

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE)					
RFQ NUMBER:	Q10767/2024	CLOSING DATE:	13 August 2024	CLOSING TIME:	11H00 am
APPOINTMENT OF A BBBEE VERIFICATION AGENCY TO CONDUCT BBBEE VERIFICATION FOR THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) FOR THREE YEARS					
BID RESPONSE DOCUMENTS MAY BE E-MAILED TO BELOW ADDRESSES:					
Submission of proposals: Proposals must be emailed to Ms. Anathi Mbadla @ a.mbadla@sanbi.org.za and copy S.SCM-Quotations@sanbi.org.za					
Please state the Bid number as the reference number on the subject line when responding to the RFQ					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Anathi Mbadla		CONTACT PERSON	Naphtally Kgola	
TELEPHONE NUMBER	012 843 5085		TELEPHONE NUMBER	012 843 5107	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	A.Mbadla@sanbi.org.za		E-MAIL ADDRESS	N.Kgola@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:

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

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

2.2.1 If so, furnish particulars:

.....

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

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

YES/NO

- 2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 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.

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

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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

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

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

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to invitations to tender:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the **80/20** preference point system.
- b) The **80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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

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

80/20

or

90/10

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

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
1. Categories of persons historically disadvantaged by unfair discrimination on the basis of race. 100% black ownership	10	

(Points will be allocated based on the percentage of ownership per goal. Information will be verified on CSD. CSD must be attached as proof)		
2. Categories of persons historically disadvantaged by unfair discrimination on the basis of gender. 100 % female ownership (Points will be allocated based on the percentage of ownership per goal. Information will be verified on CSD. CSD must be attached as proof)	10	
Total	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary

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

SURNAME AND NAME:

DATE:

Quotation number: Q10767/2024

Terms of Reference (ToR) for appointment of a BBBEE Verification Agency to Conduct BBBEE Verification for the South African National Biodiversity Institute (SANBI) for three years

1. Introduction

The South African National Biodiversity Institute (SANBI) is committed to promoting transformation and economic empowerment in South Africa. In line with this commitment, SANBI intends to procure the services of a BBBEE Verification Agency to conduct BBBEE verification for the organization.

2. Invitation To Quote

Quotations are hereby invited for the appointment of a BBBEE Verification Agency to Conduct BBBEE Verification for the South African National Biodiversity Institute (SANBI)

South African National Biodiversity Institute is located at:

2 Cussonia Avenue

Brummeria Avenue

Pretoria

3. Objectives

The primary objective of this assignment is to obtain a verified and valid BBBEE certificate for SANBI, ensuring compliance with the Broad-Based Black Economic Empowerment (BBBEE) Act and the associated Codes of Good Practice.

4. Scope of Work

The appointed BBBEE Verification Agency will be required to:

- Conduct a thorough assessment of SANBI's BBBEE status by the latest BBBEE Codes of Good Practice.
- Verify all relevant documentation and data provided by SANBI to substantiate its BBBEE status.
- Evaluate SANBI's performance across all BBBEE scorecard elements, including Ownership, Management Control, Skills Development, Enterprise and Supplier Development, and Socio-Economic Development.
- Provide a detailed verification report outlining SANBI's compliance level and score for each element of the BBBEE scorecard.
- Issue a valid BBBEE certificate based on the verification findings.
- Offer recommendations for improvement to enhance SANBI's future BBBEE compliance and performance.

5. Deliverables

The key deliverables for this assignment include:

- A comprehensive BBBEE verification report.
- A valid BBBEE certificate.
- A presentation of the verification findings to SANBI's management.
- Recommendations for improving SANBI's BBBEE score in future assessments.

6. Duration of the Assignment

The contract will be for 3 years.

7. Qualification and Experience Requirements

The BBBEE Verification Agency must meet the following criteria:

- Accreditation with the South African National Accreditation System (SANAS) as a BBBEE Verification Agency.
- Demonstrable experience conducting BBBEE verifications for public entities or organizations of similar size and complexity.
- A team of qualified and experienced professionals with in-depth knowledge of the BBBEE Act and Codes of Good Practice.

Submission Requirements

Interested BBBEE Verification Agencies are required to submit:

- A detailed proposal outlining their approach to the assignment, including timelines and deliverables.
- Reference letters from different clients as evidence of related services previously completed.
- Company profile and proof of SANAS accreditation.
- CVs of team members to be involved in the project.
- A portfolio of past projects, including references.
- A detailed cost breakdown.

