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South African National Biodiversity Institute

SBD1

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE)					
BID NUMBER:	**Q6868-2020**	CLOSING DATE:	**31 August 2020**	CLOSING TIME:	**11:00**
DESCRIPTION	**THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES A SERVICE PROVIDER FOR THE APPOINTMENT OF AN OCCUPATIONAL HYGIENIST TO CONDUCT AN ASBESTOS AUDIT AND PREPARE A REMOVAL AND DISPOSAL PLAN FOR IMPLEMENTATION AT SOME OF SANBI'S CAMPUSES ACROSS SOUTH AFRICA**				

Submission of proposals: proposals must be emailed to S.SCM-Quotations@sanbi.org.za with a copy to Ms. Modiba at R.modiba@sanbi.org.za

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**	
CONTACT PERSON	Rorisang Modiba	CONTACT PERSON	Mr Christopher Willis
TELEPHONE NUMBER	012 339 2746	TELEPHONE NUMBER	(012) 843 5200
FACSIMILE NUMBER	N/A	FACSIMILE NUMBER	N/A
E-MAIL ADDRESS	**R.modiba@sanbi.org.za**	E-MAIL ADDRESS	c.willis@sanbi.org.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
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] ☐ Yes ☐ No	

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐Yes ☐No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES /WORKS 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, 2017, 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: ……

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID

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DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state[1], or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

   - the bidder is employed by the state; and/or

   - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative: …….

2.2 Identity Number:……...

2.3 Position occupied in the Company (director, trustee, shareholder[2], member): …….

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust: ……

2.5 Tax Reference Number: ……

[1]"State" means –
(a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
(b) any municipality or municipal entity;
(c) provincial legislature;
(d) national Assembly or the national Council of provinces; or
(e) Parliament.

[2]"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.6 VAT Registration Number: ……....

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2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in paragraph 3 below.

2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:
Name of person / director / trustee / shareholder/ member:

……...……
Name of state institution at which you or the person connected to the bidder is employed :

……
Position occupied in the state institution:

……
Any other particulars:
……
……
……

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attach proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:
……
……
……

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

……..
……..
……...

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.

……...
……..….
……

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.10.1 If so, furnish particulars**.**

……...
……..….

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? **YES / NO**

2.11.1 If so, furnish particulars:

……...
……..….
……

3 Full details of directors / trustees / members / shareholders.

Full Name	**Identity Number**	**Personal Income Tax Reference Number**	**State Employee Number / Persal Number**

4 DECLARATION

I, THE UNDERSIGNED (NAME)……

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

…….. .……
Signature Date

…… ……
Position Name of bidder

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SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

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1. GENERAL CONDITIONS

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

- 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

a) The value of this bid is estimated to not exceed R500 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or

b) The 80/20 preference point system will be applicable to this tender.

1.3 Points for this bid shall be awarded for:

a) Price; and

b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	**100**

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

2. DEFINITIONS

(a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

(b) "**B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

(d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

(e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(f) **"functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.

(g) **"prices"** includes all applicable taxes less all unconditional discounts;

(h) **"proof of B-BBEE status level of contributor"** means:

1) B-BBEE Status level certificate issued by an authorized body or person;

2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;

3) Any other requirement prescribed in terms of the B-BBEE Act;

(i) **"QSE"** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

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

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3. POINTS AWARDED FOR PRICE

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

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

80/20 **or** **90/10**

$$Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right) \quad \text{or} \quad Ps = 90\left(1 - \frac{Pt - P\min}{P\min}\right)$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: . = …… (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(***Tick applicable box***)

YES		NO	

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted .....……%

ii) The name of the sub-contractor ……..

iii) The B-BBEE status level of the sub-contractor .....…….

iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	

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

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

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8. **DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:

……

8.2 VAT registration number:

……

8.3 Company registration number:

……

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

……
……
……
……

8.6 COMPANY CLASSIFICATION

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

[*TICK APPLICABLE BOX*]

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

……

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

i) The information furnished is true and correct;

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

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

(a) disqualify the person from the bidding process;

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

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

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

(e) forward the matter for criminal prosecution.

WITNESSES 1. …….. 2. ……..	…… SIGNATURE(S) OF BIDDER(S) DATE: …….. ADDRESS: …….. …….. ……..

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SBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1 This Standard Bidding Document must form part of all bids invited.

2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-

a. abused the institution's supply chain management system;

b. committed fraud or any other improper conduct in relation to such system; or

c. failed to perform on any previous contract.

