

SBD1

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE)					
BID NUMBER:	Q7309-2021	CLOSING DATE:	25 June 2021	CLOSING TIME:	11:00
DESCRIPTION	THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES A SERVICE PROVIDER TO CONSOLIDATE AND REVIEW THE PONGOLA-MTAMVUNA WATER MANAGEMENT AREA (WMA) PROTO-CATCHMENT MANAGEMENT STRATEGY.				
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	Nomalungelo Ndlovu	
TELEPHONE NUMBER	012 843 5332		TELEPHONE NUMBER	012 843 5000	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	R.modiba@sanbi.org.za		E-MAIL ADDRESS	N.Ndlovu4@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

SBD 4

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DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, 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, shareholder², 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:

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 **YES / NO**
 presently employed by the state?

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 **YES / NO**
 the appropriate authority to undertake remunerative
 work outside employment in the public sector?

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

(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 / **YES / NO**

trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?

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

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.

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;

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

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

$P_{\min}$ = 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:

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 least 51% owned by:	EME √	QSE √
Black people	☐	☐
Black people who are youth	☐	☐
Black people who are women	☐	☐
Black people with disabilities	☐	☐
Black people living in rural or underdeveloped areas or townships	☐	☐
Cooperative owned by black people	☐	☐

Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/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:

.....

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 <i>audi alteram partem</i> 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)? To access 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

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT QUOTATION DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all quotations¹ 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: Q7309-2021

THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES A SERVICE PROVIDER TO CONSOLIDATE AND REVIEW THE PONGOLA-MTAMVUNA WATER MANAGEMENT AREA (WMA) PROTO-CATCHMENT MANAGEMENT STRATEGY.

(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 consortium³ 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

Call for Quotations

Terms of Reference

**Service provider to consolidate and review the Pongola-Mtamvuna Water Management Area (WMA) proto-catchment management strategy
[Q7309-2021]**

1. Introduction and background

The South African National Biodiversity Institute (SANBI) is currently implementing the five-year Global Environmental (GEF) funded Ecological Infrastructure for Water Security (EI4WS) Project, in partnership with the Department of Environment, Forestry and Fisheries and the Development Bank of South Africa. The project aims to develop policy and capacity incentives for mainstreaming biodiversity and ecosystems values into national, regional and local development policy and finance and is working in two demonstration water catchments. One of these demonstration catchments is the Greater uMngeni catchment, which is within the Pongola-Mtamvuna Water Management Area (WMA).

The continued degradation and loss of biodiversity assets and ecological infrastructure within catchments has dire implications for the ability of Catchment Management Agencies (CMAs) to sustainably provide water of a quantity and quality required by users. To address this in the Greater uMngeni Catchment, the EI4WS Project focuses on enhancing organisational capacity and investment in ecological infrastructure for improved water resource management in the catchment. The project addresses key institutional, operational, regulatory and financial challenges that exist in mainstreaming biodiversity assets and ecological infrastructure into water resource management and water resource development in the system. These outcomes require engagement with policy frameworks within the different spheres of government to ensure alignment of planning frameworks and processes for water outcomes. One of the key activities of the EI4WS Project, as outlined in its strategic results framework, is to manage the development of an ecological infrastructure management plan as part of a detailed Catchment Management Strategy (CMS) development process. To achieve this, the project is supporting and assisting the Pongola-Umzimkulu proto Catchment Management Agency (proto CMA) in developing the “proto CMS” for the Pongola-Mtamvuna WMA.

The National Water Act (Act 36 of 1998) makes provision for the development of a catchment management strategy to enable equitable and sustainable water resource management for each WMA. Even though the Pongola-Mtamvuna WMA does not have a fully established CMA, the proto CMA has gone through an extensive stakeholder engagement process to progressively develop the proto CMS. SANBI, through the EI4WS Project has supported this process from inception. As

an essential part of the CMS development process, a second draft of the proto CMS developed by the proto CMA was shared with stakeholders at various meetings and workshops convened by the KwaZulu-Natal Department of Water and Sanitation (DWS) in partnership with the EI4WS project.

