disposal in this RFP process amounts to approximately R3.36 billion and comprises exposures that have remained non-performing for periods exceeding three years. The portfolio is made up of pre-legal and legal exposures, as follows:

- Pre-legal portfolio – R1.16 billion
- Legal portfolio – R2.20 billion

The borrowers in the portfolio are spread nationally across all provinces of South Africa. The exposures in both the pre-legal and legal portfolios comprise a combination of secured and unsecured exposures.

The Portfolio shall be offered for disposal to prospective purchasers as a whole or, alternatively, in segmented portions, which portions may be further segmented at the discretion of Land Bank. The segmentation of the portfolio shall be defined and confirmed at Stage 3 of the evaluation process.

The secured exposures are primarily secured by immovable property in the agricultural sector.

The portfolio under disposal excludes exposures related to Land Bank Insurance Company (LBIC) and Land Bank Life Insurance Company (LBLIC).

4. QUALIFYING CRITERIA:

Tenders will be evaluated in three stages using the **two-envelope system**.

NB: Bidders are required to submit their technical proposals, addressing the requirements under stage one and stage two, by the stipulated RFP closing date and time. Financial proposals must not be included in the initial submission.

Only bidders who meet the prescribed requirements and are shortlisted by the Bank will be invited to submit their **financial proposals**.

4.1. Stage one - Mandatory requirements

Bidders must comply with and meet all the mandatory requirements referred to below. Bidders who do not meet any of the mandatory requirements listed below will be immediately disqualified.

NO	DESCRIPTION
1	Submit proof of National Credit Regulator certificate valid as at date of tender closure date.

NO	DESCRIPTION
2	Evidence of bidder's registration with the Council for Debt Collectors. An exemption declaration (Sworn affidavit commissioned) is required where the bidder falls outside the definition of a Debt Collector as described in Section 1 of the Debt Collectors Act 114 of 1998 - CFDC Certificate valid as at date of tender closure date.
3	Evidence of bidder's registration with the Financial Intelligence Centre (FIC).
4	A confirmation from the bidder's bank or financial institution confirming access to available funds, committed credit facilities or financing arrangements of at least R20 million, specifically indicating that such funding is available or accessible for the proposed acquisition
5	POPIA or information privacy policy adopted by the organisation to ensure compliance with POPIA requirements and information security policy.
6	Proof of company resolution to complete and/ or submit the bid.

4.1.1. Non-mandatory essential returnable documents

Bidders are requested to submit the essential returnable documents with the bid document.

- Land Bank reserves the right to request outstanding essential documents during the evaluation process, and the bidder will be expected to provide such within a limited period (not more than 5 working days).
- Failure to provide any outstanding information within the required timeframe will lead to a proposal being deemed non-responsive.

NO	DESCRIPTION
1	A proof that the bidder is in good standing with SARS. Such information will be verified through the Central Supply Database (CSD) or using SARS e-filing pin in National Treasury compliance with instruction note 9 of 2017/2018 prior to the award of the bid.
2	A proof of registration as a vendor on the National Treasury Central Supply Database (CSD), which can be found at https://secure.csd.gov.za/, in compliance with National Treasury compliance paragraph 4.2 with instruction note 4a of 2016/2017
3	SBD1 – A fully completed and duly signed Invitation to Bid
4	SBD 4 - A fully completed and duly signed disclosure form. Should a conflict of interest be declared or identified, the bid would be declared non-responsive. NB Bidder must ensure all pages are complete and all questions answered, and indicate not applicable (N/A) where appropriate.
5	Proof of Company CIPC registration, Share certificate and ID copies of directors/ owners of the company

