

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (PUBLIC PROTECTOR SOUTH AFRICA)							
BID NUMBER:	REQ000000	CLOSING DATE: 30 SEPTEMBER 2026		CLOSING TIME:	11:00		
DESCRIPTION	APPOINTMENT OF THE SERVICE PROVIDER TO COLLECT RECYCLE PAPERS AND E-WASTE IN ALL PUBLIC PROTECTOR SOUTH AFRICA OFFICES (16 OFFICES).						
BID RESPONSE DOCUMENTS MAY BE EMAILED							
PPSAQUOTATIONS01@pprotect.org or PPSAERP@pprotect.org							
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACT PERSON	Kgomotso Kgopotse			CONTACT PERSON	Tshidiso Khotso		
TELEPHONE NUMBER	012 366 7008			TELEPHONE NUMBER	012 366 7000		
FACSIMILE NUMBER	N/A			FACSIMILE NUMBER	N/A		
E-MAIL ADDRESS	KgomotsoK@pprotect.org			E-MAIL ADDRESS	TshidisoK@pprotect.org		
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							
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA		
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No		
[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?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]		
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS							
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?					☐ YES ☐ NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?					☐ YES ☐ NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?					☐ YES ☐ NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?					☐ YES ☐ NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?					☐ YES ☐ NO		
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.							

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE PUBLIC PROTECTOR SOUTH AFRICA (PPSA) TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA .
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

- 1.1 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, 1996 (Constitution), and further expressed in the various applicable legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.
- 1.2 If a person is 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. DECLARATION ON EMPLOYMENT BY ORGAN OF STATE

- 2.1 Is the bidder, or any of the directors / trustees / shareholders / members / partners of the bidder employed by an organ of state, as defined in section 239 of the Constitution? **YES/NO**

- 2.2 If YES, furnish particulars of the names, individual identity numbers, in the table below:

Full Name	Identity Number	Name of organ of state

- 2.3 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

- 2.3.1 If so, furnish particulars:

- 2.4 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**

2.4.1 If so, indicate all companies registered in the CSD in the table below:

Supplier registration number (MAAA)	Status (active/inactive/deleted)

Failure to disclose all CSD-registered active companies linked to all Directors will lead to disqualification.

3 GENERAL DECLARATION

I,, the undersigned, 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 to be false.
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor.
- 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.
- 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, 1998 (Act No. 89 of 1998) and or may be referred to law enforcement agencies for criminal investigation and or may be restricted from conducting business with the state for a period not exceeding 10 years in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) or any other applicable legislation.

I CERTIFY THAT THE ABOVE IS CORRECT.

I ACCEPT THAT THE PROCURING INSTITUTION MAY REJECT THE BID OR TAKE APPROPRIATE ACTION AGAINST ME IF THIS DECLARATION IS FALSE.

.....
Signature

.....
Date

.....
Designation

.....
Name of bidder

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 points systems for income-generation contracts with Rand value equal to or below R50 million 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

(a) The applicable preference point system for this tender is the **80/20** preference point system.

1.3 Points for this 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 FOR INCOME GENERATING CONTRACTS

The following formula must be used to calculate the points for price in respect of a tender for income-generating contracts, with a Rand value above R50 million, inclusive of all applicable taxes:

THE 80/20 PREFERENCE POINT SYSTEMS

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

$$PS=80 \left(\frac{1 + Pt - Pmax}{Pmax} \right) \text{ WHERE}$$

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration; and

Pmax = Price of highest acceptable tender

- 3.2 A maximum of 20 points may be awarded to a tenderer for the specific goal specified for the tender.

- 3.3 The points scored for the specific goal must be added to the points scored for price and the total must be rounded off to the nearest two decimal places.

- 3.4 Subject to section 2(1)(f) of the Act, the contract must be awarded to the tenderer scoring the highest points.

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:

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

Bidder must submit proof as supporting documents for the point's claimed. None submission may render the points not been awarded to the bidder.

