



**LEGAL
PRACTITIONERS
FIDELITY FUND**
SOUTH AFRICA

REQUEST FOR PROPOSALS (RFP)

Review of Whistleblowing Policy and Procurement of Independent
Whistleblowing Hotline Services

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CONTENTS

1. INVITATION TO BID	3
2. BACKGROUND	3
3. PURPOSE OF THE RFP	3
4. OBJECTIVES	4
5. SCOPE OF WORK	4
6. DELIVERABLES	6
7. MINIMUM COMPANY REQUIREMENTS	7
8. PROPOSAL REQUIREMENTS	7
9. EVALUATION CRITERIA	7
10. SUBMISSION TIME, DATE AND ADDRESS	10
11. RFP PROCESS REQUIREMENTS	10
12. VALIDITY PERIOD	11
13. COMMUNICATION - CLARIFICATIONS	11
ANNEXURE A	12
ANNEXURE B	13
ANNEXURE C	17
ANNEXURE D	19
ANNEXURE E	21
ANNEXURE F	25

1. INVITATION TO BID

The Fund invites suitably qualified and experienced service providers to submit proposals for the review of its Whistleblowing Policy and associated framework, and the provision of independent whistleblowing hotline services.

The successful bidder will be required to conduct a comprehensive assessment of the Fund's whistleblowing framework, recommend improvements aligned with legal, regulatory, governance, and industry best practices, and provide an independent, secure, and confidential whistleblowing hotline service.

The review and hotline solution must align with and support the Fund's Fraud and Corruption Strategy and Policy Framework.

Respondents wishing to submit a proposal are requested to return the signed Non-Disclosure Agreement (Annexure F) in order to receive the Fund's Whistleblowing Policy and the Fraud and Corruption Prevention Strategy document.

2. BACKGROUND

The Fund is committed to promoting ethical conduct, integrity, transparency, accountability, and good governance. As part of this commitment, the Fund maintains mechanisms that enable employees, contractors, service providers, claimants, and other stakeholders to confidentially report actual or suspected misconduct.

The Fund recognises whistleblowing as a key Fraud and anti-corruption control and seeks to strengthen its whistleblowing programme through an independent review and the appointment of a suitably qualified hotline service provider.

3. PURPOSE OF THE RFP

The purpose of this RFP is to request the submission of proposals from a service provider to provide the services listed below:

A. Whistleblowing Policy Review

- Review and assess the current Whistleblowing Policy and related procedures
- Assess alignment with applicable legislation and governance requirements.
- Identify gaps and improvement opportunities
- Benchmark against local and international best practices
- Ensure alignment with the Fund's Fraud and Corruption Strategy and Policy Framework
- Develop a revised Whistleblowing Policy and supporting procedures.

B. Independent Hotline Services

- Provide a secure, independent, and confidential whistleblowing hotline service.
- Facilitate anonymous reporting where legally permissible
- Support fraud, corruption, misconduct, and ethics reporting
- Provide case management and reporting functionality
- Support organisational monitoring and governance oversight

4. OBJECTIVES

The assignment seeks to achieve the following objectives:

- Strengthening the Fund's ethics and integrity framework
- Enhance the effectiveness of whistleblower reporting mechanisms
- Improve fraud and corruption reporting, detection, and investigation capability
- Ensure compliance with applicable legislation and governance standards
- Improve management reporting and trend analysis
- Increase stakeholder confidence in the whistleblowing process
- Strengthen whistleblower protection measures
- Implement an independent and professionally managed hotline service.

5. SCOPE OF WORK

Part A: Review of Whistleblowing Policy and Framework

The service provider shall:

5.1 Whistleblowing Policy Revision

Review and assess:

- Existing Whistleblowing Policy
- Related procedures and reporting protocols
- Legal and regulatory compliance requirements
- Confidentiality and protection measures
- Investigation and escalation processes

- Conduct a comprehensive gap analysis
- Benchmark against industry best practices
- Identify weaknesses and improvement opportunities
- Recommend framework enhancements

5.2 Fraud and Corruption Alignment

Assess the extent to which the whistleblowing framework supports:

- Fraud prevention initiatives
- Fraud detection controls
- Corruption reporting mechanisms
- Anti-bribery controls
- Ethics and compliance programs
- Fraud investigation processes
- Risk management requirements
- Fraud and Corruption Strategy and Policy Framework objectives

