



forestry, fisheries & the environment

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

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE) AS AN ORGAN OF STATE SUBSCRIBES TO AND PROPAGATES BOTH THE NOTION OF BROAD BASED BLACK ECONOMIC EMPOWERMENT ACT, 2003 (Act No. 53 of 2003) (BBBEE), THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 (Act No. 5 of 2000) AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

DRAFT TERMS OF REFERENCE

APPOINTMENT OF A OF A SUITABLY QUALIFIED INDEPENDENT CONSULTANT WITH EXTENSIVE AND PROVEN EXPERIENCE AND KNOWLEDGE OF THE SOUTH AFRICAN WASTE SECTOR, ITS PARTICIPANTS, AND THE SOUTH AFRICAN WASTE AND INDUSTRIAL POLICY ENVIRONMENT TO FACILITATE AND DEVELOP A WASTE ECONOMY MASTER PLAN.

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1 PURPOSE

- 1.1 The Department of Forestry, Fisheries and the Environment (DFFE) requires the services of a suitably qualified independent consultant with extensive and proven experience and knowledge of the South African waste sector, its participants, and the South African waste and industrial policy environment to facilitate and develop a Waste Economy Master Plan. Waste Economy Master Plan will play a key role in unlocking and scaling up economic opportunities within the waste economy value chain.

2 BACKGROUND ON MASTER PLANS IN SOUTH AFRICA

- 2.1 In June 2019, the South African government approved the Re-invigorated Industrial Strategy (RIS) for the country. The foundation of the Industrial Strategy is the development of sector focused Master Plans in 15 identified priority sectors. In South Africa, the Master Plan approach has been successfully implemented in the Automotive sector as well as Clothing and Textile sector over the last 5 years and has proven to be a highly effective means of creating stakeholder support for a coordinated approach for developing and improving industrial sectors.
- 2.2 A Master Plan is a comprehensive plan of action developed by Government, Business and Labour which seeks to achieve a common policy objective such as protection and creation of jobs; deepening capabilities in the sector; expanding exports; and/or preparing for the impact of a policy change. The Master Plan is time-bound and incorporates various actions across the 3 main stakeholders, sequenced to achieve maximum socio-economic impact.

3 WASTE ECONOMY MASTER PLAN

- 3.1 The anticipated Waste Economy Master Plan should make provision and illustrate alignment with the objectives and targets as set out within the National Waste Management Strategy (NWMS- 2020) and the seven (7) priorities of Government.
- 3.2 The Master Plan should also be responsive to the Sustainable Development Goals (SDGs) of Agenda 2030; the National Development Plan (NDP): Vision 2030; relevant strategies and policies of the waste sector; as well as the Chemicals and Waste Economy (CWE) Phakisa- 3 Feet Plan.
- 3.3 The NWMS (2020) provides government policy and strategic interventions for the waste sector and the Master Plan will have to consider the objectives and targets of these interventions in support of unlocking and scaling up economic opportunities within the waste economy value chain.
- 3.4 Of greater importance is the seven (7) priorities of Government and the National Development Plan (NDP): Vision 2030 which are continuously measured to assess government's performance and compliance on delivering promises made to the country. The Master Plan interventions and targets should therefore be

aligned with set policies and strategies; as well as annual resource allocations to ensure successful implementation and collaborations are enabled.

- 3.5 The DFFE CWE Phakisa 3 Feet Plan on the other hand provides actions and targets for chemicals and waste interventions identified and prioritized by the chemicals and waste public and private sector stakeholders as per the CWE Phakisa agreements. The main aim of the implementation of CWE Phakisa 3 Feet Plan is to reduce the negative environmental and health impact of waste and risks posed by chemicals; increase commercialization of the circular economy; create value from resources currently discarded as waste; and foster inclusive growth through positioning of South Africa as a globally competitive producer of sustainable products.
- 3.6 As such, the stakeholder engagement process and the development of the Waste Economy Master Plan requires high-level buy-in and support, as well as on-going engagements between Government, Business and Labour. There is a strong element of evidence-based decision-making required through economic analysis, international benchmarking, case studies and stakeholder engagement. These requirements in turn raise the importance of establishing an engagement platform to manage the Master Plan development process efficiently and collaboratively.
- 3.7 Furthermore, the process for developing this Master Plan should explore and identify industrial performance improvements and highlight competitiveness of industrial companies within the waste sector with government playing a critical role of facilitating and engaging stakeholders working as a collective to build a competitive, dynamic and agile sector to improve economic growth in the country.
- 3.8 It is anticipated that the Service Provider would complete the development of this Waste Economy Master Plan within 6 (six) months from the date of signing a Service Level Agreement (SLA) with DFFE. The Service Provider should be appropriately experienced to conduct a project of this magnitude.

