

# REQUEST FOR QUOTATION

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPARTMENT OF FORESTRY, FISHERIES  
AND THE ENVIRONMENT

REQUEST FOR QUOTATIONS: RFQ000607 CLOSING DATE: 25 NOVEMBER 2022 CLOSING TIME: 11:00

## DESCRIPTION:

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

To appoint a Service Provider (SP) to provide the Department of Forestry, Fisheries and the Environment (DFFE) / Marine Living Resources Fund (MLRF) a service of rolling-out a pilot project for East Coast rock lobster (ECRL) fishery for identified co-operatives in the Ugu District Municipality, Kwa-Zulu Natal.

**NB: Suppliers should be registered on the CSD**

BID DOCUMENTS MAY BE POSTED TO  
**PRIVATE BAG X2 ROGGEBAAY  
8012**

OR

DEPOSITED IN THE BID BOX SITUATED AT  
**GROUND FLOOR, FORETRUST BUILDING  
MARTIN HAMMERSCHLAGH WAY  
FORESHORE  
CAPE TOWN**

**Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.**

The bid box is generally open 24 hours a day, 7 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, 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 CLEARANCE CERTIFICATE BEEN SUBMITTED? (SBD 2)	YES or NO

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? YES or  
NO

[IF YES ENCLOSE PROOF]

SIGNATURE OF BIDDER .....

DATE .....

CAPACITY UNDER WHICH THIS BID IS SIGNED .....

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

.....

**PRICING SCHEDULE**  
(Professional Services)

NAME OF BIDDER: .....	RFQ NO.: RFQ000607
CLOSING TIME 11:00	CLOSING DATE: 25 NOVEMBER 2022

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

ITEM NO 01	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
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**To appoint a Service Provider (SP) to provide the Department of Forestry, Fisheries and the Environment (DFFE) / Marine Living Resources Fund (MLRF) a service of rolling-out a pilot project for East Coast rock lobster (ECRL) fishery for identified co-operatives in the Ugu District Municipality, Kwa-Zulu Natal.**

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. R.....
3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)
4. PERSON AND POSITION
 

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

.....	R.....	..... days
.....	R.....	..... days
.....	R.....	..... days
.....	R.....	..... 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
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....

Bid No.: .....

Name of Bidder: .....

R.....

TOTAL: R.....

\*\* "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?

\*YES/NO

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.

\*[DELETE IF NOT APPLICABLE]

Any enquiries regarding bidding procedures may be directed to the –

**DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT**

ATTENTION Mrs. Nomlibo Fono-Ncedo  
**NFono@dfef.gov.za**

Tel: 021 402 3055

Or for technical information –

ATTENTION: Mr Nhlanhla Nkosi  
**Email: Nonkosi@dfef.gov.za**  
**Cell No: 0784580911**



## **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 THE 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 BROAD BASED BLACK ECONOMIC EMPOWERMENT ACT, 53 OF 2003 (B-BBEE), THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 5 OF 2000 ("PPPF") AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

### **TERMS OF REFERENCE**

**TO APPOINT A SERVICE PROVIDER (SP) TO PROVIDE THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE) / MARINE LIVING RESOURCES FUND (MLRF) A SERVICE OF ROLLING-OUT OF THE PILOT PROJECT FOR THE EAST COAST ROCK LOBSTER IN THE UGU DISTRICT MUNICIPALITY, KWAZULU NATAL.**

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## **1. PURPOSE**

To appoint a Service Provider (SP) to provide the Department of Forestry, Fisheries and the Environment (DFFE) / Marine Living Resources Fund (MLRF) a service of rolling-out a pilot project for East Coast rock lobster (ECRL) fishery for identified co-operatives in the Ugu District Municipality, Kwa-Zulu Natal.

## **2. INTRODUCTION AND BACKGROUND**

The Small-Scale fishing co-operatives were granted with Small-scale fishing rights in terms of section 18 of the MLRA, which included a basket of species for both commercially and own consumption for a period of 15 years. The Small-Scale fishing cooperatives were granted East Coast rock lobster amongst the commercial. These co-operatives have started harvesting East Coast rock lobster commercially for the first time in the history of the fishery in KZN. Amongst the allocated commercial species in KZN, East Coast rock lobster is the high value marine resource that can be caught and sold locally and even internationally. In 2021, the Department issued commercial permits to the co-operatives that have access to the East Coast rock lobster, but the catches could not be maximised because of some challenges. These challenges included lack of experience (training) to catch, lack of fishing equipment, no proper markets, harassment of SSF cooperatives by law enforcement. In addition to the above-mentioned challenges, the SP must further identify any other challenges that may have prevented the identified co-operatives to fully utilise their ECRL fishing right.