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)
Historically Disadvantaged individual (HDI)		
Enterprises with ownership of 51% or more by person/s who are black person/s.	10	
Enterprises with ownership of 51% or more by person/s who are women	5	
Enterprises with ownership of 51% or more by person/s who are youth	3	
Enterprise with ownership of 51% or more by person/s with disability	2	
Enterprises with ownership of less than 51% by person/s who are black or less than 51% by person/s who are women or less than 51% by person/s who are youth or less than 51% by person/s with disability	0	
Total	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

- 4.2. Name of company/firm.....
- 4.3. Company registration number:
- 4.4. 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]

4.5. 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.



TERMS OF REFERENCE FOR THE APPOINTMENT OF THE SERVICE PROVIDER TO COLLECT RECYCLE PAPERS AND E-WASTE IN ALL PUBLIC PROTECTOR SOUTH AFRICA OFFICES (16 OFFICES).

ISSUE DATE: 21 SEPTEMBER 2026

COMPULSORY SITE INSPECTION / BRIEFING SESSION DATE: NOT APPLICABLE

CLOSING DATE AND TIME OF SUBMISSION OF RFQ: 30 SEPTEMBER 2026

RFQ DOCUMENTS TO BE SUBMITTED ONLY THROUGH: PPSAQUOTATIONS01@pprotect.org OR PPSAERP@pprotect.org

PPSA RFQ IS VALID FOR A PERIOD OF SIXTY (60) DAYS FROM THE CLOSING DATE

NB: PLEASE NOTE THAT PPSA CAN ONLY ACCEPT 10 MEGABYTES OF DOCUMENTS. IF THE BIDDERS' DOCUMENTS ARE MORE THAN 10 MEGABYTES THE DOCUMENTS TO BE SUBMITTED IN DIFFERENT BATCHES

PART A: TERMS OF REFERENCE

1. INTRODUCTION

1.1 Public Protector South Africa (PPSA) is a Chapter 9 institution constituted under Section 181 of the Constitution of the Republic of South Africa, in which the PPSA has the power to:

1.1.1 Investigate any conduct in state affairs or in the public administration in any sphere of government that is alleged or suspected to be improper or that will result in impropriety or prejudice;

1.1.2 Report on that conduct; and

1.1.3 Take appropriate remedial action. PPSA is independent and subject only to the Constitution and the law, always impartial and must exercise its powers and perform its functions without fear, favour or prejudice. PPSA is accountable to the National Assembly and must report on its activities and performance to the National Assembly at least once a year. PPSA has the power as regulated by the national legislation to investigate any conduct in state affairs, or in the public administration in any sphere of government that is alleged or suspected to be improper or to result in any impropriety or prejudice.

2. OBJECTIVE OF A BID

2.1 The appointment of the service provider to collect recycle papers and e-waste in all Public Protector South Africa offices (16 offices).

3. SCOPE OF WORKS

Appointment of the service provider to collect recycle papers and e-waste in all Public Protector South Africa offices (16 offices).