5.3 Stakeholder Consultation

Engage relevant stakeholders including:

- Executive Management
- Compliance
- Enterprise Risk Management
- Internal Audit
- Human Resources
- Other designated stakeholders

5.4 Whistleblowing Policy Development

The successful bidder shall develop:

- Revised Whistleblowing Policy
- Supporting procedures
- Reporting protocols
- Governance framework recommendations.
- Implementation roadmap

Part B: Provision of Whistleblowing Hotline Services

5.5 Functional Requirements

The hotline service must be provided:

- 24 hours per day, 7 days per week availability
- Independent administration
- Toll-free reporting capability
- Multilingual reporting services
- Telephone reporting channel
- Web-based reporting platform
- Email reporting option
- Mobile reporting capability (if available)
- Anonymous reporting functionality
- Secure evidence submission capability
- Case tracking and management
- Follow-up communication with reporters
- Escalation and workflow management.

5.6 Fraud and Corruption Reporting Capability

The solution must allow for:

- Categorisation of fraud and corruption allegations
- Reporting of bribery, theft, procurement irregularities, conflicts of interest, misconduct, and unethical behaviour
- Secure investigation workflow management
- Trend analysis and analytics
- Fraud and corruption case reporting

- High-risk matter escalation

5.7 Security and Compliance Requirements

The bidder must demonstrate:

- Robust information security controls.
- Data protection compliance
- Confidentiality safeguards.
- Secure hosting arrangements
- Business continuity plans
- Disaster recovery capability
- Role-based access controls
- Audit trail functionality

6. DELIVERABLES

The successful bidder shall provide the following deliverables:

Policy Review Deliverables

- Current State Assessment Report
- Regulatory Compliance Assessment Report
- Governance Review Report
- Gap Analysis Report
- Fraud and Corruption Alignment Assessment Report
- Best Practice Benchmarking Report
- Recommendations Report
- Revised Whistleblowing Policy
- Supporting Procedures and Guidelines
- Implementation Roadmap

Hotline Service Deliverables

- Hotline Service Proposal
- System Configuration Documentation
- Implementation Plan
- User Training Programme
- Service Level Agreement
- Monthly and Quarterly Management Reports
- Annual Trend Analysis Report
- Ongoing Technical and Operational Support

7. MINIMUM COMPANY REQUIREMENTS

Interested bidders must demonstrate

- A minimum of five (5) years' experience in providing whistleblowing hotline services and/or ethics management solutions
- Proven experience in policy reviews and governance advisory services
- Experience supporting Fraud and anti-corruption programmes
- Availability of appropriately qualified resources
- A track record of successful hotline implementation projects
- Relevant client references

8. PROPOSAL REQUIREMENTS

Bidders must submit proposals containing the following:

Technical Proposal

- Company profile
- Relevant experience
- Understanding of the assignment
- Proposed methodology and approach
- Project plan and timeline
- Team structure and qualifications
- Similar projects completed
- References

Financial Proposal

Provide detailed pricing including:

- Policy review fees
- Hotline implementation costs.
- Annual licensing fees
- Call handling costs
- Reporting and administration costs
- Training costs
- Any additional costs

Prices must clearly distinguish once-off costs from recurring annual costs

9. EVALUATION CRITERIA

All valid and compliant proposals received will be evaluated by the Fund's Bid Evaluation Committee in line with the Fund's Procurement Policy.

All bidders responding to the RFP will be advised of the final decision.

Responses to this RFP will be evaluated based upon the three-stage criteria mentioned below:

9.1 Stage One- Administrative Compliance

As part of the RFP submission, bidders are required to:

- Include a Tax certificate/pin number/ tax clearance certificate valid for 12 months.
- Provide all information and relevant documents as required in Annexure B.
- Provide responses to the questions outlined in Annexure C.
- Provide a pricing proposal/cost of service.
- Sign Non-Disclosure Agreement
- Sign Declaration of Conflict of Interest

Failure to comply with any of the above administrative requirements will render your bid not responsive and it will be disqualified.

9.2 Stage Two: Functionality

Bidders will be evaluated under Stage Two: Functionality using the same criteria, measurements and scoring allocations set out in Annexure E.

- Each criterion will be assessed and allocated a score based on the information provided in the bidder's submission.
- The scoring will be based on a predetermined scale as outlined in the table below.

Bidders are required to complete the self-evaluation scorecard in Annexure E and provide supporting evidence for each criterion, including the required services responses listed in Annexure C.