4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the *audi alteram partem* rule was applied).	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		

4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? **ess this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.**	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)……
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

…….. **……**
Signature **Date**

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.....	.....
Position	**Name of Bidder**

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SBD 9

CERTIFICATE OF INDEPENDENT QUOTATION DETERMINATION

1 This Standard Bidding Document (SBD) must form part of all quotations[1] invited.

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging). Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:

a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.

b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

[1] Includes price quotations, advertised competitive bids, limited bids and proposals.

[2] Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

SANBI: Q6868-2020

THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES A SERVICE PROVIDER FOR THE APPOINTMENT OF AN OCCUPATIONAL HYGIENIST TO CONDUCT AN ASBESTOS AUDIT AND PREPARE A REMOVAL AND DISPOSAL PLAN FOR IMPLEMENTATION AT SOME OF SANBI'S CAMPUSES ACROSS SOUTH AFRICA

_____

(Quotation Number and Description)

in response to the invitation for the quote made by:

SANBI

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of:

_____that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;

5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
    (a) has been requested to submit a bid in response to this bid invitation;
    (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
    (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium[3] will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
    (a) prices;
    (b) geographical area where product or service will be rendered (market allocation)
    (c) methods, factors or formulas used to calculate prices;
    (d) the intention or decision to submit or not to submit, a bid;
    (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
    (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

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

9. 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.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

……	……..
Signature	Date
……	……..
Position	Name of Bidder

TERMS OF REFERENCE

APPOINTMENT OF AN OCCUPATIONAL HYGIENIST TO CONDUCT AN ASBESTOS AUDIT AND PREPARE A REMOVAL AND DISPOSAL PLAN FOR IMPLEMENTATION AT SOME OF SANBI'S CAMPUSES ACROSS SOUTH AFRICA

The South African National Biodiversity Institute (SANBI) has been allocated funds by the national Department of Environment, Forestry & Fisheries (DEFF) for the period 2019/20 to 2021/22 for the refurbishment, upgrading, repair and maintenance of existing immovable infrastructure, vehicles and equipment as well as the construction of new infrastructure. The infrastructure is intended to address the needs of SANBI from administrative, research, security and educational and tourism perspectives.

Projects have been identified for implementation over the MTEF at each of SANBIs existing campuses and sites across the country. The purpose of this request for quotations is to procure the services of occupational hygienists who are Authorised Inspection Authorities, to conduct an asbestos audit and condition assessment at some of SANBI's campuses across South Africa and to develop the asbestos removal and disposal plan for each site.

Scope of Works

As one of South Africa's leading environmental custodians, SANBI intends to employ occupational hygienists registered as Authorised Inspection Authorities to conduct an asbestos verification audit at some of its campuses across South Africa. The purpose of the verification audit is to identify and/or confirm the existence of all asbestos infrastructure on the sites in question, as well as to determine its condition and to produce a **plan per-site** for the **removal** and **ethical disposal** of the asbestos-containing material or infrastructure. Said removal and disposal are to be implemented **in accordance with all existing legislation and regulations**. Furthermore, the audit will enable SANBI to plan for the ongoing scheduling of maintenance of the asbestos-containing infrastructure that may be deemed "inert" until such time as budget allows for the removal of said infrastructure and its replacement, where necessary.

The campuses concerned include the following:

- Hantam National Botanical Garden (Nieuwoudtville, Northern Cape Province)
- Harold Porter National Botanical Garden (Betty's Bay, Western Province)
- Kirstenbosch National Botanical Garden (Cape Town)
- KwaZulu Natal National Botanical Garden (Pietermaritzburg)
- Pretoria National Botanical Garden (Pretoria)
- National Zoological Garden (Pretoria)
- Walter Sisulu National Botanical Garden (Roodepoort/Mogale City)

Contact details of key SANBI personnel on each site will be supplied on appointment, as well as the most up-to-date internal asbestos audit.

The services to be provided under this contract include *inter alia*:

- Site visits to one or more campuses (allow one full day per site)
- Campus asbestos audit, accompanied by the Curator or a delegated representative
- Inventory with description of all asbestos-containing infrastructure, GPS position where relevant, and approximate size/dimensions
- Condition rating of said infrastructure or components containing asbestos, along two categories:
    1. "Inert" for infrastructure that poses no immediate or imminent health and safety risk in its current condition; and
        - Description of immediate or ongoing maintenance requirements
    2. "Remove and dispose" for infrastructure or components requiring urgent removal and disposal due to immediate or imminent health and safety risk;
        - For infrastructure or components that require replacement (e.g. roof sheeting), these must be indicated as requiring replacement – to be confirmed by or with Curator or his/her representative
    3. Any sampling/testing in accordance with Department of Labour requirements is to be included
- Draw up **asbestos removal and disposal plan** to be adhered to by the qualified contractor **for each site** and **highlight** where asbestos-containing-infrastructure should be **prioritised** for immediate removal, or appropriate **safety measures** to be implemented until such time as the material is removed. The plan is to be aligned with all existing legislation and regulations pertaining to asbestos. Electronic versions of plans to be submitted to SANBI for approval prior to submission to Department of Labour and must be submitted to the Department in the required format. Plans are to be approved by Department of Labour.
    - Where **multiple** sites are awarded to a single service provider, the **first site** will be allowed up to **ten working days from inception meeting** to submission of **draft deliverable**. Each **additional site** must be completed within **five consecutive working days**.
    - However, the **KZN NBG** will be treated as the **highest priority** and only **five working days** will be allowed between inception meeting and submission of draft deliverable.
- Reports:
    - **Inventory** with descriptions, position, condition assessments and prioritization on a per-site basis to be contained in removal and disposal plan
    - **Asbestos removal and disposal plan** for each site (with the KZN NBG in Pietermaritzburg enjoying the highest priority)
        - The report is to be detailed enough for a quantity surveyor to determine costs for necessary removal and disposal of damaged or compromised infrastructure as well as cost of replacement of infrastructure where necessary (such as gutters, down-pipes, roofs, etc.)[1].

1 This pertains to a separate appointment that is dependent on this work

Extent of services

The services to be provided in terms of this project are inextricably linked to the employer's three-year capital budget cycle.

It should be noted that while the employer has every intention of completing the full scope of work making full use of the budget provision given, the employer's budget is subject to periodic review. Should it become necessary to vary the scope of work or even suspend or terminate this contract, such variation, suspension or termination shall be dealt with in accordance with the provisions of the Standard Professional Services Contract.

The service provider is required to provide all aspects of the service with reasonable care, diligence and skill in accordance with generally accepted professional techniques and standards and ensure that all legal and regulatory requirements are met, and that all legal processes are adhered to.

SANBI reserves the right to employ the services of a single service provider for the entire scope of work, or multiple service providers, for each region, or each site. Service providers may bid on one, more than one, or all sites. The final decision will be based on the service-provider "mix" that is the most economical whilst delivering the quality of deliverables expected under this contract.

Key Personnel

The service provider shall maintain the involvement of the key personnel as per the requirements of this contract. Should it become necessary to replace any of the key personnel listed at the time of tender during this contract, they may only be replaced by individuals with similar or better qualifications and experience, who satisfy the minimum requirements and then only with the approval of the employer. The service provider shall ensure that the requisite number of personnel are available to complete the work within the allotted time of 20 working days.

Competencies and requirements

The successful service provider should possess the following skills, abilities and competencies:

- At least five years' verifiable experience as an occupational hygienist and Authorized Inspection Authority;
- Excellent knowledge, understanding and experience with all aspects of legislation and regulations that apply to the management, treatment, removal and disposal of asbestos;
- Excellent knowledge, understanding and experience with condition assessment or audit of asbestos-containing infrastructure or components;
- Excellent knowledge, understanding and experience with compilation of asbestos removal and disposal plans;

- Excellent knowledge of the maintenance requirements of asbestos-containing infrastructure;
- Experience in the implementation of similar projects;
- Excellent report writing skills; and
- Project and financial management experience and expertise.

Evaluation process

In accordance with the National Treasury Instruction Note on the Amended Guidelines in Respect of Bids that include Functionality as a Criterion for Evaluation (Issued 3 September 2010), this bid will be evaluated in two stages:

The first stage will evaluate functionality according to the criteria listed in the table below:

Criteria	**Points****
1. Technical merit of proposal a. approach and methodology; b. programme and milestones	**50** (25) (25)
2. Track record of service provider for similar assignments undertaken within the last 5 years a. List of five (5) similar assignments with contactable references for each	**25** (25)
3. Experience of service provider. a. Service provider with a minimum of 5 years' relevant experience b. Comprehensive CV and proof of any qualification/s and professional registrations of service provider	**25** (10) (15)
TOTAL	**100**

** Service providers who fail to score a minimum of 70 points out of a possible 100 points on functionality criteria will not be eligible for further consideration.

The second stage will evaluate the price and preference points of those bids that meet the minimum threshold for functionality. In accordance with the Preferential Procurement Regulations, 2017 pertaining to the Preferential Procurement Policy Framework Act (No. 5 of 2000), the 80/20 point system will be applied in evaluating proposals that qualify for further consideration, where price constitutes 80 points and a maximum of 20 points will be awarded based on the bidder's B-BBEE Status Level Certificate.

Requirements for proposals

Service providers must submit a concise written proposal that addresses the scope of work and the above requirements and deliverables.