SHREDDED PAPER AND E-WASTE FOR DISPOSAL			
PPSA OFFICE	SIZES OF PLASTIC BAGS	LOCATION ADDRESS	ESTIMATE QUANTITY OF PLASTIC BAGS
FREE STATE	770+7340X1100	62 St Andrew Street, Fedsure Building, 7th floor, Bloemfontein.	+/- 02 Bag + 04 Pull up Banners + 02 Wall Banners + 02 Tear drops
PHUTHADITJHABA	560+560X800	Mampoi Street, Shop No 1, Naledi Mall, Phuthaditjhaba.	+/-16 Bags
BISHO	770+7340X1100	Unathi House, Independent Avenue, Bisho.	+/- 03 Bags + 01 Banner
MTHATHA	560+560X800	No 6 Knorf Street, Fortgale, Mthatha	+/- 20 Bags + 02 Banners
UPINGTON	560+560X800	Umbra Building, 55-59 Mak Street, Upington.	+/- 02 Bags
WESTERN CAPE	770+7340X1100	4th Floor, 51 Wale Street/ Bree Street, Cape Town.	+ /- 50 Bags + 01 Banner + 02 Tear drop Banners + 02 Pull up Banners
GEORGE OFFICE	560+560X800	1st Floor, South Wing, Bataleur Park, Cnr Cathedral & Cradock Street, George	+/- 03 Bags
DURBAN OFFICE	770+7340X1100	Commercial City, 40 Dr A B Xuma St, Central, Durban, 4001	+/- 04 Bags + 03 Banners
MAFIKENG OFFICE	770+7340X1100	C/O Martin & Robinson Streets, Mafikeng.	+/- 08 Bags + 02 Banners + 01 Gazebo + 01 PPSA background
RUSTERNBURG	560+560X800	135 Kloppe Street, Rustenburg.	+/- 02 Bags + 01 Banner + 01 Gazebo
GAUTENG OFFICE	770+7340X1100	10 Frazer Street, SAGE Centre, Marshalltown, Johannesburg.	+/- 02 Bag + 02 Wall banners + 01 Pull up banner
NELSPRUIT OFFICE	770+7340X1100	Pinnacle Building, Suite 101, 1 Parkin Street, Nelspruit.	+/- 20 Bags
KIMBERLEY OFFICE	770+7340X1100	48 Sidney Street, Dean Snyder's Building, E-wing 2, Kimberley.	+/- 05 Bags
LIMPOPO	770+7340X1100	18 Landros Mare Street, Polokwane	+/- 06 Bags + 01 Banner
HEAD OFFICE	Storerooms.	189 Lunnon Street, Hillcrest Office Park, Pretoria.	Old obsolete records, damaged and outdated promotional material. NB!! (For Head Office service provider need to do a site visit to assess material on-site)

3.1 Proposal costs will be determined per kilogram to be offered to PPSA.

3.2 Bidder to cover the following expenses:

- Transport costs;
- Labour costs;
- Secure shredding of confidential documents;
- Bundling costs at their site;
- Issuing of a Destruction Certificate;

4 THE BID WILL BE EVALUATED AS OUTLINED BELOW:

5. Phase 1 evaluation: The quotation document to be submitted through the PPSA quotations email and PPSAQUOTATIONS01@pprotect.org or ppsarp@pprotect.org

- Signed SBD 1: Invitation to Bid
- Signed SBD 4: Bidders disclosure
- Signed SBD 6.1: Preference Points claim form in terms of the Preferential Procurement Regulations 2022
- The bidder must be registered on Central Supplier Database (CSD): The bidder must ensure that their company is registered on CSD (attach the CSD report with the bid document or provide bidder CSD registration number).
- Submit proof of the points claimed under specific goals.

6. Documents Requirement for verification of Points allocation:

Procurement Requirement	Required Proof Documents
Enterprises with ownership of 51% or more by person/s who are black person/s.	• CIPC registration documents/ • B-BBEE certificate/sworn affidavit/ • South African Identification Document/ • CSD report
Enterprises with ownership of 51% or more by person/s who are women	• Enterprise with ownership of 51% or more by persons who are women • CIPC registration documents/ • B-BBEE certificate/sworn affidavit/ South African Identification Document • CSD report
Enterprises with ownership of 51% or more by person/s who are youth	• Enterprises with ownership of 51% or more by person/s who are youth • CIPC registration documents/ • B-BBEE certificate/sworn affidavit/ • South African Identification Document/ • CSD report
Enterprise with ownership of 51% or more by person/s with disability	• Letter from the Doctor confirming Disability/ Medical Certificate • South African Identification Document/

	• CSD report
--	--

7. Phase 2 Evaluation: Price and Specific goals

7.1 Pricing and BBBEE: Price (80/100) and BBBEE (20/100).

7.3.1 Specific goals	Points
Total Price = 80/100 Benchmark against lowest quote	80
Historically Disadvantaged individual (HDI)	
Enterprises with ownership of 51% or more by person/s who are black person/s.	10
Enterprises with ownership of 51% or more by person/s who are women	5
Enterprises with ownership of 51% or more by person/s who are youth	3
Enterprise with ownership of 51% or more by person/s with disability	2
Enterprises with ownership of less than 51% by person/s who are black or less than 51% by person/s who are women or less than 51% by person/s who are youth or less than 51% by person/s with disability	0
Total	20

