

APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE 15 LAPTOPS

1. Background to the CBE

The Council of the Built Environment (CBE) is a statutory body established in terms of the Council for Built Environment Act (No. 43 of 2000) and an entity of the Department of Public Works and Infrastructure (DPWI). The CBE is a schedule 3(a) public entity and is subject to compliance with the Public Finance Management Act (PFMA) Act No. 29 of 1999 and Treasury regulations.

Sections 3(c) and (d) of the CBE Act mandate it to promote ongoing human resource development in the built environment, and to facilitate participation by the built environment professions in integrated development in the context of achieving national goals. It is an overarching body that lead, regulate, coordinate and advise the six Professional Councils namely: Architectural Profession, Landscape Architectural Profession, Engineering Profession, Property Valuers Profession, Project and Construction Management Professions, and Quantity Surveying Profession. The CBE also entered into a working relationship with the following professional bodies as part of the built environment family – South African Council for Planners, Environmental Assessment Practitioners Association of South Africa, and South African Geomatics Council. In the main, the central mandate of the Council for the Built Environment is to:

- Transform the Built Environment Industry
- Create skilled Built Environment professionals
- Expedite the empowerment of women, youth and persons with disabilities

The objects of the CBE are to

- promote and protect the interests of the public in the built environment;
- promote and maintain a sustainable built environment and natural environment;
- promote ongoing human resource development in the built environment;
- facilitate participation by the built environment professions in integrated development in the context of national goals;
- promote appropriate standards of health, safety and environmental protection within the built environment;
- promote sound governance of the built environment professions;

- promote liaison in the built environment in the field of training, both in the Republic and elsewhere, and to promote the standards of such training in the Republic;
- serve as a forum where the representatives of the built environment professions may discuss the relevant required qualifications; standards of education; training and competence; promotion of professional status; and legislation impacting on the built environment.
- ensure the uniform application of norms and guidelines set by the councils for the professions throughout the built environment.

2. Background to the Assignment

This document provides the scope of work for the supply and delivery of 15 laptops.

3. Objective of the assignment

To source a supplier for the supply and delivery of 15 laptops.

4. Scope of work and project deliverables

The scope of work and project deliverables are as follows:

Item No.	Scope of work	Deliverables
1	<p>provision of fifteen laptops</p> <p>The laptops must have minimum specifications as follows:</p> <p style="text-align: center;">Dell Processor specifications or Equivalent</p> <p>12th Generation Intel® Core™ i7</p>	<p>Proposal document with Laptop specifications.</p> <p>Warranty Documentation with Original Equipment Manufacturer (OEM)</p>

Item No.	Scope of work	Deliverables
	<p>Operating System Windows 10 Pro (Includes free upgrade to Windows 11 Pro), English</p> <p>Wireless Intel® Wi-Fi 6E AX211, 2x2, 802.11ax, Bluetooth® wireless card</p> <p>Display 14.0" FHD (1920x1080) Anti-Glare, Non-Touch, WVA, 250 nits, FHD IR Camera, WWAN</p> <p>Video Card i5-1245U vPro, Integrated Intel Iris Xe Graphics, Thunderbolt</p> <p>Wireless Driver Wireless Intel AX211 WLAN Driver Alder Lake</p> <p>Memory 16 GB, 2 x 8 GB, DDR4, 3200 MT/s, dual channel, non-ECC</p> <p>Hard Drive 500 GB, M.2, PCIe NVMe, SSD, Class 35</p> <p>Processor Label Intel® Core™ i5 non-vPro Processor Label</p> <p>15X laptop bags with wheels, 15 inch</p> <p>15X Wireless Mouse</p>	

5. Project timeframes

Bidders must note that the laptops are required urgently, and delivery is expected within 2 weeks upon notice of appointment.

6. Evaluation Process:

The following evaluation process shall be followed:

6.1 Pre-qualification Criteria

Bidders must meet the following pre-qualification criteria. Failure to meet this requirement will result in the disqualification of your quotation.

