

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE COMMUNITY SCHEMES OMBUD SERVICE					
BID NUMBER:	RFQ015-2023	CLOSING DATE: 02 June 2023		CLOSING TIME:	16h00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING TO SHOP STEWARDS ON HOW TO PRESENT CASES AND CROSS EXAMINATION IN THE DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)				
BID RESPONSE DOCUMENTS MAY BE EMAILED TO THE BELOW (EMAIL ADDRESS)					
quotations@csos.org.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Jabulile Sithole		CONTACT PERSON	Rapule Tisane	
TELEPHONE NUMBER	066 302 5937 /(010) 593 0533		TELEPHONE NUMBER	083 603 3218 /(010)593 0533	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	jabulile.sithole@csos.org.za		E-MAIL ADDRESS	rapule.tisane@csos.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] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A DETIALED CSD REPORT REFLECTING EME OR QSE 51% OR MORE BLACK OWNERSHIP FOR AT LEAST ONE OF THE DESIGNATED GROUPS MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR SPECIFIC GOALS]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
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, 2022 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 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:

APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING TO SHOP STEWARDS ON HOW TO PRESENT CASES AND CROSS EXAMINATION IN THE DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)



REQUEST FOR QUOTATIONS (RFQ)

APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING TO SHOP STEWARDS ON HOW TO PRESENT CASES AND CROSS EXAMINATION IN THE DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE

MAY 2023

APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING TO SHOP STEWARDS ON HOW TO PRESENT CASES AND CROSS EXAMINATION IN THE DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)

1. TERMS AND CONDITIONS

This Request for Quotation (RFQ) has been compiled by the CSOS and is made available to Bidders subject to the following terms and conditions, which Bidders are deemed to acknowledge and accept:

- 1.1. A Bid submitted in response to this RFP will constitute a binding offer which will remain binding and irrevocable for a period of ninety (90) days from the date of submission to the CSOS.
- 1.2. Unless or until a binding contract is concluded between the CSOS and the successful Bidder, the offer constituted by the Bid will be deemed not to have been accepted and no agreement will be deemed to be reached with any Bidder.
- 1.3. The CSOS reserves the right to amend, modify, withdraw, or terminate this RFP or any of the requirements set out herein at any time (and from time to time), without prior notice and without liability to compensate or reimburse any Bidder or person.
- 1.4. Should this RFP be amended, the CSOS undertakes to publicize or send each Bidder in writing the amended RFP. No oral amendments by the Bidder or the CSOS shall be considered.
- 1.5. It is compulsory for a Bidder submitting a bid to be registered on the National Treasury's Central Supplier Database ("the CSD") and ensure that it remains registered for the duration of the services and/or contract, if successful.
- 1.6. The Bidder needs to ensure that it is tax compliant at the time of submitting its Bid and remains tax compliant for the duration of the contract and/or services, if successful, and undertakes to provide supporting documentation issued by the South African Revenue Services ("SARS") confirming it is tax compliant upon request by the CSOS.

APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING TO SHOP STEWARDS ON HOW TO PRESENT CASES AND CROSS EXAMINATION IN THE DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)

- 1.7. The CSOS reserves the right to conduct site inspections or call for supporting documentation in order to confirm any information provided by a Bidder in its response to this Bid.
- 1.8. This RFP is not intended to form the basis of a decision to enter into any transaction with the CSOS and does not constitute an offer or recommendation to enter into such transaction, or an intention to enter into any legal relationship with any person.
- 1.9. Neither the CSOS or any of its respective directors, officers, employees, agents, representatives, or advisors will assume any responsibility for any costs or expenses incurred by any party in or associated with preparing or submitting a Bid in response to this RFP.
- 1.10. No entity may be involved, whether directly or indirectly, in more than one Bid in response to this RFP. Failure to comply with this requirement may, within the sole discretion of the CSOS, result in disqualification of the relevant entity.
- 1.11. Any material changes in the control and/or composition of any Bidder or any core member of a Bidder after submission of a Bid, shall be brought to the attention of the CSOS Supply Chain Management (“SCM”) Section in writing. The CSOS shall be the sole arbiter as to what constitutes a material change in the control and/or composition of any Bidder and may in its sole discretion disqualify the Bidder from any further participation in the bid process.
- 1.12. Any requirement set out in this RFP which stipulates the form and/or content of any aspect of a Bid, is stipulated for the sole benefit of the CSOS, and unless the contrary is expressed, may be waived by the CSOS in its sole discretion at any stage in the bid process.
- 1.13. The CSOS and its advisors shall rely on a Bid as being accurate and complete in relation to the information and proposals provided therein by the Bidders.

