

BROADBAND INFRACO SOC LTD

REQUEST FOR QUOTATION: APPOINTMENT OF A CERTIFIED SERVICE PROVIDER FOR EMPLOYEE RELATIONS MATTERS IR, LEGAL OPINIONS AND ANY OTHER LEGAL RELATED MATTERS FOR A PERIOD OF SIX (6) MONTHS.

RFQ NUMBER:	RFQ- 10735
RFQ ISSUE DATE:	21/02/2024
RFQ CLOSING DATE:	28/02/2024 @12h00 Noon
RFQ VALIDITY PERIOD:	30 days (COMMENCING FROM THE RFQ CLOSING DATE)
A FULL DESCRIPTION OF GOODS/SERVICES REQUIRED:	APPOINTMENT OF A CERTIFIED SERVICE PROVIDER FOR EMPLOYEE RELATIONS MATTERS IR, LEGAL OPINIONS AND ANY OTHER LEGAL RELATED MATTERS.
RESPONSES TO THIS RFQ SHOULD BE FORWARDED TO:	Supply Chain Management – Commercial Department Email: Valentia.Baloyi@infraco.co.za
ENQUIRY: NAME:	Valentia Baloyi: 011 235 1621

Bidders must acknowledge receipt of this RFQ on the above contact details.

BIDDER:

REGISTRATION NUMBER:

ADDRESS:

CONTACT PERSON:

TEL:

FAX:

E-MAIL ADDRESS:

TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

1. Broadband Infraco standard conditions of purchase shall apply.
2. No services must be rendered or goods delivered before an official Broadband Infraco Purchase Order form has been received.
3. Late and incomplete submissions will not be accepted.
4. Any bidder who has reasons to believe that the RFQ specification is based on a specific brand must inform Broadband Infraco before RFQ closing date.
5. Where applicable, Work will be carried out in terms of the OHSA and regulations and therefore it is important for the bidders to include OHSA compliance costs (i.e safety file for the recommended bidder will be approved by Broadband Infraco).
6. **Bidder is required to submit copy of Tax Clearance Certificate and verification information (PIN) to be used by Broadband Infraco to validate the copy on the SARS website for all price quotations exceeding the value of R30 000 (VAT included). Failure to submit the copy of valid Tax Clearance Certificate and verification information will result in the invalidation of this RFQ. It is the responsibility of the bidder to ensure that Broadband Infraco is in possession of the bidder's valid Tax Clearance certificate. The onus is on the bidder to ensure that Broadband Infraco receives a valid Tax Certificate as soon as the validity of the said certificate expires.**
7. Bidders must attach valid BBBEE certificate, correct affidavit or valid exemption letters with the bid. **Copies must be certified.**
8. Bidders are required to complete Annexure A for all price quotations exceeding the value of R30 000 (VAT included).
9. This RFQ will be evaluated **in terms of** the 80/20 preference point system prescribed by the Preferential Procurement Regulations, 2017
10. All prices must be quoted in South African Rand (ZAR) and the foreign currency amount applicable must be stated. The bidder must indicate **clearly** which portion of the quoted price is linked to the exchange rate. The cost of installation, delivery, and **other** charges must be included in the total price quoted.
11. It is within Broadband Infraco's prerogative to award this bid in part/s or whole to one or more than one service provider based on the pricing and other technical consideration within the ambits of the law.
12. Broadband Infraco will only commence payment processes after fulfilment of the conditions contained in the contract and/ or on receipt of an invoice from the service provider and after such has been approved by the client division as representing the services received.

13. Payment of invoices will be effected on the last day of the calendar month following the calendar month of receipt of a correct and original invoice
14. Bidders who submitted information that is fraudulent, factually untrue or inaccurate, for example memberships that do not exist, BEE credentials, experience, etc will be disqualified.
15. Bidders will be disqualified if there are listed on prohibited register of bidders in National Treasury and register of tender's defaulters.

NB*, Please provide us with a detailed quotation on your company letterhead, indicating all the product specifications and indicate compliance (and any deviations) to the given specification.

.....
DECLARATION BY BIDDER

I, the undersigned (NAME).....certify
that :

- i. I have read and understood the conditions of this RFQ.
- ii. I have supplied the required information and the information submitted as part of this RFQ is true and correct.

.....
Signature

.....
Date

.....
Capacity

STANDARD BIDDING DOCUMENT 1 - PART A: INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF BROADBAND INFRACO (SOC) LTD					
BID NUMBER:	RFQ-10735	CLOSING DATE:	28/02/2024	CLOSING TIME:	12:00 Noon
DESCRIPTION	APPOINTMENT OF A CERTIFIED SERVICE PROVIDER FOR EMPLOYEE RELATIONS MATTERS IR, LEGAL OPINIONS AND ANY OTHER LEGAL RELATED MATTERS FOR A PERIOD OF SIX (6) MONTHS.				
BID RESPONSE DOCUMENTS MUST BE SUBMITTED THROUGH EMAIL.					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX CLEARANCE NUMBER					
		TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		<input type="checkbox"/> Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes
		<input type="checkbox"/> No			<input type="checkbox"/> No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX		<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		
		<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
		<input type="checkbox"/>	A REGISTERED AUDITOR		
		NAME:			
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) 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?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	
[IF YES ANSWER PART B:3 BELOW]					
SIGNATURE OF BIDDER CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)	 DATE			

PART B: TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.</p>
2. TAX COMPLIANCE REQUIREMENTS
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER AND PROOF MUST BE PROVIDED.</p>
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS
<p>3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</p>

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

ANNEXURE F: DECLARATION OF INTEREST FOR TENDERS (SBD 4)

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 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

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.

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.
- 3.5 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.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring 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.

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.

3.7. 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.....

SBD 6.1

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

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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:

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

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:

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

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)
Black Owned		6		
people with disability		3		
Black youth owned		3		
Black Women owned		6		
Military Veterans		2		

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:

1. TERMS OF REFERENCE

Broadband Infraco's legislative mandate is set out in the Broadband Infraco Act No. 33 of 2007 (the "Act"). The main objectives as set out in the Act are to expand the availability and affordability of access to electronic communications, including but not limited to underdeveloped and under serviced areas, in accordance with the Electronic Communications Act and commensurate with international best practice and pricing, through the provision of electronic communications network services and electronic communications services.

2. SPECIFICATION OF GOODS/SERVICE

Appointment Of a Certified Service Provider for Employee Relations Matters LR, Legal Opinions and Any Other Legal Related Matters for a period of 6 months.

3. SCOPE OF WORK

- Represent the company in disciplinary hearing on request by the company. Furthermore, draft mutual separation where employer and employee reach such.
- Represent the company regarding ER matters at CCMA, Labour Court, Labour Appel Court, High Court, and any other court that the appointed law firm would have a jurisdiction in but not limited to Constitutional Court,
- Inform the EXCO on the implications of the Labour Relations Act (LRA), and accepted Labour relations practices if needs be.
- Identify the responsibilities of the Board and management respectively in any possible change process.
- Identify the various documents that are required to ensure that any change process is developed according to the requirements of the LRA.
- Work close with the HR department and in dealing with ER and IR matters.
- Proof that the service provider has been in existence and practice for a period of at least five (5) years prior to the closing date of this request for the proposals.
- The successful service provider(s) shall have a proven track record in providing ER and IR services and shall have a minimum of 5 years' experience in the field
- Respondents shall clearly indicate the names of the resources that will be providing the service to Broadband Infraco as well as a comprehensive CV(s) of the proposed resource(s).
- Respondents shall provide at least three reference letters of the similar services provided for other companies.
- Working with State Owned Companies will be an added

advantage.

4. OBJECTIVE CRITERIA

4.1 Broadband Infracore further reserves the right not to award this RFQ to any bidder based on the proven poor record of accomplishment of the bidder in previous projects.

4.2 Broadband Infracore further reserves the right not to award this RFQ to a lowest bidder in terms of price and specific goal points scored.

□

5. MANDATORY REQUIREMENTS (Stage 1)

- Pre-qualification documents (SBD documents)
- Proof of Central Supplier Database (CSD) Registration Report (preferably the CSD report in PDF format) from National Treasury
- B-BBEE Certificate
- Tax Pin
- Pricing Schedule (quote on company's official letterhead).
- The resources of the law firm required must have a bachelor's degree in any of the following: Labour Relations/ Labour Law/ LLB.
- The law firm must be registered.

6. EVALUATION AND SELECTION CRITERIA

Bidders that complied with the Mandatory Requirements shall be evaluated and selected based on set of minimum standards that BBI set out below. The minimum standards consist of the following Gates:

Pre-Qualification Criteria - Bidder(s) must submit all Standard Bidding Documents

Technical Evaluation Criteria – Bidder(s) will be evaluated out of hundred (100) points during Technical Evaluations, the minimum threshold of seventy percent (70%) must be achieved.

Price and Specific Goals evaluation – Bidder(s) that have been shortlisted will be evaluated out of one hundred (100) points. Price will be evaluated out of eighty (80) points and specific Goals out of twenty (20) points.

Table 1 Functionality Evaluation (Stage 2)

Evaluation Criteria	Score
Experience of the Bidder will be demonstrated by the bidder proving the business profile stating the experience of the company and the registration date. 5 years or more – 25 points 3 to 4 years – 20 points 1 to 2 years – 10 points Zero experience – 0 points	25
Experience of the core team working with SOE and/or private sector in dealing with employee's grievances, disciplinaries and CCMA cases. CV's and relevant qualification of the project team will be used to allocate points as indicated below: More than 20 years combined – 25 points More than 10 years and up to 19 years – 20 points More than 5 years and up to 9 years – 10 points 1 year to 4 years' experience – 0 points	25
Resources have experience, knowledge and expertise in the area of Labour Relations, Labour Law, and IR. CV's relevant qualification of the project team will be used to allocate points as indicated below: More than 20 years combined – 30 points More than 10 years and up to 19 years – 20 points More than 5 years and up to 9 years – 10 points	30
The bidder to demonstrate previous experience relevant to the project by providing contactable references for five years and points distributed as demonstrated below: 3 references– 20 points 2 references - 10 points 1 reference – 5 points Zero references – 0 points	20
Total functionality points	100

Only bidders who obtained 70 out 100 points on Functionality will be evaluated on Price & specific goals preference point system of 80/20 as per the below table:

Table 2: Price and Specific Goals (Stage 3)

CRITERIA	WEIGHTING/ POINTS
Price	80
Specific Goals	20
Total	100

NB: Price and specific goals points will be calculated as described in the Preferential Procurement Regulations of 2022. SBD 6.1 form must be used to claim points for specific goals for the company. A copy of CSD report and certified copy of B-BBEE certificate or Sworn Affidavit must be submitted as proof of specific goals. When the said documentation is not

provided as proof the company will automatically score zero points for specific goals. Broadband Infracore Soc Ltd may request further information if clarity is needed.

PHASE 3: PRICING SCHEDULE

Description	Quantity	Unit Price	Total Price
ER Relations	1		
Disbursements			
Price Excl. VAT			
VAT 15%			
Price Incl. VAT			

Lead time: Delivery in _____ days after receiving a Purchase Order.

- All quoted amounts MUST be all inclusive. This means, all direct and indirect related costs must be included in the flat fee. No additional costs will be considered post award.
- Bidder to submit detailed quote on your company letterhead with pricing breakdown and rates as per scope of work.