- a) Potential service providers must be registered on the National Treasury Central Supplier Database (CSD). The CSD registration report must be submitted. Prospective bidders must be tax compliant. This quotation will not be awarded to any bidder who is not registered on the CSD, whose tax matters are not in order, and is a restricted supplier.**
- b) Only service providers who are registered on RFB 740 of SITA must respond to this RFQ**

**** The CBE reserves the right to verify the authenticity of the information submitted. The results of the verification will take precedence.**

6.2 Evaluation Phases:

i. Phase 1: Technical Evaluation

The bidders' quotation will be evaluated to determine compliance to the scope of work indicated under paragraph 4 above. Failure to meet one or more of the specifications listed will result in the disqualification of your quotation.

Bidders who comply to all the required specifications will proceed to the due diligence process.

A due diligence process will be conducted in respect of all short-listed bidders to determine the capability and ability of short-listed bidders to execute this contract.

The CBE reserves the right to utilise any one or more of the below due diligence methods:

- Presentation of the proposed laptop by bidders, with pre-determined questions being posed by the CBE. A set of pre-determined questions based on the submitted quotation will be posed. This will be evaluated based on a grading scheme of either consistent or not consistent with the proposal. Should more than 20% of the responses not be consistent to the bidder's proposal their proposal will be disregarded.
- An investigation by the CBE of the bidder's previous contracts carried out, availability of skills or knowledge, existing workload
- Confirmation of the authenticity and content of the reference letters submitted (bidders must provide a minimum of **two** signed reference letters of the same work undertaken even if this method is not selected for due diligence).

Should negative feedback be obtained from the aforementioned that will render the bidder unsuitable to execute the assignment, their proposal will be disregarded at this point and they will not proceed for further evaluation.

It must be noted that if a service provider has previously undertaken work for the CBE to which a positive report is on record, such report may be used for the purpose of due diligence in the event that the selected method(s) above is/are unsuccessful.

Should the bidder meet the requirements of due diligence, their proposal will proceed to Phase 2.

ii. Phase 2: Calculation of points

Please note that the proposals will be evaluated using the 80/20 preference point system.

- a) 80 points are allocated for price and 20 points are allocated for the service provider's B-BBEE Level of Contribution.
- b) An original or originally certified copy (**it must be fresh ink and not a copy**) of the B-BBEE certificate OR valid original sworn affidavit (whichever is applicable) must be submitted to confirm your B-BBEE Level. Failure to submit a B-BBEE certificate or sworn affidavit will result in the forfeiture of points. Failure to submit a correct and valid certificate or affidavit will result in the forfeiture of B-BBEE points. Only points for price will be allocated. Any enquiries in respect of B-BBEE Status Level Verification Certificates may be directed to the B-BBEE Commission at 012-649 0918. Potential service providers must note that affidavits must adhere to the requirements set out in The

Broad Based Black Economic Empowerment Practice Guide 1 of 2022, Determining the validity of a Broad-based Black Economic Empowerment verification certificate, B-BBEE certificate and affidavit, paragraph 17. (Please ensure that your affidavit complies with the requirements set out under this paragraph. If one or more requirements are not met, it will render the affidavit invalid).

Special note: Service providers must please ensure that affidavits indicate the title of the deponent i.e., director or member or owner (please circle/underline the relevant title applicable to you); and the full financial year must be stated i.e., date, month and year (not only the calendar year). Your empowering supplier status must also be indicated.