- 7.2 Bidders are required to complete the preference claim form (SBD 6.1) and submit their original and valid B-BBEE status level verification certificate or a certified copy thereof at the closing date and time of the bid in order to claim the B-BBEE status level point.
- 7.3 The points scored by a bidder in respect of the level of B-BBEE contribution will be added to the points scored for price.
- 7.4 Only bidders who have completed and signed the declaration part of the preference claim form and who have submitted a B-BBEE status level certificate issued by a registered auditor, accounting officer (as contemplated in section 60(4) of the Close Corporation Act, 1984 (Act no. 69 of 1984)) or an accredited verification agency will be considered for preference points.
- 7.5 Failure on the part of the bidder to comply with paragraphs 7.3 and 7.4 above will be deemed that preference points for B-BBEE status level of contribution are not claimed and **will therefore be allocated a zero (0)**.
- 7.6 The points scored will be rounded off to the nearest 2 decimals.
- 7.7 In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of preference points for B-BBEE.
- 7.8 However, when functionality is part of the evaluation process and two or more bidders have scored equal points including equal preference points for B-BBEE, the contract will be awarded to the bidder scoring the highest for functionality.
- 7.9 A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.

PART B:

8 General conditions of contracts

The General Conditions of Contracts (GCC) as set out by the National Treasury will be applicable in all instances.

9 Other bid requirements

The PPSA reserves the right to disqualify any bidder which does not comply with anyone or more of the required information as indicated below:

- 10.1 If the bidder/s submit their bids without all the data and information requested.
 - 10.1.1 Proposal that did not submit mandatory documents stipulated in the RFB document.
 - 10.1.2 Proposal that fails to comply with the specification.
 - 10.1.3 Proposal that contains any information that is found to be incorrect or misleading in any way or Bidders who submit information that is fraudulent, factually untrue or inaccurate information.
 - 10.1.4 Bidders who submit incomplete information and documentation according to the requirements of this RFB document.
 - 10.1.5 Bidders who receive information not available to other potential bidders through fraudulent means.

11 PPSA reserves the right not to award or cancel this bid at any time

- 11.1 To negotiate with one or more Preferred or Reserved Bidders identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other Bidder who has not been awarded the status of the Preferred or Reserved Bidder.
- 11.2 To award in part or in full.
- 11.3 To award this bid to one or more bidders.
- 11.4 To negotiate prices of items that are contracted, and should these items be available at a competitive price than the contracted price, PPSA will request the current bidder to reduce their price to be in line with the market price failing which; these will be purchased out of contract.
- 11.5 To cancel and/or terminate the bid process at any stage, including after the Closing Date and/or after presentations have been made, and/or after bids have been evaluated and/or after the Preferred Bidders have been notified of their status as such.
- 11.6 To carry out explanatory meetings to verify the nature and quality of the services bidding for, whether before or after adjudication of the bid at the bidder's corporate offices and / or at client sites if so required.
- 11.7 To award the contract to a Bidder whose bid was not the lowest in price.
- 11.8 To award the bid to a Bidder who is not the highest scoring Bidder.
- 11.9 To correct any mistakes at any stage of the bid that may have been in the bid documents or occurred at any stage of the bid process.
- 11.10 The PPSA is entitled to amend any bid conditions, bid validity period, RFP specifications, or extend the bid closing date, all before the bid closing date. All bidders, to whom the RFP documents have been

issued and where the PPSA has record of such bidders, may be advised in writing of such amendments in good time and any such changes will also be posted on the PPSA's website under the relevant tender information. All prospective bidders should therefore ensure that they visit the website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.

- 11.11 The PPSA reserves the right not to accept the lowest priced bid or any bid in part or in whole. It normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose bid is functionally acceptable and/or financially advantageous to the PPSA.
- 11.12 The PPSA reserves the right to request all relevant information, agreements, and other documents to verify information supplied in the bid response.
- 11.13 The bidder hereby gives consent to the PPSA to conduct background checks, including FICA verification, on the bidding entity and any of its directors / trustees / shareholders / members.
- 11.14 No attempt may be made, whether directly or indirectly, to canvass any member of PPSA employees before the award of the contract.
- 11.15 Any enquiries must be referred to in writing.