2. Scope of work

SANBI therefore wishes to appoint a service provider to consolidate and integrate the stakeholder input received through the various public engagement processes, review the draft proto CMS in line with legislative requirements, related policies and guidelines, and develop the final of the proto CMS for submission to the National Department of Water and Sanitation for endorsement and approval.

3. Requirements of the service provider

The appointed service provider will be responsible for the following activities in line with the above scope of work:

- Review the current draft version of the proto CMS, and identify whether the draft proto CMS is aligned with the mandate of the CMA and the requirements of the National Water Act (Act 36 of 1998), related policy and guidelines.
- Make recommendations to ensure alignment to legislation, related policy and guidelines. and update the document to produce the final CMS.
- Conduct final stakeholder workshops with the following sectors at the provincial level:
 - Agriculture
 - Biodiversity (including Ezemvelo KZN Wildlife and the Department of Economic Development, Tourism and Environmental Affairs)
 - Department of Cooperative Governance and Traditional Affairs (COGTA) (which may include relevant departments from local governments), Municipal Infrastructure Support Agent (MISA), South African Local Government Association (SALGA)
 - Industries (private sector).
- Consolidate the comments received from stakeholders in the various processes and workshops leading by the development of the draft proto CMA, as well as the final stakeholder workshops above, according to the 7 strategic themes of the CMS.
- Produce a final draft proto CMS, aligned with the proposed structure of the CMA, for approval by the proto CMA and SANBI (taking into account that the Strategic Themes Cooperative Governance and Institutional Arrangements will be

combined into one Strategic Theme). The final draft proto CMS must be provided as a Word document.

- A final version of the proto CMS for submission to the National Department of Water and Sanitation for endorsement and approval, in Word format.
- All the work is expected to be completed within three months from the date of appointment.

4. Skills and competencies required

In order to fulfil the requirements above the service provider should have the following demonstratable experience, skills, and competencies:

- Ability to work with a range of government institutions at various levels (local, provincial and national);
- Excellent facilitation and communication skills to conduct workshops and meetings;
- Excellent planning, coordination and organisational skills
- Excellent conceptual, analytical and writing skills;
- Ability to communicate and report complex scientific knowledge into an easily accessible narrative that can be understood by a range of audiences;
- Knowledge and understanding of:
 - Policies and regulatory mechanisms integrating land and water based activities;
 - Policies and strategies giving guidance to water resource management at local, provincial and national level
 - The water sector and its relevant policies, legislation and institutional arrangements especially at a WMA level e.g. CMAs, Catchment Management Forums, Water User Associations, and Irrigation Boards etc.
 - The environmental, social and economic issues in the Pongola-Mtamvuna Water Management Area;
 - The Department of Water and Sanitation's (previously Department of Water Affairs and Forestry) "Guideline for Catchment Management Strategies" (2007) (to be used as a reference point);
 - Aspects pertaining to rehabilitation and maintenance of ecological infrastructure and linkages with water security
 - Government processes (inter- governmental relations and cooperation)
- Ability to work independently and deliver high quality deliverables under short deadlines and within a fixed budget;

- Aspects pertaining to rehabilitation and maintenance of ecological infrastructure and linkages with water security

The response to the terms of reference should indicate the extent to which the service provider fulfils these requirements. In addition, proposals should include a recent CV of the service provider as well as examples of recent relevant writing to demonstrate skills and experience.

5. Deliverables and Timeframes

The following deliverables are required as part of these Terms of Reference (deadlines will be agreed on upon inception):

- An Inception Report with a detailed work plan and project budget.
- Facilitation of an anticipated four stakeholder workshops with the following sectors at the provincial level:
 - Agriculture
 - Biodiversity (including Ezemvelo KZN Wildlife and the Department of Economic Development, Tourism and Environmental Affairs)
 - Department of Cooperative Governance and Traditional Affairs (COGTA) (which may include relevant departments from local governments), Municipal Infrastructure Support Agent (MISA), South African Local Government Association (SALGA)
 - Industries (private sector)

Please note that the organisation and logistics of these stakeholder workshops will be done together with SANBI and the proto CMA. The cost of the stakeholder workshops will be covered by SANBI in line with its procurement procedures and policies.