4.2. STAGE TWO - TECHNICAL/FUNCTIONALITY EVALUATION

Category	Sub criteria	Total score	Score	Form of Evidence
The bidder must have at least three (3) years of operation and relevant financial services experience				
This criterion covers company experience	More than 5 years' experience	30	30	Company profile, Contract/ Award Letters/ Signed positive testimonial letters on the client's letterhead with contact details
	3 to 5 years' experience		15	
	Less than 3 year' experience		0	
Evidence of experience in acquiring or managing distressed commercial, corporate or agricultural loan assets				
This criterion covers positive testimonial letters from current or previous clients	Four positive testimonial letters	30	30	Signed Positive testimonial letters on the client letter head with contact details
	Three positive testimonial letters		20	
	Two positive testimonial letters		10	
	No or one positive testimonial letter		0	
Debt Recovery Methodology				
This sub-criterion covers supervision and management plan	Detailed debt recovery methodology properly addressing the recovery practices adopted in the collection of non-performing debt taking into account all explored recovery strategies inter alia settlement strategies, enforcement actions and litigation strategies	40	40	Detailed debt recovery methodology properly addressing all the three (3) key activities
	Detailed debt recovery methodology or methodology addressing the two (2) key activities - settlement strategies, enforcement actions and litigation strategies		20	
	Not debt recovery methodology or methodology does not address plan addressing the three (3) key activities - settlement strategies, enforcement actions and litigation strategies		0	
TOTAL POINTS		**100**	**60 minimum points required**	

4.3. Stage three (03) – Price and specific goals

The main purpose at this stage is to afford the **shortlisted bidders** the opportunity to undertake due diligence on the actual book being offered for disposal based on available information and provide the Bank with an offer to acquire on/or before the closing date that will be stipulated.

The following are key steps to be followed:

4.3.1. Bidder to provide a list of their representative(s) who will require access to the data portal

4.3.2. Bidders representative(s) to submit all required documents prior to access being granted – details will be provided by the Bank following the technical in Stage 2 above. Access will be terminated at the end of the due diligence period, i.e. on the date when the bid closes.

4.3.3. Bidder to submit their detailed proposal to the Bank, including but not limited to list of the targeted debtors and pricing.

4.3.4. Price instructions

- Shortlisted bidders are required to submit a financial offer indicating the proposed purchase consideration for the acquisition of the non-performing loan portfolio.
- All prices must be quoted in South African Rand (ZAR) and must clearly indicate whether the proposed purchase consideration is inclusive or exclusive of any applicable taxes, duties or transaction costs.
- All pricing shown must EXCLUDE VAT, with the VAT components being as shown separately on all costed/priced items/services.
- All pricing assumptions, excluded costs and estimated costs must be clearly documented.
- **The Portfolio shall be offered for disposal to prospective purchasers as a whole or, alternatively, in segmented portions, which portions may be further segmented at the discretion of Land Bank. The segmentation of the portfolio shall be defined and confirmed at Stage 3 of the evaluation process.**
- The financial proposal must clearly indicate:
    - Purchase Price: The total monetary consideration offered for the acquisition of the portfolio, expressed in South African Rand (ZAR).
    - Portfolio Valuation: The basis and methodology applied in determining the proposed purchase price, including the key assumptions and considerations underpinning the valuation.
    - Price Breakdown: Where applicable, the proposed purchase consideration for the pre-legal and legal portfolios, separately indicating the amounts attributable to each portfolio.
    - Payment Terms: The proposed payment structure, including the payment timeline, conditions and any instalment arrangements, where applicable.
    - Conditions and Assumptions: Any conditions, exclusions, qualifications or assumptions underlying the financial offer.

4. Confidentiality

The bidder will be required to sign a confidentiality agreement to ensure that the Bank data and information is managed confidentially.

5. Miscellaneous

The Bank reserves the right, in its sole and absolute discretion to amend these terms of reference as required from time to time.

6. Preference and Financial Evaluation

6.1. Price and Specific Goals

This phase is the final stage in the evaluation process and only successful bidders that have passed stage one and two requirements will be considered. In this phase only price and specific goals will be considered. To qualify for specific goals, a valid B-BBEE certificate needs to be submitted with this bid.

Land Bank will evaluate all tenders in terms of Preferential Procurement Policy Framework regulation of 2022 (PPPFA). The scoring methodology will apply. A copy of the PPPFA regulations can be downloaded from www.treasury.gov.za

Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

Bidders are required to complete Annexure I SBD 6.1 in full to ensure all BBBEE and sub-contracting information are submitted at the time of the bid closing

7. TERMS OF CONTRACT

Before the tender will be awarded and before the commencement of any work, the successful tenderer will enter into a Service Level Agreement with the Land Bank which will form the contractual basis for the delivery of the services as well as how performance will be measured and will include the General Conditions of the Contract.

The Service Provider will not proceed with any work, tasks or requests without being in possession of a duly signed Service Level Agreement or any other form of agreement, letter of intent, communicated to the Service Provider from the Land Bank Procurement Department.

Should the Service Provider commence with any work without a signed Service Level Agreement, the Service Provider will be doing so solely at their own risk and Land Bank will not be liable or be under any obligations whatsoever.

8. GENERAL CONDITIONS

All tenderers responding to this request for Proposals must provide the following statutory compliance documentation in order to be considered:

a) Completed Vendor Accreditation Form
b) Proof of registration to the Central Supplier Database (CSD)
c) Cancelled cheque and/or stamped letter from the Bank
d) All Supplier information and disclosure forms must be properly completed, signed and stamped by a Commissioner of Oaths
e) Any false declaration of information will result in the exclusion of the proposal from consideration
f) Bidders to submit a tax compliance status (TCS) pin issued by SARS along with a valid tax clearance certificate
g) A BEE certificate from a SANAS accredited rating agency or Affidavit substantiating the bidders B-BBEE rating
h) Certified copy of Identity Documents of Shareholders/Directors
i) In the case of Consortium or Joint Venture, bidders are required to provide copies of signed agreements stipulating the work split.
j) The Land Bank may invite bidders for an oral interview prior to the approval of a bid. Land Bank will not be liable for the costs incurred by the tenderer in connection with such interview.

9. OBJECTIVE CRITERIA & RISK ANALYSIS

9.1. In addition to the financial offer and preference evaluation, the Tenderers having the highest ranking / number of points, will additionally be reviewed against the following points listed in order to ascertain suitability for award.

a) If having passed Qualifying Criteria, the tenderer will again be checked in terms of having a Compliant Tax Status at time of recommendation to confirm that the status has not changed, based on an active and Tax Complaint Pin issued by the South African Revenue Services
b) Fully compliant and registered with the National Treasury Central Supplier Database
c) No misrepresentation in the tender information submitted
d) Any non-performance on Land Bank projects
e) The tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; and
f) The tenderer has declared that there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the employer or potentially compromise the tender process and persons in the employ of the state are permitted to submit tenders or participate in the contract
g) Convicted by a court of law for fraud and corruption
h) Removed from a contract between them and any organ of state on account of failure to perform on or comply with the contract
i) Unduly high or unduly low Tendered rates in the Tender offer. In this regard, a financial risk analysis will be performed to verify that the costs are reasonable and balanced. Tenders may be disqualified if tendered rates are found to be distorted.
j) In terms of unduly high Tendered fees in the Tender offer, refer to the PPR2022.

9.2. Land Bank Insurance may perform a due diligence exercise on the preferred tenderer to determine its risk- profile. The outcome of the due diligence exercise may be considered as an objective criterion. A due diligence exercise may include, but is not limited to, the following factors;

9.2.1. Financial Analysis of Tenderers Financial Statements.
Financial health of the bidder may be assessed if deemed necessary, to ensure that the service provider will be able to operate as per required deliverables (Ratios: Accounts Receivable & Payable Turnover, Liquidity & Solvency). In the case of an unincorporated JV or a SPV, each partner of the entity must submit their financial statements and it will be consolidated to determine their capability to execute the applicable contract.

9.2.2. Judgements and criminal convictions.
Land Bank may consider previous civil judgements against the preferred tenderer as part of its risk assessment. Land Bank may also consider whether the preferred tenderer or any of its directors have been-convicted of a serious offence.

9.2.3. Pending litigation
Land Bank may consider any pending litigation in a court of law or administrative tribunal as part of its risk assessment.

9.2.4. Performance
Land Bank may consider the Service Provider having a history of poor performance on any task orders/purchase orders or contracts, including poor performance in respect of compliance with policies or procedures regarding safety, health, quality control or environment, or having committed a serious and gross breach of contract.

9.2.5. Reputational-harm
If Land Bank is likely to suffer substantial reputational harm as a result of doing business with the preferred service provider, it may take this into account as part of its risk assessment.

The above set out other objective criteria may be clarified during the evaluation and correction of any

non-compliance may be negotiated with the highest scoring tenderer, if possible. However, should the tenderer not comply with these requirements by the close of negotiations, Land Bank reserves have the right to award to the next ranked tenderer.

9.2.6. Conduct interviews

Land Bank reserves the right to conduct interviews and/or presentations with bidders, in accordance with the stipulated evaluation criteria, as part of the tender evaluation process. The purpose of such interviews and/or presentations will be to further assess and validate the bidders' understanding of the scope of work, relevant industry experience, technical expertise, organisational capacity and overall capability to deliver the required services.

All interviews and/or presentations will be conducted in a fair, transparent and consistent manner, applying the same predetermined evaluation criteria to shortlisted bidders.

10. SUBMISSION REQUIREMENTS

- Any service provider requiring clarification on any matter whatsoever, including questions relating to the specifications required of the service provider to perform this project or the tender and evaluation process must do so via e-mail and address such request to Tenders@landbank.co.za
- Proposals must be deposited in or couriered to the tender box at the reception area of Land Bank Head Office, Lakefield Office Park, Block A first floor, 272 West Avenue, Die Hoewes, Centurion on or before **19 January 2027 @ 11:00am.**

11. FICA AND COMPLIANCE CHECKS

Land Bank, in its capacity as an accountable institution, has a duty to verify the identity of all its clients in compliance with the Financial Intelligence Centre Act No 38 of 2001 (FICA).

The Land Bank shall thus conduct a comprehensive PEP screening on the successful bidder and therefore requests all bidders to submit the Know Your Customer (KYC) documents as listed in Annexure D of this RFP document.

12. PROTECTION OF PERSONAL INFORMATION

In submitting any information or documentation requested above or any other information that may be requested pursuant to this RFP, you are consenting to the processing by Land Bank or its stakeholders of your personal information and all other personal information contained therein, as contemplated in the Protection of Personal Information Act, No.4 of 2013 and Regulations promulgated thereunder ("POPI Act"). You also consent that any information, either written or verbal, may be made available to third parties strictly for the purpose of oversight to this tenders' appointment. Further, you declare that you have obtained all consents required by the POPI Act or any other law applicable. Thus, you hereby indemnify Land Bank against any civil or criminal action, administrative fine or other penalty or loss that may arise because of the processing of any personal information that you submit.

SUGGESTED COMPILATION OF BIDS

PLEASE ENSURE THAT THE SEPARATE ANNEXURES/FILES ARE NAMED ACCORDINGLY ONYOUR USB AND HARD COPY SUBMISSION

Name of Firm	
CSD Registration Number	
Contact Person	
Contact Number	
Physical Address	
E-mail Address	
Administrative	
Submit a fully Completed RFP including Financial Proposal using the template provided	
Annexure A: Vendor Accreditation Form	
Annexure B: Bidders Disclosure Form	
Annexure C: Covenant of Integrity Declaration	
Annexure D: Land Bank FICA requirements	
Annexure E: Terms and Conditions	
Annexure F: Service Provider Agreement *This is included for informative purposes and does not need to be completed. *Successful bidder(s) will enter into the service provider agreement attached in this RFP, with the addition of their proposed financial submission, services, time lines, etc.	
Annexure G: Bribery & Corruption Declaration	
Annexure H: SBD 6.1 Preference Points Claim Form in Terms of The Preferential Procurement Regulations 2022	
Annexure I: Valid BBBEE Certificate or Affidavit	
Annexure J: Tax compliance status (TCS) pin issued by SARS along with a valid tax clearance certificate	
Annexure K: latest stamped letter from the bank confirming banking details	
Annexure L: National Treasury's CSD Proof of registration	
Annexure M: **MANDATORY CRITERIA SUPPORTING DOCUMENTATION**	
Annexure N **FUNCTIONALITY CRITERIA SUPPORTING DOCUMENTATION**	
Annexure o: Price breakdown supporting financial proposal, **where applicable**	
Annexure P: CIPC documents with ID copies of directors or owners of the company and company share certificate. Where any shareholders or beneficiaries are registered trusts, please also provide the Trust Deed, Letter of Authority and certified ID copies of all trustees and beneficiaries.	
Detailed company structure up to the ultimate beneficial owner (UBO) for the company. Where the ownership structure is multi-layered, please provide a detailed organisational structure, including all intermediate entities, up to the ultimate beneficial owner (UBO), together with supporting documentation for each layer.	

ANNEXURE A

Vendor information sheet

SAP Registration number

1. Registration name of company _____
2. Company registration number _____
3. VAT number _____
4. Company details Street address Postal address

Building/complex _____ PO Box _____
Street name _____ City _____
Suburb _____ Code _____

City _____ Suburb _____
Code _____
Telephone no _____ **Contact person** _____
Fax no _____ **Direct Tel** _____
E-mail _____ **Direct Fax** _____

5. Payment terms _____
6. Payment must be made in (currency) _____
7. Bank detail Please attach banking details on an original letterhead signed by CEO/Director/s appearing on the letterhead.

Bank name _____
Branch __
Type of account _____ (eg. Current account; Cheque account, Savings account, e.t.c)
Account number _____ Branch code _____

8. Contact person for Account queries Name S C M
Cell no _____ Tel no (
E-mail tenders@landbank.co.za Fax no _____

9. **How much is the company's annual turnover? : R** _____

10. Share holding - (Please list Share holders with their % of share holding)

Title	Name	Identity number	Race	% share holding

11.

INT - International business ( )
JVB - Joint venture business ( )

Business indicator - mark with (**X**) in the bracket

HDP - Historically Disadvantaged Persons ( )
EXB - Existing business ( )

12. Additional

List the commodities / service that you currently supply to Land Bank Currently providing	Can provide

I the undersigned, confirm that the information provided on this vendor information sheet is accurate and contains no misrepresentations or omissions, and is based on current information known to me. I also undertake to immediately inform the Land Bank of any changes to the above furnished information. The Land Bank is hereby allowed to verify any of the details provided.

Name _____ Signature _____

Designation Date

FOR OFFICE USE ONLY (LAND BANK)

Procurement Department

Name & Signature _____ Date: _____

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

1.1 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, 1996 (Constitution), and further expressed in the various applicable legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

1.2 If a person is 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. DECLARATION ON EMPLOYMENT BY ORGAN OF STATE

2.1 Is the bidder, or any of the directors / trustees / shareholders / members / partners of the bidder employed by an organ of state, as defined in section 239 of the Constitution? **YES/NO**

2.2 If YES, furnish particulars of the names, individual identity numbers, in the table below:

Full Name	**Identity Number**	**Name of organ of state**

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

2.3.1 If so, furnish particulars:

……
……

……

2.4 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

2.4.1 If so, indicate all companies registered in the CSD in the table below:

Supplier registration number (MAAA)	**Status (active/inactive/deleted)**

Failure to disclose all CSD-registered active companies linked to all Directors will lead to disqualification.

3 GENERAL DECLARATION

I, ……....., the undersigned, 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 to be false.

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor.

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.

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, 1998 (Act No. 89 of 1998) and or may be referred to law enforcement agencies for criminal investigation and or may be restricted from conducting business with the state for a period not exceeding 10 years in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) or any other applicable legislation.

I CERTIFY THAT THE ABOVE IS CORRECT.

I ACCEPT THAT THE PROCURING INSTITUTION MAY REJECT THE BID OR TAKE APPROPRIATE ACTION AGAINST ME IF THIS DECLARATION IS FALSE.

.....	.....
Signature	Date
.....	.....
Designation	Name of bidder

ANNEXURE C

CONVENANT OF INTERGRITY

I, the undersigned,

_____

(Full names)

do hereby make oath and state as follows:

1. I am:

1.1. an adult male/female aged__;

1.2. presently employed as/carrying on business as _____ situated at_____.

2. The facts stated herein are both true and correct and within my personal knowledge and beliefunless otherwise stated.

3. I hereby confirm that:

3.1. I am duly authorised to depose to this affidavit;

3.2. neither myself nor anyone acting on behalf of the tenderer is, or will be, engaged in any Prohibited Practice as defined in 4 below in connection in respect of any tendering process orin the provision of services and/or goods;

3.3. I will immediately inform Land bank of any instance of any such Prohibited Practice which comes to my attention and/or the attention of the tenderer and/or its employees or agentsconcerning the following;

3.3.1. if any of the tenderer's directors, employees or agents has been convicted in anycourt for any offence involving a Prohibited Practice in connection with any tendering process and/or the provision of goods or services during the 5 (five) years immediately preceding the date of this affidavit; and/or

3.3.2. if any of the tenderer's directors, employees or agents is dismissed or resigns fromthe tenderer's employment on grounds of being implicated in any Prohibited Practice.

3.4. I will provide Land Bank with full details of such conviction, dismissal or resignation and themeasures taken to ensure that neither the tenderer nor any of its directors, employees or agents commits any Prohibited Practice in future.

3.5. In the event that the tenderer is awarded any business by land bank, the tenderer grants Land bank or its employees and/or agents the right of inspection of its

records. The tenderershall preserve such records in accordance with applicable law but in any case for at least 3 (three) years after conclusion of each transaction contemplated under the Request for Tender.

4. I acknowledge that for all purposes under this affidavit, the following terms and/or expressionsbelow shall bear the meanings set out hereunder:

4.1. "Corrupt Practice" means the offering, giving or promising of any improper advantage to

influence the action of a Public Official, or the threatening of injury to his person, employment, property, rights or reputation, in connection with any procurement process orin the execution of any contract in order that any person may obtain or retain business improperly or obtain any other improper advantage in the conduct of business;

4.2. "Fraudulent Practice" means a dishonest statement or act of concealment which is intendedto, or tends to, improperly influence the procurement process or the execution of a contractto the detriment or potential detriment of land bank or is designed to establish tender pricesat non-competitive levels and/or to deprive land bank of the benefits of fair and open competition, and includes collusive practices (whether before or after tender submission) among tenderers or between a tenderer and a consultant or any employees or agents of Land bank;

4.3. "Public Official" means any person holding a legislative, administrative, managerial, political or judicial post in any country, or exercising any public function in any country or a director or employee of a public authority or of a legal person controlled by a public authority of anycountry, or a director or official of a public international organisation; and

4.4. "Prohibited Practice" means an act that is either a Corrupt Practice or a Fraudulent Practice.

5. I/We consent that Land Bank will process (by collecting, using, storing or otherwise dealing with) my/our personal information and that of third parties which I/we provide, for the purposes of providing services and products to me/us. The personal information will be processed in accordance with the requirements of the law. All personal information I/we provide to Land Bank is given voluntarily. However, if I/we withhold any personal information requested; withhold consent for or object to the processing of my/our personal information, this may result in Land Bank not establishing or continuing a relationship.

_____

DEPONENT

Thus done and signed at_____on this the_____day of_____2023 the Deponent having acknowledged that:

1. he/she knows and understands the contents of this declaration;

2. he/she has no objection to taking the prescribed oath; and

3. he/she considers the prescribed oath to be binding on his/her conscience.

Commissioner of Oaths Stamp	_____ COMMISSIONER OF OATHS _____ FULL NAMES

	CAPACITY _____ BUSINESS ADDRESS

ANNEXURE D

Land Bank, in its capacity as an accountable institution, has a duty to verify the identity of all itsclients in compliance with the Financial Intelligence Centre Act No 38 of 2001(FICA).

Know Your Customer (KYC) documents are required for each client transaction. The requirements foreach entity type are listed below.

Individuals

- Green, bar-coded Identity document **(also used for PEPs/Sanctioned screening purposes)**if not available valid reason why identity document could not be provided together with a valid Passport or valid driver's licence
- Valid Passport (for foreign nationals)
- Proof of physical residential address
- Authority to act (if applicable) : power of attorney / letter of appointment from the court and Identity document, physical residential address and contact details of persons authorised to act
- Birth certificate (for minors under 18 years) and proof of authority (where minor is assisted bylegal guardian)

Unlisted Companies

South African

- Certificate of Incorporation (CM1 or CoR 15.1/CoR 14.1)
- Certified copy of Change of Name, if applicable (CM9 or CoR 9.1 or 2)
- Notice of Registered Office and Postal Address (CM22 or CoR 21)
- Current list of Directors (CM29 or CoR 39) **(also used for PEPs/Sanctioned screening purposes)**
- Authority to act : Directors' Resolution and/or Delegation of Authority
- In respect of the Principal Executive Officer , each Director, each Authorised person, and eachshareholder holding more than 25% of the voting rights of the company:
  - Certified copy of the Identity document
  - residential address and contact details
- Proof of physical business address and trading/operating name
- **Beneficial ownership (warm body that owns the company) of the company. If the shareholder is another company, provide shareholder details and beneficial ownership. Process continues till we establish the ultimate beneficial owner. If theshareholder is a trust, the trust deed needs to be provided to identify and verify all trustees, founders and beneficiaries to the trust.**

Foreign

- Official Document of Incorporation (or CoR 17.1)
- Registration Certificate (CoR 17.3)
- If trading in RSA, documents for RSA unlisted companies
- Authority to act : Directors' Resolution
- Identity document/Passport, details of physical residential address and contact details of relatedparties and persons authorised to act **(also used for PEPs/Sanctioned screening purposes)**

- Proof of physical business address and trading/operating name

Listed Companies

- Registration Certificate (Registrar of Companies or equivalent regulator- foreign companies)
- Documentary evidence of listing (printout from the official website of the stock exchange onwhich the entity is listed is required)
- Authority to act : Directors' resolution
- Identity document proof of residence and contact details of persons authorised to act **(also usedfor PEPs/Sanctioned screening purposes)**

Close corporations (CC)

- Founding Statement and Certificate of Incorporation (CK1)
- Amended Founding Statement (CK2), (If applicable)
- Authority to act : Members' Resolution
- Identity document, physical residential address and contact details of each member, persons authorised to act and of the Person Exercising Executive control over the CC. **(also used forPEPs/Sanctioned screening purposes)**
- Proof of physical business address and trade name

Conversion of Close Corporation (If a Close Corporation converts to another entity type, thefollowing forms are applicable)

- Form CoR 18.1 – Application to convert a Close Corporation
- Form CoR 18.3 – Registration Certificate

Trusts

- Trust Deed or other Founding Document
- A Foreign Trust: an official document reflecting appointment of Trustees issued by an authority inthe country where the Trust is created
- Authority to act : Letter of Authority from the Master of the High Court and Trustees' Resolution
- Identity document, physical residential address and contact details of each trustee, each beneficiary, the founder and the persons authorised to act **(also used for PEPs/Sanctioned screening purposes)**
- Proof of registered address of Master of High Court (stamp on letter of authority)

Partnerships

- Partnership Agreement
- Authority to act: Partners' Resolution
- Identity document, physical residential address and contact details of all the partners and persons authorised to act and of the Person Exercising Executive control of the partnership **(alsoused for PEPs/Sanctioned screening purposes)**

Professional partnerships

- (Certain Partnerships consisting of more than (20) partners which are incorporated in terms of Section 30(2) of Company's Act 61 of 1963 which are recognized in terms of the relevant Government Gazettes examples are: Attorneys, Notaries and Conveyancers, Public Accountantsand Auditors, Medical Practitioners, Pharmacists, Professional Engineers, Quantity Surveyors, Stockbrokers and Architect)
- Registration certificate (provide proof of registration of the partnership by a regulatory body)
- Partners Resolution (Authority to act)

- Identity document residential and contact details for Persons Authorised to Act and of the Person Exercising Executive control of the partnership **(also used for PEPs/Sanctioned screening purposes)**
- Proof of physical business address

PEPS

Politically exposed person or PEP is the term used for an individual who is or has in the past been entrusted with prominent public functions in a particular country. The principles issued by the Wolfsberg Group of leading international financial institutions give an indication of best banking practice guidance on these issues. These principles are applicable to both domestic and international PEPs.

The following examples serve as aids in defining PEPs:

- Heads of State, Heads of Government and cabinet ministers;
- influential functionaries in nationalised industries and government administration;
- senior judges;
- senior political party functionaries;
- senior and/or influential officials, functionaries and military leaders and
- people with similar functions in international or supranational organisations;
- members of ruling or royal families;
- senior and/or influential representatives of religious organisations (if these
- functions are connected to political, judicial, military or administrative responsibilities).

According to the Wolfsberg principles, families and closely associated persons of PEPs should also be given special attention by a bank. The term "families" includes close family members such as spouses, children, parents and siblings and may also include other blood relatives and relatives by marriage. The category of "closely associated persons" includes close business colleagues and personal advisers/consultants to the PEP as well as persons, who obviously benefit significantly frombeing close to such a person.

A bank should conduct proper due diligence on both a PEP and the persons acting on his or her behalf. Similarly, KYC principles should be applied without exception to PEPs, families of PEPs andclosely associated persons to the PEP.

Proof of physical residential/business address

Any one of the following documents reflecting the physical/business address is acceptable **:**

- Utility bill (must be less than 3 months old, unless otherwise specified)
- Current lease or rental agreement
- Bank statement
- Municipal rates and taxes invoice
- Valid television licence
- Mortgage statement
- Telkom account
- Valid motor vehicle licence
- Insurance policy
- Tax return (less than 1 year old)
- Letter from bank manager, medical practitioner, accountant, or attorney, on a formal letterhead, stating that they know the client for three years and confirming physical address
- Letter on letterhead, signed by board of trustees, directors' etc. confirming physical businessaddress
- Correspondence from a body corporate or shareblock association
- Payslip or salary advice

All address verification documents must be valid and reflect the name and the current physical address of the client (legal property descriptions are also acceptable - e.g. erf/stand numbers).

Spouse/partner

Any of above documents for spouse, together with marriage certificate or if not available;

- Affidavit from person co-habiting with client, providing:

Name, identity number and physical residential address of client and co-habitant
Relationship between client and co-habitant
Confirmation that residential address is shared

Parent:

- Any of above documents for parent
- Must be accompanied by the child's birth certificate (for a minor)

If above documentation not available:

Visit to physical address by a Land Bank employee, or

Affidavit from client (as a last resort), providing:

- Name, identity number and physical residential address
- Confirmation that client resides at physical residential address

Trade name (if this is not reflected on the proof of physical business address)

Any one of the following documents reflecting the Trade Name is acceptable:

- An Original Company Letterhead
- Utility bill (less than three months old)
- Bank statement or financial statement from another financial institution (less than threemonths old)
- Valid lease or rental agreement (signed by all relevant parties)
- Municipal rates and taxes invoice (less than three months old)
- Mortgage statement from another financial institution (less than six months old)
- Telephone account i.e. a land-line or cell phone (less than three months old)
- An official tax return (less than one year old)
- An official tax assessment or official correspondence from the local revenue services (lessthan three months old)
- Valid television licence document
- A recent short-term insurance policy or a renewal letter (less than one year old)

Definitions

Principal Executive Officer

Refers to the principal executive officer such as the CEO, CFO, COO, MD, FD or any person whoexercises executive control.

Authorised Persons

These are individuals who are authorised to act on behalf of the Company/Legal Entity and who are authorised to establish a relationship with Land Bank on behalf of the company/legal entity.

Authority of Individuals purporting to act on behalf of the Company/Legal Entity:

- Duly executed Board Resolution authorising the opening of an account/establishment of thebusiness relationship/conclusion of the transaction and conferring authority on those who will establish the business relationship/conclude the single transaction; OR
- Certified extract of the minutes proving authority; OR
- Original letter signed by the company secretary on the official company letterhead

If a 3rd party is acting on behalf of the Client(Individual) the following is required:

- Proof of authority (i.e.) power of attorney, mandate, resolution, court order,
- Letters of appointment by the Master of the High Court
- Individual FICA above, for the person who is acting on behalf of the Client (together withall the FICA documentation of the Client)

Certified or Verified

We are required to hold originally certified/verified copies of the following documentation on record. Strictly, only clear, legible copies of identity and other documents will be accepted.

Please provide the original or certified copies of the following documentation for each shareholder holding 25% or more of voting rights at a general meeting of thecompany:

- South African (Pty) Company – Certificate of Incorporation and Notice of Registered Officeand Postal Address, and a letterhead of the company;
- Listed Company – Latest Annual Report;
- Foreign Private Company: the official document reflecting the incorporation of the foreigncompany issued by the relevant registrar of companies or similar authority of the countryof incorporation of the foreign company, reflecting the company's incorporation and bearing its name and number of incorporation and the address where it is situated for purposes of its incorporation, together with a letterhead of the company;
- Close Corporation – Founding Statement and Certificate of Incorporation and AmendingFounding together with a letterhead of the close corporation.

By submitting your information as requested above, you consent that Land Bank will process (by collecting, using, storing or otherwise dealing with) the personal information and that of third parties which is provide, for the purposes of providing services and products. The personal information will be processed in accordance with the requirements of the law. All personal information provided to Land Bank is given voluntarily. However, if you withhold any personal information requested; withhold consent for or object to the processing of the personal information, this may result in Land Bank not establishing or continuing a relationship.

SBD 6.1 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

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

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

---

1. GENERAL CONDITIONS

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

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

1.2 **To be completed by the organ of state**

a) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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

(a) Price; and

(b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80/90
SPECIFIC GOALS	20/10
Total points for Price and SPECIFIC GOALS	**100**

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

(a) **"tender"** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

(b) **"price"** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;

(c) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

(d) **"tender for income-generating contracts"** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **"the Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

80/20

$$Ps = 80\left(1 + \frac{Pt - P\,max}{P\,max}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Historically Disadvantaged Persons (HDPs): Minimum 51% ownership	5	10		
Women-Owned Enterprises: Minimum 30% ownership	2	4		
Persons with Disabilities: Minimum 51% ownership	2	4		
Youth-Owned Enterprises: Minimum 51% ownership	1	2		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm…….

4.4. Company registration number: ……..

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

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

i) The information furnished is true and correct;

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;

iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

(a) disqualify the person from the tendering process;

(b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

(c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

(d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: .....
DATE: .....

ADDRESS: .....

.....

.....

.....