It is for this reason that the Department wants to assist and ensure that all these challenges are minimised/addressed, hence a Service Provider (SP) needs to be appointed to examine what caused/led to Small-scale co-operatives to be unable to maximise their catches. The findings of the report will assist in outlining what needs to be done in addressing the challenges, be it training, fishing method or equipment, those solutions will then be extended to other co-operatives that are experiencing the same challenges.

There are two (2) co-operatives identified within the UGU district, 1 in Port Edward area Forty-five (45) co-operative members and the other in Mnafu area with Thirty-five (35) co-operative members.

## **3. OBJECTIVES OF APPOINTING THE SERVICE PROVIDER (SP)**

The objective is to appoint an accredited Service Provider (SP) that will assist the two identified fishing co-operative(s) in maximising the yield of the catches whilst considering sustainability of the fishery, by providing training to the two identified cooperative and assist with the tools of trade as well.

#### **4. SCOPE AND EXTENT OF WORK**

4.1 The successful service provider will be required to:

4.1.1 Provide accredited trainings to the two identified co-operatives in:

- Sustainable harvesting methods of the ECRL;
- Experimenting of new sustainable harvesting methods and gear;
- Diving to harvest lobster
- Handling of the lobster for high quality
- Business aspects of the co-operatives
- Market linkages
- Bookkeeping training.

4.1.2 Mentor the two identified co-operatives in operations of the ECRL as informed by the Marine living resources act and regulations thereunder and the permit conditions.

4.1.3 Assess the current harvesting methods and their efficiency and provide the Department with outcomes and recommendations.

4.1.4 Provide high quality fishing equipment that will assist in achieving the objective maximising catch yields

- Safety boots
- Raincoats
- Snorkelling equipment
- Hand gloves
- Diving suites and oxygen tanks
- Chukkies (Small Ski boats)
- Life jackets
- Hoopnets (Baitbag and ropes)
- Panchoes
- First Aid Kit
- Cold storage facilities
- Training manuals
- Calipers

4.1.5 Assess the suitability of utilising the vessels/boats in harvesting the ECRL.

4.1.6 Work closely with the private company that will be buying the ECRL from the co-operative.



- Identify local and international markets
- Negotiate prices

4.1.7 Assist in the vetting of the contract between the private company and the co-operatives

- Assist in providing legal opinion on contracts before they signed with prospective buyers.

4.1.8 Assist in the collection of data *i.e* filling of statistics book/ recording of catches.

## **5. EXPECTED DELIVERABLES / OUTCOMES**

- 5.1. The Service Provider (SP) must submit a project plan and be approved by project manager prior to the actual work started. The project plan must include clear timeframes and deliverables and schedules for monthly meetings on the progress of the project.
- 5.2. The Service Provider (SP) must guarantee the presence of a personnel to oversee fieldwork throughout the duration of the contract.
- 5.3. The Service Provider (SP) must have a monthly reporting meeting with the Department (D: Small Scale Fisheries Management) on the progress of the project.
- 5.4. The Service Provider (SP) must submit monthly progress report on the operations of the ECRL.
- 5.5. The Service Provider (SP) must together with project manager's assistance identify relevant stakeholders and conduct stakeholder engagements and workshop with relevant stakeholders and consider their inputs in the final draft document.
- 5.6. The Department will be custodians of the information, training materials, documents, programmes, advice, recommendations, and reports collected, furnished and/or compiled by the Consultant during, and for the purpose of executing this task, all of which will be handed over to the Department on request, but in any event on the termination of this contract for whatever reason. The Consultant relinquishes its right of retention of any other rights to which it may be entitled. In addition, the Department reserve the right to

approve the learning material and Service Provider should give all co-operative members that undergone the training certificates at the end of the eight (8) months period.