Evaluation Criteria	Weight	Measurement
Stage Two: Functionality		
Service Capabilities	35	Service Capabilities will be evaluated against the required services in Annexure C as follows: • Policy review approach and whistleblowing framework alignment – (a), (b) [6] • Secure, independent and confidential reporting channels, including anonymous reporting – (c), (e), (o) [5] • Allegation categorisation, triage, escalation and case-management workflow – (d), (h), (i), (r) [5] • Hotline performance reporting, dashboards, analytics and service-level monitoring – (f), (m), (n), (s) [5] • Risk monitoring, trend analysis, root-cause analysis and control weakness reporting – (g), (k), (p) [5] • Governance support for Audit & Compliance and Risk Committees and management – (q) [3]

Evaluation Criteria	Weight	Measurement
		• Relevant examples, case studies and differentiators for whistleblowing, anti-fraud and corruption services – (l), (u), (v) [4] • Ethics, anti-corruption awareness and stakeholder communication support – (t) [2]
Key personnel allocated to the Fund	35	• Experience of the key personnel who will be allocated to the Fund. Please attach CVs of key personnel that will be dedicated to the Fund (Highlight the whistleblowing, anti-fraud and corruption services capability and the number of years of experience).
Client references/service delivery/track record as detailed in Annexure B.	30	• Demonstrate expertise and experience in consulting, evidence of capabilities and experience in providing similar service to clients of similar size. • Provide a list of references with specific reference to the profile of the Fund.
Total	100	
NB: Minimum qualification of 75% on functionality		

9.3 Stage Three: 80/20 Preference Point System

Bidders will be evaluated and scored as follows:

- Price will be determined by using a formula provided in Annexure E.
 - Specific goals / transformation criteria
- i. Bidders are required to score themselves on the transformation criteria using the scorecard provided in Annexure D.

Evaluation Criteria	Weight	Measurement
Stage Three: 80/20 Preference Point System		
Price/cost of service	80	Once functionality requirements are met, prices are compared and assigned points using a standardised mathematical formula explained in Annexure E.
Specific goals / transformation criteria	20	Scores allocated as per Annexure D.
Total	100	

10. SUBMISSION TIME, DATE AND ADDRESS

The closing date for the submission of proposals is 12h00 (South African time) on **Friday, 30 October 2026. No late submissions will be considered.** RFPs can be submitted either electronically to Angelina at angelina@fidfund.co.za or as a hardcopy to the address listed below:

11. RFP PROCESS REQUIREMENTS

The following minimum requirements will be applied to the RFP process:

- All enquiries relevant to the RFP may only be submitted in writing. Telephonic and/or verbal enquiries will not be entertained. Any party that tries to communicate with the Fund in any other means whatsoever will be disqualified.
- Respondents must comply with the highest ethical standards in order to promote mutual trust and an environment where business can be conducted with integrity, in a fair and reasonable manner.
- The Fund reserves the right to negotiate the modification of a proposal with the successful respondent in whole or in part.
- Agreements reached after such modifications with the successful respondent, or parts thereof, and accepted by the Fund will form part of the contract.
- Each proposal will be evaluated for general conformity to specifications and demonstrate capabilities of respondents to execute the scope of work.
- Respondents are responsible for all costs incurred in responding to this RFP. The Fund will not be responsible for any costs whatsoever or howsoever arising.
- The Fund reserves the right to withdraw, at any stage of this process, amend or cancel this RFP, reject or not accept any or all proposals, obtain any information from any lawful source regarding past business history and practices of the respondent, and to take any such information into consideration in the evaluation process.

12. VALIDITY PERIOD

The Fund requires that all proposals remain valid for a period of ninety (90) calendar days starting from **30 October 2026**, excluding the first day, and including the last day.

13. COMMUNICATION - CLARIFICATIONS

All communication and responses must be submitted in writing and retained for record purposes. Requests for specific clarifications regarding this RFP must be submitted to the Fund, for the attention of lukhanyiso.kona@fidfund.co.za **before 12h00 on Monday, 19 October 2026**. In the interest of fairness and transparency, the Fund's response to such a query will be shared to all the bidders that express an interest in the RFP.