During phase 2, points for price will be calculated for all shortlisted bidders in accordance with the following formula:

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

Where:

P_s	=	Points scored for price of quotation under consideration
P_t	=	Rand value of quotation under consideration
P_{\min}	=	Rand value of lowest acceptable quotation

iii. The final points will be calculated as follows:

Points for price:	80 points
B-BBEE Status Level of Contribution:	<u>20 points</u>
Final points:	<u>100 points</u>

In accordance with section 2(1)(f) of the Preferential Procurement Policy Framework Act, 2000, the CBE reserves the right to apply the following objective criteria, based on current case law, in determining the final outcome of the award irrespective of which bidder scores the highest final points:

- (1) the rotation of contracts amongst suppliers; following two (2) awards by the CBE to the same supplier within a period of 12 months
- (2) protection of the environment
- (3) the receipt of an abnormally low or high price i.e., more than 10% below the estimated price or more than 5% above the estimated price

A recommendation for award will then be formulated for approval by the relevant delegated authority.

7. IMPORTANT CONDITIONS

- Protection of Personal Information - All bidders agree that personal information of persons related to or linked with bidders or respondents to this request for quotations/request for proposals or tender document is/may be required to fulfil the requirements for submitting a bid. All bidders agree that the CBE may collect, keep and process such information provided that the aforesaid uses shall be for purposes of evaluating the bid submitted. Where the information is sought to be used for other purposes, further and specific consent shall be obtained.
- Bidders shall note that any personal information that they may disclose to or share with the CBE pursuant to this request/Bid may be processed by the CBE in terms of the Protection of Personal Information Act, No.4 of 2013 and Regulations promulgated thereunder ("POPI Act"). By disclosing or sharing any personal information, the bidder is unconditionally consenting to the processing thereof by the CBE, its stakeholders or partners of such personal information for purposes related to this request/Bid. Further, the bidder declares all consents required by the POPI Act or any other law applicable in respect of all personal information disclosed has been duly and legally obtained. Thus, the bidder hereby indemnifies the CBE against any civil or criminal action, administrative fine or other penalty or loss that may arise as a result of the processing of any personal information disclosed to the CBE pursuant hereto.
- Bidders are required to submit a detailed breakdown of their pricing.
- The price quoted must be inclusive of VAT (if applicable) and prices must be firm.
- All Supply Chain Management compliant (required) documents must be completed in full and submitted. These include SBD 1, 4 and 6.1.

- Bidders must submit the company registration documents (CIPC), share certificate and ID documents of all Directors.
- Any award made to a Bidder under this proposal is conditional upon the Bidder accepting the terms and conditions contained in the General Conditions of Contract as the minimum terms and conditions upon which the CBE is prepared to enter into a contract with the successful Bidder.
- The General Conditions of Contract (GCC) are to be acknowledged and returned with your bid.
- All parties forming a joint venture or consortium for the purpose of this assignment must submit a separate CSD report for each party and all SBD forms and GCC must be completed by each party to the joint venture or consortium and submitted accordingly.
- Bidders must submit concrete proof of the existence of joint ventures and/or consortium arrangements (where applicable). The CBE will accept signed agreements as acceptable proof of the existence of a joint venture and/or consortium arrangement.
- The joint venture and/or consortium agreements must clearly set out the roles and responsibilities of the Lead Partner and the joint venture and/or consortium party. The agreement must also clearly identify the Lead Partner, who shall be given the power of attorney to bind the other party/parties in respect of matters pertaining to the joint venture and/or consortium arrangement.
- The CBE reserves the right to disregard a bidders' proposal should it be found that work was previously undertaken for the entity to which poor performance was noted during the execution of such contract that subsequently led to the cancellation of said contract in the last five years. Documentary evidence of poor performance without a cancellation of the contract may also result in the disqualification of the bidders' proposal.
- Any communication between the closing date and the award of the proposal by Bidders is discouraged.
- Whilst all due care has been taken in connection with the preparation of this proposal, the CBE makes no representations or warranties that the content of the proposal or any information communicated to or provided to Bidders during the bidding process is, or will be, accurate, current or complete. The CBE and its employees and advisors will not be liable with respect to any information communicated which may not be accurate, current or complete.
- If a Bidder(s) finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this proposal or any other information provided by the CBE (other than minor clerical matters), the Bidder(s) must promptly notify the CBE in writing of such

discrepancy, ambiguity, error or inconsistency in order to afford the CBE an opportunity to consider what corrective action is necessary (if any).

- Any actual discrepancy, ambiguity, error or inconsistency in the proposal or any other information provided by the CBE will, if possible, be corrected and provided to all Bidders without attribution to the Bidder(s) who provided the written notice.
- Bidders' attention is drawn to the fact that amendments to any of the Bid Conditions or setting of counter conditions by Bidders or qualifying any Bid Conditions will result in the invalidation of such proposals.
- The CBE supports the spirit of broad based black economic empowerment and recognises 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. Against this background the CBE condemns any form of fronting.
- The CBE, in ensuring that Bidders conduct themselves in an honest manner may, as part of the evaluation process, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in 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 date of notification may invalidate the proposal / contract and may also result in the restriction of the Bidder /contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies the CBE may have against the Bidder / contractor concerned.
- 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 proposal. In the event that the CBE allows a Bidder to make use of sub-contractors, such sub-contractors will at all times remain the responsibility of the Bidder and the CBE will not under any circumstances be liable for any losses or damages incurred by or caused by such sub-contractors.
- If a Bidder breaches the conditions of this proposal and, as a result of that breach, the CBE 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 the CBE harmless from any and all such costs which the CBE may incur and for any damages or losses the CBE may suffer.

- **Proposals must be emailed to** both sthembile@cbe.org.za and afika@cbe.org.za
Bidders must please note that the CBE server can receive files to a maximum size limit of 150mb (inclusive of message content and attachment). Should files exceed this size limit, bidders may either send their files in separate emails or alternatively compress the files and submit.
- The original or originally certified BBBEE Certificates or original sworn affidavits of the shortlisted bidders during Phase 2 of the evaluation process must be hand delivered to 2nd floor, Lourie Place, Hillcrest Office Park, 179 Lunnon Road, Hillcrest, Pretoria and deposited into the bid box before the closing date and time stipulated below, as the documents must be original or originally certified copies.
- It is the responsibility of prospective bidders to ensure that their proposal documents are submitted before the closing date and time of the proposal.
- Proposals received after the closing time and date will not be considered for evaluation.
- The CBE reserves the right not to award this contract.
- The award of this RFQ may be subjected to price negotiation with the preferred bidders.
- The CBE will enter into a formal contract with the successful bidder.
- Any change of information provided in the bid document that may affect service delivery by the successful bidder must be brought to CBE's attention as soon as possible. Failure to comply may result in the contract being terminated.
- Should the bidder present information intentionally incorrectly/fraudulently their proposal will be disqualified.
- It must be noted that payment will be made upon satisfactory delivery of the service and receipt of an invoice.
- The invoice will be paid within 30 days of receipt thereof. No deposit, advance and lump-sum payments will be made. A shorter payment period may be agreed upon by the CBE and the successful supplier and a supplier development agreement will be signed in this regard. To be considered for the shorter payment period the service provider must meet the following requirements:

Be at least 51% black owned.

Be an Exempt Micro Enterprise (EME) (Turnover under R10 million) or a Qualifying Small Enterprise (QSE) (Turnover less than R50 million), subject to the specific Sector Code.

- The closing date for submission of quotations is **25 August 2023** at 11:00am
- Proposals will be valid for a period of **30 days** after the closing date of the proposal.

**** Special Note: The CBE reserves the right not to award two contracts that are in direct conflict with each other to the same service provider.**

Written enquiries:

Supply Chain Management

Procurement Officer: Ms S Madonsela

Tel: 073 157 1433/ 012 346 3985

Email: sthembile@cbe.org.za

Technical

IT: Masilo Modiba

Tel: 073 664 8468

Email: masilo@cbe.org.za