- 5.7 The Service Provider (SP) must ensure that the two co-operatives are selling their lobster to recognised local and international markets
- 5.7. Compile a ECRL operations report which will inform the final draft document.
- 5.8. The Service Provider (SP) must prepare and submit to project manager a PowerPoint presentation on the final draft ECRL operations document.
- 5.9 the Service provider must return all equipments purchased to the Department at the end of the pilot project.
- 5.10 The Service Provider (SP) should develop an equipment register to record all equipment that is still in good working conditions, damaged as well as written off.
- 5.11 The Service Provided (SP) will have to issue all the co-operative members that attended with certificates.
- 5.12 The SP at the end of the of the pilot project must make sure that the two identified co-operatives are able to participate in the ECRL value chain from start to finish

## **6. PERIOD / DURATION OF APPOINTMENT**

- 6.1 The contract with the appointed Service Provider (SP) will run for a period of eight (08) months and will commence as agreed in the Memorandum of Agreement (MOA), Project Scope and Annual Performance Plan (APP), signed between the DFFE / MLRF and the Service Provider (SP).

## **7. COSTING / COMPREHENSIVE BUDGET**

A comprehensive costing must be provided in a separate envelope inclusive of all disbursement costs and related expenditure inclusive of Value Added Tax (VAT). Refer to (SBD 3.3 for details). The SP must quote for all activities and should be quoted in South African currency.

***The costing should be purely based on the deliverables in section 5 of the terms of references.***

The DFFE / MLRF shall not pay for any unproductive or duplicated time spent by the SP on any assignment as a result of staff changes, sub-contracting or re-drafting of reports due to errors, corrections or incorrect / incomplete findings.

The DFFE / MLRF reserves the right to negotiate with one or more preferred bidder(s) identified in the evaluation process, regarding any terms and conditions, including prices without offering the same opportunity to any other bidder(s) who have not been awarded the status of the preferred bidder(s)

***Only a budget of five-hundred thousand rands (R500 000) to spent on this project***

## 8. EVALUATION METHOD

8.1 The following values/ indicators will be applicable when evaluating functionality:

**0 = Non-compliance; 1 = Poor; 2 = Fair; 3 = Average; 4 = Good; 5 = Excellent.**

PHASE 2				
NO	GUIDELINES FOR CATEGORY CRITERIA	FUNCTIONALITY AND TECHNICAL ASSESSMENT (GUIDELINES FOR CRITERIA APPLICATION)		WEIGHT
1	Service Provider (SP) or company's experience in the field of community facilitation in Project Implementation (attach proof in a form of reference letters for completed projects including the type of projects, duration and outcomes).	Service provider' years of experience in the field of fishing value chain.	Indicator	30
		No referral letter or confirmation letter	0	
		1 and less than 2 years' experience	1	
		2 and less than 3 years' experience	2	
		3 and less than 4 years' experience	3	
		4 and less than 5 years' experience	4	
		5 and more years of experience	5	
2	Relevant Project Management team's experience and track record (attach profiles/ CVs of key staff and persons to be assigned to the project) in the field of Project Management. (Scoring will take place based on the average scores of the team members).	Service provider staff years of experience in the field of fishing methods and experimenting new fishing methods or gear as reflected in successfully completed projects.	Indicator	20
		Less than one year experience	0	
		1 and less than 2 years' experience	1	
		2 and less than 3 years' experience	2	
		3 and less than 4 years' experience	3	
		4 and less than 5 years' experience	4	
		5 and more years of experience	5	
3	Service provider' experience in working with fishing communities and understanding local traditional structure	Service provider' experience business management training within the context of project delivery (attach proof in a form of reference letters or confirmation of successful project completion from the client).	Indicator	20
		No successful project completion referral letter	0	

PHASE 2				
NO	GUIDELINES FOR CATEGORY CRITERIA	FUNCTIONALITY AND TECHNICAL ASSESSMENT (GUIDELINES FOR CRITERIA APPLICATION)		WEIGHT
		1 successful project completion referral letter	1	
		2 successful project completion referral letters	2	
		3 successful project completion referral letters	3	
		4 successful project completion referral letters	4	
		5 and more successful project completion referral letters	5	
4	A proposed Project Plan with deliverables, timeframes / milestones and implementation methodology	A proposed project plan with deliverables, timeframes/ milestones.	Indicator	30
		No information provided	0	
		Project Plan irrelevant and not aligned to the applying legal framework	1	
		Project Plan provided with limited information and methodology, with no clear deliverables, timeframes/ milestones.	2	
		Limited information provided on deliverables, timeframes / milestones.	3	
		Project Plan with clear deliverables, timeframes / milestones aligned to the applying legal framework	4	
		Project plan well broken down with details of deliverables, timeframes/ milestones for all criteria and aligned to the applying legal framework	5	