DECLARATION OF CONFLICT OF INTEREST**1. DETAILS OF BIDDER**

Registered Company Name	
Registration Number	
VAT Registration Number	
Physical Address	
Contact Person	
Email Address	

2. DECLARATION OF INTEREST

Please indicate if any of the following apply:

Question	Yes	No	Details
Relationship with the organisation			
Currently provides services to the Fund			
Previously provided services to the Fund			
Financial interests affecting independence			
Receive commissions or incentives			
Other potential conflicts			

3. DECLARATION

I/We hereby declare that the information provided is true and complete and that all conflicts of interest have been disclosed.

4. SIGNATURE

Name	
Designation	
Signature	
Date	

MANDATORY INFORMATION REQUIRED FOR SCORING

Bidders are required to complete the table below as follows:

- Indicate “**Yes**” or “**No**” in the relevant column to confirm whether each document has been submitted with the RFP
- Initial each block/row in the table to confirm that all required documents have been included.

	SUBMITTED [Yes/No]	INITIAL EACH BLOCK
Fees and costs schedule		
COMPANY DETAILS:		
1. Company registered name and registration number		
2. VAT registration number;		
3. Physical address of head office and other regional offices		
4. Details of company structure by means of an organogram (holding companies, subsidiaries, etc.)		
5. Please provide a brief outline of the history and structure of your organisation, listing the principal services that you provide to clients in South Africa		
6. Details of ownership structure and major shareholders (please provide an organogram)		
7. Details of the management structure (provide an organogram)		
8. Total number of company employees and number of staff within the whistleblowing, anti-fraud and corruption hotline services division.		
9. Please provide an organogram of your whistleblowing, anti-fraud and corruption services team or division.		

	SUBMITTED [Yes/No]	INITIAL EACH BLOCK
10. Bidders are required to provide details of the qualifications and experience of personnel who will be involved in providing the services, together with supporting CVs to demonstrate their competence and capacity		
11. How does your organisation manage and mitigate key-person (key-man) risk to ensure continuity of service?"		
12. Copy of your Tax compliance certificate; and		
13. Evidence of relevant registration, accreditation or certification applicable to whistleblowing, ethics, anti-corruption, fraud hotline, information security or case-management services.		
SERVICE DELIVERY:		
14. Detail your service level standards		
15. Are there any additional services offered as part of your standard package which are not mentioned?		
16. What is the scale of your whistleblowing, anti-fraud and corruption hotline service experience? Include number of active clients, average annual case volumes and range of client sizes served. 16.1 Number of clients supported with whistleblowing hotline, fraud reporting or anti-corruption services. 16.2 Range of client sizes served, including smallest and largest client by employee or stakeholder population.		
TRANSFORMATION:		
17. Provide your current B-BBEE level rating and submit supporting evidence for the transformation preference point system.		
18. Provide a transformation profile of your organisation, including ownership structure, management representation, employment equity profile, women ownership and/or representation, disability inclusion, and locality/SME/SMME/other status, with supporting documentation for scoring purposes.		

	SUBMITTED [Yes/No]	INITIAL EACH BLOCK
19. Explain how your organisation contributes to skills transfer and skills development among previously disadvantaged groups, including employee training, learnerships, internships, mentorship, supplier development, with supporting evidence.		
RISK MANAGEMENT AND INTERNAL CONTROLS:		
20. Provide a detailed summary of your company's compliance/internal control structure and overall processes		
21. Identify senior or key personnel in the company's compliance process.		
22. During the past five years, has the company been subjected to any regulatory, law-enforcement, ethics, fraud or corruption-related investigation? 22.1 Have any fines or sanctions been issued against your company in the past 5 years?		
23. Over the past five years, has the company or any of its employees been involved in any business litigation proceedings?		
24. What measures and procedures are in place to ensure the confidentiality and safety of client data and information?		
25. Please confirm whether you have POPIA compliance and security safeguards in place?		
WHISTLEBLOWING, ANTI-FRAUD AND CORRUPTION SERVICES:		
TRACK RECORD:		
26. Provide five (5) signed client reference letters on official client letterhead confirming similar whistleblowing hotline, anti-corruption, fraud reporting or ethics management services provided over the past ten (10) years. Each reference letter should include the client's name, contact numbers, email address, description of work performed, and duration of the client relationship.		
27. Details of any pending legal, regulatory or contractual issues relating to whistleblowing, anti-corruption,		

	SUBMITTED [Yes/No]	INITIAL EACH BLOCK
fraud reporting, ethics hotline or case-management services in the last five (5) years.		
CONFLICT OF INTEREST:		
28. Do you have any actual or potential conflicts of interest within your organisation in relation to the services proposed for the Fund? If so, please provide full details.		
29. Please confirm whether your organisation, any of its employees, its parent company, or any affiliated entity currently receives or may receive any form of benefit, fee or remuneration—whether directly or indirectly—from the Fund, other than the fees quoted for whistleblowing, anti-fraud and corruption services. If applicable, provide details of how such conflicts are identified, disclosed, and managed		
30. Please disclose any potential conflicts of interest arising from business arrangements, including relationships with investigation service providers, legal advisers, forensic firms, hotline technology providers or other parties involved in case escalation or investigation support.		
31. Where applicable, bidders are required to disclose all actual or potential conflicts of interest by completing the Declaration of Conflict of Interest as set out in Annexure A .		
ANY OTHER RELEVANT INFORMATION:		
32. Please provide or disclose any other information that is relevant to and applicable to this request and required service.		

REQUIRED SERVICES

The Whistleblowing, Anti-fraud and corruption Hotline Service Provider will be required to submit responses to the following questions as part of the RFP submission:

(a) Provide an overview of your approach and framework for reviewing whistleblowing policies and related reporting procedures.
(b) How would you assess and strengthen alignment between the Fund's whistleblowing framework and its Fraud and Corruption Strategy and Policy Framework?
(c) How would you design and operate secure, independent and confidential reporting channels, including anonymous reporting where legally permissible?
(d) How would you categorise, triage and escalate allegations relating to fraud, corruption, bribery, procurement irregularities, conflicts of interest, misconduct and unethical behaviour?
(e) How would you ensure whistleblower protection, confidentiality, non-retaliation safeguards and secure handling of sensitive information?
(f) How would you assess and report on hotline performance, including case volumes, response times, closure trends, repeat themes and high-risk matters?
• Benchmarks for service levels and response times
• Trend analysis of allegation categories
• Escalation and closure metrics
• Quality assurance and stakeholder reporting
(g) How would you assist the Fund in managing and monitoring risks relating to whistleblowing, fraud reporting and corruption-reporting processes?
(h) Explain your approach to case intake, evidence capture, preliminary assessment, allocation and secure case-management workflow.
(i) How would you support management in establishing effective escalation protocols and investigation referral procedures?
(j) What criteria do you recommend for evaluating hotline accessibility, independence, confidentiality, responsiveness and reporting quality?
(k) How do you monitor cases on an ongoing basis and identify delayed action, repeat issues, systemic control weaknesses or high-risk trends?
(l) Provide examples where you have supported clients with whistleblowing policy reviews, hotline implementation, fraud reporting or anti-corruption case management.

(m) How do you monitor deviations from agreed service levels and recommend corrective actions?
(n) Describe your approach to management reporting, dashboarding and analytics across allegation categories, reporting channels and case outcomes.
(o) How do you ensure appropriate coverage across reporting channels, languages, stakeholder groups and allegation categories?
(p) How do you evaluate reporting trends, root causes and control weaknesses to support prevention, detection and investigation of fraud and corruption?
(q) How would you support the Audit & Compliance and Risk Committees and management in strengthening the Fund's whistleblowing, anti-fraud and corruption governance framework?
(r) Where high-risk or sensitive allegations are reported, how will you support the Fund with escalation advice, confidentiality safeguards and referral to appropriate investigation channels?
(s) Kindly outline your approach to fraud and corruption risk trend analysis and how performance of the hotline service will be evaluated.
(t) Please describe your approach to ethics, anti-corruption awareness and stakeholder communication, including how awareness initiatives support reporting confidence.
(u) Briefly describe why and how your offer sets you apart from your competitors. If applicable, provide case studies of work your organisation has done in the provision of whistleblowing, anti-corruption or fraud services.
(v) What differentiates your organisation from other whistleblowing, anti-fraud and corruption service providers?

Application of point scoring system

The preference point system shall allocate points for both:

- ii. Price (or cost)
- iii. Specific goals / transformation criteria

Criteria	80/20 Point Scoring System
Price / Functionality	80 points
Equity Ownership	4 points
Management	2 points
Employment Equity	2 points
Skills Transfer	4 points
Women	4 points
Disability	2 points
Locality/SME/SMME/other	2 points

Detailed Scoring Criteria

a) Equity Ownership

Points shall be allocated based on black ownership:

50.1% – 100% ownership → Full points (2)

25.1% – 50% ownership → Partial points (1)

b) Management Control

Points shall be awarded where at least 50% of executive management comprises black persons (max of 1 point).

c) Employment Equity

Points shall be awarded where at least 50% of the workforce consists of historically disadvantaged individuals (max of 1 point).

