REQUEST FOR QUOTATION

YOU ARE HEREBY INVITED TO QUOTE FOR REQUIREMENTS OF THE MARINE LIVING RESOURCES FUND

REQUEST FOR QUOTATIONS: RFQ0001162

CLOSING DATE: 17 NOVEMBER 2025

CLOSING TIME: 00:00

DESCRIPTION:

APPOINTMENT OF A SERVICE PROVIDER AS A INDEPENDENT ENVIRONMENTAL CONTROL OFFICER ("ECO") BY THE MLRF IN COMPLIANCE WITH THE STIPULATIONS IN THE ENVIRONMENTAL AUTHORISATION ("EA") AND THE ENVIRONMENTAL MANAGEMENT PROGRAMME ("EMPr") FOR THE SEA-BASED AQUACULTURE DEVELOPMENT ZONE ("ADZ") LOCATED WITHIN SALDANHA BAY IN THE WESTERN CAPE, FOR A PERIOD OF TWELVE (12) MONTHS.

NB: Suppliers should be registered on the CSD

The successful bidder will be required to fill in and sign a written Contract Form (SBD 7).

RFQ DOCUMENTS MAY BE EMAILED TO:

tncobo@dffe.gov.za

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

ALL RFQ'S MUST BE SUBMITTED ON THE OFFICIAL FORMS

THIS RFQ IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

THEF	OLLOWING PARTICULARS MUST BE FURNISHED	
90	DO SO MAY RESULT IN YOUR BID BEING DISQUAI	_IFIED)
NAME OF BIDDER		
POSTAL ADDRESS		
STREET ADDRESS		
TELEPHONE NUMBER	CODENUMBER	
CELLPHONE NUMBER		
FACSIMILE NUMBER	CODENUMBER	
E-MAIL ADDRESS		
VAT REGISTRATION NUMBER		
HAS AN ORIGINAL AND VALID TAX CLEARAN	ICE CERTIFICATE BEEN SUBMITTED? (SBD 2)	YES or NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD 6.1)

YES or NO

AN ACCOUNTING OFICER AS CONTEMPLATED A VERIFICATION AGENCY ACCREDITED BY THE OR	N THE CLOSE CORPORATION ACT (CCA) SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS);	
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS / SERVICE NO	S/WORKS OFFERED?	YES or
		[IF YES ENCLOSE PROOF]
SIGNATURE OF BIDDER		
DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED		
TOTAL BID PRICE)

ANY ENQUIRIES REGARDING THIS RFQ PROCEDURE MAY BE DIRECTED TO:

Contact person: Tumeka Ncobo Tel: (066) 4711418 Email address: tncobo@dffe.gov.za

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact person: Tumeka Ncobo Tel:

Email address: tncobo@dffe.gov.za

PRICING SCHEDULE (Professional Services)

NAME OF BI CLOSING TI		R: 0:00			O.: RFQ 0 (NG DATE:		EMBER 2025
OFFER TO E	BE VA	ALID FOR 60 DAYS FROM THE CLOSING DATE OF BID.					
ITEM NO 01		DESCRIPTION	**(ALL		E IN RSA (ABLE T		NCY INCLUDED)
THE STIPULA	TION ED A	F A SERVICE PROVIDER AS A INDEPENDENT ENVIRONMENTAL CONTR S IN THE ENVIRONMENTAL AUTHORISATION ("EA") AND THE ENVIR QUACULTURE DEVELOPMENT ZONE ("ADZ") LOCATED WITHIN SAI NTHS.	RONMENTA	L MANAGE	MENT PRO	GRAMN	1E ("EMPr") FOR
NB: Supplie	rs sh	ould be registered on the CSD					
	1,-	The accompanying information must be used for the formulation of proposals.					
	2.	Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.	R	52.			
	3.	PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)					
	4.	PERSON AND POSITION	HOURL	/ RATE	[DAILY R	ATE
			R				

	5.	PHASES ACCORDING TO WHICH THE PROJECT WILL BE	R			*************	
		COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT					
			R				days
			R	=======================================			days
			R				days
			R				days
	5.1	Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.					
		DESCRIPTION OF EXPENSE TO BE INCURRED	RATE		QUANTIT'	Y	AMOUNT
							R
							R
				·······			R
				85E	÷5		R

TOTAL: R.....

Bid No.:

Name of B	idd	er:			
		pplicable taxes" includes value- added tax, pay as you e utions and skills development levies.	earn, income tax	, unemployment	insurance
;	5.2	Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.	d		
		DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
					R
					R
					R
					R
			TOTAL: R		••••
	6.	Period required for commencement with project after acceptance of bid			
	7.	Estimated man-days for completion of project			
	8.	Are the rates quoted firm for the full period of contract?			*YES/NO
	9.	If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.			
			(5		©
					<u> </u>
					«······
	*:D=	ELETE IE NOT ARRI ICARI EL			
	[DE	ELETE IF NOT APPLICABLE]			

Any enquiries regarding bidding procedures may be directed to the -

DEPARTMENT OF FORESTRY, FISHERIES & THE ENVIRONMENT

ATTENTION: Tumeka Ncobo

Tel: 066 4711418

Or for technical information -

ATTENTION: Tumeka Ncobo Email: tncobo@dffe.gov.za

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 particu	ulars:		
			22227727888888871.62	
				**
2.3	members / partners	or any person having interest in any other i	/ trustees / shareholders g a controlling interest in the related enterprise whether of YES/NO	ne or
2.3.1	If so, furnish particul			
3	DECLARATION			
	submitting the acco	ompanying bid, do	undersigne hereby make the followir nplete in every respect:	in
3.1 3.2	I understand that the		of this disclosure; d will be disqualified if th aplete in every respect;	is
3.3	The bidder has arrive without consultation, any competitor. How	ed at the accompanyin communication, agre vever, communication	g bid independently from, ar eement or arrangement win between partners in a joi	th
3.4	In addition, there agreements or arranguantity, specification used to calculate prisubmit or not to subri	have been no congements with any congements with any conges, including reces, market allocation with the bid, bidding with delivery particulars of	need as collusive bidding. sultations, communication inpetitor regarding the qualit methods, factors or formula in, the intention or decision th the intention not to win the of the products or services	y, as to ne
3.4	The terms of the ac	companying bid have ler, directly or indirect	e not been, and will not bety, to any competitor, prior ing or of the awarding of the	to
3.5	There have been no	o consultations, com	munications, 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 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to invitations to tender:
 - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- 1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
 - (a) Price; and
 - (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

Marie Committee of the	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) "tender" means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) "price" means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) "tender for income-generating contracts" means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) "the Act" means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

80/20 or 90/10

$$Ps = 80\left(1 - \frac{Pt - Pmin}{Pmin}\right)$$
 or $Ps = 90\left(1 - \frac{Pt - Pmin}{Pmin}\right)$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1 POINTS AWARDED FOR PRICE

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

$$80/20$$
 or $90/10$ $Ps = 80\left(1 + \frac{Pt - Pmax}{Pmax}\right)$ or $Ps = 90\left(1 + \frac{Pt - Pmax}{Pmax}\right)$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
 - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
51% Black ownership	N/A	8	N/A	
50% Women ownership	N/A	4	N/A	
Youth ownership	N/A	4	N/A	
Disability	N/A	4	N/A	
Non-compliant contributor	N/A	0	N/A	

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.5. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium
One-person business/sole propriety
Close corporation
Public Company
Personal Liability Company
(Pty) Limited
Non-Profit Company
State Owned Company
[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm,

certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct:
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

	SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME:	3
DATE:	
ADDRESS:	



MARINE LIVING RESOURCES FUND

REQUEST FOR PRICE QUOTATIONS

The Marine Living Resources Fund (MLRF), Schedule 3A entity, is an entity within the Department of Forestry, Fisheries and the Environment, hereby request your quotation on the goods/service/works listed hereunder.

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RFQ Number	SAM 346-00010-2025/26 RFQ 000 //62
Description	THE APPOINTMENT OF A SERVICE PROVIDER AS AN INDEPENDENT ENVIRONMENTAL CONTROL OFFICER BY THE MLRF IN COMPLIANCE WITH THE STIPULATIONS IN THE ENVIRONMENTAL AUTHORISATION AND THE ENVIRONMENTAL MANAGEMENT PROGRAMME FOR THE SEA-BASED AQUACULTURE DEVELOPMENT ZONE LOCATED WITHIN SALDANHA BAY IN THE WESTERN CAPE, FOR A PERIOD OF TWELVE (12) MONTHS.
Detailed	
Specification/scope of work and	Attached as Annexure A
functionality	
Local Production &	
Content	
Requirements	
(To be completed by SCM)	
Construction Industry Development Board (CIDB)	
Minimum Category and level	
(To be completed by SCM)	
Briefing Session	Not Applicable
RFQ Publication date	3/11/2025
Responses MUST be submitted to	theoboadfe.gov. Za

Initials:

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RFQ Closing Details	17/11/2025
Delivery Address	For the attention of: Foretrust building, Martin Hammerschlag Way, Foreshore, Cape Town, 8001
Quotation Validity Period	60 Days from the Closing Date
Mandatory Requirement/Pre- Qualification Criteria	See Annexure A.
Evaluation Criteria	See Annexure A.

NO HAND DELIVERED RFQ RESPONSES WILL BE ACCEPTED

PROSPECTIVE BIDDERS MUST BE REGISTERED ON NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE (CSD) PRIOR TO SUBMITTING BIDS AND THEIR TAX MATTERS MUST BE IN ORDER

Initials CONFIDENTIAL Page 2 of 5

TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

1. Terms and conditions of Request for Quotation (RFQ)

- 1.1 This document may contain confidential information that is the property of the Marine Living Resources Fund [MLRF].
- 1.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFQ without prior written permission from MLRF.
- 1.3 All copyright and intellectual property herein vests with MLRF.
- 1.4 Late and incomplete submissions will not be considered. Submissions received after closing time and date will be classified as LATE and WILL NOT be considered.
- 1.5 No services must be rendered, or goods delivered before an official MLRF Purchase Order form has been issued by a duly authorised official from the MLRF and received by the bidder. Please note that this is not an instruction to proceed with supply of any goods or service unless the quotation is approved, and a Purchase Order is supplied to you.
- 1.6 Please note that if you receive the Purchase Order, delivery of goods or rendering of services must be done within 14 calendar days or upon agreed time frames. Failing to deliver upon agreed times will result in your Purchase Order being cancelled.
- 1.7 This RFQ will be evaluated in terms of the 80/20 preference point system if is equal to or below R50 million.
- 1.8 Bidders are required to register on the Central Supplier Database at www.csd.gov.za if you are not registered on the CSD.
- 1.9 All questions regarding this RFQ must be forwarded to <u>@dffe.gov.za</u> within 24 hours after the RFQ has been issued.
- 1.10 Any bidder who has reasons to believe that the RFQ specification is based on a specific brand must inform MLRF within two (2) days before the RFQ closing date.
- 1.11 Where quotations/proposals submitted are equal to or below R50 million, bidders are required to submit the original and valid proof for preference points claimed or certified copies thereof; to substantiate their preference points claims. SBD 6.1 must also be duly completed, signed, and submitted alongside the bid to claim preference points. Failure to do so will result in preference points being forfeited.

Initials CONFIDENTIAL Page 3 of 5

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1.12 As per section 4(1) of the Preferential Procurement Regulations of 2022, the maximum 20 points may be awarded based on specific goals. The 20 points will be allocated as follows:

POINTS TO BE ALLOCATED
8 points
4 points
4 points
4 points
20 points

- 1.13 Bidders are required to duly complete, sign and submit the new SBD 4 together with their quotations/proposals. Failure to do so may result in your quotation/proposal <u>not</u> being accepted.
- 1.14 For designated sectors for local production and content, SBD 6.2 and Annexures C, D & E must be duly completed, signed and SBD 6.2 together with Annexure E must be submitted with your quotation/proposal.
- 1.15 All quotations/proposals submitted must be inclusive of Value Added Tax (VAT) if you are VAT registered and must be quoted in South African Rands (ZAR) and price must be firm.
- 1.16 The full costs must be disclosed as there will be no variances that will be entertained, and no price adjustment will be entertained after the Purchase Order has been issued.
- 1.17 These terms and conditions supersede any terms and conditions that may be issued by the service provider/supplier on their quotations or any other document similar to that.
- 1.18 Full and updated CSD report must be submitted with the quotation and MLRF will only contract with supplier's/service providers that their tax matters are in order.
- 1.19 The MLRF pays within 30 (thirty) days after receipt of a valid tax invoice and after approval of relevant invoice and reports and does not make upfront payments or deposits.
- 1.20 It is the responsibility of prospective bidders to ensure that all bid documents are submitted before the closing date and time of the RFQ.

2. PROTECTION OF PERSONAL INFORMATION

In responding to this RFQ, MLRF acknowledges that it may obtain and have access to personal data of the respondents. MLRF agrees that is shall only process the information disclosed by bidders in their response to this RFQ for the purpose of evaluating and subsequent award of business and in accordance with any applicable law. Furthermore, MLRF will not otherwise modify, amend, or alter any personal data submitted by Respondents or disclose or permit the disclosure of any personal data to any Third Party without the prior written consent from the Respondents. Similarly,

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MLRF requires Respondents to process any process any personal information disclosed by MLRF in the bidding process in the same manner.

MLRF RESERVES THE RIGHT NOT TO MAKE ANY APPOINTMENT AND SHALL NOT ENTERTAIN ANY CLAIM FOR COSTS THAT MAY HAVE BEEN INCURRED IN THE PREPARATION AND THE SUBMISSION OF THIS QUOTATION/PROPOSAL

Approva	als of KFU							
End User	Requester	S. Mantyi	Rank	AO	Cost Centre Manager	A. NJOBENI	Rank	D:SAM
	Signature	TUI	Date	21/10/2025	Signature	Antib.	Date	2025/0/2
	It is hereby certified that all the information supplied in this form is correct, that the recorrement may be procured and that funds are available.							
SCM Only				Park Tea				
Official verifier (buyer)	Name	Timeka	Signature	FALS	Date 3/11/25		1/205	
Approver as per Delegations	Name	NMATIWANE	Signature	NMat	Date		20251027	



THE MARINE LIVING RESOURCES FUND (MLRF), A SCHEDULE 3A PUBLIC ENTITY ESTABLISHED IN TERMS OF THE PUBLIC FINANCE MANAGEMENT ACT, 1999 (ACT NO 1 of 1999) AND THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT ("DFFE") (IN ITS COMMITMENT TO THE PRINCIPLES ENSHRINED IN THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996) ADHERES TO THE PROVISIONS OF THE BROAD BASED BLACK ECONOMIC EMPOWERMENT ACT, 2003 (ACT NO. 53 OF 2003) (B-BBEE), THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 5 OF 2000 ("PPPF") AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

TERMS OF REFERENCE

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER AS A INDEPENDENT ENVIRONMENTAL CONTROL OFFICER ("ECO") BY THE MLRF IN COMPLIANCE WITH THE STIPULATIONS IN THE ENVIRONMENTAL AUTHORISATION ("EA") AND THE ENVIRONMENTAL MANAGEMENT PROGRAMME ("EMPr") FOR THE SEA-BASED AQUACULTURE DEVELOPMENT ZONE ("ADZ") LOCATED WITHIN SALDANHA BAY IN THE WESTERN CAPE, FOR A PERIOD OF TWELVE (12) MONTHS.

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1. PURPOSE

- 1.1 The Marine Living Resources Fund (MLRF), as the holder of the Environmental Authorisation (EA) for the Saldanha Bay Aquaculture Development Zone (ADZ) must appoint a suitably qualified and experienced service provider to provide Environmental Control Officer (ECO) services (i.e. independent Environmental Control Officer and Secretariat) for the sea-based ADZ's construction and operational phases of the development located within Saldanha Bay Municipality in the Western Cape, in compliance with the stipulations outlined in the EA and the Environmental Management Programme (EMPr), for a period of twelve (12) months.
- 1.2 To ensure that the mitigation/rehabilitation measures and recommendations referred to in the Saldanha Baya ADZ EA are implemented under the provisions of the ADZ EMPr and that conditions stated therein are fully adhered to.

2. INTRODUCTION AND BACKGROUND

- 2.1. An ADZ is an area that has been earmarked specifically for aquaculture activities with the purpose of encouraging investor and consumer confidence; creating incentives for industry development, to provide marine aquaculture services; manage the risks associated with aquaculture; as well as to provide skills development and employment for coastal communities. The development of ADZs supports the Policy for the Development of a Sustainable Marine Aquaculture sector in South Africa (2007) aimed at creating an enabling environment that will promote growth and sustainability of the marine aquaculture sector in South Africa, as well as to enhance the industry's contribution to economic growth.
- 2.2. Saldanha Bay is the primary area for bivalve production in South Africa, with the majority of oyster and mussel production to date originating from the bay. As a result of improved opportunities for local mussel import substitution, the opening up of export markets for oysters, and improved access to water and land space through the Oceans Economy Operation Phakisa initiative, there has been a continued interest in expanding and optimally utilizing the bay for further oyster and mussel production, as well as exploring potential for finfish production in the outer more exposed parts of the bay.
- 2.3. To manage the bay holistically and create an enabling environment, the MLRF undertook an Environmental Impact Assessment (EIA) for the establishment of an ADZ in Saldanha Bay in 2016/2017 and the EA (Appendix A) was granted on the 8th January 2018. Appeals against the

authorisation were lodged to the "then Minister of Environmental Affairs" and the authorisation was upheld as per the appeal decision dated 7th June 2018.

2.4. One of the key conditions of the EA and EMPr (will be made available on request) was the need for the holder of the authorisation to appoint a suitably qualified and experienced independent Environmental Control Officer (ECO) that will have the responsibility to ensure that the mitigation / rehabilitation measures and compliance recommendations are implemented and ensure compliance with the conditions contained in the EMPr.

3. SCOPE AND EXTENT OF WORK

- 3.1. The service provider appointed to undertake ECO services as an independent ECO and Secretariat, will be expected to perform the following duties:
- 3.2. Liaise between the MLRF, operator appointed ECO's and Designated Environmental Officers (DEO), relevant authorities, the aquaculture operators and other lead stakeholders on all environmental concerns.
- 3.3. Oversee that the environmental monitoring is in accordance with the EA, EMPr and Sampling Plan.
- 3.4. A Condition of the EA is the establishment of two (2) management bodies, namely the Aquaculture Development Zone Management Committee (AMC), an intergovernmental forum aimed at overseeing, facilitating, managing, advising and monitoring aquaculture operations in Saldanha Bay ADZ and a Consultative Forum (CF), a multi-stakeholder forum (public, industry and government) aimed at promoting transparency and formal presentation and acknowledgement of public interest. These committees have already been established but need to be managed by the appointed service provider.
- 3.5. The AMC fulfils a coordination and supervising role and oversees compliance with the EMPr throughout all phases of the aquaculture farming in the ADZ. The AMC meetings are held on a virtual platform every two months (scheduling of these is at regular intervals so would depend on the appointment date). The AMC meetings are held for an approximate duration of five (5) hours per meeting, this equates to six (6) AMC meetings for twelve (12) month contract period. The responsibility of the CF is to consider and comment on the environmental monitoring data, advise on ADZ management and make recommendations to the AMC. The CF will provide feedback to the AMC through the outputs (recommendations and advice) for the AMC's consideration. The

CF meetings are held every three months alternating between Saldanha Bay and Langebaan at public venues or held virtually for an approximate duration of three (3) hours per meeting, this equates to **four (4) CF meetings** for twelve (12) month contract period. Please note that all four (4) meetings will be held virtually, these can be alternated. The ECO is required to perform secretariat duties for both committees as outlined below:

- 3.6. Perform secretariat duties for the AMC, CF and project progress meetings; archiving and filing all documents on the Departments Electronic Document Management System (EDMS); reporting back and fulfil the role of rapporteur for both committees.
- 3.7. Draft AMC annual report and submit the final report to the competent authority.
- 3.8. Preside as the Chairperson of the CF.
- 3.9. The service Provider is required to cost for eight (8) ad-hoc stakeholder/committee/forum meetings held virtually for the duration of the contract period. These ad hoc meetings will be spread over the contract period to allow the ECO to participate in discussions that require their presence and inputs and will fall outside of the AMC and CF meetings
- 3.10. ECO to draft monthly ADZ Reports (these include the following reports: ECO Site Inspection Report, Monthly ECO Compliance Report and the Summary ECO Report). Upon appointment, the ECO will commence with updating of stakeholders register and submit these reports to the AMC and Competent Authority (DFFE) of which a summarised version (Summary ECO report) must be submitted to the Consultative Forum (CF) for their noting.
- 3.11. Monitor monthly performance of the contractor / farmers (and sub-contractors) and ensure compliance with the ADZ minimum infrastructure guideline and AMC infrastructure approval, EA, EMPr and the site specific EMPrs and associated Method Statements.
- 3.12. Validate the monthly farm monitoring reports submitted by the operators to the ECO through monthly site inspections.
- 3.13. Manage all environmental incidents of concern to the ADZ (spills, impacts, legal transgressions, etc.), as well as ensure that corrective and preventive actions taken in this regard and maintain an incident register which indicate the significancy of the incident.
- 3.14. Maintain the public comments register in which all complaints/comments are recorded, as well as action/s taken.
- 3.15. Facilitate and coordinate the resolution of conflicts within the scope of the management of the ADZ.

- 3.16. Conduct monthly site inspections of all operators located in the ADZ on a rotational basis to ensure compliance with the EA and ADZ EMPr. This would include capturing, validating and analysing the production data submitted by operators monthly recorded in the farm monitoring reports (FMRs) to monitor the production thresholds as per the EA, capturing beach clean up data, as well as entering of biofouling data submitted on a monthly basis via the FMR. A site inspection schedule to be developed which would require travel and accommodation costs to Saldanha Bay for the monthly site visits.
- 3.17. Ensure that monthly ECO inspections and auditing activities consider environmental aspects of the operations relevant to the minimisation of environmental impacts and achievement of environmental goals as stipulated in the EMPr.
- 3.18. Review environmental recommendations contained in the environmental monitoring reports undertaken by suitably qualified specialists and ensure updates to EMPr or Method Statement to address such.
- 3.19. Liaise with the Competent Authority (DFFE) to ensure that all operational monitoring activities provide sufficient, relevant information for the Competent Authority (DFFE) to be assured that aquaculture activities are responsibly managed to minimise impact on the environment. This may require revision of the monthly ECO site inspection template format. Templates will be provided upon appointment.
- 3.20. In fulfilment of the requirements of Condition 34 of the EA and Appendix 7 of the Environment Impact Assessment (EIA) Regulations 2014, an External Auditor, who is competent in environmental auditing, will have to be contracted via the ECO to undertake an EA and EMPr compliance audit and the appointed ECO must make provision for this work. The audit must consider the processes for such auditing as prescribed in Regulation 34 of GN R. 982. Auditing of compliance with EA, EMPr and Closure Plan. The External Auditor, who must be independent of MLRF and the appointed ECO, is to conduct the Year Six (February 2026) and Year Seven (February 2027) external audits for the Saldanha Bay ADZ.
- 3.21. Update the ADZ EMPr according to findings of the above-mentioned External Audit Reports, where necessary. The updated EMPr must be submitted to the Competent Authority (DFFE) for approval together with the Audit Report and make provision for amendments as indicated by the Competent Authority (DFFE). Cost for updating the EMPr and undertaking of the Public Participation Process after each audit process should be catered for. Any amendment made to the EMPr must be signed off by a registered Environmental Assessment Practitioner (EAP), i.e.

- One (1) EMPr amendment and associated public participation process should be costed for within the proposed budget but would only be claimed if these are required. The service provider should also communicate all modifications made to the ADZ EMPr to the relevant stakeholders.
- 3.22. Project Inception Meeting and Report. Bi-Monthly progress meeting will be held on virtual platforms with the MLRF Project Team. Inception and progress meeting agenda and minutes to be drafted by the service provider and approved by the MLRF Project Manager, meeting recordings to be shared with DFFE project management team on request. Monthly progress reports must be submitted to the MLRF project manager.
- 3.23. The appointed service provider's project team may not change without notification and approval from the MLRF Project Manager and if changes are unavoidable the replacement project team member must have equivalent or better experience and qualifications as per the stipulations of these specifications for the ECO or secretariat with a team member who possesses equivalent or higher qualifications and experience than the team member being replaced. The project team structure for the ECO services must be as follows, ECO and secretariat. This is to ensure consistency in the evaluation of proposals by the MLRF in relation to comparing project teams compositions.
- 3.24. Facilitation of a hand over meeting with the MLRF project team and successor ECO, all relevant documents to be catered for in the budget to allow for consistency in the project to the next service provider at the end of the twelve (12) month contract period.
- 3.25. The following templates will be provided by the MLRF, thus the service provider cannot charge the MLRF for development of the applicable document, but may need to be amended to include the log of the appointed service provider:
 - a. Monthly ECO Report
 - b. Monthly Summary Report
 - c. Site Inspection Report
 - d. Progress Report

4. EXPECTED DELIVERABLES / OUTCOMES (TO BE READ IN CONJUNCTION WITH SECTION 3 ABOVE)

- 4.1. Monthly site inspection of operators on a rotational basis and recording of validated production data.
- 4.2. Monthly site inspection reports and site inspection schedule.
- 4.3. Monthly ECO report for the ADZ.
- 4.4. Summary version of the monthly ECO report.

- 4.5. Maintenance of compliance data base (ongoing).
- 4.6. Maintenance of records on EDMS (online system).
- 4.7. Submission of documents to the Competent Authority (DFFE) monthly.
- 4.8. Update the monthly documents received register.
- 4.9. Update the monthly communications register.
- 4.10. Update the monthly incident register.
- 4.11. Appointment of the External Auditor and submission of Audit Report to the Competent Authority (DFFE).
- 4.12. Updating of the EMPr if required, submitting the application and conducting the public participation process as per the legal requirements. And revise monthly ECO site inspection format when required.
- 4.13. Provide secretariat functions of the AMC, CF and progress meetings.
- 4.14. Reporting back and fulfil role of rapporteur at the AMC and CF meetings.
- 4.15. Chairing the CF meetings.
- 4.16. Eight (8) ad-hoc meetings
- 4.17. Logistical arrangements for the AMC (virtual) and CF meetings (virtual).
- 4.18. Attendance at bi-monthly (every two months) progress meetings with the MLRF Project Manager.
- 4.19. Compile all monthly progress reports and meeting minutes.
- 4.20. Facilitation of hand over meeting and documentation to the next appointed service provider at completion of the contract.

5. PERIOD / DURATION OF APPOINTMENT

5.1 The contract with the appointed Service Provider will run for a period of twelve (12) months and will commence as agreed in the Memorandum of Agreement (MOA) signed between the MLRF and the Service Provider.

6. COSTING / COMPREHENSIVE BUDGET

- 6.1. A comprehensive costing must be provided in a separate envelope inclusive of all disbursement costs and related expenditures inclusive of Value Added Tax (VAT). The SP must quote for all activities, and these should be quoted in South African currency.
- 6.2. The MLRF shall not pay for any unproductive or duplicated time spent by the SP on any assignment because of staff changes, outsourcing or re-drafting of reports due to errors, corrections or incorrect/incomplete findings.
- 6.3. In the event that a project requires travel to another province or office of the MLRF outside of Cape Town, reasonable travel expenses may be claimed by the Service Provider as follows:
 - a) Accommodation is limited to a maximum of a three-star rated establishment, including meals and up to two (2) soft drinks per person per meal. Accommodation rates are limited to a maximum of R1 530.00 (one thousand five hundred and thirty rands) per night (rates may be

- revised as guided by the National Treasury), including meals and soft -drinks as per the proposed cost-containment measures instituted by the National Treasury at any given point in time;
- b) Car hire limited to a Type B vehicle category, except where the use of an off-road vehicle, with higher ground clearance is required in terms of a project;
- c) Air flights are limited to economy class only;
- d) Travel estimates must be included in the internal project engagement plan submitted to the Director: Internal Project; and
- e) Claims for travel expenses will be reimbursed at cost only, and any travel expenses in terms of this clause must be supported by proof of expenditure and claims for mileage should be in line with the department rates and Travel Policy which includes VAT.
- 6.4. Hourly rates for all team members should comply with the latest hourly consultants' fees determined by the Department of Public Service and Administration (DPSA) and advertised in DPSA's website. Visit https://www.dpsa.gov.za/policy-updates/nlrrm/consultants-hourly-fee-rates/ for the latest available rates.
- 6.5. The MLRF is against the frequent changing of ECO and thus service provider is required to adequately and reasonable compensate the ECO/team a salary in line with the hourly rates circular from DPSA.
- 6.6. The MLRF reserves the right to negotiate price with service provider

7. EVALUATION METHOD

7.1. PHASE 1: MANDATORY REQUIREMENTS

- 7.1.1. It is recommended that the bidder completes the following table by answering **YES** OR **NO** and attach proof.
- 7.1.2. Only bidders who achieve a "**Yes**" and attach required proof for all mandatory requirements may proceed for evaluation to Phase 2.

	Requirement	Check/ Compliance	Comply: Yes or No
Requirements:	The ECO services must have a lead ECO that is registered with a relevant professional body in the field of natural sciences (i.e. EAPASA or SACNASP) that promotes competency, independence and ethics	Provide a proof of valid and active registration with the professional body.	
Mandatory	The ECO services comprising of a single dedicated lead ECO that has experience in conducting at least two (2)	Company profile listing services and expertise of	

marine related environmental management projects of a	the single
multi stakeholder nature with experience and supported	dedicated ECO and single
by a separate Secretariat to fulfil functions as per	dedicated
Section 20.2 of the Environmental Authorisation for the	Secretariat,
ADZ with experience in work relating to the project.	must:
	- include start and end date
	(mm/yyyy) for
	each job
	experience.
	- experience in
	conducting at
	least two (2)
	marine
	environmental
	management
	projects of a
	multi stakeholder
	nature with
	experience as a
	project
	manager/natural
	marine scientist
	And three Reference
	letters not older than
	three years that Include
	contact details (email
	address/ cell phone
	numbers/landline
	numbers)
ECO has at least a BSc (Hons)/relevant NQF 8 in natural	Certified copy of BSc
sciences.	(Hons)/relevant NQF 8 in
	natural sciences.
Provide a detailed project plan/proposal for the project.	Detailed proposal that
The project plan/proposal must show understanding of	include Project plan, Gantt
work that need to be done. Service provider to present	chart, project team
details on their understanding of what needs to be done,	structure
elaborate on all the expected deliverables as listed in	
oraborate on an are expected deliverables as listed in	

clause 4 above and how these will be achieved over the *the project plan must be 12 months period. detailed for the MLRF to Project Plan/Proposal should cover: **Timeframes** understand how the Milestones (Gantt chart) project will be Team compositions implemented and Understanding and management of the scope achieved. of work Project plan/proposal that is linked or addresses ALL expected deliverables in section 4 that have timeframes and realistic milestones and address ALL the scope activities in section 3.

7.2 PHASE 2: Preferential Points (80/20 system)

- 1.1.1. An evaluation of Price and Specific Goals Preference points on the suppliers, that successfully qualified to this stage of evaluation.
- 1.1.2. Calculation of points for price The Preferential Procurement Policy Framework Act (PPPFA) prescribes that the lowest acceptable bid will score 80 points (for tenders under R50m) or 90 points (for tenders above R50m) for price. Suppliers that quoted higher prices will score lower points for price on a pro-rata basis. Where functionality is set as criteria, only bid proposals that meets functionality requirements will be considered for evaluation on price and specific goals preference points.
- 1.1.3. The 80/20 as an appropriate preference point system will be used in the evaluation and adjudication of this quote. However, it must be extended that the lowest acceptable quote will be used to determine the applicable preference point system as per regulation (Section 3(2)(b) of the Preferential Procurement Regulations (PPR) 2022, which states: "If it is unclear which preference point system will be applicable, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable proposal will be used to determine the applicable preference point system". Therefore, either 80 or 90 points, depending on the rand value of the proposal, will be awarded to the suppliers who offers the lowest price, and proportionately fewer points are awarded to those with higher prices. Either 20 or 10 points are then available as preference points for Specific Goals, as applicable. The contract will be awarded to the suppliers that scores the highest total number of adjudication points per category.

Calculating points for Specific Goals

- 1.1.4. Points will be awarded to a supplier for specific goals. Bidders are required to submit the original and valid proof for preference points claimed or certified copies thereof; to substantiate their preference points claims. Preference points must also be duly completed, signed, and submitted alongside the bid to claim preference points. Failure to do so will result in Specific Goals preference points being forfeited.
- 1.1.5. Points will be awarded to a supplier for specific goals in accordance with the table below:

B.	PRICE	80
C.	Specific Goal	Number of points (20)
	51% black ownership	8
	50% women ownership	4
	Youth ownership	4
	Disability	4
	Non-compliant contributor	0

^{*}The definitions of the above specific goals are as per the PPR policy of the MLRF.

- 1.1.6. The SCM unit of the DFFE / MLRF will allocate preferential points (Specific Goals) to each company for its contribution towards empowerment of the black designated groups as prescribed in the Preferential Procurement Regulations of 2022, women, people with disabilities, youth as well as local economic development.
- 1.1.7. A supplier will not be disqualified from the quotation process if the suppliers does not submit supporting documents substantiating the specific goals preference points claimed or is a non-compliant contributor. Such some suppliers will score 0 for Specific Goals.
- 1.1.8. Suppliers will be subject to SCM conditions of the Department MLRF and the Preferential Procurement Regulations, 2022 issued in terms of section 5 of the Preferential Procurement Policy Framework Act (Act No 5 of 2000) (PPPFA).
- 1.1.9. The PPPFA prescribes that the lowest acceptable bid will score 80 or 90 points for price (as explained above, depending on whether the bid prices is more or less than R50million). Suppliers that quoted higher prices will score lower points for price on a pro-rata basis. Where functionality is set as a criterion, only bid proposals that meets functionality requirements will be considered to be evaluated on price and Specific Goals.
- 1.1.10. The contract will be awarded to the supplier scoring the highest points subject to section 2(1) (f) of the PPPFA, 2000.

8. SUBMISSION REQUIREMENTS

- 8.1. Suppliers should ensure that the following submission requirements, which will be needed for evaluation purposes are included in their bid proposal and are as follows:
- 8.2. The SP must draft a table of content which will indicate where each document is located in the proposal.
- 8.3. The proposal shall consist of two parts, namely the technical bid and the pricing bid (master and copies).
- 8.4. Add documents that are required to be submitted with the bids. These documents include those included in phase one (1) and two (2) of evaluation criteria.
- 8.5. Standard bidding documents (SBD1, 2, 3.1/3.3, 4, 6.1) completed and signed.
 - A valid copy of the Tax Clearance Certificate/ Tax Compliance Status Pin issued by SARS
 to the supplier/copy of Central Supplier Database (CSD)/ MA supplier Number must be
 submitted together with the bid.
 - In case of bids where Consortia / Joint Ventures / Sub-contractors are involved; such must be clearly indicated, and each party must submit a separate copy of a valid Tax Clearance Certificate or copy of Tax Compliance Status Pin or CSD/ MAAA supplier Number together with the bid.
 - Certified copies of identity documents of directors and shareholders of the company.
 - Entity registration Certificate (CK1).
 - Letter of Authority to sign documents on behalf of the company.

9. SPECIAL CONDITIONS OF CONTRACT

- 9.1. On appointment, the performance measures for the delivery of the agreed services will be closely monitored by Department / MLRF.
- 9.2. The Department / MLRF will not be held responsible for any costs incurred by the SPs in the preparation, presentation and submission of the proposal.
- 9.3. All the conditions specified in the General Conditions of Contract (GCC) will apply and where the conditions in the special conditions of contract contradicts the conditions in the general conditions of contract, the special conditions of contract will prevail.

10. PAYMENT TERMS

10.1 The MLRF undertakes to pay out in full or as per deliverables within 30 (thirty) days all valid claims for work done to its satisfaction upon presentation of a substantiated claim and the required reports stipulated in the payment schedule which is part of the MOA. No payment will be made if and when

there is unsatisfactory work and or outstanding information or work not submitted by the Service Provider/s until there is satisfactory improvement and or that outstanding information or work is submitted.

10.2. Payment by the MLRF shall be made by means of an electronic transfer into the Service Provider's bank account.

10.3. Payment requirements:

- The successful Service Provider shall render services to the MLRF in accordance with the Project Plan and Project Scope.
- The amounts are inclusive of VAT and all disbursements shall be paid in South African Rands.
- The MLRF reserves the right to, after consultation with the successful Service Provider, increase, reduce or cancel the budget.
- Disbursements of project funding will be agreed on for each project and disbursements will be made on agreed and verified deliverables and indicators (targets) that are included in the Project Plan.
- The successful Service Provider shall provide MLRF with an original tax invoice for the services rendered. Once the MLRF has approved such an invoice and is satisfied with the services rendered as outlined in the Project Plan, it will make payment to the successful Service Provider within 30 days of approval of such a request.
- The successful Service Provider is required to submit the following documents with each invoice:
 - Acting letter of the Manager of Service Provider (if applicable)
 - Monthly/Period Project Progress Report
- ALL INVOICES MUST ADDRESSED TO THE MLRF.

11. ENQUIRIES

11.1. Should you require any further information in this regard, please do not hesitate to email:

Name	Email address	
	TNcobo@dffe.gov.za	

^{*}Service Providers should use "RfQ0001162: Enquiries" as the subject of the email for all enquiries.