The service provider must score a minimum average of **60%** during Phase 1 (functionality / technical) of the evaluation to qualify for Phase 2 of the evaluation where only points for Price and B-BBEE will be considered. **Should a bidder score less than 60% on functionality criteria, the bidder will be disqualified.**

## 8.2 Phase 2: Preferential Points (80/20 system)

- 8.2.1** An evaluation of Price and BBEE on the suppliers, that successful qualified to this stage of evaluation.
- 8.2.2 Calculation of points for price** - The Preferential Procurement Policy Framework Act (PPPFA) prescribes that the lowest acceptable bid will score 80 points (for tenders under R50m) or 90 points (for tenders above R50m) for price. Suppliers that quoted higher prices will score lower points for price on a pro-rata basis.

Where functionality is set as criteria, only bid proposals that meets functionality requirements will be considered for evaluation on price and B-BBEE.

- 8.2.3** The 80/20 as an appropriate preference point system will be used in the evaluation and adjudication of this quote. However, it must be extended that the lowest acceptable quote will be used to determine the applicable preference point system as per regulation (Section 3(a)(ii) of the Preferential Procurement Regulations (PPR) 2017, 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 proposal will be used to determine the applicable preference point system". Therefore, either 80 or 90 points, depending on the rand value of the proposal, 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 EMEs, QSEs or B- BBEE contributors, as applicable. The contract will be awarded to the suppliers that scores the highest total number of adjudication points per category.

#### **Calculating of points for B-BBEE status level of contribution**

- 8.2.4 Points will be awarded to a supplier for attaining the B-BBEE status level of contribution by submitting original and valid B-BBEE Status Level Verification Certificate issued by SANAS Accredited Verification Agency or certified copies thereof; or B-BBEE Certificate issued by CIPC, or Sworn Affidavit commissioned by Commissioner of Oaths together with their bids, to substantiate their B-BBEE rating 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 B-BBEE preference points being forfeited.
- 8.2.5 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(a)(ii) of the Preferential Procurement Regulations (PPR) 2017, 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 EMEs, QSEs or B- BBEE contributors, as applicable. The contract will be awarded to the suppliers that scores the highest total number of adjudication points per category.
- 8.2.6 Points will be awarded to a supplier for attaining the B-BBEE status level of contribution or a sworn affidavit certified by the commissioner of oath in accordance with the table below:

<b>B.</b>	<b>PRICE</b>	<b>80</b>
<b>C.</b>	<b>B-BBEE Status Level Contributor</b>	<b>Number of points (20)</b>
	1	20
	2	18
	3	14
	4	12
	5	8
	6	6
	7	4
	8	2
	Non-compliant contributor	0

- 8.2.7 The SCM unit of the DFFE / MLRF will allocate preferential points (B-BBEE) to each company for its contribution towards empowerment of the black designated groups as prescribed in the Preferential Procurement Regulations of 2017, women, people with disabilities, youth as well as local economic development as set out in the Broad-Based Black Economic Empowerment Codes.
- 8.2.8 A supplier will not be disqualified from the quotation process if the suppliers does not submit a certificate substantiating the B-BBEE status level of contribution or is a non-compliant contributor. Such some suppliers will score 0 for B-BBEE.
- 8.2.9 Suppliers will be subject to SCM conditions of the Department. The Preferential Procurement Regulations, 2011 issued in terms of section 5 of the Preferential Procurement Policy Framework Act (Act No 5 of 2000) (PPPFA), aligned with the aims of the Broad-Based Black Economic Empowerment Act 53 of 2003 as amended by the Broad-Based Black Economic Empowerment Amendment Act 46 of 2013, and Phase 2 of its Codes of Good Practice.
- 8.2.10 The PPPFA prescribes that the lowest acceptable bid will score 80 or 90 points for price (as explained above, depending on whether the bid prices is more or less than R50million). Suppliers that quoted higher prices will score lower points for price on a pro-rata basis. Where functionality is set as a criterion, only bid proposals that meets functionality requirements will be considered to be evaluated on price and B-BBEE.

8.2.11 The contract will be awarded to the supplier scoring the highest points. However, a contract may be awarded to a SP that did not score the highest points, only under regulation 2(1) (f) of the Preferential Procurement Regulation (PPR), 2017. The PPR mentions that objective criteria may be used to justify awarding the contract to another SP who has not scored the highest points. These objective criteria include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination based on race, gender or disability.