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- 1.14. All Bids submitted to CSOS shall become the property of the CSOS and will not be returned to the Bidders. The CSOS will make all reasonable efforts to maintain information contained in proposals in confidence.
- 1.15. A Bid submitted by the Bidder shall be considered irregular if it shows any omissions or irregularities of any kind. However, the CSOS reserves the right to waive any irregularities and to make an award in the best interest of the organization.
- 1.16. The CSOS reserves the right to accept or reject in part or whole any Bid submitted, and to waive any technicalities if this is in the best interest of the organization.
- 1.17. The CSOS reserves the right to require a Bidder to provide a formal presentation of its RFP at a date and time to be determined by the CSOS. The CSOS shall provide adequate instructions and clarification regarding the purpose and scope of the presentation. All expenses shall be borne by the Bidder.
- 1.18. In this RFP, the words “service provider”, “supplier” will be used interchangeably to refer to the Bidder.
- 1.19. All costs associated with the preparation and submission of the Bid remain the responsibility of the Bidder. The costs shall not be chargeable to the CSOS by the successful or unsuccessful Bidder.
- 1.20. All Bids must be formulated and submitted in accordance with the requirements of this RFP.
- 1.21. Bids received after the closing date and time as specified in this RFP shall be rejected.

CONFIDENTIALITY AND INTELLECTUAL PROPERTY

- 1.22. All the produced documents are the property of CSOS.

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- 1.23. The CSOS is not obliged to appoint a bidder with the lowest price if based on its sole discretion and assessment, the said bidder does not exhibit or demonstrate adequate capacity or full comprehension of the scope of work to be undertaken. In this regard, CSOS may appoint the second-ranked bidder provided that the reasons for such deviation are properly justified.

2. INTRODUCTION

- 2.1. The Community Schemes Ombud Service (CSOS) is established in terms of the Community Scheme Ombud Service Act, 2011 [Act 9 of 2011) to regulate the conduct of parties within community schemes and to ensure their good governance. CSOS reports to the Minister of Human Settlement and is accountable to Parliament.
- 2.2. In order for CSOS to deliver on its mandate, key amongst other priorities of the organization is:
- 2.2.1. To regulate all community schemes in South Africa and part of our regulatory function entails the provision of dispute resolution services.
 - 2.2.2. To promote good governance of community schemes by developing and implementing appropriate guidelines to enhance stability and harmonious relations amongst the parties.
 - 2.2.3. To roll out massive educational campaigns to educate and train stakeholders within community schemes and the public at large.
 - 2.2.4. To enhance community schemes tenure as alternative tenure option.
 - 2.2.5. To develop and implement appropriate organisational systems, controls, and measures to enhance financial, economic, and organisational efficiency.

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2.2.6. The Community Schemes Ombud Service (CSOS) is an organisation with 251 approved positions on the organogram with a current staff complement of 196 employees as at the 15th of May 2023. It has three regional offices, Gauteng, Western Cape, and Kwa-Zulu Natal, with possible satellite office in Port Elizabeth and in Bloemfontein. The service provider should have a national footprint.

3. SCOPE OF WORK

3.1 Bidder to facilitate two-day workshop to shop stewards.

3.2 Bidder to provide training material for this workshop.

3.3 The training course must be conducted in a participative way, using simulations, role-plays case studies, videos, workbook activities and plenary discussions.

3.4 The workshop must be conducted at a venue or virtually organized by the CSOS.

3.5 The training must cater for at least five (5) participants.

3.6 The training dates will be communicated to the successful bidder.

3.7 Bidder to take roll call at the beginning of each session.

3.8 Bidder to provide stationery to participants such as paper and pens.

3.9 Participants to be furnished with a certificate of completion at the end of the training workshop.

3.10 The bidder to train shop stewards on how to effectively respond and rebut evidence.

3.11 The bidder to facilitate practical role plays in the workshop.

3.12 The bidder must be able to transfer knowledge on how to interpret statutes.

3.13 The bidder to Outcomes of the course includes but not limited to:

3.14 The bidder must be able to effectively demonstrate the use the new rules of cross-examination as an offensive series of tactics to enhance your theory of the case.