12 Undertakings by the Bidder

- 12.1 By submitting a bid in response to the RFB, the bidder will be taken to offer to render all or any of the services described in the bid response submitted by it to the PPSA on the terms and conditions and in accordance with the specifications stipulated in this RFB document.
- 12.2 The bidder shall prepare for a possible presentation should PPSA require such and the bidder shall be notified before the actual presentation date. Such a presentation may include a practical demonstration of services as called for in this RFB.
- 12.3 The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the PPSA during the bid validity period indicated in the RFB and calculated from the bid closing hour and date such offer, and its acceptance shall be subject to the terms and conditions contained in this RFB document read with the bid.
- 12.4 The bidder furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all his/her obligations under a resulting contract for the services contemplated in this RFB; and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.
- 12.5 The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under the supply agreement and SLA to be concluded with PPSA, as the principal(s) liable for the due fulfilment of such contract.
- 12.6 The bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with its bid will become PPSA property unless otherwise stated by the bidder/s at the time of submission.

13 Contract requirements

13.1 Contract period

- 13.1.1 The start date for the implementation of the project will be confirmed with the successful bidder upon contract negotiations. The initiative is based on deliverables. The contract period is 09 Years and 11 Months, a subject to review the service provider's performance.

13.2 General terms and conditions of contract

- 13.2.1 The General Conditions of Contracts (GCC) as set out by the National Treasury will be applicable in all instances.

13.3 Price basis

- 13.3.1 Bidders shall consider that PPSA's total requirements will be allocated to one bidder.
- 13.3.2 Bidders shall quote prices in South African Rand and Value Added Tax shall be included.
- 13.3.3 For PPSA to be able to facilitate the evaluation of bids and the administration of the contract it is required that bidders must provide pricing including escalation for a period of 09 years and 11 months.
- 13.3.4 Bidders shall quote on the basis indicated in the Pricing Schedule and complete SBD 3.1.
- 13.3.5 Prices tendered for must be inclusive of all required deliverables as per specification.
- 13.3.6 PPSA requires an all-inclusive and fully transparent cost structure.
- 13.3.7 Where figures are referred to in numerals and in words and there is a conflict between the two, the words will prevail.
- 13.3.8 The successful bidder shall commit to the programme of continuous improvement, which will result in cost- efficiencies during the duration of the contract.
- 13.3.9 Bidders must warrant the PPSA and indicate that the pricing quoted is free of any errors or omissions and that the Bidder is able to deliver the contract on the prices quoted.

14 Payment terms

- 14.1 The standard 30-day payment period will apply on the payment of all invoices from receipt of valid invoice.

15 Tax clearance certificate

- 15.1 The government is committed to reducing supply chain related fraud and ensuring that persons conducting business with the State are not afforded any scope to abuse the supply chain management system.
- 15.2 It is therefore essential to ensure that persons conducting business with the State are tax-compliant when participating in tenders or other bidding processes
- 15.3 As a bid condition, the accounting officer must request bidders to register on Government's Central Supplier Database and to include in their bid their Master Registration Number (Supplier Number) to enable the institution to verify the supplier's tax status on the Central Supplier Database.
- 15.4 The CSD and tax compliance status PIN are the approved methods to be used to prove tax compliance as the South African Revenue Services (SARS) no longer issues Tax Clearance Certificates but has made provision online, via e-Filing, for bidders to print their own Tax Clearance Certificates which they can submit with their bids or price quotations.

16 Counter Conditions

- 16.1 Bidder's attention is drawn to the fact that amendments to any of these conditions of bid by bidders

may result in the invalidation of the bids.

17 Fronting

- 17.1 The PPSA supports Broad Black Based Economic Empowerment and recognizes that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent, and legally compliant manner. Based on the above (PPSA) condemns any form of fronting.
- 17.2 The PPSA, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in the bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such enquiry /investigation, the onus will be on the bidder / contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from the date of notification may invalidate the bid/contract and may also result in the restriction of the bidder/contractor conducting business with the public sector for a period not exceeding ten years. The matter may be reported to the National Prosecuting Authority (NPA) for criminal investigation and charges in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

18 Promotion of Emerging Black-owned bidders

- 18.1 It is the PPSA's objective to promote transformation across all industries and/ or sectors of the South African economy and as such, bidders are encouraged to partner with a black owned entity (being 50%+1 black owned and controlled). Such partnership may include the formation of a Joint Venture and/ or subcontracting agreement etc., where a portion of the work under this tender would be undertaken by black-owned entities. To give effect to this requirement, bidders are required to submit a partnership / subcontracting proposal detailing the portion of work to be outsourced, level of involvement of the black owned partner and where relevant, submit a consolidated B-BBEE scorecard in-line with the provisions of the PPPFA Regulations which will be considered as part of the B-BBEE scoring.