Additional documents

- Completed and signed SCD forms
- Proof of CSD registration

By adhering to these terms of reference, SANBI aims to ensure a transparent and thorough BBBEE verification process that will contribute to the organization's commitment to transformation and economic empowerment.

7. Evaluation

Evaluation 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: In accordance with the Preferential Procurement Regulations, 2022 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 specific goals.

Stage 1:

The first stage will evaluate functionality according to the criteria listed in the tables below.

CRITERIA FOR FUNCTIONALITY	WEIGHT
Company Experience Reference letters from different clients as evidence of related services previously completed NB: The Reference Letter(s) must not be older than 5 years must be on the letterhead of the previously serviced client and should reflect at least the name of the client, the title of the related work conducted, the year conducted, and completed, contactable reference name and contact details and signed by the appropriate delegate. The Reference Letter must indicate the quality of the service rendered.	30
5 or more letters attached = 30 points 4 letters attached = 24 points 3 letters attached = 18 points 2 letters attached = 12 points 1 letter attached = 6 points 0 letter attached = 0 points	

Methodology and Project Plan The Bidder must provide a detailed explanation of the methodology and project implementation plan which details how the service will be carried out as outlined in the scope. The project plan must have deliverables and timeframes. The timeframes and project plan are suited and tailored to the project needs and demonstrate the following: • project plan with clear project timelines and deliveries and processes to be followed and sequence of events aligned = 6 points • demonstrates adequate understanding and knowledge in the BBBEE verification services = 6 points • Adequate understanding of BBBEE and related regulatory prescripts = 6 points • adequate understanding of the development of BBBEE compliance reports = 6 points • adequate understanding and knowledge in facilitating BBEE requirements awareness to Management = 6 points Non submission = 0 points	30
Provide the qualifications and professional competencies in Compliance Management of the <u>lead consultant</u> to be used to provide the service. Bidders must attach <u>certified copies of qualifications</u>. Uncertified qualification certificates will not be accepted and will therefore not score any points. Qualifications: Must provide proof of qualifications, experience, and professional competencies in Compliance Relevant tertiary qualification in Law or Commerce = 10 points Any other qualification not equivalent or related = 0 points	10

Experience of Lead Consultant Submission of Curriculum Vitae (CVs) indicating relevant experience. Experience of Lead Consultant More than 8 years of experience = 20 points 5– 8 years of experience = 10 points Less than 5 years of experience = 0 points	20
Experience and Qualifications of consultant <u>assisting</u> the lead consultant Experience and Qualification More than 3 years of experience with Relevant tertiary qualification in Law or Commerce = 10 points Less than 3 years of experience with Any other qualification not equivalent or related = 0 points Bidders must attach certified copies of qualifications. Uncertified qualification certificates will not be accepted and will therefore not score any points.	10
Total	100
Minimum Threshold Score	70

NB: Bids that fail to score a minimum of 70 points out of a possible 100 points for functionality will not be eligible for further consideration.

Stage 2

The second stage will evaluate the price and specific goals of those bids that meet the minimum threshold for functionality.

Specific Goal	Total Points
1. Categories of persons historically disadvantaged by unfair discrimination on the basis of race. 100% black ownership (Points will be allocated based on the percentage of ownership per goal. Information will be verified on CSD. CSD must be attached as proof).	(10)

2. Categories of persons historically disadvantaged by unfair discrimination on the basis of gender. 100 % female ownership (Points will be allocated based on the percentage of ownership per goal. Information will be verified on CSD. CSD must be attached as proof).	(10)
Total Points	20

8. Pricing schedule

Description	Year 1 R	Year 2 R	Year 3 R
Provision of B-BBEE verification services			
VAT			
Total amount inclusive of VAT			

Important Notes:

- I. Pricing must be inclusive of VAT.

9. Submission Deadline

Proposals must be emailed to : Email address: a.mbadla@sanbi.org.za with S.SCM-Quotations@sanbi.org.za

The closing date for submission of proposals is **Tuesday, 13 August 2024 at 11:00am.**

NO LATE SUBMISSIONS WILL BE ACCEPTED

RFQ documents are to be submitted via email. No hand delivery will be accepted

Technical inquiries: Ms Z Cele: Email: z.cele@sanbi.org.za