- A draft final proto CMS report presented to KZN Department of Water and Sanitation, the proto CMA and SANBI's Ecological Infrastructure Coordinators for the Pongola-Mtamvuna WMA and Greater uMngeni for input. The proto CMS must be aligned with the proposed structure of the CMA and provide recommendations for alignment where this not possible with the current structure.
- A final proto CMS incorporating final inputs to be submitted to SANBI and the Pongola-Umzimkulu proto CMA for endorsement and approval by the National Department of Water and Sanitation.

6. Requirements for proposals

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

The proposal must include:

- Details of the service provider that outlines relevant skills, experience and track record.
- A brief description of approach and deliverables.
- Work plan including proposed start and completion date; timeframes for activities and deliverables against the approval of which payments will be made.
- Examples of relevant, recent (within the last three years) products that the service provider was personally responsible for developing, associated with integrating land and water based activities to manage natural resources.
- Service providers are encouraged to demonstrate a contribution to empowerment and capacity development of historically disadvantaged individuals.
- Contact details of at least three current or recent clients (within the last three years) for which similar work has been done.
- A detailed and complete budget for the proposed work, including:
 - (a) The daily rate (VAT incl.) of all members of the service providers' team.
The daily rate should include the cost of all overheads, for example telephone and cell phone costs, stationery and office requirements, hardware and software, internet and data costs etc.
 - (b) Any additional disbursements (VAT incl.) not covered by the daily rate.
Travel and accommodation disbursements should NOT be included in the budget and may be claimed separately, in line with SANBI's policies and rates. Travel requirements will be discussed at the inception meeting.

Potential service providers must 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 tender not being awarded points.

- A current copy of the Central Suppliers Database (CSD) registration report or registration number.
- 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.

7. Evaluation process and criteria

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:

Stage one: Functionality.

Functionality means the measurement, according to predetermined norms, of the quality, reliability and viability of a service or commodity. Evaluation of proposals will be done according to the following criteria so sufficient information should be provided:

CRITERIA FOR EVALUATING FUNCTIONALITY	WEIGHT (%)
1. Technical merit and approach of proposal (understanding of the ToR, approach, timeframes and deliverables)	30
2. Expertise and competencies of service provider (specific reference must be made to required skills and competencies listed in section 4 above)	25
3. Relevance, quality and accuracy of products developed associated with integrating land and water based activities to manage natural resources.	30
4. Past experience including previous relevant projects, details of current or recent clients (within the last three years), overall track record and contribution to empowerment of historically disadvantaged individuals	15
TOTAL	100

NB: Any bidder who scores less than 70 points out of a possible 100 points in terms of functionality will not be eligible for further consideration.

Stage two: Price and preferential points

The second stage will evaluate the price and Broad-Based Black Economic Empowerment (B-BBEE) preference points of those bids that meet the minimum threshold for functionality. In accordance with the Preferential Procurement Regulations, 2011 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 20 points will be awarded based on the bidder's B-BBEE Status Level Certificate.

8. Reporting requirements and management

- The service provider will report directly and account to the Ecological Infrastructure Coordinator for the Pongola-Mtamvuna WMA at SANBI and the Deputy Director: Catchment Management Sub-Directorate at the KwaZulu-Natal Regional Office of the Department of Water and Sanitation.
- Reports will be submitted to the Ecological Infrastructure Coordinator for the Pongola-Mtamvuna WMA, however final approval will rest with the Project Leader: Ecological Infrastructure for Water Security Project.
- All reports must be in MS Office (Word or Excel preferred for tables and graphs) and the final proto CMS must also be submitted as a PDF.
- An electronic version of all reports must be submitted.

9. Contractual arrangements

- The contract will be drawn between SANBI and the service provider.
- Invoices will be paid for deliverables received.
- Invoices must indicate the deliverable produced. No upfront payments will be made.
- SANBI will pay for the satisfactory completion of work within 30 days of submission of invoice.
- Invoices must be addressed to the Ecological Infrastructure Coordinator for the Pongola-Mtamvuna WMA
- Copyright is retained by SANBI.

CLOSING DATE FOR QUOTATIONS

The closing date for submission of responses is **25 June 2021**, at **11:00 AM**.

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

Requests for further information on this TOR must be emailed to N.Ndlovu4@sanbi.org.za

PLEASE NOTE: Emailed applications must not be more than 8 MB.