19 Supplier Performance Management

- 19.1 Supplier Performance Management is viewed by the PPSA as a critical component in ensuring value for money acquisition and good supplier relations between the PPSA and all its suppliers.
- 19.2 The successful bidder shall upon receipt of written notification of an award, be required to conclude a Service Level Agreement (SLA) with the PPSA, which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor and assess the supplier 's performance and ensure effective delivery of service, quality and value-add to PPSA's business.
- 19.3 Successful bidders will be required to comply with the above-mentioned conditions and provide a scorecard on how their product / service offering is being measured to achieve the objectives of these conditions.

20 Supplier Development

- 20.1 The PPSA promotes enterprise development. In this regard, successful bidders may be required to mentor SMMEs and/or designated groups which are at least 51% owned by:
- 20.1.1 Black people
 - 20.1.2 People who are youth.
 - 20.1.3 People who are women.
 - 20.1.4 People with disability

21 Screening

- 21.1 Acceptance of this bid may be subject to the condition that the successful bidder may be cleared up by the appropriate authorities to render the service within the organ of the state.

22 PPSA requires bidder(s) to declare

In the Bidder's response, Bidder(s) are required to declare the following:

- 22.1 Confirm that the bidder(s) is to: –
- 22.2 Act honestly, fairly, and with due skill, care, and diligence, in the interests of PPSA.
- 22.3 Have and effectively employ the resources, procedures, and appropriate technological systems for the proper performance of the services.
- 22.4 Act with circumspection and treat PPSA fairly in a situation of conflicting interests.
- 22.5 Comply with all applicable statutory or common law requirements applicable to the conduct of business.
- 22.6 Make adequate disclosures of relevant material information including disclosures of actual or potential own interests, in relation to dealings with PPSA.
- 22.7 Avoidance of fraudulent and misleading advertising, canvassing and marketing.
- 22.8 To conduct their business activities with transparency and consistently uphold the interests and needs of PPSA as a client before any other consideration. To ensure that any information acquired by the bidder(s) from PPSA will not be used or disclosed unless the written consent of the client has been obtained to do so.

23 Conflict of interest, corruption, and fraud

- 23.4 PPSA reserves its right to disqualify any bidder who either itself or any of whose members (save for such members who hold a minority interest in the bidder through shares listed on any recognized stock exchange), indirect members (being any person or entity who indirectly holds at least a 15% interest in the bidder other than in the context of shares listed on a recognised stock exchange), directors or members of senior management, whether in respect of PPSA or any other government organ or entity and whether from the Republic of South Africa or otherwise ("Government Entity").
- 23.4.1 Engages in any collusive tendering, anti-competitive conduct, or any other similar conduct, including but not limited to any collusion with any other bidder in respect of the subject matter of this bid.
 - 23.4.2 Seeks any assistance, other than assistance officially provided by PPSA, from any employee, advisor or other representative of PPSA in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to PPSA.
 - 23.4.3 Makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of PPSA's officers, directors, employees, advisors, or other representatives.
 - 23.4.4 Makes or offers any gift, gratuity, anything of any value or other inducement, to any PPSA's officers, directors, employees, advisors, or other representatives in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to PPSA.
 - 23.4.5 Accepts anything of value or an inducement that would or may provide financial gain, advantage, or benefit in relation to procurement or services provided or to be provided to PPSA.
 - 23.4.6 Pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift or any other consideration, that is contingent upon or results from, the award of any tender, contract, right or entitlement which is in any way related to procurement or the rendering of any services to PPSA.
 - 23.4.7 Has in the past engaged in any matter referred to above; or
 - 23.4.8 Has been found guilty in a court of law on charges of fraud and/or forgery, regardless of whether or not a prison term was imposed and despite such bidder, member or director's name not specifically

appearing on the List of Tender Defaulters kept at National Treasury.