## **9 BID SUBMISSION REQUIREMENTS**

9.1 Suppliers should ensure that the following submission requirements, which will be needed for evaluation purposes are included in their bid proposal and are as follows:

- 9.1.1 The SP must draft a table of content which will indicate where each document is located in the proposal.
- 9.1.2 The proposal shall consist of two parts, namely the technical bid and the pricing bid (master and copies).
- 9.1.3 Add documents that are required to be submitted with the bids. These documents include those included in phase one (1) and two (2) of evaluation criteria.
- 9.1.4 Standard bidding documents (SBD1, 2, 3.1/3.3, 4, 6.1) completed and signed.
  - A valid copy of the Tax Clearance Certificate/ Tax Compliance Status Pin issued by SARS to the supplier/copy of Central Supplier Database (CSD)/ MA supplier Number must be submitted together with the bid.
  - In case of bids where Consortia / Joint Ventures / Sub-contractors are involved; such must be clearly indicated and each party must submit a separate copy of a valid Tax Clearance Certificate or copy of Tax Compliance Status Pin or CSD/ MAAA supplier Number together with the bid.
  - Certified copies of identity documents of directors and shareholders of the company.
  - Entity registration Certificate (CK1).
  - Letter of Authority to sign documents on behalf of the company.
  - B-BBEE certificate/Sworn Affidavit (if claiming for B-BBEE points)
  - And all the documents necessary for evaluation should be submitted to assist the evaluation criteria

9.2 **All completed documentation must be returned to the Marine Living Resource Fund (MLRF) the entity of the Department of Forestry, Fisheries, and the Environment (DFFE) on the 25 November**

**2022. The location of the drop off is: Tender Box, Ground Floor, Foretrust Building, 2 Martin Hammerschlag Way, Foreshore, Cape Town, 8001**

## **10 SPECIAL CONDITIONS OF CONTRACT**

- 10.1 On appointment, the performance measures for the delivery of the agreed services will be closely monitored by Department / MLRF.
- 10.2 The Department / MLRF will not be held responsible for any costs incurred by the SPs in the preparation, presentation, and submission of the proposal.
- 10.3 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.
- 10.4 Reports against deliverables outlined in paragraphs 5.1 to 5.12.
- 10.5 If a senior staff member (project manager and economist) has to leave the project, a period of at least one (1) month is required in which the senior staff member must work in parallel with the next person (who must have similar expertise and equal years of experience) appointed by the Service Provider to enable continuity and the transfer of skills and knowledge.

## **11 PAYMENT TERMS**

- 11.1 The DFFE / MLRF undertakes to pay out 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.
- 11.2 Invoices will be paid upon confirmation of the reports.
- 11.3 Payment by the DFFE / MLRF shall be made by means of an electronic transfer into the SP's bank account.
- 11.4 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.
  - Submit the statement of account with each invoice.



## 12 COMPULSORY BRIEFING SESSION

The session will take place as follows:

- 21 November 2022 at 10:00 am

The briefing session will be virtual and a link for the sessions can be requested from Ms N Fono.

## 13 ENQUIRIES

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

Name	Email address
Nomlibo Fono	<a href="mailto:NFono@dfpe.gov.za">NFono@dfpe.gov.za</a>

## 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 interest<sup>1</sup> 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

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<sup>1</sup> 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 consortium<sup>2</sup> 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

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<sup>2</sup> 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 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable;

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
<b>PRICE</b>	80
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

### 2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an

invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

### 3. POINTS AWARDED FOR PRICE

#### 3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

**80/20**

**or**

**90/10**

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

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

### 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8

6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

## 5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

## 6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: ..... = ..... (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

## 7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(***Tick applicable box***)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....%

ii) The name of the sub-contractor.....

iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

(***Tick applicable box***)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

8. **DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name ..... of  
company/firm:.....

8.2 VAT ..... registration  
number:.....

8.3 Company ..... registration  
number:.....

8.4 **TYPE OF COMPANY/ FIRM**

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 **DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....  
.....  
.....  
.....  
.....

8.6 **COMPANY CLASSIFICATION**

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in  
business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the  
company/firm, certify that the points claimed, based on the B-BBE status level of  
contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies  
the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as  
indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in  
paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary  
proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a  
fraudulent basis or any of the conditions of contract have not been fulfilled, the  
purchaser may, in addition to any other remedy it may have –

(a) disqualify the person from the bidding process;



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

WITNESSES

1. ....

2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

.....