

INVITATION TO QUOTE

RFQ NO	MKIQ51/2023
Description	Service provider to Assist with Audit and Implementation Plan of the Occupational Health and Safety Act at MKI
Delivery address	1 University Road, Derby downs, Westville.
Closing date and time to submit quotation	23 November 2023 at 16H30
Quotation and enquires must be emailed to: Hand delivered submissions will not be accepted	quotations@moseskotane.com
Technical enquiries must be emailed to	Nompilo.mngoma@moseskotane.com
Quotations validity period	30 Days

SUPPLIER INFORMATION

Name of bidder	
Contact person	
Physical address	
Telephone number	
Cellphone number	
Email address	

1. Disclaimer:

- a) MKI reserves its right not to appoint.
- b) MKI reserves its right to negotiate the price with the successful bidder, should it be necessary.
- c) MKI reserves the right to terminate the mandate should a pre-existing conflict of interest be found at any stage of the project.
- d) Quotations received after the closing date and time will not be considered.

2. The following documents to be submitted with the quotation.

- a) Proof of company registration (CIPC), where applicable i.e unless a sole proprietor.
- b) Valid BBBEE certificate by SANAS accredited agency/company or an affidavit.
- c) Valid tax clearance pin
- d) Bank account confirmation letter
- e) Proof of registration on the Treasury Central Supplier Database (CSD)
- f) Supplier declaration of interest form (attached here into page 5)
- g) Preference points claim form (attached here into page 9)

NB: Failure to submit the above documents will lead to disqualification.

Specification

Occupational Health and Safety

1. Background and overview

The Moses Kotane Institute (MKI) is an entity of the KwaZulu-Natal Provincial Government through the Department of Economic Development, Tourism and Environmental Affairs (EDTEA), with a mandate to conduct world class research that responds to the needs of the provincial economy.

The Occupational Health and Safety Act, Act 85 of 1993, requires the employer to provide and maintain as far as reasonable and practical a work environment that is safe and without risk to the health and safety of our employees and clients.

It is acknowledged that the employer is still duty-bound to inform employees of work-related risks and dangers. According to the Act referred to above, the employer must inform employees how work-related risks and dangers could be prevented. MKI would therefore like to engage an accredited, reputable service provider to carry out an occupational health and safety audit for its offices in Westville and Dube Trade Port. The layouts of other MKI facilities (digital centres and other sites for other projects) throughout the province will be shared with the service provider to enable provision of recommendations relating to them as well.

2. The specific objectives of this assignment will be:

- 2.1. To conduct assessments and thereafter, propose recommendations for existing and potential health and safety concerns.
- 2.2. To provide legislative requirements specific to the MKI as an entity, to fulfil the legal requirements as outlined in OHS Act 85 of 1993 and submit an audit report to the project manager.

3. Scope of Work

- 3.1. To provide a baseline audit/assessment of the facilities with respect to safety management.
- 3.2. To provide information in the form of a comprehensive assessment report, to enable the facilities management to develop appropriate health and safety rules, policies and procedures.

4. Methodology

The audits shall include but not limited to the following:

- 4.1. Workplace Safety, Health Committee formations.
 - a) Electrical safety.
 - b) Fire safety.
 - c) Office Safety.
 - d) Road safety and
 - e) Machinery safety.
- 4.2. Occupational Health and Hygiene Conditions
 - a) Personal Protective Equipment (PPE);
 - b) Ventilation.
 - c) Overcrowding.
 - d) Housekeeping.

- e) Lighting.
- f) Handling of materials.
- g) Noise.
- h) Vibration.

4.3 General Conditions

- a) General Conditions.
- b) Workplace efficiency.
- c) Storage, warehousing and handling; and
- d) Welfare facilities.

Any other relevant issues not listed above but relevant for the purposes of compliance.

5. Competence and Expertise Requirements:

- 5.1 The service provider should have been in operation for at least five (5) years; proven experience in offering similar services is essential. Be registered in providing similar services by the Department of Labour; A member of South African Institute of Occupational Safety and Health (SAIOSH); A detailed profile along with the curriculum vitae of the Safety and Health Advisor/Auditors, to be involved in the assignment should be provided.
- 5.2 The service provider will be required to provide details of at least 3 reference letters, where similar work was conducted. The service provider should provide adequate information indicating that he/she is/are qualified to undertake the assignment successfully by providing the following information:
 - 5.2.1 Description and experience in similar assignments; and
 - 5.2.2 Availability of appropriate skills, competencies and qualifications of key professional staff.
 - 5.2.3 Key Qualification for Lead Safety and Health Advisor (At least a National Diploma in Occupational Safety and Health, or equivalent from a recognized tertiary institution; Sound Background in Occupational Safety and Health and must have undergone training on Occupational Safety and Health Audits; Must have a minimum of 8 years' experience in Occupational Safety and Health; and – Must have been a Safety and Health Advisor in at least 4 Projects.

