



**Terms of Reference (TOR)
for the Appointment of a Service Provider to
Dispose of Marine Animal Carcasses for the KwaZulu-Natal Sharks Board.**

1. PURPOSE

The purpose of this submission is to appoint a suitable and registered Service Provider who will remove macerated marine animal carcasses from the KwaZulu-Natal Sharks Board headquarters and dispose of them at government-approved sites.

2. RATIONALE TO THE WORK

The KwaZulu-Natal Sharks Board needs to dispose of all the marine animal carcasses after dissection. This can only be done through a registered waste disposal company.

3. BACKGROUND

3.1 In terms of the national laws and municipality by-laws, it is the generator (i.e. KZNSB) that is legally responsible to ensure that the waste removed from its premises is handled, stored or treated by a correctly licensed facility and disposed of at a government-approved landfill site. This is known as the cradle-to-grave concept. Any company that is in the business of removing, transporting, handling, treating, disposing, or storing waste is required to be correctly licensed. Such a license is known as a Section 20 license and the company will be registered in terms of the National Environmental Management Waste Act (NEMWA - Act 59 of 2008) by the Department of Environmental Affairs (DEA) as a storage or treatment site.

3.2 The KwaZulu-Natal Sharks Board main objective is to always achieve a clean audit, it is therefore imperative for the KwaZulu-Natal Sharks Board to ensure that our operations are taking place within the parameters of Occupational Health and Safety Act 85 of 1993 and relevant Municipal By-Laws.

3.3 In accordance to the Act 85 of 1993 Section 8.2 General duties of the employer: Every employer shall provide and maintain, as far as reasonably practicable, a working environment that is safe and without risk to the health of his employees.

4. SCOPE OF WORK

We are seeking to hire a waste disposal company for a period of three (3) years to dispose of macerated marine tissue waste. The appointed company must be able to remove waste using two different procedures

Solid waste: Skip removal

- The service provider needs to transport a 7m³/2 m³ skip/bin when requested to the KZNSB, leave the skip on the property for two days to allow us to fill the skip and then remove the skip when ready to dispose the carcasses to the landfill. This needs to be done for the duration of the contract. It is imperative that the skip must not leak, as it needs to retain any fluids emanating from the carcasses. At times, we may call for a smaller skip during the contract period. In addition, a sturdy cover for the skip must also be provided. This cover should be durable to withstand the sun and be waterproof to keep out the rain.
- The service provider must collect and empty the skip within 1 working day after notification to collect. The end-user is expected to liaise with the Disposal company before agreeing to pick up the skip from KwaZulu-Natal Sharks Board.
- The service provider is expected to dispose of the carcasses at a Municipality regulated dumping site.
- The service provider will need to clean the skip prior to returning it back to their base.
- Anticipated number of skips is one every 2-months (6 per year)

Please note that the service provider must provide the KwaZulu-Natal Sharks Board with the following:

- 1) Written proof from the agency managing the waste disposal site granting permission for that service provider to dispose of macerated marine animal material at their disposal site.
- 2) A certificate indicating that each load has been disposed of according to the agreed manner and that no violation of any municipal, provincial, or national dumping or health regulations have occurred. The service provider must produce the necessary certificate/s for all discarded material within a period of 14 days after discharge. These will be required for record purposes and must be available on request to the Health and Safety Inspectors during Audits.

5. CONTRACT DURATION

The contract duration will be binding for a three-year period after the date of signing the contract.

6. DELIVERABLES

- 6.1 It is imperative that the skip must not leak, as it needs to retain any fluids emanating from the carcasses
- 6.2 All marine animal carcasses must be collected and disposed of as per agreement in the TOR.
- 6.3 Quality workmanship and safe work procedures must be adhered to at all times
- 6.4 Service provider is expected to forward necessary reports as indicated in section 4.

7. EVALUATION METHODOLOGY

7.1 COST

The service provider will be expected to provide a quotation regarding the work to be undertaken, for a fixed price per year. The total cost must be VAT inclusive and should be quoted in South African currency (i.e. Rand). A detailed breakdown of the total bid must be attached. The rates escalation is subjected to KwaZulu-Natal Sharks Board Approval.

8. COMPANY EXPERIENCE

- 8.1 Service providers should have three or more reference letters including current and previous service provided in the last five years and response period to dumping. The reference letters should not be older than one year and must include their contact details.
- 8.2 The BIDs should include the C.V. of at least one Safety, Health and Environmental (SHE) Officer/Manager with supporting certified qualifications and years of experience in handling similar services of waste removal and dumping.
- 8.3 Site visits may be conducted by KZNSB on the premises of the service provider and their references validated if needs be. This may also include the dumping site of the carcasses.

9. REGISTRATION with the following bodies is a pre-requisite:

- 9.1.1 Proof of Registration in terms of the National Environmental Management Waste Act (NEMWA Act 59 of 2008) as an official waste removal and dumping company.
- 9.1.2 Legal permit/certificate to operate or dump waste at an official municipal landfill site.
- 9.1.3 Waste Management License/Safe Disposal Certificate

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9.1.4 Schedule Trade & Trade Effluent Permit

10. WARRANTY

The service provider should provide the warranty/documentation for the replacement of damaged/leaking skip that are provided as well as the cover.

11. COMMITMENT TO DELIVER THE REQUIRED SERVICE

The successful bidder must be able to provide the service as proposed and agreed to by both parties. The service provider is expected to draw up and attach a letter of contract to the bid.