3.15 The bidder must teach shop stewards the tactics on how to expose the weaknesses in the testimony of the witnesses.

3.16 The bidder must be able to transfer the skill on how to highlight the lack of credibility of the witnesses.

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3.17 The bidder must provide knowledge on the importance of the disciplinary code, procedures for performance and disciplinary meetings: counselling's, verbal warnings, written warnings, final written warnings. 3.18 The Service Provider will amongst others do the following:

- How to carry out disciplinary and poor performance meetings and issue the appropriate corrective processes and / or disciplinary warnings.

4. REPORTING OBLIGATIONS

4.1 The appointed service provider will report to CSOS Project Manager, Mr. Rapula Tisane (Senior Specialist Employee Relations) as the designated CSOS representative.

5. EXPERTISE REQUIRED

5.1 The successful service provider will be required to demonstrate skills, expertise and experience in the following areas:

- Experience in conducting Cross examination of a Disciplinary Hearings training.
- Over ten years' experience in Employee Relations, Human Resources.
- Excellent understanding of the public service environment.
- Excellent report writing and facilitation skills.
- An international and African experience will be an added advantage.

5.2 PROJECT MANAGER'S RESPONSIBILITIES

- The CSOS Project Manager's responsibilities will include:
- Providing the service provider with all appropriate documentation, advice and information pertinent to the success of this project.
- The CSOS has the right to terminate or suspend this appointment and shall notify the service provider in writing of any intention to do so and the reasons for termination. The service provider may only recover all approved costs thus far incurred in connection with this project.

5.3 SERVICE PROVIDER'S RESPONSIBILITIES

- 5.3.1 The service provider will, after signing an agreement/contract, conduct the full scope of work for the CSOS, provide a line-item budget.
- 5.3.2 The bidders must undertake to abide by the CSOS' relevant policies, HR procedures

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and Code of Conduct whilst conducting the work on behalf of the CSOS.

6. Supply Chain Management Compliance requirements

6.1. Bidders to attach the following SCM compliance requirements documents.

Documents required	Comply	Not Comply
Valid B-BBEE certificate issued by an accredited SANAS verification agency/Sworn Affidavit signed by the EME/QSE representative and attested by a Commissioner of Oath/B-BBEE certificate issued by the Companies and Intellectual Property Commission (CIPC).		
Proof of registration on the National Treasury Central Supplier Database (provide a full CSD report)		
Valid SARS tax pin/Tax compliance letter		
Standard Bidding Document (SBD 1,3.3,4, &6.1)		

7. Mandatory Requirement

7.1. Bidders must comply with the following requirements in order to be evaluated further on pricing and specific goals. Failure to comply with ALL the below requirements will result in your bid being disqualified.

Requirements	Comply	Not Comply
CV of the ER Specialist /Human Capital/ Organizational Strategies reflecting at least ten (10) experience in the provision of Dealing with Disciplinary Hearings		

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The service provider must be accredited with any of the SETA's		
Provide at least three (3) contactable reference letter/s on company letter head of similar work done		
The facilitator must have Labour Law or Human Resource degree qualification or relevant qualification and a Master's degree will be an advantage		

8. Pricing Instruction

8.1. In order to facilitate a transparent selection process that allows equal opportunity to all bidders, CSOS has a Supply Chain Management policy that will be adhered to. Proposals will be evaluated in terms of the prevailing Supply Chain Management policy applicable to CSOS and it should be noted that proposals will be assessed using the 80/20 formula (preference points system) for Price and Specific goals as per the PPPFA 2022 Regulations and CSOS Preferential Procurement Policy.

Criteria	Sub Criteria	SUBSTANTIATION	Weighting/Points
Price	Detailed budget breakdown	Attach quotation on the company letterhead as per pricing schedule	80
Specific Goals	CSD report reflecting that company is at least 51% or more owned by black people for the below designated groups: <ul style="list-style-type: none"> • Women and/or • Youth and/or • People living with disability and/or 	Detailed (Full Registration) CSD Report	20

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	<ul style="list-style-type: none"> Black people who are military veterans. 		
Total Points for Price Specific Goals			100

8.2. Pricing Schedule

#	Description	Qty	Rate per employee	Price
1.	Facilitation fee		R	R
2.	Material fee		R	R
3.	Other (Bidder to specify)			
	Subtotal			
	VAT @15% (if applicable)			R
	Total inclusive of Vat			R

DISBURSEMENTS

The bidders are expected to assume the costs for their own travel and accommodation.

9. INSTRUCTIONS TO BIDDERS

9.1. TERMS AND CONDITIONS

9.1.1. CSOS reserves, under exceptional circumstances, the rights to extend the closing date. All proposals and all subsequent information received from bidders will not be returned.

9.1.2. The adjudication process does not represent a commitment on the part of the CSOS to proceed further with that proposal of any other bidder.

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9.2. CHANGES TO THIS RFQ DOCUMENT

- 9.2.1. CSOS reserves the right to make changes on this RFQ Document. All changes will be communicated to those entities that have responded to the RFQ. No reliance shall be placed on other information or comment from any other person.

9.3. CONFIDENTIALITY

- 9.3.1. Any information relating to the submissions, through the process or otherwise, shall be treated in strict confidence.

9.4. OTHER MATTERS

- 9.4.1. CSOS reserves the right not to enter into any relationship and no correspondence pertaining to submissions will be entered into.
- 9.4.2. If CSOS does not accept any proposal, it will declare this RFQ call process closed and may then elect to:
- 9.4.2.1. Proceed on a completely different basis; and
 - 9.4.2.2. Not to appoint any respondent in the event it deems proposals not appropriate.
- 9.4.3. CSOS will not accept any responsibility for costs incurred by bidders in preparing and submitting proposals.
- 9.4.4. CSOS reserves the right to engage in processes to validate all claims made in the proposal.

9.5. PAYMENT STRUCTURE

APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING TO SHOP STEWARDS ON HOW TO PRESENT CASES AND CROSS EXAMINATION IN THE DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)

9.5.1. CSOS undertakes to pay in full within thirty (30) days, all valid claims for work done to its satisfaction upon presentation of a substantiated claim/invoice.

9.5.2. Payments will only be made on the basis of the work completed (milestones/deliverables) as per the project implementation plan to be agreed at the inception of the project.

9.6. GENERAL

9.6.1. It is important to note that the successful bidder will work under the supervision of a CSOS representative, abide by CSOS's Code of Conduct, and other organizational guidelines.

10. CONTACT DETAILS FOR INFORMATION

10.1. Further information regarding technical matters can be sent via email to Rapula Tisane: rapula.tisane@csos.org.za or Tel: 010 593 0533/ 083 603 3218

10.2. Further information regarding supply chain management matters can be send via email to Jabulile Sithole: Jabulile.Sithole@csos.org.za or at Tel: 010 593 0533/ 066 302 5937

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER: **BID NO:**
RFQ015-2023: APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING TO SHOP STEWARDS ON HOW TO PRESENT CASES AND CROSS EXAMINATION IN THE DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)

CLOSING TIME 16h00 ON 02 JUNE 2023.

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO <u>TAX</u>	DESCRIPTION	BID PRICE IN RSA CURRENCY INCLUSIVE OF <u>VALUE ADDED</u>
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DESCRIPTION: APPOINTMENT OF A SERVICE PROVIDER TO CONDUCT TRAINING TO SHOP STEWARDS ON HOW TO PRESENT CASES AND CROSS EXAMINATION IN THE DISCIPLINARY HEARINGS TO THE COMMUNITY SCHEMES OMBUD SERVICE (CSOS)

1. Services must be quoted in accordance with the attached terms of reference.

Services must be quoted in accordance with the attached terms of reference.

Total cost of the assignment (R inclusive VAT

R.....

#	Description	Qty	Rate per employee	Price
1.	Facilitation fee		R	R
2.	Material fee		R	R
3.	Other (Bidder to specify)			
	Subtotal			
	VAT @15% (if applicable)			R
	Total inclusive of Vat			R

The financial proposal for this assignment should cover for all assignment activities as per terms of reference

2. Period required for commencement with project after acceptance of bid _____

3 Are the rates quoted firm for the full period? Yes/No

4. If not firm for the full period, provide details of the basis on which Adjustments will be applied for, for example consumer price index.

Technical enquiries regarding bidding procedures may be directed to:

Rapula Tisane

Tel: (010) 593 0533

E-mail address: Rapule.Tisane@csos.org.za

Supply Chain queries may be directed to:

Jabulile Sithole

Tell: (010) 593 0533

Email: quotations@csos.org.za

PLEASE REFER TO THE ATTACHED TERMS OF REFERENCE FOR MORE INFORMATION.

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

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.

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

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

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.

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.

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

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

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.

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

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

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.

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.

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