4 OBJECTIVES

- 4.1 The primary objective of this ToR is to provide guidance to suitably qualified independent consultant to submit proposals to facilitate and develop a Waste Economy Master Plan.

5 SCOPE AND EXTENT OF WORK

The scope of this proposed work includes the following:

5.1 Waste Sector status quo analysis

- 5.1.1. Comprehensive review and analysis of the South African waste sector and mapping of the waste economy value chain using the Regional/Global Value Chain (R/GVC) approach focusing on

upstream and downstream linkages, market access and competition; sector dynamics and partnerships.

- 5.1.2 Comprehensive review and analysis of initiatives that require scaling up and can contribute to socio-economic development of the country; with alignment to circular economy; response to Sustainable Development Goals; the National Development Plan (NDP): Vision 2030; National Waste Management Strategy (2020) and the seven (7) Government Priorities. International benchmarking, case studies and best practise should be unpacked as part of providing a strong element of evidence-based decision-making required to support the waste economy value chain.
- 5.1.3 SWOT analysis of the waste sector - based on extensive stakeholder consultation experts from international organizations (local and international); public sector and waste sector value chain participants from up/downstream.
- 5.1.4 Review of the current economic climate and growth potential; as well as opportunities that exist within the waste sector to increase the demand for recycle and circularity of waste materials. This analysis must locate the SA waste sector industry in a global context and draw lessons from international successes.
- 5.1.5 Economic review of the waste economy value chain, looking at current financial support provided or received by Industry, Government and Labour; impact and sustainability of the waste economy value chain activities; and direct/indirect contribution to the South African GDP and international scale.

5.2 Legal framework and policy analysis

- 5.2.1 Comprehensive review and analysis of the waste sector legal framework; policy gaps and conflicts/inter-linkages with other policies/frameworks from other departments and economic sectors (locally and internationally).
- 5.2.2 Review and identification of policy instruments used by South Africa and other economies (countries and/or regional agreements) to successfully support the establishment and/or development of the waste economy value chains.
- 5.2.3 Review and analysis of existing barriers and enablers and key policy challenges identified as part of R/GVC with empirical evidence of policy successes (and/or failures) in nurturing and developing priority competitor economies within the waste economy value chains. Analysis should detail policy interventions on industry growth, sustainability and employment creation within the waste economy.
- 5.2.4 Review and assess current policies and legal frameworks, and identify areas where there is a need for policy review or refinement of policy (options). Develop/identify policy and regulation recommendations that will facilitate with alignments and improvements within the enabling environment for supporting the waste economy sector.

5.3 Stakeholder engagement

- 5.3.1 Conduct interviews with key stakeholders within the waste economy value chain to extract information, data, identify case studies and best practice which will help build the case and inform the current status quo analysis of the waste sector value chain (locally and internationally).
- 5.3.2 Convene focused stakeholder meetings/workshops over the first 3 months (1 per month) (regional consultations) to assess and strengthen the analysis of the sector, and ultimately reach agreement with stakeholders on a joint vision, outcomes and targets for the Waste Economy Master Plan.
- 5.3.2 Convene industry reference group as and when to share and test the findings as well as secure buy-in from all social partners as part of this evidence-based research process. Meetings for industry reference groups will be convened via MS teams or zoom meeting platforms.

The following list encompasses the stakeholders which will be consulted (not exhaustive):

Government	Industry	Academia/ Research institutions
Department of Forestry, Fisheries and the Environment internal and external governance structures (e.g working groups) Department of Health Department of Labour Department of Public Enterprises Department of Public Works and Infrastructure Department of Trade, Industry and Competition Department of Rural Development and Land Reform National Treasury Social Development Department of Water and Sanitation Department of Mineral Resources and Energy Provincial Departments of Environment SALGA DBSA	e-Waste Association of South Africa Agreg8 Agrimintech Agripark PAMSA Association of Cementitious Material Producers Nampak A-Thermal Retort Technologies Bokashi Bran (Pty) Ltd Coca Cola Beverages SA Consumer Goods Council of SA SAWPA ARO Transnet Eskom Samsung	CSIR Greencape Mintech

5.4 Waste Economy Master Plan

- 5.4.1 Development of time-bound programmes/work streams and implementation plans for the Waste Economy Master Plan- responsive to the circular economy to be characterized by economic value,

competitiveness and growth maximization in a sustainable manner for the waste economy value chains. Key elements for consideration include:

- 5.4.1.1 increased demand for new and emerging initiatives that seek to avoid, reduce, recycle, and re-use waste in line with the waste hierarchy principle, hence mitigating potential negative damage to the environment;
 - 5.4.1.2 transformation of some business sectors to end of life (EoL) waste, produce and supply to the domestic and export markets alternative greener products from such material;
 - 5.4.1.3 development of local capabilities and setting up of entities to locally develop and supply to the domestic and export markets, technologies and services to benefit End of Life (EoL) waste streams.
 - 5.4.1.4 reduced demand for products from certain sectors that cause environmental damage.
 - 5.4.1.5 increased demand for end of life (EoL) waste and enhanced market for products generated from such.
- 5.4.2 Obtain agreements and support for collective action by Industry, Government and Labour to achieve the vision, outcomes and targets of the Waste Economy Master Plan. It is crucial that stakeholder buy-in and active support for the actions is secured (i.e. through SLAs / MoUs).
- 5.4.3 Clearly defined roles and responsibilities of Industry, Government departments and/or agencies and Labour, in relation to the time-bound programmes/work streams as outlined within the Waste Economy Master Plan (i.e. relevant to the industry-specific and cross-cutting recommendations emerging from status quo analysis; legal framework and policy analysis as well as stakeholder engagement recommendations).
- 5.4.4 Budget recommendations and allocations aligned with the MTSF; private funding, international funding mechanisms such as GEF, GCF, etc.
- 5.4.5 A comprehensive Waste Economy Master Plan must be submitted with detailed time-bound programmes/work streams and implementation plans; identified areas of economic growth with implementation timelines and implementing agents (in line with roles and responsibilities of each stakeholder- from Industry, Government and Labour).

6 EXPECTED DELIVERABLES / OUTCOMES

The Service Provider would be expected to provide the following deliverables:

- 6.1 An inception report, which provides the project plan and detailed process on how the project will be undertaken.
- 6.2 Waste Sector Status Quo Analysis Report

- 6.3 Legal Framework and Policy Analysis Report
- 6.4 Stakeholder Engagement Plan and Report (should outline the plan with timelines for all the workshops, interviews, and meetings/discussion sessions conducted. Proof of engagement / evidence of these engagements should also be submitted with this report).
- 6.5 Waste Economy Master Plan (should have an executive summary and a user friendly shorter version/summary report of less than 30 pages as well as a comprehensive consolidated version/ document).

7 PERIOD / DURATION OF PROJECT / ASSIGNMENT

- 7.1. Project must be completed within 6 (six) months after the signing of the Service Level Agreement (SLA) by both parties and issuing of an official order.

8 COSTING / COMPREHENSIVE BUDGET

- 8.1 A comprehensive budget for the proposed scope of work must be provided as part of the bid document and not in a separate envelope inclusive of all disbursement costs, expenses and VAT.
- 8.2 The service provider will be expected to provide information related to the proposed expert applicable hourly rates in line with the provisions of deliverables in section 5 above.
- 8.3 DFFE reserve the right to negotiate with 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 has not been awarded the status of the preferred bidder/s.
- 8.4 DFFE reserve the right to bench mark and negotiate rates with successful bidders before award.

Activities	Total Amount
Inception report which provides detail including stakeholder mapping of the consultation process with identified stakeholders	R
Waste Sector Status Quo Analysis and Report, inclusive of issues and response matrix after consultation with industry.	R
Legal Framework and Policy Analysis and Report	R
Stakeholder Engagement Plan and Report	R
Waste Economy Master Plan <ul style="list-style-type: none"> Draft plan Final plan and report 	R

Activities	Total Amount
Total Hours	R
Sub Total	R
VAT @ 15%	R
Total cost	R

Note: this is provided as a guide, bidders can indicate activities and cost breakdown in own template/ format.

