

REQUEST FOR QUOTATIONS: APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE TRAINING FOR THE OCCUPATIONAL HEALTH AND SAFETY (OHS) COMMITTEE

Pre-qualification Criteria:

Bidders will be required to meet the following pre-qualification criteria. Failure to meet these requirements 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. This proposal 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.***

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

A due diligence process will be conducted in respect of all short-listed bidders who *meet* the specification requirements, to determine the capability and ability of the bidders to execute this contract. Should a bidder not meet the specification requirements their quotation will not proceed in the process of evaluation.

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

- The CBE may request for bidders to avail their (Kitchen workspace premises) for **Site Inspection**. (Not Applicable for this RFQ)
- Presentation by bidders with pre-determined questions being posed by the CBE. A set of pre-determined questions based on the submitted proposal 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 not **older than 3years** of the same /Similar work undertaken even if this method is not selected for due diligence). ***Purchase orders and Appointment letters*** will also be accepted, subject to the CBE verifying the authenticity of the information submitted.

Should CBE select the method of confirming reference letters, PO's or Appointment letters, and there is no Reference letters /PO's or Appointment letters received with the bidder' quotation, your quotation will be disqualified and not move further on the evaluation process.

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

It must be noted that if a bidder 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.

Phase 2: Calculation of points

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

- 80 points are allocated for price and 20 points are allocated for the specific goals contributor.

During phase 2, points for price will be calculated for all shortlisted service providers 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 proposal under consideration

P_t = Rand value of proposal under consideration

P_{\min} = Rand value of lowest acceptable proposal

The final points will be calculated as follows:

Points for price:	<u>80 points</u>
Specific Goals Contributor:	<u>20 points</u>
Final points:	<u>100 points</u>

Points awarded for Specific Goals

Provisions of the Preferential Procurement Policy Framework Act (PPPFA) of 2022 and its regulation will apply in terms of awarding points.

Tenderers /Bidders must submit documents as valid proof to substantiate points claimed for specific goals, that should include amongst others the Shareholder Certificate/CIPC Company Registration Documents, certified copies of ID for directors, certified copy of B-BBEE certificate/sworn affidavit, CSD report, Approved Annual Financial statements and/or any other documentation.

Failure to submit Preference points claim form and proof to substantiate points will result in the forfeiture of specific goal points. Failure to submit a correct and valid specific goals claim will result in the forfeiture of specific goal points. Only points for price will be allocated.

Special note: Bidders must please ensure that a BBBEE affidavits (If used as evidence) 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).

In terms of Regulation 3 (1) an organ of state must, in the tender documents, stipulate goals in the invitation to submit the tender for which a point may be awarded, and the number of points that will be awarded to each goal, and proof of the claim for such goal.

<u>Preference Point System</u>	<u>80/20 System</u>
<u>Small business development</u>	<u>5</u>
EME (Turnover less than R10 million)	5
QSE (Turnover higher than R10 million less than R50million)	3
<u>Ownership</u>	<u>5</u>
100% black owned	5
At least 51% black owned	4
<i>Women ownership</i>	<u>4</u>
100% women owned	4
At least 51% women owned	3
Less than 51% women owned	2
<i>Youth ownership</i>	<u>4</u>
100% youth owned	4
At least 51% youth owned	3
Less than 51% youth owned	2
<i>Ownership by Persons with Disabilities</i>	<u>2</u>
Any ownership by Persons with Disabilities	2

To determine whether the proposal meets the criteria of an acceptable tender, The CBE reserves the right to apply the following selection 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. The CBE reserves the right not to award two contracts that are in direct conflict with each other to the same service provider.

- **** 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.**

Important Conditions

1. 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.
2. 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.
3. The language of this specific contract is English.
4. The price quoted must be inclusive of VAT (if applicable) and prices must be firm over the contract period. No price adjustments will be permitted during the tenure of the contract.

5. All Supply Chain Management compliant (required) documents must be completed in full and submitted. These include SBD 1, SBD 4, and SBD 6.1
6. Bidders must submit the company registration documents (CIPC), share certificate and ID documents of all Directors.
7. 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.
8. The General Conditions of Contract (GCC) are to be acknowledged and returned with your bid.
9. 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.
10. 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.
11. 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.
12. 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.
13. Any communication between the closing date and the award of the proposal by Bidders is discouraged.
14. 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.
15. 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).

16. 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.
17. 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.
18. 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.
19. 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.
20. A Bidder is responsible for ensuring that its personnel (including agents, officers, directors, employees, advisors and other representatives), its sub-contractors (if any) and personnel of its sub-contractors comply with all terms and conditions of this BID. 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.
21. 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.

22. 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.
23. It is the responsibility of prospective bidders to ensure that their proposal documents are submitted before the closing date and time of the proposal.
24. Proposals received after the closing time and date will not be considered for evaluation.
25. The award of this RFQ may be subject to price negotiation with the preferred bidders.
26. The CBE reserves the right not to award this contract.
27. The CBE will enter into a formal contract with the successful bidder.
28. 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.
29. Should the bidder present information intentionally incorrectly/fraudulently their proposal will be disqualified.
30. It must be noted that payment will be made upon satisfactory delivery of the service and receipt of an invoice
31. 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.
32. To be considered for the shorter payment period the service provider must meet the following requirements:
 - a. Be at least 51% black owned.
 - b. 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
33. The CBE reserves the right to increase or reduce the scope of work during the contract duration subject to the relevant approval being obtained.

SUBMISSION OF QUOTATIONS

- All Quotations must be emailed to Sthembile@cbe.org.za not later than the closing date and time.
- 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.

- *Bidders to look on Phase 2 of the SCM requirement document under (Points **awarded for Specific Goals**) for **documentation required** for allocation of points for specific goals.*
- The closing date for submission of Quotations and all supporting documents is **29 July 2024 at 11:00 AM**

No late responses will be accepted.

The CBE looks forward to your responses.

- **** 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.**
- **CBE reserves a right not to award this contract should a need arise.**