



SPECIAL CONDITIONS AND REQUIREMENT OF CONTRACT

REQUEST FOR QUOTATION (RFQ): PROVISION OF SKIP RENTAL AND REMOVAL SERVICES FOR A PERIOD OF 24 MONTHS:

3 LIEBENBERG ROAD, GELVANDALE, GQBERTHA, EASTERN CAPE.

CLOSING DATE & TIME OF BID

RFQ VALIDITY PERIOD: 30 DAYS



1. INTRODUCTION AND BACKGROUND

- 1.1. Following a Cabinet decision and the State of the Nation address of 2011, the Small Enterprise Finance Agency (SOC) Limited (**sefa**), was established on 01 April 2012 in terms of section 3 (d) of the Industrial Development Corporation Act, No. 22 of 1940 (IDC Act). **sefa** is a wholly owned subsidiary of the Industrial Development Corporation (IDC) and brings together the activities of the three previous structures (Khula, **samaf** and the IDC small business activities).
- 1.2. **sefa** operates as a Development Finance Institution (DFI) to foster the establishment, development, and growth of Small, Micro and Medium Enterprises (SMMEs) and contributes towards poverty alleviation, job creation and economic growth. **sefa** provides products and services to qualifying SMMEs as defined in the National Small Business Act of 1996, as amended in 2004, through a hybrid of wholesale and direct lending channels.

2. PURPOSE

Khula Business Premises (Pty) Ltd (KBP) a wholly owned subsidiary of the Small Enterprise Finance Agency (**sefa**) wishes to appoint a Service Provider who is registered with relevant authorities to provide the above service at its property as indicated below. The service provider shall comply with all relevant government legislation as well as comply with **sefa**'s terms and conditions.

SCOPE OF WORK

- Place 1 bulk waste container (6m³) in Central yard space
- Uplift bi-weekly
- Submit signed removal slip with each uplift and
- Submit Monthly report to client iro waste generated and disposed

3. BID RESPONSE

Bidders shall submit their response in accordance with the response format specified below (Each section must be clearly marked, and the documents must be emailed).

3.1. Schedule 1

Completion of all Standard Bidding Documents by hand and other requirements as reflected in the Special Conditions of Contract which covers the following:

- **SBD 4: Bidders Disclosure** (duly completed and signed);
- **SBD 6.1: Preference Point Form** (duly completed and signed);
- **GCC: General Condition of Contract** (initial on every page to show you have read and understand the conditions)
- **Special condition of contract (SCC)** (initial on every page to show you have read and understand the conditions);



- Original and valid Tax Clearance Certificate(s) (TCC) or *PIN* issued by SARS;
- Valid certify B-BBEE from accredited verification agency, certificate issued by registered auditor, accounting officer or a Sworn Affidavit indicating the contribution level of bidding entity;
- National Treasury Central Supplier Database (CSD) (attached proof of registration); and
- Submission of bidder's Companies & Intellectual Property Commission (CIPC) company registration documents listing all Directors or Shareholders and certify ID copy of Directors or Shareholders. Including company profile.

4. EVALUATION CRITERIA

Bids shall be evaluated in terms of the following process;

5.1 STAGE 1: INITIAL SCREENING PROCESS:

During this phase, bid response will be reviewed for purposes of assessing compliance with Request for Quotation (RFQ) requirements including the general bid conditions, which requirements include the following:

- a. Submission of original certified valid B-BBEE certificate
- b. In the event of submission of a B-BBEE Sworn Affidavit, bidder must ensure that the Affidavit is stamped by the Commissioner of Oath and indicate the contribution level of the Bidding entity;
- c. Proof of registration report from National Treasury Central Supplier Database (CSD);
- d. Submission of bidder's Companies & Intellectual Property Commission (CIPC) Company Registration documents listing all Directors or Shareholders and original certified ID copies of Directors or Shareholders; and
- e. Completion of all Standard Bidding Documents (SBD's) and other requirements as reflected in the Special Conditions of Contract.
- f. Submission of original and valid Tax Compliance Status (TCS) Certificate or unique security personal, Identification (PIN) issued by the South African Revenue Services certifying that the taxes of the bidder are in order must be submitted at the closing date and time of bid.
 - In bids where Consortium, Joint Ventures and Sub-Contractors are involved, each party must submit a separate proof of TCS or pin

Failure to comply with the requirements in Stage 1 (SCM Compliance) may lead to disqualification of the proposal.



5.2 STAGE 2- MANDATORY REQUIREMENTS

NO	MANDATORY	COMPLY / NOT COMPLY
5.2.1	The bidder must provide at least one (01) relevant contactable reference of similar projects on the closing time and date of the RFQ. Reference letter from previous and current clients on the client's letterhead, and the letter should contain the following or consolidated list of reference on the company letterhead: <ul style="list-style-type: none">- Name of department/organization;- Description of the contract;- Contact person, email address and contact details; and- Contract value & duration of the contract.	
5.2.2	<ul style="list-style-type: none">- Valid waste license and waste landfill site registration. Provide valid proof	

Failure to comply with the requirements in Stage 2 (Mandatory Requirements) will lead to disqualification of the proposal.

5 SERVICE LEVEL AGREEMENT

- a. The successful bidder will be required to enter into to the execution of the Service Level Agreement.
- b. Performance Measurement processes will form an integral part of the Service Level Agreement to be signed after the successful bidder has been appointed.
- c. sefa reserves the right to terminate the contract in accordance with the SLA should the successful service provider fail to comply with the above conditions.

6. SITE INSPECTION

The Service Provider is required to conduct a **site inspection**. Arrangements for access to the property can be made with:

Name : Ghaulied van Schalkwyk
Tel : 082 998 0172
Email : ghaulieds@sefa.org.za

Name : Luvo Pakkies
Tel : 061 446 8921
Email : luvop@sefa.org.za

7. ENQUIRES

For the duration of this BID until the eventual appointment of the service provider and Contracting, **ALL** enquiries regarding this tender **MUST** be addressed to Supply Chain Office per below:



8. CONTACT DETIALS

Name : Tamsanqa Mgudlwa
Tel : 012 748-9623
Email : tamsanqam@sefa.org.za

Name : Tebogo Seima
Tel : 012 748 9685
Email : tebogos@sefa.org.za



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3 LIEBENBERG ROAD, GELVANDALE, GQBERTHA, EASTERN CAPE.

REQUESTED BY	Ghaulied van Schalkwyk
DEPARTMENT	Property
DESIGNATION	Regional Facilities Manager
SIGNATURE	

VERIFIED BY	Wendy Rakitla
DEPARTMENT	SCM
DESIGNATION	Head of SCM
SIGNATURE	

SUPPORTED BY	Matshidiso Pilane
DEPARTMENT	Property
DESIGNATION	Property Manager
SIGNATURE	

DEPARTMENT APPROVAL

APPROVED BY	Sikhumbuzo Ndlovu
DEPARTMENT	Property
DESIGNATION	Head of Property
SIGNATURE	

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 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

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.

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 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.
- 3.4 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

² 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);

1.2

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

b) The 80/20 preference point system will be applicable to this tender

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
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

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 PREFERENCE POINT SYSTEMS

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

80/20

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

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) 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 (80/20 system)
1	20
2	18
3	14
4	12

5	8
6	6
7	4
8	2
Non-compliant contributor	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 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		NO	
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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		NO	
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- 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 last 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		
OR		
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

.....
.....

Dear Prospective Bidders

sefa takes a zero-tolerance approach to fraud, corruption and bribery.

sefa is committed to acting fairly, with integrity, in all its' relationships and business dealings both internally and externally (with its suppliers, contractors and other stakeholders).

Please note that under no circumstances will **sefa** ever require any payment to secure an award of an RFQ or a tender. Individuals that claim that an upfront payment to an individual, third party or a **sefa** official, is a blatant attempt at defrauding suppliers and such a scam must immediately be reported to the **sefa** Anti-Corruption line. **sefa** follows a fair, competitive and transparent procurement process in evaluating and awarding bids.

Should you or anyone wish to report any suspected fraud, corruption or bribery, you can BLOW the whistle by calling a free hotline on 0800 000 663



**FRAUD
ALERT!**

sefa warns the public of a scam on social media (LinkedIn) in which some individual claims to be a representative of **sefa**.

Please note that **sefa** does not charge any admin fee for application and we won't conduct business on social media.

PLEASE REPORT ANY SUSPICIOUS ACTIVITY TO **sefa** 0800 000 663 **sefa**