9 EVALUATION CRITERIA

9.1 The evaluation for this bid will be carried out in four (4) phases:

- Phase 1: Pre-Compliance.
- Phase 2: Pre-Qualification.
- Phase 3: Functionality Criteria.
- Phase 4: Price and B-BBEE.

9.2 PHASE 1: Pre-compliance or Initial Screening

9.2.1 During this phase Bid Documents will be reviewed to determine the compliance with SCM returnable, tax matters and whether Central Data Base (CSD) report has been submitted with the bid documents at the closing date and time of the bid. Bids which do not satisfy the compliance criteria will not be evaluated further.

9.2.2 The bid proposal will be screened for compliance with administrative requirements as indicated below and bidders must answer/ tick **YES/ NO** column.

Item No.	Administrative Requirements	Check/Compliance	Non-submission shall result in disqualification?	YES	NO
1	Master Bid Document	Provided and bound	*YES		
2	1 Copy of Bid Document	Provided and bound	**NO		
3	Electronic copy	Provided and similar to Master Bid Document	**NO		
Included in the Bid Document					
4	SCM - SBD 1 - Invitation to Bid	Completed and signed	*YES		

Item No.	Administrative Requirements	Check/Compliance	Non-submission shall result in disqualification?	YES	NO
5	SCM - SBD 2 - Tax Clearance Certificate Requirements	Attached CSD registration number /SARS PIN and CSD summary report	*YES		
6	SCM - SBD 3,3 - Pricing Schedule	Completed and signed	*YES		
7	SCM - SBD 4 - Declaration of Interest	Completed and signed	*YES		
8	SCM - SBD 6.1 - Preference Points Claim Form in terms of the Preferential Procurement Regulations 2017	Completed and signed, supported by B-BBEE Certificate if applicable or Affidavit if applicable	**NO		
9	SCM - SBD 8 – Declaration of Bidder's Past Supply Chain Management Practices	Completed and signed, supported	*YES		
10	SCM - SBD 9 - Certificate of Independent Bid Determination	Completed and signed	*YES		
11	In case of bids where Consortia / Joint Ventures, Consortia/Joint Venture agreement signed by both parties must be submitted with bid proposal	JV agreement completed and signed, if applicable	*YES		

***YES** – DFFE reserves the right to reject proposals that are not submitted in the prescribed format or where information presented is illegible or incomplete and will not be further evaluated for Specifications (Phase 2)

****NO** – DFFE reserves the right to request such information during the evaluation process of the proposal and such information must be presented within short notice.

9.3 PHASE 2: Pre-Qualification Criteria

Must be completed by bidder by answering yes or no and attach proof.

Pre-qualification criteria:	Requirement	Comply: Yes or No
	<p>Only service providers who are EME/QSE which are, at least 51% owned by black people will be considered for this bid as per Preferential Procurement Regulations 2017.</p> <p>Service providers are required to submit the following:</p> <p>an original or certified copy of the B-BBEE Status Level of contributor issued by SANAS,</p> <p style="text-align: center;">or</p> <p>an original or certified copy of DTIC B-BBEE Certificate in terms of Codes of good practice" indicating that service provider is an EME/ QSE,</p> <p style="text-align: center;">or</p> <p>an original or certified copy of an EME/ QSE Sworn affidavit must be signed by the commissioner of oath, and must indicate a financial year and an annual turnover.</p> <p>Failure to submit an original or certified copy of the B-BBEE Status Level of contributor issued by SANAS or an original or certified copy of DTI B-BBEE Certificate or an original or certified copy of an EME/ QSE sworn affidavit will result on bid being non-responsive or disqualified.</p>	YES

9.4 PHASE 3: Functionality Criteria

9.4.1 Only bid proposals that meets pre-compliance, pre-qualification will be considered to be evaluated on functionality criteria,

9.4.2 Phase 3: The bidder must score a minimum of **75%** during Phase 3 (functionality/technical) of the evaluation to qualify for Phase 4 of the evaluation where only points for price and B-BBEE will be considered.

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

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

PHASE 3			
GUIDELINES FOR CATEGORY CRITERIA	FUNCTIONALITY (GUIDELINES FOR CRITERIA APPLICATION)		WEIGHT
1) A proposed Project Plan, Methodology and Management of the project to facilitate and develop a Waste Economy Master Plan	Bidders should provide a detailed project plan with intermediate, final outputs and identified timeframes/ milestones of proposed methodology		
	Project plan, methodology and project management to facilitate and develop a Waste Economy Master Plan	Indicator	35
	Project management approach, project plan and methodology well broken down; with detailed deliverables and milestones/timeframes	5	
	Project management approach, basic project plan, clear deliverables and clear milestones/timeframes	4	
	Action plan provided with deliverables and timeframes	3	
	Action plan provided with no deliverables and no timeframes	2	
	Task not well understood	1	
	No information provided	0	
2) Certified Copies of Qualifications of key personnel to be assigned to the project	Bidder (s) are required to submit/ attach relevant certified copies of qualifications as listed below:		
	2.1 Qualifications: Environmental management, and/or Environmental economics; Waste Management	Indicator	8
	A four year degree/honours or equivalent qualification (s) and above	5	
	A three year degree qualification (s)	4	
	A three year diploma qualification (s)	3	

PHASE 3				
GUIDELINES FOR CATEGORY CRITERIA	FUNCTIONALITY (GUIDELINES FOR CRITERIA APPLICATION)		WEIGHT	
	Two years diploma or qualification (s)	2		
	A certificates	1		
	No qualification (s) attached/ submitted	0		
	2.2 Qualifications: Research and Development (Development studies; Strategy development; Planning; and/or Stakeholder Management)	Indicator	7	
	An honours or equivalent qualification (s) and above	5		
	A three year degree qualification (s)	4		
	A three year diploma qualification (s)	3		
	Two years diploma or qualification (s)	2		
	A certificates	1		
	No qualification (s) attached/ submitted	0		
	3) Technical Capability/ expertise and track record of key personnel to be assigned to the project	Bidder (s) are required to demonstrate that they have the necessary resources and technical expertise to undertake and successfully complete the project.		
		Bidder (s) should submit curriculum vitae for key personnel proposed to be employed on the project. Curriculum vitae are to include specific details of these individuals including, inter alia, relevant experience and to include three contactable reference, and past experience relevant and related to this project.		
Bidders should clearly indicate role and capability/expertise of each team member. A track record of projects successfully completed (or in progress) by each team member on the project will provide added advantage for the proposal.				
Role and expertise/experience: Lead Project Manager with experience in Project Management within the waste or environmental management sector.		Indicator	10	
6 years 'or more experience		5		
4 and less than 6 years' experience		4		
3 and less than 4 years' experience		3		
2 and less than 3years' experience		2		

PHASE 3			
GUIDELINES FOR CATEGORY CRITERIA	FUNCTIONALITY (GUIDELINES FOR CRITERIA APPLICATION)		WEIGHT
	1 and less than 2 years' experience	1	
	Less than 1 year experience	0	
	Role and experience: Expert with experience in Research/Planning and/or Environmental Economics	Indicator	10
	6 years 'or more experience	5	
	4 and less than 6 years' experience	4	
	3 and less than 4 years' experience	3	
	2 and less than 3years' experience	2	
	1 and less than 2 years' experience	1	
	Less than 1 year experience	0	
	Role and experience: Expert with experience in Strategy Development and Stakeholder Consultation	Indicator	10
	6 years 'or more experience	5	
	4 and less than 6 years' experience	4	
	3 and less than 4 years' experience	3	
	2 and less than 3years' experience	2	
	1 and less than 2 years' experience	1	
	Less than 1 year experience	0	
4) Company's experience, track record and knowledge relevant to this project	Bidder (s) are required to demonstrate relevant past experience and competency of the company.		
	Bidder (s) should submit full details of at least three reliable contactable signed references for projects of a similar scope which were successfully completed in the previous years		
	Company experience in conducting research and development of policy frameworks, strategies and guidelines within the waste sector	Indicator	20
	10 years or more experience	5	
	8 and less than 20 years' experience	4	
	5 and less than 8 years' experience	3	
	3 and less than 5 years' experience	2	

PHASE 3		
GUIDELINES FOR CATEGORY CRITERIA	FUNCTIONALITY (GUIDELINES FOR CRITERIA APPLICATION)	WEIGHT
	1 and less than 3 years' experience	1
	Less than 1 year experience	0
Total points on functionality		100

9.5 PHASE 4: Preference Point System 80/20

9.5.1 The **fourth phase** is to perform an evaluation of Price and BBEE on the bidders, that successful qualified on phase 4 (functional evaluation).

9.5.2 **Calculation of points for price** - The PPPFA prescribes that the lowest acceptable bid will score 80 points for price. Bidders 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 to be evaluated on price and B-BBEE.

9.5.3 **Calculating of points for B-BBEE status level of contribution** - Points will be awarded to a bidder 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:

Phase 4: The following table must be used to calculate the B-BBEE scores (80/20)	
PRICE	
B-BBEE Status Level Contributor	Number of points (80/20)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non –compliant contributor	0

10 BID SUBMISSION REQUIREMENTS

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

- 10.2. The service provider must draft a table of content which will indicate where each document is located in the proposal
- 10.3. The proposal shall consist of the technical bid and the pricing as per the pricing guide and SBD 3.1.
- 10.4. The information in the CV of the proposed Team Leader and Team Members should include relevant experience in the chosen area of expertise.
- 10.5. Project reference specifying the role played by the service provider in the listed projects or assignments, project value and the duration of the project (start and end date).
- 10.6. A detailed Project Plan with clear indication of who will be responsible for the management of the assignment as well as its execution. The allocation of team members on the assignments should be based on the experience in delivering the scope of work as listed.
- 10.7. Standard bidding documents (SBD1, 2, 3.3, 4, 6.1, 8 and 9).
- 10.8. Tax compliance status requirements and/ or Central Supplier Database (CSD) number or report.
- 10.9. Certified copies of identity documents of directors and shareholders of the company.
- 10.10. Entity registration Certificate (CK1).
- 10.11. Letter of Authority to sign documents on behalf of the company.

11 SPECIAL CONDITIONS OF CONTRACT

- 11.1. On appointment, the performance measures for the delivery of the agreed services will be closely monitored by Project Manager.
- 11.2. The Service Provider will submit monthly progress reports to the Project Manager, within 4 days after the end of each month for the duration of the project, submitted in both soft and hard copies. Failure to submit the required reports on time will result in penalties.
- 11.3. DFFE will not be held responsible for any costs incurred by the service providers in the preparation, presentation and submission of the proposal.
- 11.4. The Project Manager shall do the ongoing management of the Service Level Agreement (SLA).
- 11.5. The Service Provider must guarantee the presence of the Team Leader in charge of programme throughout the duration of the contract.

- 11.6. 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.
- 11.7. The proposals should be submitted with all required information containing technical information.
- 11.8. Bidders failing to meet pre-qualification will automatically be disqualified.
- 11.9. Service Providers are requested to submit an original and valid B-BBEE Status Level Verification Certificate or certified copies thereof issued by verification agencies accredited by SANAS only or an original or certified copy of DTIC sworn affidavit in terms of Codes of good practice” indicating that service provider is an EME or an original or certified copy of an EME/ QSE Sworn affidavit must be signed by the commissioner of oath, and must indicate a financial year and an annual turnover.
- 11.10. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 11.11. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate proposal.
- 11.12. In the event that the application is made by a Joint Venture or Partnership, the accreditation credentials in name of joined entity should be submitted. Both members in the joint venture must meet the requirement of the proposal by submitting same documents as requested in the bid.
- 11.13. Poor or non-performance by the bidder will result in cancellation of works orders.

12 SUB-CONTRACTING CONDITIONS/ REQUIREMENTS

- 12.1. In a case a tenderer is intending to sub-contract portion of work, such tenderer awarded a contract may only enter into sub-contracting arrangements with the approval of the department.
- 12.2. In relation to a designated sector, a contractor will not be allowed to subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 12.3. A tenderer will not be awarded the points claimed for B-BBEE status level of contribution or contract if it is indicated in the bid documents that such a bidder intends subcontracting more that 25% of the contract value to any other enterprise that does not qualify for at least the same number of points

that the bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

- 12.4. The contractor is not allowed to sub-contract more than 25% of the contract value to another enterprise that does not have equal or higher B-BBEE status level, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

13 PAYMENT TERMS

- 13.1. DEFF undertakes to pay out in full or as per deliverables within 30 (thirty) days all valid claims for work done to its satisfaction upon presentation of a substantiated claim and the required reports stipulated in special conditions. No payment will be made where there is outstanding information/work not submitted by the Service Provider/s until that outstanding information is submitted.

14 TECHNICAL ENQUIRIES

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

Name: Surprise Zwane

Office Telephone No. 012 399 8689

E-mail: SZwane@environment.gov.za