24 Misrepresentation

- 24.1 The bidder should note that the terms of its Tender will be incorporated in the proposed contract by reference and that PPSA relies upon the bidder's Tender as a material representation in making an award to a successful bidder and in concluding an agreement with the bidder.
- 24.2 It follows therefore that misrepresentations in a Tender may give rise to service termination and a claim by PPSA against the bidder notwithstanding the conclusion of the Service Level Agreement between PPSA and the bidder for the provision of the Service in question.

25 Preparation costs

- 25.1 The Bidder will bear all its costs in preparing, submitting, and presenting any response or Tender to this bid and all other costs incurred by it throughout the bid process. Furthermore, no statement in this bid will be construed as placing PPSA, its employees or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the bidder(s) in the preparation of their response to this bid.

26 Indemnity

- 26.1 If a bidder breaches the conditions of this bid and, as a result of that breach, PPSA incurs costs or damages (including, without limitation, the cost of any investigations, procedural impairment, repetition of all or part of the bid process and/or enforcement of intellectual property rights or confidentiality obligations), then the bidder indemnifies and holds PPSA harmless from any and all such costs which PPSA may incur and for any damages or losses PPSA may suffer.

27 Precedence

- 27.1 This document will prevail over any information provided during any briefing session whether oral or written, unless such written information is provided expressly amended by reference.

28 Limitation of liability

- 28.1 A bidder participates in this bid process entirely at its own risk and cost. PPSA shall not be liable to compensate a bidder on any grounds whatsoever for any costs incurred or any damage suffered because of the Bidder's participation in this Bid process.

29 Tender defaulters and restricted suppliers

- 29.1 No tender shall be awarded to a bidder whose name (or any of its members, directors, partners or trustees) appears on the Register of Tender Defaulters kept by National Treasury, or who has been placed on National Treasury's List of Restricted Suppliers. PPSA reserves the right to withdraw an award, or cancel a contract concluded with a Bidder should it be established, at any time, that a bidder has been listed as defaulting with National Treasury by another government institution.

30 Governing Law

- 30.1 South African law governs this bid and the bid response process. The bidder agrees to submit to the exclusive jurisdiction of the South African courts in any dispute of any kind that may arise out of or in connection with the subject matter of this bid, the bid itself and all processes associated with the bid.

31 Responsibility for sub-contractors and bidder's personnel

- 31.1 A bidder is responsible for ensuring that its personnel (including agents, officers, directors, employees, advisors and other representatives), its sub-contractors (if any) and personnel of its sub-contractors comply with all terms and conditions of this bid. If PPSA allows a bidder to make use of sub-contractors, such sub-contractors will always remain the responsibility of the bidder and PPSA will not under any circumstances be liable for any losses or damage incurred by or caused by such sub-contractors.

32 Confidentiality

- 32.1 Except as may be required by law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this bid or a bidder's tender(s) will be disclosed by any bidder or other person not officially involved with PPSA's examination and evaluation of a Tender.
- 32.2 No part of the bid may be distributed, reproduced, stored or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a Tender. This bid and any other documents supplied by PPSA remain proprietary to PPSA and must be promptly returned to PPSA upon request together with all copies, electronic versions, excerpts or summaries thereof or work derived therefrom.
- 32.3 Throughout this bid process and thereafter, the bidder(s) must secure PPSA's written approval prior to the release of any information that pertains to (a) the potential work or activities to which this bid relates; or (b) the process which follows this bid. Failure to adhere to this requirement may result in disqualification from the bid process and civil action.

33 Proposal documents

- 33.1 **Quotations to be submitted only through PPSAQUOTATIONS01@pprotect.org or PPSAERP@pprotect.org**
- 33.2 All documents and correspondence must be in English, failure to comply, the bid proposal will not be evaluated.
- 33.2.1 Bids submitted by bidders which are, or are comprised companies must be signed by a person or persons duly authorised thereto by a resolution of the applicable Board of Directors, a copy of which resolution, duly certified, must be submitted with the bid.
- 33.2.2 The bidder should check the numbers of the pages of its bid to satisfy itself that none are missing or duplicated.

34 Consultation prior to submission of the bid documents

- 34.1 Bidders shall consult, in writing, with the PPSA's officials indicated below should there appear to be any discrepancy, ambiguity or uncertainty pertaining to the meaning or effect of any description, dimension, quality, quantity or any other information contained in this bid. PPSA undertakes to provide clarification in writing to all Bidders, provided that the request is received prior to the closing date and time for clarifications.

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:	
CONTACT PERSON	Kgomotso Kgopotse	CONTACT PERSON	Tshidiso Khotso
TELEPHONE NUMBER: 012 366 7008		TELEPHONE NUMBER: 012 366 7152	

FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS	Kgomotsok@pprotect.org	E-MAIL ADDRESS	TshidisoK@pprotect.org

35 Clarifications and communication

- 35.1 Bidders are encouraged to submit clarification questions in writing to Public Protector South Africa (PPSA) officials.
 - 35.2 The PPSA will respond in writing to queries and distribute responses to all bidders who attended the briefing session after receiving questions.
 - 35.3 The PPSA may respond to any enquiry in its absolute discretion and the bidder acknowledges that it will have no claim against the PPSA on the basis that its bid was disadvantaged by lack of information, or inability to resolve ambiguities.
 - 35.4 Oral communication or instruction by PPSA or its representative shall have no standing in this bid unless and until they have been confirmed in writing.
 - 35.5 PPSA accepts no responsibility for the failure of any bidder not receiving notifications or correspondence relating to this bid.
 - 35.6 Whilst all due care has been taken in connection with the preparation of this bid, PPSA makes no representations or warranties that the content of the bid or any information communicated to or provided to Bidder(s) during the bidding process is, or will be, accurate, current or complete. PPSA, and its employees and advisors will not be liable with respect to any information communicated which may not accurate, current or complete.
 - 35.7 If Bidder(s) finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this bid or any other information provided by PPSA (other than minor clerical matters), the Bidder(s) must promptly notify PPSA in writing of such discrepancy, ambiguity, error or inconsistency in order to afford PPSA an opportunity to consider what corrective action is necessary (if any).
 - 35.8 Any actual discrepancy, ambiguity, error or inconsistency in the bid or any other information provided by PPSA will, if possible, be corrected and provided to all Bidder(s) without attribution to the Bidder(s) who provided the written notice.
- 36** All persons (including Bidder(s)) obtaining or receiving the bid and any other information in connection with the Bid or the Tendering process must keep the contents of the Bid and other such information confidential and not disclose or use the information except as required for the purpose of developing a proposal in response to this Bid.

BIDDER DECLARATION

The bidder hereby declares the following:

We confirm that _____ **(Bidder's Name)** will:

- a) Be service provider to collect recycle papers and e-waste in all Public Protector South Africa offices (16 offices).
- b) Act honestly, fairly, and with due skill, care, and diligence, in the interests of the PPSA.
- c) Effectively employ the resources, procedures, and appropriate technological systems for the proper performance of the services.
- d) Act with circumspection and treat PPSA fairly in a situation of conflicting interests.
- e) Comply with all applicable statutory or common law requirements applicable to the conduct of business.
- f) Make adequate disclosures of relevant material information including disclosures of actual or potential own interests, in relation to dealings with PPSA.
- g) Avoid fraudulent and misleading advertising, canvassing, and marketing.
- h) Conduct business activities with transparency and consistently uphold the interests and needs of

- PPSA as a client before any other consideration; and
- i) Ensure that any information acquired by the bidder(s) from PPSA will not be used or disclosed unless the written consent of the client has been obtained to do so.
 - j) Due to the sensitivity of the information handled by PPSA, bidders must submit a confirmation letter on their company letterhead indicating that the documents will be hosted in their own warehouse as sub-contracting is not allowed.

Signature: _____

Date: _____

Print Name of Signatory: _____

Designation _____

FOR AND ON BEHALF OF: _____