6. Key Deliverables/Expected Outputs

The ultimate product for this assignment is to have Risk Assessment, Safety and Health Audit Reports, Fire Risks Audit Reports, for MKI workplaces and sites.

7. Commencement

The Consultant shall commence the audit within seven (7) calendar days of the effective date of Contract. The effective date shall be the date on which the consultancy agreement shall be signed. All reports shall be in the English language. (a) Draft Fire, Risk Assessment, Safety and Health Audit Reports: These reports shall contain the findings, analyses, result and recommendations of the audits. These reports shall incorporate all revisions deemed necessary.

The service provider will be required to prepare and submit a **work plan**, indicating deliverables and timelines. The service provider shall perform the Services and carry out his obligations with all due diligence, efficiency and economy in accordance with generally accepted professional techniques and practices and shall observe sound management practices and employ appropriate advanced technology and safe methods. The Consultant shall always act, in respect of any matter relating to this Contract or

to the Services, as a faithful adviser to MKI and shall always support and safeguard the MKI's legitimate interests in any dealing with third parties.

8. Application

Applicants are invited from suitably qualified service provider. Interested bidders should submit a detailed proposal in line with the scope above.

Technical evaluation

Technical evaluation

CRITERIA	Maximum score	Evaluator's score	Comments
Experience in offering similar services is essential. <i>5 years and above = 20</i> <i>Less than 5 years = 0</i>	20		
Registration in providing similar services by the Department of Labour.	5		
Membership with South African Institute of Occupational Safety and Health (SAIOSH)	5		
A detailed profile along with the curriculum vitae of the Safety and Health Advisor/Auditors, to be involved in the assignment should be provided.	5		
Reference letters from the current/previous clients <i>3 reference letters and above= 15</i> <i>Less than 3 reference letters = 0</i>	15		
Lead Safety and Health Advisor			
Key Qualification for Lead Safety and Health Advisor (At least a National Diploma in Occupational Safety and Health, or equivalent from a recognized tertiary institution)	10		
Sound Background in Occupational Safety and Health and must have undergone training on Occupational Safety and Health Audits	10		
experience in Occupational Safety and Health <i>8 years and above = 20</i> <i>Less than 8 years = 0</i>	20		
Must have been a Safety and Health Advisor in at least 4 Projects. <i>4 and above projects = 10</i> <i>Less than 4 projects = 0</i>	10		
Total	100		

SUPPLIER DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
 - 2.1 Full Name of bidder or his or her representative:
 - 2.2 Identity Number:
 - 2.3 Position occupied in the Company (director, trustee, shareholder²):
 - 2.4 Company Registration Number:
 - 2.5 Tax Reference Number:
 - 2.6 VAT Registration Number:

2.7

2.7.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder YES / NO
presently employed by the state?

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

Name of state institution at which you or the person
connected to the bidder is employed :

Position occupied in the state institution:

Any other particulars:

.....

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.....

2.7.2 If you are presently employed by the state, did you obtain YES / NO
the appropriate authority to undertake remunerative
work outside employment in the public sector?

2.7.2.1 If yes, did you attached proof of such authority to the bid YES / NO
document?

(Note: Failure to submit proof of such authority, where
applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

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.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

.....
.....
.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.

.....
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.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? **YES/NO**

2.10.1 If so, furnish particulars.

.....
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.....

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? **YES/NO**

2.11.1 If so, furnish particulars:

.....

.....

.....

3 Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Tax Reference Number	State Number / Employee Persal Number

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

SBD 6.1. PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIALPROCUREMENT 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 APPLICABLES IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

GENERAL CONDITIONS

The following preference point systems are applicable to invitations to tender:

the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

To be completed by the organ of state *(delete whichever is not applicable for this tender)*

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

1.1. Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

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

- 1.1 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.
- 1.2 The organ of state reserves the right to request a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim regarding 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. FORMULATE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20	or	90/10
$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	or	$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$

Where

e

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

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

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{max} = Price of highest acceptable tender (a) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

80/20 preference point system is applicable, corresponding points must also be indicated as such. Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated. (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
51% Black owned enterprise	8	
51% Black female owned enterprise	6	
51% Youth owned enterprise	6	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
 - ☐ One person business/sole propriety
 - ☐ Close corporation
 - ☐ Company
 - ☐ (Pty) Limited
- [TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorized 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

- iii) as indicated in paragraph 1 of this form.
- iv) 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.
- v) 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 favorable 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.

<p>.....</p> <p>SIGNATURE(S) OF TENDERER(S)</p>	
SURNAME AND NAME:
DATE:
ADDRESS:
