

## **TERMS OF REFERENCE**

**BID NUMBER: BID609/23/24**

**BID – PROVISION OF HYGIENE AND CLEANING SERVICES FOR A PERIOD OF THREE (3) YEARS  
FOR THE COMPETITION COMMISSION OF SOUTH AFRICA**



**competition commission**  
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77 Meintjies Street, Sunnyside, Pretoria

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## 1. BACKGROUND

- 1.1 The Competition Commission (Commission) is a statutory body constituted in terms of the Competition Act, No. 89 of 1998 (the Act). It is one of three, independent competition regulatory authorities established in terms of the Act, with the other two being the Competition Tribunal and the Competition Appeal Court. The Commission is empowered by the Competition Act to investigate, control and evaluate restrictive business practices, abuse of dominant positions, mergers, undertake market inquiries and advocacy in order to achieve equity and efficiency in the South African economy.
- 1.2 CCSA is a public entity listed in schedule 3A of the Public Finance Management Act (PFMA), and acts in compliance with section 217 of the Constitution of South Africa and applicable Public Procurement Regulations and Prescripts.
- 1.3 Therefore, the CCSA is requiring a suitability qualified and competent experts with adequate capacity and relevant experience for the Provision of **Hygiene and Cleaning services for a period of three (3) years for the Competition Commission of South Africa.**

## 2. SCOPE OF WORK

To undertake cleaning on the CCSA premises, The DTIC Campus, Block, 77 Meintjies Street, Sunnyside, Pretoria

NO.	DESCRIPTION	Quantity
2.1	Total employees/occupants	± 150
2.2	Total Square meters of the offices	4348.41m <sup>2</sup>
2.3	Space size per cleaner (2 <sup>nd</sup> and 3 <sup>rd</sup> Floor)	2175.41m <sup>2</sup>
2.4	Number of cleaners	7 (2 Males/5 Ladies)
2.5	Number of floors	3
2.6	Passages	All Office passages
2.7	Number of toilet rest rooms - Gents	3 – with 2 urinals in each toilet
2.8	Number of toilet rest rooms - Ladies	3
2.9	Number of disabled rest room	2
2.10	Number of hands washing basins	6
2.11	Board/Meeting rooms	10
2.12	Reception	3
2.13	Waiting area – clients	4
2.14	Kitchen/Pause area	6
2.15	Storage Rooms	7
2.16	Number of closed offices	32
2.17	Number of open plan workstations	109



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## **2.18. NUMBER OF CLEANERS**

2.18.1. Seven (7) cleaners including a supervisor (form the 7) are required on site (bidders to consider the element of gender equality), five (5) days a week.

2.18.2. Bidder must make provision for continuous monitoring of cleaners on site.

## **2.19. WORK PLAN**

The bidder must submit, together with the bid, a complete work plan with amongst others, the following should be indicated:

2.19.1. The number of cleaners that will be employed.

2.19.2 The work method/ plan that will be followed for the execution of the contract.

2.19.3 The working hours proposed for the cleaning staff should be included in the work plan.

2.19.4. A schedule of all duties to be carried out by the cleaning contractor, for the full contract period, should be included in the work plan, as requested above.

2.19.5 The work plan document will form part of the Service Level Agreement between the Competition Commission of South Africa and the appointed cleaning contractor.

2.19.6 The CCSA will work strictly according to the work schedule and if tasks indicated on the work schedule are not performed on time that will constitute a breach of contract and penalties will be levied.

2.19.7 Penalties will be negotiated and agreed on with the successful bidder at the beginning of the contract. No other duties will be performed by the cleaning staff.

## **2.20 CCSA OFFICIAL WORKING HOURS**

2.20.1 The working hours of the CCSA are from 06:30 – 15:30 - Monday to Friday, excluding public holidays.

2.20.2 Provisioning should be made for overtime when needed - for instance strip and sealing (deep cleaning) of floors that should be done after hours. An arrangement should be made with the office for any work that needs to be done after hours. This should be made prior to the commencement of shift.



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## 2.21 CLEANING MATERIALS AND EQUIPMENT

2.21.1 Bidder must provide SABS approved cleaning material and chemicals for the rendering of the service under contract. A list of SABS approved materials and Industrial equipment must also be provided to the CCSA. Material Safety Data Sheet (MASDS) must be submitted before commencement of duties.

2.21.2 Cleaning materials and equipment should include the following but not limited to:

- a) Good quality, refuse bags (small bin and bigger ones for shredding machines).
- b) 1 industrial vacuum cleaner
- c) 1 industrial buffing machine for the buffing of passage floors.
- d) (Stripping and washing of carpets must be done after hours).
- e) Good Quality 2 ply toilet paper to be provided at all times.
- f) SABS approved cleaning chemicals for cleaning of toilets, floors etc.
- g) Toilet brushes — 1 per cubicle
- h) P-mats - for a pleasant fragrance.
- i) Gloves for each cleaner
- j) Brooms
- k) 2 x 3-step stepladder
- l) Mops
- m) Cleaning and Mop trollies
- n) 1.5m feather dusters
- o) Non-slip polish for floors
- p) Non-ammoniac stripper
- q) Warning signs for wet / slippery floors available for all cleaners 2 per cleaner
- r) Cleaning cloths
- s) Personal Protective Equipment (PPE)
- t) Antibacterial hand foam-soap — contractor to provide new hand foam-soap, where needed.
- u) Window, tile and mirror cleaning detergents
- v) Toilet cleaning sets
- w) Bleach and dishwashing liquid soap



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## **2.22 DUTIES OF CLEANING STAFF (Building Entrances (S), Frontline and Passage Areas with tiles)**

### **2.22.1 Glass doors must be washed daily, before 7:30 am**

- a) Cleaning and disinfection of all areas in the workplaces must be conducted daily
- b) Areas to be cleaned and disinfected include, but not limited to;
- c) Door handles, light switches, lift buttons, working surfaces, tables, railings, floors, walls, blinds, sinks, basins and toilets.
- d) Polish (non-slip) tiled floors once a week
- e) Tiled floors to be swept and mopped daily.
- f) Floors to be stripped and sealed once a month
- g) Floors to be buffed once a week

### **2.22.2 Offices, cubicles, boardroom, meeting room and storerooms with carpets**

- a) Passages and lobbies with carpets must be vacuumed daily
- b) Offices, cubicles, boardroom, meeting room and storeroom must be vacuumed weekly. Deep clean all carpets once every six months.

### **2.22.3 Offices, cubicles, boardroom, meeting room and storerooms with tiled floors**

- a) Tiled floors must be swept/vacuumed and mopped daily.
- b) Spillages must be attended to immediately.
- c) Floors must be striped once a month.
- d) Buffing to be done once a week
- e) Dusting of plants once week Refill of water coolers daily.
- f) Service provider's responsibility to ensure that all water cooler bottles are cleaned weekly with their own provided water cooler bottle brushes. Bottles must be washed with dish wash liquid only and rinsed properly before it is refilled.

## **2.23 OFFICES:**

### **2.23.1 Waste and wastepaper baskets**

- a) Empty all baskets twice a day, in mornings and afternoons and return where found. Collect waste in plastic bags and place at the indicated collecting points. Wastepaper must be placed in bags supplied by the wastepaper company, separated from other garbage. Dustbins must be emptied twice a day and always kept clean.



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#### 2.23.2 Furniture and equipment

- a) Dusting of filing rooms, cabinets, pedestals, filing cabinets, cupboards, bookcases, coffee tables, desks and other furniture, windowsills, mirrors and notice boards every daily. Polish furniture with approved polish once a week. Office chairs vacuumed weekly. Stains on office furniture (chairs) must be cleaned after hours or over weekends. It must be communicated and arranged quarterly or when required with the office.

#### 2.23.4 Computer Equipment, Audio Visual Equipment and Photocopiers

- a) The items listed above must be cleaned on request, with the appropriate cleaning detergents, at least once a week, but always in the presence and with the consent of the occupant / manager.

### 2.24. DOORS

- 2.24.1 Must be dusted weekly on the in- and outside. Doorknobs and handles must be wiped daily with a damp cloth. If made of copper, chrome, or brass, must be polished monthly.

### 2.25 BLINDS

- 2.25.1 Must be dusted once a week.

### 2.26. KITCHEN

- 2.26.1 The floors must be swept and moped twice a day.
- 2.26.2 All appliances in the kitchen must be kept clean at all times.
- 2.26.3 Basin, taps and splash-back must be kept clean at all times

### 2.27 TOILETS AND RESTROOMS

- 2.27.1. The floors must be swept with proper equipment that control dust and washed with water and detergent. Wash toilet seat, trough and toilet bowl with water and detergent.
- 2.27.2. Wash both sides of seat and wipe dry.
- 2.27.3. Wash basins to clean water pools. Provide sufficient toilet paper for toilets, hand paper towels and hand foam-soap daily.
- 2.27.4. The toilet paper holder must be lockable. Toilets must be cleaned 2 times a day, 7H30, and 14H30. When there are meetings or training then toilets must be cleaned more than 2 times.
- 2.27.5. A daily roster must be placed behind every door and must be signed by the cleaner and supervisor and submitted to the responsible official weekly.
- 2.27.6. The toilets and urinals must be cleaned before 07H30 in the mornings.



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- 2.27.7. Rosters will be removed weekly by the supervisor and the official and kept on file for monitoring purposes.
- 2.27.8. Antibacterial hand foam-soap to be provided by the cleaning contract.
- 2.27.9. All mirrors must be wiped and cleaned daily.
- 2.27.10. Wall tiles must be wiped and cleaned once a week.

## **2.28 LIGHTING**

- 2.28.1 All fluorescent lights and light shades must be dusted once a week.

## **2.29 STAIRWAYS AND RAILING**

- 2.29.1 Stairways must be swept daily and washed every second day, surrounding walls and hand railings must be washed when dirty. Handrails must be wiped daily with a damp cloth and polished twice a month. Monitor stairs on a regular basis.

## **2.30 WINDOWS AND WINDOWSILLS**

- 2.30.1 Windowsills must be cleaned daily. Aluminium, copper and chromed window latches and sliding surfaces must be polished once a week. Windows must be washed inside on a quarterly basis.

## **2.31 WALLS**

- 2.31.1 Walls must be dusted when and where necessary with a soft duster that will not damage the paint surfaces.

## **2.32 LIFTS**

- 2.32.1 Lifts lobbies must be cleaned daily. Dust bins outside lifts to be emptied 3 times per day, 7h00, 11h00 and 14h00. Also check for cleanliness inside lifts.

## **2.33 SECURITY IDENTIFICATION**

- 2.33.1 The Service Provider must supply the employees with a photo identification card or their uniforms must have the Companies' badge and name on it. The employees should at all times be identifiable.
- 2.33.2 The card must be worn to be always visible whilst on the premises of the Commission. A list of names of all employees, who are to be employed on this contract, as well as their replacements, must be furnished beforehand.



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2.33.3 Management members of the cleaning company will be subjected to a security clearance process.

**2.34** In order to ensure the quality of services rendered and to exercise control over the employees of the contractor. CCSA management must monitor the execution of the services in terms of the contract.

#### **4. TIMEFRAMES**

**4.1** The duration of the contract will be for a period of **three (3) years**.

#### **5. CONTRACTUAL OBLIGATION**

- 5.1. All bidders must complete SBD 3.3 as well as the applicable annexure (Pricing schedule) Including any and all applicable increases.
- 5.2. The bidders are required to provide a dedicated Account Manager upon contracting.
- 5.3. In the case of the service provider using sub-contractors, the former will be responsible for ensuring delivery of services from any such sub-contractors and for making any payments to such sub-contractors.
- 5.4. The successful bidder will be required to have adequate professional indemnity cover (upon parties contracting at an estimate value of R 2 million)
- 5.5. Unsatisfactory performance can result in CCSA invoking its right to terminate the contract. Bidder will be subjected to review at least twice a year – in terms of measuring satisfactory performance.
- 5.6. Bidder must adhere to Protection of Personal Information (POPI) Act.

#### **6. ABSENCE OF OBLIGATION & CONFIDENTIALITY**

- 6.1. No legal or other obligation shall arise between the service provider and CCSA unless/until both parties have signed a formal contract or Service Level Agreement in place.
- 6.2. The Contract site is at **CCSA (as and when required)**.

#### **7. WORKMEN AND SUPERVISION ON SITE**

- 7.1 The service provider shall be held responsible for the conduct of his employees and the conduct of his sub-contractor's employees for the full duration of the contract.

## 8. ADMINISTRATIVE CRITERIA (Phase 1)

- 8.1 Proof of registration on CSD (**Central Supplier Database**)
- 8.2 Initialled General conditions of contract (GCC) on each page, completed and signed Standard bid documents (SBD 1, 3.3 including A, 4, and 6.1)

**Bidders are required to return the above-mentioned documents or risk disqualification.**

## 9. MANDATORY CRITERIA (Phase 2)

- 9.1 Bidders are required to indicate compliance and provide the required evidence as confirmation of compliance. The bidder must provide an index and number each page of the proposal. **Failure to index, number the pages of the proposal and provide any ONE of the documents requested below, will lead to the bid being declared non-responsive and not being evaluated further.** The bidder must strictly provide all the documents set out in the table below and cross- reference to the relevant page of the proposal.

NO.	MANDATORY REQUIREMENTS	REFERENCE TO PAGE
1	Valid COIDA certificate in the name of the bidder	
2	Proof of public liability insurance	
3	Confirmation of full compliance with regards to payment of workers in line with the <i>Sectoral Determination 1 for contract cleaners</i> .  <b>We require bidders to confirm in the form of a <u>signed letter</u> that their staff are paid in line with the latest Sectoral Determination 1 for contract cleaners</b>	

**Note: All bidders who do not comply with the items listed below will be disqualified.**

## 10. EVALUATION CRITERIA

- 10.1 Responses will be evaluated using a predetermined set of evaluation criteria. The evaluation ~~is~~ designed to reflect the Commission's requirements in terms of identifying a suitable service provider and ensure the selection process is transparent and affords all the bidders a fair opportunity for evaluation and selection.



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## 10.2 Functional Evaluation threshold (Phase 3)

10.2.1 The tender submission will be functionally evaluated out of a **minimum of 70 points – any bidder who scores less than 70 out of a maximum of 100**, will not be considered for further evaluation. Bidders who score above 70 out of a maximum of 100 will qualify for further evaluation **BBEE Aligned to Specific Goals & Price Preference**.

10.2.2 **Functional Evaluation Criteria** -The evaluation is based on functionality, which will be evaluated using the following criteria and points:

NO.	FUNCTIONALITY CRITERIA	MEASUREMENT	MAXIMUM POINTS
1.	<p><b><u>METHDOLOGY</u></b></p> <ul style="list-style-type: none"> <li>Provide details of your company structure as well as a profile of key personnel (Organogram) = <b>5 Points</b></li> <li>Provide a details plan on how the services aligned to the scope and delivers reference section 2 of the terms of reference will be executed = <b>15 points</b></li> </ul> <p><b>Noncompliance with the above = 0 points</b></p>	Bidders are required to provide evidence of both elements in order to qualify for = <b>20 points</b>	<b>20</b>
2.	<p><b><u>COMPANY EXPERIENCE</u></b></p> <p>The Bidder must provide a minimum of five (5) reference letters from business organisations (entities) that have used the Bidder to provide cleaning services in the past three (3) years.</p> <p><b>Each reference must include the following information:</b>            Client name and industry;            The contact person, phone number and company business address;            Contract period;            The value of the contract per year;            State the number of personnel who were employed to deliver the Services; and Brief description of the project scope.  <b>The Competition Commission reserves the right to validate the above information with the individual client organisations.</b></p>	<ul style="list-style-type: none"> <li>No client information or incomplete information on reference letter provided = <b>0</b></li> <li>Minimum 5 clients with all the required information in the past 3 years = <b>20 points</b></li> <li>Above 5 clients with all the required information in the past 3 years = <b>30 points</b></li> </ul> <ul style="list-style-type: none"> <li>Bidder to indicate previous contract at contract value of a minimum of R 3 million = <b>5 points.</b></li> <li>No contract value indicated, or contract value less than R 3 million per year = <b>0 points</b></li> </ul>	<b>35</b>



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3.	<p><b><u>SUPERVISOR EXPERIENCE</u></b></p> <p>Bidder must attach the Supervisor CV indicating experience of a minimum of 3 years supervision in the Cleaning or Hygiene services industry.</p> <p><i>Note: Years of experience will be calculated from supervisor work history as listed under (starting dates &amp; end dates in -months &amp; years, must be clearly stated in the CV)</i></p>	<ul style="list-style-type: none"> <li>- 5 years' and more than 5 years' experience = <b>10 points</b></li> <li>- 4 years' experience = <b>5 points</b></li> <li>- Less than 3 4 years' experience = <b>0 points</b></li> </ul>	<b>10</b>
	The Bidder must submit a documented procedure containing information on how they acquire, issue and re-issue uniforms to its Cleaning staff.	<ul style="list-style-type: none"> <li>- Submitted a detailed process and procedure to acquire, issue and re-issue uniforms to its cleaning staff = <b>15 points</b></li> </ul>	<b>15</b>
	The Bidder must detail its disciplinary procedures (1) disciplinary, (2) appeal and (3) dismissal processes to address unacceptable behaviour of its Security Officers.	<ul style="list-style-type: none"> <li>- Submitted disciplinary procedures that cover 2 out of 3 areas = <b>5 points</b></li> <li>- Submitted disciplinary procedures that cover all 3 areas = <b>10 points</b></li> </ul>	<b>10</b>
	<p>The Bidder must submit a management structure to support the Services provided to CCSA. The structure should include a short description of the duties of each member. The structure should include Inter-alia:</p> <ul style="list-style-type: none"> <li>- Key contact person or Contract manager.</li> <li>- Supervisor</li> <li>- Site Manager</li> <li>- Executive Manager/ Director</li> </ul>	<ul style="list-style-type: none"> <li>- Submitted management structure that includes all 4 members to support the Services with no description of their duties. = <b>5 points</b></li> <li>- Submitted management structure that includes all 4 members to support the Services with description of their duties. = <b>10 points</b></li> </ul>	<b>10</b>
<b>TOTAL</b>			<b>100</b>

10.3.3 Bidders who obtained less than the minimum threshold of **70 points** will be declared non-responsive and therefore will not be eligible for **evaluation of BBBEE Aligned to Specific Goals & Price Preference**.

#### 10.4 Preference Evaluation

10.4.1 **BBBEE, Specific Goals and Price**

10.4.2 As the tender **price is estimated to be between R2001 and R50 million including VAT**, the tender responses will be evaluated on the **80/20-point system**.



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## 11. ADJUDICATION USING A POINT SYSTEM

- 11.1 The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder. Preference points shall be calculated after process has been brought to a comparative basis
- 11.2 taking into account all factors of non-firm prices.
- 11.3 In the event that two or more bids have scored equal points in terms of price and preference points for B-BBEE, the successful bid must be the one scoring the highest number of preference points for B-BBEE - in terms of PPPFA Act 5 of 2000.
- 11.4 However, when functionality is part of the evaluation process and two or more bids have scored equal points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 11.5 Should two or more bids be equal in all respect, the award shall be decided by the drawing of lots.

## 12. POINTS AWARDED FOR PRICE AND B-BBEE AND SPECIFIC GOALS PREFERENCE POINT

The **80/20** Preference Point System

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

$$P_s = 80 \{1 - (P_t - P_{\min})\}$$

Where:

$P_s$	=	Points scored for comparative price of bid under Consideration
$P_t$	=	Comparative price of bid under consideration
$P_{\min}$	=	Comparative price of lowest acceptable bid



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**13. B-BBEE & SPECIFIC GOALS PREFERENTIAL POINTS WILL BE AWARDED AS FOLLOWS:**

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)  (To be completed by the organ of state)	Number of points claimed (80/20 system)  (To be completed by the tenderer)
B-BBEE LEVEL 1	10	
B-BBEE LEVEL 2	9	
B-BBEE LEVEL 3	8	
B-BBEE LEVEL 4	6	
B-BBEE LEVEL 5	4	
B-BBEE LEVEL 6	3	
B-BBEE LEVEL 7	2	
B-BBEE LEVEL 8	1	
Non-compliant contributor	0	
Further recognition for EME/QSE and or Women and or Youth, and or Rural Enterprise to be determined by the specification adjudication authority	10	

- 13.1** Bidders who qualify as EME's and QSE's in terms of the B-BBEE Act must submit a Sworn affidavit. Misrepresentation of information constitutes a criminal offence.
- 13.2** Bidders other than EME's or QSE's must submit their original and valid B-BBEE status level verification certificate, substantiating their B-BBEE rating issued by SANAS.
- 13.3** Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.



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## **14. CONSORTIUM**

- 14.1** A consortium is an association of two or more individuals, companies, organisations or governments (or any combination of these entities) with the objective of participating in a common activity or pooling their resources for achieving a common goal.
- 14.2** A consortium requires that each participant retains its separate legal status and the consortium's control over each participant is generally limited to activities involving the joint endeavour,
- 14.3** particularly the division of profits. A consortium is formed by contract, which designates the rights and obligations of each member.
- 14.4** In a consortium, only the lead bidder's credentials both in terms of financial and technical qualifications are considered. Therefore, the interpretation and application to a RFQ/Bid process is such that the lead partner is identified and the following requirements are required as follows:

### **a) Lead Partner**

- All administrative documents (consortium agreement between the lead partner and the partner)
- Technical requirements (which will show in the proposal and other requirements why the need for the consortium, which for all intent and purpose fulfils the requirements of the bid through combination of skills)

### **b) Partner**

- Proof of CSD registration.
- Tax Pin.
- B-BBEE Sworn-Affidavit.
- SBD 4

- 14.5** It should be taken into cognisance that although the lead partner is the qualifying entity, the partner should prove that it can do business with state-owned entities, through CSD registration, proof that the taxes are compliant, its level of B-BBEE status in order to align with the B-BBEE status level required by the BID, declare interest and answer questions that it is not a disqualified entity with the National Treasury. The foregoing ensures compliance from an SCM process perspective that the consortium is in order.
- 14.6** Of importance is that in a consortium, each individual team members retain their identities.

## **15. A JOINT VATURE**

- 15.1** A joint venture is a business entity created by two or more parties, generally characterized by shared ownership, returns and risks and shared governance.



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### **Unincorporated joint venture:**

15.1.1 All SCM documents are filled in by the joint venture in the name of the joint venture, although the submission of administrative documents (partnership agreement between parties) will be completed in the name of the joint venture, and the following will be required from both parties, amongst others:

- a) SBD 4
- b) SBD 6.1
- c) Tax pin
- d) CSD registration.
- e) The JV agreement will direct which bank account of the two entities will be used.
- f) Consolidated Joint B-BBEE Certificate.

### **Incorporated joint venture**

15.1.2 This aligned to a registered entity or company. A registered entity/ company with a consolidated B-BBEE certificate and a bank account in the name of the Joint venture. The required compliance documents must be complete by the entity/ company the name of the joint venture, and the following will be required amongst others:

- a) SBD 4
- b) SBD 6.1
- c) Tax pin
- d) CSD registration.
- e) The JV agreement will direct which bank account of the two entities will be used.
- f) Consolidated Joint B-BBEE Certificate.

15.1.3 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended Sub-contractor is an EME that has the capacity and the ability to execute the sub-contract.

**15.2** A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract.

## **16. COMMUNICATION**

**16.1** Respondents are warned that a response will be disqualified should any attempt be made by a bidder either directly or indirectly to canvass any officer(s) or employees of CCSA in respect of BID process, between the closing date and the date of the award of the business.

All enquiries relating to this BID should be emailed **three days before the closing date. (Should the bid be issued longer than five [5] to seven [7] days in the market)**

## **17. CONDITIONS TO BE OBSERVED WHEN BIDDING**

- 17.1 The Commission does not bind itself to accept the lowest or any BID, nor shall it be responsible for or pay any expenses or losses which may be incurred by the bidder in the preparation and delivery of his BID submission. The Commission also reserves the right to withdraw or cancel the BID at any stage.
- 17.2 No BID shall be deemed to have been accepted unless and until a formal contract / Contract Form and letter of award or Purchase Order is prepared and executed.
- 17.3 The competitive shall remain open valid by the Commission for a period of **90 days** from the closing date of the BID Enquiry.
- 17.4 CCSA reserves the right to:
  - 17.4.1 Not evaluate and award a bid that do not comply strictly with this BID document.
  - 17.4.2 Make a selection solely on the information received in the Bid Document and Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the terms of reference.
  - 17.4.3 Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders. During the evaluation process, no change in the content of the BID shall be sought, offered or permitted.
  - 17.4.4 Cancel this BID at any time.
  - 17.4.5 Should bidder(s) be selected for further negotiations, they will be chosen on the basis of the of cost effectiveness and the principal of value for money not necessarily on the basis of the lowest costs.

## **18. COST OF BIDDING**

- 18.1 The bidder shall bear all costs and expenses associated with preparation and submission of its BID submission and the CCSA shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

## **19. NOTE TO BIDDERS:**

- 19.1 Due diligence to be conducted by CCSA prior to the award of the contract (where applicable).

### **END OF TERMS OF REFERENCE DOCUMENT**



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**Annexed to this document for completion and return with the document:**

- ANNEXURE SBD 1 and conditions to tender.
- ANNEXURE SBD 3.3 (*pricing schedule*)
- ANNEXURE SBD 4
- ANNEXURE SBD 6.1
- ANNEXURE General Conditions of Contract (GCC)