The following information needs to be included in the proposal:

- A comprehensive description of the proposed approach, methodology, proposed timelines and deliverables, with the removal and disposal plan for KZN NBG to be completed within five working days after appointment, and the remainder to follow
- Implementation team capability and availability
- Project schedule or Gantt chart, including aspects of work to be undertaken and associated milestones and deliverables
- **Cost details as per the costing schedule, per site as per your bid:**
    - Site visit (allow 8 hours)
    - Asbestos removal and disposal plan
    - Travel:
        - Kms for private vehicle/s to be in accordance with latest Public Works rates for reimbursable expenses schedule
        - Flights (if relevant)
        - Car hire – off invoice
    - Accommodation (no more than one night per site)
    - Any other disbursements, including subsistence and meals
- Details, qualifications and relevant experience of contractor/owner/members, including specialists.
- List of five similar projects carried out within the last 5 years with contact details of the client representatives.

Potential service providers should submit the following documentation:

- SBD forms (SBD 1, 4, 6.1, 8 and 9) .The Standard Bidding Forms (included in the bid documentation) must be completed and submitted with this proposal.
- An original or certified copy of B-BBEE certificate or sworn affidavit. (Please note that failure to submit a valid original or certified B-BBEE certificate/sworn affidavit mentioned above will result in the tenderer not being awarded B-BBEE preference points).
- Service providers with one or more employees are required by law to contribute to the Compensation Fund. A valid letter of good standing certificate with COIDA is required. The certificate should be issued by the Department of Labour.
- A current copy of the Central Suppliers Database (CSD) registration report or registration number must be provided.
- Quotations must include cost break down of all the specifications and price must be VAT inclusive
- Proof of Public Liability Insurance.

Costing Requirements

- A high-level work plan should be developed with indicative level of effort (time, phasing and cost) towards activities and deliverables, and provide a clear allocation of resources per site, whether one resource over all sites or more than one to cover multiple sites.
- The final proposed price is to be expressed as per the following:
    - Total fees, based on a project time-allowance of 200 hours, excluding VAT
    - Anticipated costs[2]:
        - Flights (economy class)
        - Averaged accommodation cost, expressed as cost per night – maximum of seven nights
        - Vehicle rentals and/or
        - Price for private vehicle kms – office to site
        - Daily meal allowance/subsistence during site visit phase
    - Total price per site

Reporting and Management

- While the service provider will be working with several SANBI staff, including the local Curators of Gardens, the Chief Director: National Botanical Gardens, is the final point of accountability.
- Payment will be affected by SANBI within 30 days of acceptance of deliverables by the appointed Implementing Agent and approval of the accompanying invoice.
- All reports must be in Word and/or Excel.
- An electronic version of all reports must be submitted.

Nature of appointment and contractual arrangement

Form of Contract:

- CIDB Professional Services Contract

Contract duration:

- All work is to be completed within 25 working days of the inception meeting (with the exception of KZN NBG, which is expected within 5 working days of said meeting) which will be held on one of the sites, if possible, or alternatively by teleconference at a venue to be decided after appointment

Contract and payment:

- The contract will be drawn up between SANBI and the service provider.
- Invoices will be approved on acceptance of deliverables.
- Professional liability will be limited to an amount of no more than double the aggregate fees payable over 200 hours.
- Invoices must indicate the deliverable produced. No upfront payments will be made.

2 Where appropriate, based on the latest Public Works Rates for Reimbursable Expenses

- SANBI will pay within 30 days of date of invoice for the satisfactory completion of work.
- All invoices must be addressed to SANBI, but they must be delivered via the appointed implementing agent.

BRIEFING SESSION AND SITE INSPECTION

SANBI is committed to the health and safety of all bidders and staff members and reducing the spread of COVID-19. As a result, with guidance from regulations published by the National Department of Health, **no briefing session or site inspection will be held**.

Bidders are encouraged to direct all technical and bidding procedure enquiries to the email address below. All responses will be communicated via this tender's advertisement webpage on the SANBI website www.sanbi.org.

Department:	Supply Chain Management
Email:	S.SCM-Quotations@sanbi.org.za
	c.willis@sanbi.org.za
Cut-off date for enquiries:	14 August 2020 at 12:00

CLOSING DATE FOR QUOTATIONS

The closing date and time for submission of responses is **31 August 2020 at 11:00**.

Proposals must be emailed to S.SCM-Quotations@sanbi.org.za with a copy to Ms Modiba at R.modiba@sanbi.org.za.

Email size is not to exceed 8MB.

For further information, contact Mr Christopher Willis on (012) 843 5200 or e-mail at c.willis@sanbi.org.za (SANBI).