Supporting evidence must include valid certification from the Department of Labour or equivalent documentation.

d) Skills development

Points (max of 2 points) shall be awarded for:

- Internal employee training initiatives; or
- Skills transfer to joint venture partners

Bidders must provide detailed evidence or implementation plans.

e) Women Participation

Points shall be awarded as follows (max 2 points):

Ownership of 25% or more → 1 point

Management representation of 25% or more → 1 point

f) Disability Inclusion

An enterprise will qualify for a maximum of 1 point should any of their owners or employees fall into this category.

g) Locality

A maximum of 1 point will be allocated for an enterprise that is located within the boundaries of a designated municipal area in which the relevant office of the Fund is situated.

RFP SELF- EVALUATION SCORECARD

Bidders are required to score themselves using the scorecard below, as follows:

- Bidders must complete the scorecard in full and provide supporting evidence for each criterion.
- The self-assessment scores will be subject to verification by the Procurement Committee.
- Failure to complete the scorecard or to provide sufficient supporting documentation may result in a lower score or disqualification.

Evaluation Criteria	Weight	Measurement	Scoring	Self-Scoring
Stage Two: Functionality				
Service Capabilities	35	• Responses to required services listed in Annexure C. • Customisation of services to the specific needs of the Fund.	Bidders will be allocated points as follows: • Policy review approach and whistleblowing framework alignment – (a), (b) [6] • Secure, independent and confidential reporting channels, including anonymous reporting – (c), (e), (o) [5] • Allegation categorisation, triage, escalation and case-management workflow – (d), (h), (i), (r) [5] • Hotline performance reporting, dashboards, analytics and service-level monitoring – (f), (m), (n), (s) [5]	

Evaluation Criteria	Weight	Measurement	Scoring	Self-Scoring
			• Risk monitoring, trend analysis, root-cause analysis and control weakness reporting – (g), (k), (p) [5] • Governance support for Audit, Compliance, Risk Committees and management – (q) [3] • Relevant examples, case studies and differentiators for whistleblowing, anti-fraud and corruption services – (l), (u), (v) [4] • Ethics, anti-corruption awareness and stakeholder communication support –(t) [2]	
Key personnel allocated to the Fund	35	• Experience of the key personnel who will be allocated to the Fund. Please attach CVs of key personnel that will be dedicated to the Fund (Highlight the whistleblowing, anti-fraud and corruption services capability and the number of years of experience).	• No experience in whistleblowing, anti-fraud and corruption services and has an NQF five (5) [0] • Two (2) years' experience in whistleblowing, anti-fraud and corruption services and holds an NQF 7 [4] • Four (4) years' experience in whistleblowing, anti-fraud and corruption services and holds an NQF 7 [6] • Six (6) years' experience in whistleblowing, anti-fraud and	

Evaluation Criteria	Weight	Measurement	Scoring	Self-Scoring
			corruption services and holds an NQF 8 [10] • Ten (10) years' experience and more in whistleblowing, anti-fraud and corruption services and holds an NQF eight (8) [15] • Years of experience in whistleblowing, anti-fraud and corruption services must be proportionally apportioned.	
Client references/Service delivery/track record as detailed in Annexure B.	30	• Demonstrate expertise and experience in whistleblowing policy review, anti-fraud and corruption services and evidence of capabilities and experience in providing whistleblowing hotlines services to similar organisations. • Provide a list of references with specific reference to the services requested by the Fund.	• No experience in whistleblowing, anti-fraud and corruption services. [0] • One (1)- years' experience in whistleblowing policy review, anti-fraud and corruption services with a whistleblowing hotline. [5] • Five (5) years or more experience in whistleblowing policy review, anti-fraud and corruption services with a whistleblowing hotline. [10] • Ten (10) Years of experience or more experience in whistleblowing policy review, anti-fraud and corruption services with a whistleblowing hotline. [15]	
Total	100			

