

REQUEST FOR QUOTATION

YOU ARE HEREBY INVITED TO QUOTE FOR REQUIREMENTS OF THE MARINE LIVING RESOURCES FUND

RFQ NUMBER: RFQ 000711

CLOSING DATE: 05 SEPTEMBER 2023

CLOSING TIME: 11:00

DESCRIPTION:

APPOINTMENT OF A SERVICE PROVIDER (SP) AS AN INDEPENDENT ENVIRONMENTAL CONTROL OFFICER BY THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE) / MARINE LIVING RESOURCE FUND (MLRF) IN COMPLIANCE WITH THE ENVIRONMENTAL AUTHORISATION AND ENVIRONMENTAL MANAGEMENT PROGRAMME FOR THE LAND-BASED AQUACULTURE DEVELOPMENT ZONE LOCATED WITHIN QOLORA IN THE EASTERN CAPE FOR A PERIOD OF TWELVE (12) MONTHS.

NB: Suppliers must be registered on CSD

The successful service provider will be required to fill in and sign a written Contract Form (SBD 7).

RFQ DOCUMENTS MUST BE EMAILED TO Pmoloi@dffe.gov.za

Bidders should ensure that RFQs are delivered timeously to the correct address.

ALL RFQS MUST BE SUBMITTED ON THE OFFICIAL FORMS

THIS RFQ IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

TELEPHONE NUMBER

CODE.....NUMBER.....

CELLPHONE NUMBER

FACSIMILE NUMBER

CODE.....NUMBER.....

E-MAIL ADDRESS

VAT REGISTRATION NUMBER

HAS AN ORIGINAL AND VALID TAX COMPLIANT STATUS PIN CERTIFICATE BEEN SUBMITTED?

NO

YES or

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD 6.1)

YES or NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA).....

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS);

OR.....

A REGISTERED AUDITOR

[TICK APPLICABLE BOX]

(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE 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?

or NO

YES

PROOF]

SIGNATURE OF BIDDER

DATE

CAPACITY UNDER WHICH THIS BID IS SIGNED

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Department: DFFE

Contact Person: Pinky Moloi

Tel: 021 402 3397

E-mail address: Pmoloi@dfre.gov.za

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER: BID NO.: RFQ 000711

CLOSING TIME 11:00

CLOSING DATE: 05 SEPTEMBER 2023

OFFER TO BE VALID FOR 60 DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
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APPOINTMENT OF A SERVICE PROVIDER (SP) AS AN INDEPENDENT ENVIRONMENTAL CONTROL OFFICER BY THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE) / MARINE LIVING RESOURCE FUND (MLRF) IN COMPLIANCE WITH THE ENVIRONMENTAL AUTHORISATION AND ENVIRONMENTAL MANAGEMENT PROGRAMME FOR THE LAND-BASED AQUACULTURE DEVELOPMENT ZONE LOCATED WITHIN QOLORA IN THE EASTERN CAPE FOR A PERIOD OF TWELVE (12) MONTHS.

1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.
3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

R.....

4. PERSON AND POSITION

HOURLY RATE

DAILY RATE

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R.....
R.....
R.....
R.....
R.....

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5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

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R.....
R.....
R.....
R.....

..... days
..... days
..... days
..... days

- 5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED

RATE

QUANTITY

AMOUNT

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R.....
R.....
R.....
R.....

TOTAL: R.....

Name of Bidder:

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance contributions and skills development levies.

- 5.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R.....
.....	R.....
.....	R.....
.....	R.....

TOTAL: R.....

6. Period required for commencement with project after acceptance of bid
7. Estimated man-days for completion of project
8. Are the rates quoted firm for the full period of contract?
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.

*YES/NO

*[DELETE IF NOT APPLICABLE]

Any enquiries regarding bidding procedures may be directed to the –

Pinky Moloi

Tel: 021 402 3397



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

MARINE LIVING RESOURCES FUND

REQUEST FOR PRICE QUOTATIONS

The Marine Living Resources Fund (MLRF), Schedule 3A entity, is an entity within the Department of Forestry, Fisheries and the Environment, hereby request your quotation on the goods/service/works listed hereunder.

RFQ Number	RFQ 000711
Description	REQUEST TO APPOINT A SERVICE PROVIDER (SP) AS AN INDEPENDENT ENVIRONMENTAL CONTROL OFFICER BY THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE) / MARINE LIVING RESOURCE FUND (MLRF) IN COMPLIANCE WITH THE ENVIRONMENTAL AUTHORISATION AND ENVIRONMENTAL MANAGEMENT PROGRAMME FOR THE LAND-BASED AQUACULTURE DEVELOPMENT ZONE LOCATED WITHIN QOLORA IN THE EASTERN CAPE FOR A PERIOD OF TWELVE (12) MONTHS
Detailed Specification/scope of work and functionality	Attached as Annexure A
Local Production & Content Requirements (attached please find the relevant Circular from NT)	Not applicable.
Briefing Session	Not applicable.
RFQ Publication date	22 AUGUST 2023
Responses MUST be submitted to	Pmoloi@dffe.gov.za
RFQ Closing Details	05 SEPTEMBER 2023 @ 11:00 AM
Delivery Address	For the attention of: Foretrust building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001, services to be rendered for site in Qolora Aquaculture Development Zone, Eastern Cape

Initials:

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Quotation Validity Period	60 Days from the Closing Date
Mandatory Requirement/Pre-Qualification Criteria	Applicable
Evaluation Criteria	See Annexure A.
NO HAND DELIVERED RFQ RESPONSES WILL BE ACCEPTED PROSPECTIVE BIDDERS MUST BE REGISTERED ON NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE (CSD) PRIOR TO SUBMITTING BIDS AND THEIR TAX MATTERS MUST BE IN ORDER	

TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

1. Terms and conditions of Request for Quotation (RFQ)

- 1.1 This document may contain confidential information that is the property of the Marine Living Resources Fund [MLRF].
- 1.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFQ without prior written permission from MLRF.
- 1.3 All copyright and intellectual property herein vests with MLRF.
- 1.4 Late and incomplete submissions will not be considered. Submissions received after closing time and date will be classified as LATE and WILL NOT be considered.
- 1.5 No services must be rendered, or goods delivered before an official MLRF Purchase Order form has been issued by a duly authorised official from the MLRF and received by the bidder. Please note that this is not an instruction to proceed with supply of any goods or service unless the quotation is approved, and a Purchase Order is supplied to you.
- 1.6 Please note that if you receive the Purchase Order, delivery of goods or rendering of services must be done within 14 calendar days or upon agreed time frames. Failing to deliver upon agreed times will result in your Purchase Order being cancelled.
- 1.7 This RFQ will be evaluated in terms of the 80/20 preference point system if is equal to or below R50 million.
- 1.8 Bidders are required to register on the Central Supplier Database at www.csd.gov.za if you are not registered on the CSD.
- 1.9 All questions regarding this RFQ must be forwarded to Pmoloji@dfre.gov.za within 24 hours after the RFQ has been issued.
- 1.10 Any bidder who has reasons to believe that the RFQ specification is based on a specific brand must inform MLRF within two (2) days before the RFQ closing date.
- 1.11 Where quotations/proposals submitted are equal to or below R50 million, bidders are required to submit the original and valid proof for preference points claimed or certified copies thereof; to substantiate their preference points claims. SBD 6.1 must also be duly completed, signed, and submitted alongside the bid to claim preference points. Failure to do so will result in preference points being forfeited.

- 1.12 As per section 4(1) of the Preferential Procurement Regulations of 2022, the maximum 20 points may be awarded based on specific goals. The 20 points will be allocated as follows:

SPECIFIC GOAL	POINTS TO BE ALLOCATED
51% black owned	8 points
50% women	4 points
Youth	4 points
Disability	4 points
TOTAL POINTS	20 points

- 1.13 Bidders are required to duly complete, sign and submit the new SBD 4 together with their quotations/proposals. Failure to do so may result in your quotation/proposal **not** being accepted.
- 1.14 For designated sectors for local production and content, SBD 6.2 and Annexures C, D & E must be duly completed, signed and SBD 6.2 together with Annex E must be submitted with your quotation/proposal.
- 1.15 All quotations/proposals submitted must be inclusive of Value Added Tax (VAT) if you are VAT registered and must be quoted in South African Rands (ZAR) and price must be firm.
- 1.16 The full costs must be disclosed as there will be no variances that will be entertained, and no price adjustment will be entertained after the Purchase Order has been issued.
- 1.17 These terms and conditions supersede any terms and conditions that may be issued by the service provider/supplier on their quotations or any other document similar to that.
- 1.18 Full and updated CSD report must be submitted with the quotation and MLRF will only contract with supplier's/service providers that their tax matters are in order.
- 1.19 The MLRF pays within 30 (thirty) days after receipt of a valid tax invoice and after approval of relevant invoice and reports and does not make upfront payments or deposits.
- 1.20 It is the responsibility of prospective bidders to ensure that all bid documents are submitted before the closing date and time of the RFQ.

2. PROTECTION OF PERSONAL INFORMATION



In responding to this RFQ, MLRF acknowledges that it may obtain and have access to personal data of the respondents. MLRF agrees that it shall only process the information disclosed by bidders in their response to this RFQ for the purpose of evaluating and subsequent award of business and in accordance with any applicable law. Furthermore, MLRF will not otherwise modify, amend, or alter any personal data submitted by Respondents or disclose or permit the disclosure of any personal data to any Third Party without the prior written consent from the Respondents. Similarly,

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MLRF requires Respondents to process any process any personal information disclosed by MLRF in the bidding process in the same manner.

MLRF RESERVES THE RIGHT NOT TO MAKE ANY APPOINTMENT AND SHALL NOT ENTERTAIN ANY CLAIM FOR COSTS THAT MAY HAVE BEEN INCURRED IN THE PREPARATION AND THE SUBMISSION OF THIS QUOTATION/PROPOSAL

Approvals of RFQ

End User	Requester	S. Mayty	Rank	A.O	Cost Centre Manager	A. NJOBEI	Rank	DIRECTOR SAM
	Signature		Date	21/08/2023	Signature	A. NJOBEI	Date	2023/8/21
It is hereby certified that all the information supplied in this form is correct, that the requirement may be procured and that funds are available.								
SCM Only								
Official verifier (buyer)	Name	Pinky Mbi	Signature		Date	22/08/2023		
Approver as per Delegations	Name	M. Mambwa	Signature		Date	22/8/2023		

**forestry, fisheries
& the environment**

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

THE MARINE LIVING RESOURCES FUND, A SCHEDULE 3A PUBLIC ENTITY ESTABLISHED IN TERMS OF THE PUBLIC FINANCE MANAGEMENT ACT, 1999 (ACT NO 1 of 1999) AND THE DEPARTMENT OF FORESTRY, FISHERIES AND ENVIRONMENT ("DFFE") (IN ITS COMMITMENT TO THE PRINCIPLES ENSHRINED IN THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996) ADHERES TO THE PROVISIONS OF THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 5 OF 2000 ("PPPF") AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

TERMS OF REFERENCE

TO APPOINT A SERVICE PROVIDER (SP) AS AN INDEPENDENT ENVIRONMENTAL CONTROL OFFICER BY THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE) / MARINE LIVING RESOURCE FUND (MLRF) IN COMPLIANCE WITH THE ENVIRONMENTAL AUTHORISATION AND ENVIRONMENTAL MANAGEMENT PROGRAMME FOR THE LAND-BASED AQUACULTURE DEVELOPMENT ZONE LOCATED WITHIN QOLORA IN THE EASTERN CAPE FOR A PERIOD OF TWELVE (12) MONTHS

1. PURPOSE

The Department of Forestry, Fisheries and the Environment (DFFE) / Marine Living Resource Fund (MLRF) is the mandated authority for aquaculture management and development in the country. The DFFE, on behalf of Qolora by the Sea Community Property Association, who is the holder of the Environmental Authorisation (EA) for the Qolora Aquaculture Development Zone (ADZ) requires the service of a suitably qualified and experienced service provider as an independent Environmental Control Officer (ECO). The ECO is required for the land-based ADZ's construction phases for the development located in Qolora, within the Mnquma Local Municipality in the Eastern Cape, in compliance with the stipulations as outlined in the EA and the Environmental Management Programme (EMPr), for a contract period of twelve (12) months.

2. SPECIFICATIONS

2.1 Introduction and Background

- 2.1.1. An Aquaculture Development Zone (ADZ) is an area that has been identified or earmarked specifically for aquaculture activities with the purpose of encouraging investor and consumer confidence; creating incentives for industry development, to provide marine aquaculture services; to manage the risks associated with aquaculture; as well as to provide skills development and employment for coastal communities. The development of ADZs supports the Policy for the Development of a Sustainable Marine Aquaculture sector in South Africa (2007) aimed at creating an enabling environment that will promote growth and sustainability of the marine aquaculture sector in South Africa, as well as to enhance the industry's contribution to South Africa's economic growth.
- 2.1.2. In 2009, the Marine Living Resources Fund (MLRF) of the Branch Fisheries Management, outsourced a project aimed at identifying suitable land for the establishment of marine ADZ's in the coastal provinces of South Africa. One of the land-based sites identified as suitable for aquaculture was situated in the Eastern Cape near the town of Qolora which is located in the Eastern Cape, in Centane, and falls within the Mnquma Municipality. The identified site has an area of 26.4 hectares and is situated approximately 60 km northeast of East London.
- 2.1.3. The project consisted of two phases:
Phase one of the project entailed undertaking the Environmental Impact Assessment (EIA) for the Qolora ADZ, to which a positive Environmental Authorisation (EA) (**Annexure A**) was granted on the 29th September 2011 by the Department of Economic Development, Environmental Affairs and Tourism (DEDEAT). An extension to the EA was granted till the 29th September 2023 (**Annexure B**). To ensure that relevant permits have been obtain in accordance with the EA, waste licence application was undertaken and approval obtained on the 30th May 2013 (**Annexure C**), as well as a water use licence was issued on the 13th October 2017 (**Annexure D**) and the Agreement of Lease of the Sea Shore issued on the 6th November 2023 (**Annexure E**).

- h) Monitor monthly performance of the contractor (and sub-contractors) and ensure compliance with the ADZ EMPr and associated Method Statements.
 - i) Review access and incident records that may pertain to the environment and reconcile the entries with the observations made during site inspection, monitoring and auditing.
 - j) Keeping a photographic record of progress on the site from an environmental perspective.
 - k) Ensuring a proactive and effective implementation and management of environmental impacts as set out in the EMPr and EA, by advising the Contractor on environmental issues within the defined work areas.
 - l) Report compliance and non-compliance issues to MLRF, Contractor, Engineer and Relevant Authorities. Ensure and/or recommend requisite remedial action that can be appropriately implemented in the event of non-compliance.
 - m) Take immediate action on site where clearly defined and agreed “no-go” areas are violated or in danger of being violated and to inform an ADZ representative of the occurrence immediately and to take action.
 - n) Take immediate action on site when prescriptive conditions are violated, or in danger of being violated and to inform the ADZ representative of the occurrence and action taken. Issue compliance directives to the contractors and/or sub-contractors for corrective action/s required.
 - o) Verify all environmental incident reported, as well as corrective and preventive actions taken in this regard and maintain an incident register.
 - p) Maintain the public comments register in which all complaints/comments are recorded, as well as action/s taken.
 - q) Ensure that monthly ECO inspections and auditing considers environmental aspects of the relevant contractor to minimise environmental impacts and achieve environmental goals as set out in the EMPr.
 - r) Liaise with the Competent Authority to ensure that all contraction monitoring provides sufficient, relevant information for the Competent Authority to be assured that activities are suitably managed to minimise impact on the environment.
 - s) Draft monthly ECO audit reports, starting from date of appointment and submit these to the Competent Authority.
 - t) Attend relevant site meetings to present on environmental compliance and issues that would need to be addressed by the contractor.
 - u) Prepare an environmental snag-list and close out report after the construction & rehabilitation phases has been completed.
- 2.2.2 The appointed ECO must be contactable by the public regarding matters of environmental concern as they relate to the operation of the works.

- Reporting back and fulfil role of rapporteur at the site meetings or meetings between the developer, DFFE and contractor.
- Issue the constructor with the Construction EMP.
- Appoint a Botanist to undertake a thorough search of the construction area to identify and/or mark any species of special concern as well as bulbs and where a need arises complete the permit application be obtained to relocate protected species.
- Notify SAHRA if the need arises if middens and artifacts of archaeological value are observed during construction.
- Review and issue to the constructor the Construction EMPr (CEMPr) and if required update CEMPr (or CEMP), submit the application as per the legal requirements.
- Attendance at monthly progress meetings and drafting the meeting minutes with the DFFE Project Manager held in Cape Town, or virtually at the discretion of the DFFE.
- Draft relevant templates that would be used for reporting and communicating with the contractor, these must include the incident form that would be completed by the contractor.
- Compile and ensure safe storage of all monthly progress reports and meeting minutes.
- Facilitation of hand over meeting and documentation to the DFFE project management team at completion of the contract.

3. EVALUATION METHOD

3.1. Mandatory Requirement/Pre-Qualification Criteria

3.1.1 The following table must be completed by answering YES or NO and attach proof.

3.1.2 Only bidders who achieve a Yes for all mandatory requirements with proof will proceed for evaluation to the next evaluation stage.

REQUIREMENT	REQUIRED PROOF TO BE SUBMITTED WITH BID	COMPLY: YES OR NO
The ECO has the appropriate and proven experience of a minimum of 3 years in undertaking and leading the execution of the scope of work in SECTION 2 above.	Company Profile	
The project leader/ECO practitioner must have a minimum of 3 years of experience in ECO and environmental monitoring for land-based development.	CV of Project leader	
The ECO has conducted at least three marine environmental management projects of a multi stakeholder nature with experience as a senior Project manager/ Senior natural scientist.	Company Profile/ CV of Project leader	

the bid to claim preference points. Failure to do so will result in Specific Goals preference points being forfeited.

- 3.2.5 The 80/20 as an appropriate preference point system will be used in the evaluation and adjudication of this quotation. However, it must be extended that the lowest acceptable supplier will be used to determine the applicable preference point system as per regulation (Section 3(2)(b) of the Preferential Procurement Regulations (PPR) 2022, which states: "If it is unclear which preference point system will be applicable, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable supplier will be used to determine the applicable preference point system". Therefore, either 80 or 90 points, depending on the rand value of the quotation, will be awarded to the suppliers who offers the lowest price, and proportionately fewer points are awarded to those with higher prices. Either 20 or 10 points are then available as preference points for specific goals, as applicable. The contract will be awarded to the suppliers that scores the highest total number of adjudication points per category.

- 3.2.6 Points will be awarded to a supplier for specific goals in accordance with the table below:

B.	PRICE	80
C.	Specific Goal	Number of points (20)
	51% black ownership	8
	50% women ownership	4
	Youth ownership	4
	Disability	4
	Non-compliant contributor	0

- 3.2.7 The SCM unit of the DFFE / MLRF will allocate preferential points (Specific Goals) to each company for its contribution towards empowerment of the black designated groups as prescribed in the Preferential Procurement Regulations of 2022, women, people with disabilities, youth as well as local economic development.
- 3.2.8 A supplier will not be disqualified from the quotation process if the suppliers does not submit supporting documents substantiating the specific goals preference points claimed or is a non-compliant contributor. Such some suppliers will score 0 for Specific Goals.

- 5.2 The Department / MLRF will not be held responsible for any costs incurred by the SPs in the preparation, presentation and submission of the proposal.
- 5.3 All the conditions specified in the General Conditions of Contract (GCC) will apply and where the conditions in the special conditions of contract contradicts the conditions in the general conditions of contract, the special conditions of contract will prevail.

6. PAYMENT TERMS

- 6.1 The DFFE / MLRF undertakes to pay out in full or as per deliverables within 30 (thirty) days all valid claims for work done to its satisfaction upon presentation of a substantiated claim and the required reports stipulated in special conditions. No payment will be made where there is outstanding information/work not submitted by the Service Provider/s until that outstanding information is submitted.
- 6.2 Payment by the DFFE / MLRF shall be made by means of an electronic transfer into the SP's bank account.
- 6.3 Payment requirements
- The successful Service Provider shall render services to the DFFE / MLRF in accordance with the Project Plan and Project Scope.
 - The amounts are inclusive of VAT and all disbursements shall be paid in South African Rands.

7. ENQUIRIES

- 7.1 Should you require any further information in this regard, please do not hesitate to email:

Name	Email address
Pinky Moloi	Pmoloi@dfpe.gov.za

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

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.

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.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is

adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc} \text{80/20} & \text{or} & \text{90/10} \\ \\ Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) & \text{or} & Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

Where

Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = 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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
51% Black Ownership	N/A	8	N/A	
50% Black Women Ownership	N/A	4	N/A	
Youth Ownership	N/A	4	N/A	
Disability Ownership	N/A	4	N/A	
Non-compliant contributor	N/A	0	N/A	

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:
ADDRESS:

[illegible][illegible][illegible][illegible]

Website:	
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E-Mail Address:	
------------------------	--

Landline:	
Cellphone:	

3

Toll Free Number: (if applicable)	
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1.14

Number of full-time employees:	
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1.15 SUPPLIERS GROUPING DETAIL: TYPE OF FIRM: (PLEASE TICK THE RELEVANT BOX)

1	Public Company (Ltd)		7	Sole Proprietor	
2	Private Company (Pty) Ltd		8	Foreign Company	
3	Close Corporation (cc)		9	Partnership	
4	Other (specify)		10	Trust	
5	Joint Venture		11	Section 21 Company	
6	Consortium		12	Government / Parastatals	

**1.16 CONTACT PERSON DETAILS: (Complete for at least two Persons-Preferably Management)
(Compulsory)**

		CONTACT PERSON 1				CONTACT PERSON 2			
1	Contact Name:								
2	Job Title:								
3	Receiver of contracts:	Y		N		Y		N	
5	Receiver of bids:	Y		N		Y		N	
6	Landline Number:								
7	Cellular Telephone Number:								
8	E-Mail Address:								

1.17 ANNUAL TURNOVER per annum

R	
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INSTRUCTIONS AND DEFINITIONS

2. GENERAL DEFINITIONS

- 2.1 **“Acceptable bid”** means any bid which, in all respects, complies with the specifications and conditions of bid as set out in the bid document.
- 2.2 **“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, works or services.
- 2.3 **“Comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilised have been taken into consideration.
- 2.4 **“Consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skills and knowledge in an activity for the execution of a contract.
- 2.5 **“Contract”** means the agreement that results from the acceptance of bid by an organ of state.
- 2.6 **“Specific contract participation goals”** means the goals as stipulated in the Preferential Procurement Regulations 2001.
- 2.6.1 In addition to above-mentioned goals, the Regulations [12.(1)] also make provision for organs of state to give particular consideration to procuring locally manufactured products.
- 2.7 **“Control”** means the possession and exercise of legal authority and power to manage the assets, goodwill and daily operations of a business and the active and continuous exercise of appropriate managerial authority and power in determining the policies and directing the operations of the business.
- 2.8 **“Disability”** means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being.
- 2.9 **“Equity Ownership”** means the percentage ownership and control, exercised by individuals within an enterprise.
- 2.10 **“Historically Disadvantaged Individual (HDI)”** means a South African citizen
- (1) who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No 110 of 1983) or the Constitution of the Republic of South Africa, 1993, (Act No 200 of 1993) (“the interim Constitution”); and/or
 - (2) who is a female; and/or
 - (3) who has a disability:
- provided that a person who obtained South African citizenship on or after the coming to effect of the Interim Constitution, is deemed not to be a HDI;

- 2.11 **“Management”** means an activity inclusive of control and performed on a daily basis, by any person who is a principal executive officer of the company, by whatever name that person may be designated, and whether or not that person is a director.
- 2.12 **“Owned”** means having all the customary elements of ownership, including the right of decision-making and sharing all the risks and profits commensurate with the degree of ownership interests as demonstrated by an examination of the substance, rather than the form of ownership arrangements.
- 2.13 **“Person”** includes reference to a juristic person.
- 2.14 **“Rand value”** means the total estimated value of a contract in Rand denomination that is calculated at the time of bid invitations and includes all applicable taxes and excise duties.
- 2.15 **“Small, Medium and Micro Enterprises (SMMEs)”** bears the same meaning assigned to this expression in the National Small Business Act, 1996 (No 102 of 1996).
- 2.16 **“Sub-contracting”** means the primary contractor's assigning or leasing or making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.
- 2.17 **“Trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person.
- 2.18 **“Trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.
- 2.19 **“Trade Name”** The trade names that the company owns or distributes, which you wish to be registered for, as a supplier to the Marine Living Resource Fund. Applicants should indicate this on page 5 of the application.

3. LIST OF SHAREHOLDERS

Name	Position occupied in Enterprise	ID	Date RSA Citizenship obtained	*HDI Status			
				No franchise prior to elections	Women		Disabled
					W	A	

EQUITY OWNERSHIP CLAIMED IN TERMS OF THE ABOVE:

Equity Ownership **by persons who had no franchise in the national elections prior to 1994:** _____ **% owned**

Equity Ownership **by White women:** _____ **%**

Equity Ownership **by African women:** _____ **%**

Equity Ownership **by Disabled persons:** _____ **%**

Is the company 50.1% or more black owned? (Black enterprise, which means the majority of shares, is owned by blacks)

Or is the company 25.1% or more black owned? (Black empowered, which means the traditionally white owned company has empowered blacks in terms of shares in their company)

Please indicate the number of employees _____

*Indicate YES or NO

4. BUSINESS ACTIVITIES

	Office stationery, computer equipment, consumables, cleaning material, Office furniture, audio-visual equipment, office equipment.
	Printing, layout, design, publications, portfolios and banners, Signage and Flags
	Communication specialist (writing and producing of information)
	Media production – TV, radio etc. TV, radio and exhibits production, Entertainers i.e. dancers, musicians, poets, craftspeople etc. Stage, Podium and Sound System/Public Address System.
	Building maintenance: electrical, plumbing, office partitioning, painting, replacement of carpets, pest control etc
	Cleaning service (e.g. steam cleaning of carpets, curtains etc)
	Tracing
	Panel beating, Light and Heavy Vehicle Mechanicals
	Lab Machinery, Water Treatment, Microscopes
	Mobile Tool Unit
	Marine Electronics, Vessels and Small Boats Repair
	Catering Service
	Boat hire
	Buoys
	Ballistic Spray
	Cable tie and Metal Seals, Fertiliser Bags
	Cash Management/In transit
	Protective Clothing, Personal Protective Equipment
	Divers and Cameras Normal Including (Underwater Camera)
	Fish Tank
	SAMSA Accredited Medical Practitioners
	Supply of Sanitary Bins and Toilets
	Path Care Service
	Lock Smith
	Corporate Clothing
	Trawl nets, Trawl Wrap, Door net
	Gun Smoothing Kalgarding
	Furniture Removals
	Supply of Research Equipment
	Security Service and Access Control System
	Hazardous Waste Removal
	Health and Safety
	Travel Agencies and Shuttle Service
	Event organizers: Conferences and accommodation
	Training and workshops
	Suppliers of aircraft and Helicopters
	Financial auditing, Forensic Auditing
	Feasibility studies, project implementation, determination of norms and standard for the Expanded Public Works Programme (EPWP), development of training programs related to the marine environment.
	Service providers who specialise in Waste Management, cleaner production and air quality, geotechnical investigation, archaeological survey, land survey, flood line investigation, environmental impact assessment, quantity survey, environmental engineering.

[illegible]

5. GENERAL INFORMATION TO NOTE

- Registration on the Supplier Database does not guarantee business opportunities.
- Only suppliers who are registered and verified on the CSD will be captured on the MLRF Supplier Database. We will provide assistance to those companies who are not yet registered.
- Please include registration with appropriate regulatory and professional bodies eg. Copy of certificate of acceptability for food safety (Catering companies only).
- Please note that no 3rd party payments are allowed.
- Payment to suppliers will be through electronic banking transfer.
- In the case of Trusts, a certified copy of the trust Certificate/Trust Deed and a certified letter allowing a specific person to conduct business on behalf of the Trust.
- It shall be the responsibility of the registered supplier/service provider to inform the Marine Living Resources Fund immediately in writing of any change of address, telephone numbers and, in particular, of any changes in respect of the equity ownership by historically disadvantaged individuals (HDI Status) and the small / medium / micro enterprise (SMME) status of the business. Should a contract be awarded to a business as a result of incorrect particulars on the HDI / SMME status of that business, the Marine Living Resources Fund shall have the right to, in addition to any other remedy that it may have in terms of the Preferential Procurement Regulations (2001), cancel the contract and to claim damages.
- The Marine Living Resource Fund reserves the right to enter into term contracts with any supplier (whether registered or not) for any category of goods or services if the frequency of procurement in the particular category warrants a term contract.