12. OUT-CLAUSE

Should the service provider not deliver the services agreed upon, KZNSB is within its right to terminate the contract immediately as long as the service provider has been given one previous warning of unsatisfactory service delivery.

13. EVALUATION CRITERIA

Tenders will be evaluated in three (3) phases

Bidders must comply with the following criteria detailed in 13.1. Non-adherence to these criteria will result in the bid being disqualified and not passing to phase two (2), and phase three (3) of the evaluation process

13.1 PHASE ONE (1) – MANDATORY REQUIREMENTS.

Registration with the following bodies is a pre-requisite and bidders without any of the following would not proceed to the next phase.

- 13.1.1. Valid Tax Clearance Certificate,
- 13.1.2 National Treasury Central Supplier Registration, NB proof to be printed from NT website,
- 13.1.3 Certified copy or original B-BBEE Certificate,
- 13.1.4 Proof of Company Registration (CIPC),
- 13.1.5 Valid **Waste Management License/Safe Disposal Certificate** in terms of Section 45 of the National Environment Management Waste Act 2008 (No. 59 of 2008) for general waste activities.
- 13.1.5 Valid **Landfill Site Permit** issued by the Department of Environmental Affairs to operate at an officially registered and municipality-recognized landfill site.
- 13.1.6 A valid **Schedule Trade & Trade Effluent Permit** issued by the eThekweni Municipality to dump waste as per relevant municipal by-laws including the Waste Removal By-Laws of 2016 and the Nuisances and Behavior in Public Places By-Laws of 2015.

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14. PRICING SPECIFICATION

The Total Bid Price for three (3) years must quote the following services as required (per annum) and should be inclusive of VAT (15%), bidders failing to quote or provide any of the following services would not be considered for pricing. If the service is not charged, it should be indicated as such.

Table 1

Disposal Services Required	Price (Rands) per annum
Bin placement fee per 7m ³	
Transport (per 7m ³) from KZNSB to landfill (list separately)	
Disposal Per Ton (maximum of 5 tons)	
Rental (per 7m ³ skip) (for 2 days) (list separately)	
Supervision/hr.	
Cleaning of skip (per 7m ³ skip) (list separately)	
Total Price for three years	

NB: KZNSB will only pay 25% of the total price charged for “*disposal per ton*” if the skip is collected a day later than agreed collection date, and this discount will increase by 25% each day a skip is not collected.

15. Phase 2

15.1 Evaluation for: FUNCTIONALITY CRITERIA

In terms of preferential Procurement Policy framework Act, No. 5 of 2000: Preferential Procurement Regulations, 2017 Section 5 (6) which reads as follows: “ a tender that fails to obtain the minimum qualifying score for functionality as indicated in the tender is not acceptable tender”.

Thus, the bidder must score a specified minimum number of points for functionality to qualify for further adjudication. Bid that fail to score a **minimum threshold of 70 points will not be considered for further evaluation.**

Table 2

NO.	FUNCTIONALITY POINTS CRITERIA	WEIGHTING	POINTS	MEANS OF VERIFICATION
1	Company experience in waste removals.	25	1 – 2 contracts = 10 pts 3 – 4 contracts = 15 pts 5 and above = 25 pts	Orders, contracts and or appointment letters with a value equal or more than R100 000.00 or more shall be considered within the last 15 years.
2	Management Team Experience	15	Safety, Health and Environmental (SHE) = 15 pts	Provide the curriculum vitae (CV) of your Safety, Health and Environmental (SHE) officer/Manager
3	Relevant equipment to provide the service	40	Operational vehicles/equipment = 40 pts	Evidence of vehicles/ equipment required to remove waste i.e. 1) a skip and 2) vehicle to move skip. This evidence will include pictures (for items 1-2 above) supported by ownership/rental documentation to such items (1-2 above) (e.g. proof of purchase documents, rental documents, license disc, log book etc).
4	Business Located in KZN	20	5 points - outside KZN 20 points – in KZN	Company CIPC documents.
TOTAL		100		

16. SITE VISIT

16.1 Site visit will be conducted by KwaZulu-Natal Sharks Board on the premises of the service provider and their references.

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17. COMMITMENT TO DELIVER THE REQUIRED SERVICE

17.1 The successful bidder must be able to provide the Service as proposed and agreed by both Parties. The Service provider is expected to draw up a letter of commitment and attach it to his/her proposal

18. Phase 3.

Evaluation for Price and Specific Goals

PRICE	80
Specific Goals: CSD & CIPC	20

19. CONTACT PERSONS AND SUBMISSIONS

All Administrative Enquiries can be Directed to **Nonkululelo Khumalo** - KZNSB Supply Chain Management by email (Email address: nonkululeko@shark.co.za) or by telephone (+27 31 566 0422).

All Technical Enquiries can be Directed to **Kristina Naidoo** by email (Email address: knaidoo@shark.co.za) or by telephone (+27 31 566 428).

“PHYSICAL SECURITY SERVICES”

Addressed to...

KwaZulu-Natal Sharks Board
Supply Chain Management
1A Herrwood Drive
Umhlanga Rocks
4320

Please Note: Late Submissions Will Not Be Accepted.

Non-Compliance with any of the above Conditions Will Result in the Tenderer's Bid being disqualified