Evaluation Criteria	Weight	Measurement	Scoring	Self-Scoring
NB: Minimum qualification of 75% on functionality				
Stage Three: 80/20 Preference Point System				
Price /cost of service	80	Once functionality requirements are met, prices are compared and assigned points using a standardised mathematical formula explained in Annexure D.	$\text{Points} = 80(1 - \frac{\text{Bidder's price} - \text{Lowest Price}}{\text{Lowest price}})$	To be completed by the Procurement Committee
Specific goals / transformation criteria	20	Scores will be awarded as outlined in Annexure D.	Scores will be awarded as outlined in Annexure D.	
Total	100			

NON-DISCLOSURE AGREEMENT

Entered between

Legal Practitioners' Fidelity Fund
("Disclosing Party")

and

("Receiving Party")



LEGAL PRACTITIONERS FIDELITY FUND

SOUTH AFRICA

1. INTRODUCTION

- a) This Non-Disclosure Agreement (the "Agreement") is entered into between the Legal Practitioners' Fidelity Fund (the "Disclosing Party") and _____ (the "Receiving Party"), together referred to as the ("Parties").
- b) The Disclosing Party has agreed to share certain confidential and proprietary information with the Receiving Party.
- c) The Receiving Party agrees to treat all such information in accordance with the terms and conditions of confidentiality attached to and incorporated into this Agreement.

2. PURPOSE

The Parties wish to share information required for the purposes of the Receiving Party providing a proposal for whistleblowing, anti-fraud and corruption hotline services and thus the Disclosing Party wishes to protect the confidentiality of the proprietary and sensitive information disclosed.

3. CONFIDENTIAL INFORMATION

"Confidential Information" means any information disclosed by the Disclosing Party to the Receiving Party, whether orally, in writing, or in any other form, which is identified as confidential or would reasonably be understood to be confidential given its nature and the circumstances of disclosure.

4. NON-DISCLOSURE AND NON-USE

The Receiving Party agrees to:

- a) keep all Confidential Information received from the Disclosing Party confidential and use it only for the purpose of providing the requested proposal;
- b) take all reasonable steps to protect the confidentiality of the Confidential Information, using at least the same degree of care it uses to protect its own confidential information; and
- c) not disclose the Confidential Information to any third party without the Disclosing Party's prior written consent, except where disclosure is required by law.

Cape Town Office

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Ms T Kekana (Chairperson) **Dr. B M Molefe** (Chief Executive Officer)

Ms Z Nkosi (Vice-chairperson) **Mr CJ Ntsoane** (EXCO member) **Adv. E Arendse** (EXCO member) **Ms M Phiri** (Member) **Mr M Notyes** (Member)

Ms N Karelse (Member) **Ms K Motshekga** (Member) **Mr W Brown** (Member) **Ms NN Gumbi** (Board Secretary)



LEGAL PRACTITIONERS FIDELITY FUND

SOUTH AFRICA

5. EXCEPTIONS

The obligations in this Agreement do not apply to:

- a) information that is in the public domain at the time of disclosure, or later enters the public domain through no fault of the Receiving Party;
- b) information lawfully obtained by the Receiving Party from a third party without any duty of confidentiality; or
- c) information independently developed by the Receiving Party without reference to the Confidential Information.

6. RETURN OF INFORMATION

On written request from the Disclosing Party, or on termination of discussions relating to the request for proposals, the Receiving Party must promptly return or destroy all forms of Confidential Information, including copies, notes, and summaries, unless otherwise required by law or agreed by the Parties.

7. TERM AND TERMINATION

This Agreement starts on the date it is signed and remains in effect for period of not more than three years (3) from date of signature of this Agreement.

8. GOVERNING LAW AND JURISDICTION

This Agreement is governed by the laws of the Republic of South Africa. Any dispute arising from or in connection with this Agreement falls within the exclusive jurisdiction of the courts of Gauteng or Cape Town, South Africa.

9. ORDER OF PRECEDENCE

If there is any conflict between this Agreement and the Professional Services Agreement entered into by the Parties, the Professional Services Agreement will prevail.

10. ENTIRE AGREEMENT

This Agreement records the entire agreement between the Parties on its subject matter and replaces all prior oral and written discussions, negotiations, and representations.



**LEGAL
PRACTITIONERS
FIDELITY FUND**

SOUTH AFRICA

Duly authorised for and on behalf of _____

Signed:

Name:

Title:

Date:

Duly authorised for and on behalf of the Legal Practitioners Fidelity Fund

Signed:

Name:

Title:

Date: