



Head Office:

ECO Glade 2, 420 Witch Hazel Street, ECO Park, Centurion, 0169
Private Bag X31, Highveld Park, 0169

Tel: +27 12 661 0051 **Fax:** +27 12 661 0074

E-mail: information@fpb.org.za Website: www.fpb.org.za



TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER FOR DESTRUCTION OF NON-COMPLIANT DISCS FOR THE FILM AND PUBLICATION BOARD FOR A PERIOD OF 36 MONTHS



1. PURPOSE OF THE TENDER

The purpose of the tender is to appoint a suitably qualified and experienced service provider to conduct the destruction of non-compliant discs on behalf of the FPB.

2. BACKGROUND AND DISCUSSION

2.1. The Film and Publication Board (FPB) derives its mandate from the Films and Publications Act (Act 65, 1996), amended in 2004, 2009 and 2019 mandated to regulate the creation, production, possession and distribution of films, games, and certain publications to:

- Provide consumer advice that will enable adults to make informed viewing, reading, and gaming choices – both for themselves and the children in their care.
- Protect children from exposure to disturbing and harmful materials and from premature exposure to adult experiences.
- Make punishable the use of children in pornography or exposure thereto.

2.2. The Film and Publication Board (FPB) have adopted the destruction of non-compliant discs as a strategic enabler to deliver on its strategic enforcement objectives.

2.3. As much as organizations across the world are hard at work preparing to sail and harness the developmental opportunities that will be brought about the Fourth Industrial Revolution (4IR), FPB has identified the distribution of physical non-compliant material as a challenge that still needs to be addressed in its pursuance of compliance as a regulator.

2.4. The activities that are driving the destruction of the non-compliant discs are still rife as identified by the Compliance Monitoring team in the environment in which the FPB operates (regulates). To ensure that the FPB is well positioned to respond to these



challenges, FPB developed a Compliance Monitoring Strategy among other things, the strategy to eradicate the illegal distribution of non-compliant discs.

2.5. The FPB has a focused compliance enforcement strategy aimed to deliver against the following strategic pillars as part of the organization's core strategic objectives:

- Monitor compliance of distributors with legislative and regulatory provisions.
- Review and develop guidelines.
- Implement national education campaigns.
- Form and maintain national partnerships with identified key stakeholders.

2.6. To enable the above strategic pillars, the FPB would like to appoint a service provider to enable its strategic approach to monitor and enforce compliance on content distribution that will ensure that the organization lives up to its mandate as a regulator of media content by eradicating illegally distributed content.

3. Mandatory Requirements:

31. The following duly completed and signed standard bidding documents (SBD) should be included in the tender proposal for pre-qualification:

Document that must be submitted	Document that must be submitted	
Invitation to Bid – SBD 1	Yes	Complete and sign the supplied document
Tax Status	Yes	Tax Compliance Pin must be submitted with the bid. The validity of the Tax Clearance Certificate/Tax Compliance Pin issued by the South African Revenue

		Services certifying that the tax status of the Bidder is in order will be verified against the information recorded in the Central Supplier Database (CSD) In the event where the Bidder submits a hard copy of the Tax Clearance Certificate, the CSD verification outcome will take precedence
Declaration of interest – SBD 4	Yes	Complete and sign the supplied document
Preference Point Claim Form – SBD 6.1	Yes	Non-submission will lead to a zero (0) score on BBEE
Declaration of Bidder's Past Supply Chain Management Practices – SBD 8	Yes	Complete and sign the supplied document
Certificate of Independent Bid Determination – SBD 9	Yes	Complete and sign the supplied document
Registration on Central Supplier Database (CSD)	Yes	All bidders must be registered as a service provider on the Central Supplier Database (CSD). If you are not registered proceed to complete the registration of your company prior to submitting your proposal. Visit https://secure.csd.gov.za to obtain your vendor number.

3.2 Company/Team member/s must have certifications for training attended for safe handling disposal of destruction material.

3.3 The company must be an affiliate member of one the following bodies

- IWMSA - Institute of Waste Management of Southern Africa
- SAWIC - South African Waste Information Centre
- e-Waste association of South Africa or any recognized waste management association (These will be at the discretion of the Film and Publication Board)
- At least two reference letters of e-waste disposal/destruction accompanied by respective destruction certificates.

3.5 Company must have destruction site/or confirm site of destruction to be obtained whenever destruction will is required.

3.6 The company to confirm capability to Destruct Material for all FPB offices namely Durban, Cape Town, and Pretoria (Centurion).

4.1 Scope of work

The service provider should have the capacity to Destruct the material for all 3 offices of the Film and Publication Board namely Durban, Cape Town, and Pretoria (Centurion) in their respective Cities for a period of 3 years and activities will be as follows.

- Load into the service providers' own vehicle and conveyance from FPB to the destruction site provided by the service provider.
- Crushing of discs and disc covers (material may include USBs). The crushing process must be concluded on the same day of collection.
- The destruction site or crushing area must accommodate inspection/witnessing space for stakeholders and the press to examine non-compliant discs before and after destruction. At least 50 stakeholders to be accommodated at the site.

- Post Destruction services: Video footage of destruction to be provided as proof of destruction and Safe Disposal Certificate to be issued to the respective FPB office.

All machinery for required for the destruction will be the appointed service providers' own.

Category 2 – Destruction Infrastructure and Related Services

Planning, designing, execution, of the destruction services.

Item	Service	Description	Training/Certifications
1	Onsite Services - including mobile services	• Crushing machine for discs and covers and or USBs: ○ Capacity for destruction at minimum 500 kg per destruction. • Supply of disposable aprons, safety glasses and gloves minimum of 10 sets per activity. • Office/Area for stakeholder, media briefing and catering. • Bins for safe disposal.	• None

4. COMPULSORY PROPOSAL SUBMISSION REQUIREMENTS:

The service providers must furnish the following information as part of the bid response:



4.1. Resume of the company indicating:

- Address of Head Office.
- List of regional/ branch offices (if any)
- Mobile facilities (if any).
- Date since company has been in business.
- The bidder must provide details of experience in the destruction of discs/e-waste. Specific details must be given to indicate the extent to which these previous experiences relate to the service required as described in the TOR.

4.4. Due diligence will be conducted for companies that meet the minimum requirements

4.5. Gate 3: Price and BBBEE Evaluation 80/20

Price = 80 points

BBBEE = 20 points