SIGNATURE OF AUTHORISED PERSON

DATE:

TAKE-ON	NEW	UPDATE	ENTITY TYPE	BUSINESS	DEPARTMENT	EMPLOYEE	OTHER
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CONTACT DETAILS	STREET / PHYSICAL ADDRESS																					POSTAL CODE				
	POSTAL ADDRESS																					POSTAL CODE				
	BUSINESS TELEPHONE No.											DIALLING CODE														
	BUSINESS FACSIMILE No.											DIALLING CODE														
	NAME OF CONTACT PERSON																									
	E-MAIL ADDRESS																									
	CELLULAR TELEPHONE No.																									

DETAILS OF FINANCIAL INSTITUTION FOR ELECTRONIC BANKING TRANSFERS:		BANK DATE STAMP (NOT REQUIRED IF ACCOUNT CONFIRMATION LETTER SUBMITTED)	
BANK NAME:			
BRANCH NAME & CITY/TOWN			
BRANCH NUMBER/CODE			
ACCOUNT NUMBER			
ACCOUNT TYPE	<div style="display: flex; justify-content: space-between; border-bottom: 1px solid black;"> CURRENT SAVINGS TRANSMISSION </div>		

This authority may be cancelled / changed by giving prior written notice, by way of registered post or facsimile.

POSITION HELD

DATE (DD/MM/YYYY):

6. DETAILS OF PERSON (S) AUTHORIZED TO ACT ON BEHALF OF THE SUPPLIER (Mandatory)

RESOLUTION OF OWNERS / DIRECTORS / MEMBERS / PARTNERS

RESOLUTION of a meeting of the Board of * Directors / Members / Partner / Owners of:

.....

.....
(Legally correct full name and registration number of the Enterprise, if applicable)

Held at (Place)

On..... (Date)

RESOLVED that:

1. The firm submits an application to the Marine Living Resource Fund for the registration on MLRF's Supplier Database Register.

2.*Mr / Mrs / Ms.....

in * his/her Capacity as :.....(Position in the Enterprise)

and who will sign as follows:

be, and is hereby, authorised to sign any documents and/or correspondence in connection with and relating to the Application Form as well as to sign any contract including all documentation on behalf of the supplier.

No	Name	Capacity	Signature

Note:

1. Delete which is not applicable

2.NB.This resolution must be signed by all the Directors/Members/Partners and Owners of the Bidder Enterprise

3. Should the number of Director/Members/Partner and Owners exceed the space available above ,additional names and signatures must be supplied on a separate page

Enterprise Stamp

DECLARATION

By completing this application form, the Supplier declares that:

1. All the information supplied in this application is true and correct.
2. The Supplier will, without protest submit itself to the procedures instituted by the Marine Living Resource Fund
3. The Supplier will, if requested to do so supply further information and documentary evidence for scrutiny.
4. The Supplier will update their registration particulars whenever a significant change in their details occurs.
5. The Supplier acknowledges that any false information provided can lead to disqualification from the Supplier Database Register and being listed on the Marine Living Resource Fund non-preferred supplier list.
6. The Supplier acknowledges that it can be penalised for poor performance as the Marine Living Resource Fund deems necessary.

Is there any relationship between your organisation and any Marine Living Resource Fund employees?		Yes	No
If yes, please specify nature of relationship and of person			
Family	Friend	Business Partner	
Full Name	Full Name	Full Name	

Duly authorised to sign on behalf of :.....(Name of Supplier)

The undersigned who warrants that he/she is duly authorised to do so on behalf of the supplier, confirms that the contents of the application are within my personal knowledge and are to the best of my belief both true and correct

Signature	Full Name	Capacity	Date

COMMISSIONER OF OATHS:

Signed and sworn to before me at(Place) on this theday ofby the Deponent, who has acknowledged that he/she knows and understands the contents of this Affidavit, that it is true and correct to the best of his /her knowledge and that he/she has no objection to taking the prescribed oath, and that the prescribed oath will be binding on his/her conscience.

Commissioner of Oaths.....

Name:.....

Stamp

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Signature:.....

Note: All pages of this Affidavit must be initialled by both the Deponent and the Commissioner of Oaths.