

## **APPOINTMENT OF A FORENSIC SERVICE PROVIDER TO UNDERTAKE AN INVESTIGATION INTO THE GEORGE BUILDING COLLAPSE**

## 1. BACKGROUND

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.

CBE is mandated by the section 4 of CBE Act to; (a) Advise government on any matter falling within the scope of the built environment, including resource mobilisation, socio- economic development, public health and safety and the environment, and for this purpose carry out such investigations as it or the relevant Minister deems necessary;

(b) Communicate to the Minister information on matters of public importance acquired by the council in the course of the performance of its functions under this Act;

(l) investigate or initiate investigations into matters pertaining to its functions and policies with regard to the built environment and, if necessary, recommend legislation in this regard.'

## **2. MAIN OBJECTIVE OF THIS PROJECT**

The main objective of this project is to appoint a service provider (team of BE professionals) to conduct comprehensive investigation involved in building design and construction of the George Building, 75 Victoria street, George and examine the roles and responsibilities of professional teams involved in building design and construction; assess the professional team conduct and accountability in the incident, further to identify the factors contributing to building collapses; recommend measures to prevent future incidents and guidelines for enhanced building safety and risk management. The evaluation of the conduct and accountability, includes some of key factors like Design and construction flaws, material and workmanship defects, inadequate maintenance and inspection, regulatory enforcement gaps.

### **Relevant legislation/Applicable Policy/Code**

Section 4 (i) empowers CBE to advise the councils for the professions on matters of national importance where the needs of State, as communicated to the council through the relevant Minister, require joint and co-ordinated action by the built environment professions. The

George building collapse resulted in fatalities and thus it became a matter of Public Interest and CBEs mandate is to Protect the Public, thus CBEs mandate to investigate is activated.

The investigation on the accountability of professionals is in line with the mandate of the CBE, as CBE is entrusted with the responsibility of ensuring that councils of professions have prescribed codes of conduct for their registered professionals. The investigation will further determine if professional negligence, misconduct, or errors contributed to the collapse. Above all identify and determine and or propose changes in any areas of training and curriculum development, Section 3(e) and (g) is to 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.

The CBE regulates the Built Environment and has a responsibility to investigate all matters related to the Built environment. The CBE remains the overarching body of the professional council as detailed by the Built Environment Acts. The Councils for the Professions in the Built Environment Acts are listed below;

- South African Council of Architects Profession Act 44 of 2000
- South African Council for The Landscape Architectural Act 45 of 2000
- Engineering Profession Of South Africa Act 46 of 2000
- South African Council of Property Valuers Profession Act 47 of 2000
- South African Project and Construction Management Professions Act 48 of 2000
- South African Council of Quantity Surveying Profession Act 49 of 2000

In addition to the six Councils, CBE has formally recognised the following councils of profession in the built environment

- Environmental Assessment Practitioners Association
- South African Geomatics Council
- South African Council of Planners

### **3. SCOPE OF WORK**

#### **3.1 The service provider will be required to:**

##### **1.1.1 Determine the Project team involved**

3.1.1.1 The team must determine for themselves the professionals involved with the George project.

3.1.1.2 Investigate the conduct of the Professional Team and professionals involved in this project; as determined by 3.1.1.1 (e.g., Architects, Engineers, Contractor, Building Inspector and any other relevant team members).

**1.1.2 Conduct an analysis on compliance with regards to:**

3.1.1.3 Building codes and regulations

3.1.1.4 Industry standards and best practices

3.1.1.5 Project communication protocols i.e., collaboration and communication among professional teams

3.1.1.6 The oversight roles and enforcement mechanisms

3.1.1.7 Best practices and or review case studies of recent building collapse in SA

**1.1.3 Data collection**

The service provider is expected to determine its data collection methodology and consider the below as minimum methods for collection:

3.1.1.8 interviews with other BE Professionals; regulatory experts, officials

3.1.1.9 review of incidents reports, investigation findings

3.1.1.10 ability to conduct data analysis and modelling

**3.1.2 Output / Deliverable**

3.1.2.1 comprehensive investigation report detailing findings and recommendations.

3.1.2.2 presentation of the key outcomes and proposed guidelines.

3.1.2.3 develop and propose guidelines for enhanced building safety and risk management.

3.1.2.4 provide expert testimony if required.

**3.1.3 CBE's responsibility**

3.1.3.1 CBE will provide a contact person on appointment of the service provider.

3.1.3.2 CBE will issue all required engagement letters with stakeholders as identified by the investigation team in terms of the POPI Act.

**4. REQUIRED EXPERIENCE**

**4.1 Team composition**

- The team should be comprised of no less than 4 Professional members and be led by a Forensic expert in any of the professional fields as determined by the CBE Acts. All team members must be registered with the relevant Professional Council and be in good standing, unless if the team member is a retired professional. The proposed team should include at least the following members:
- A registered professional engineer with 5 years of experience in forensic investigations and 10 years post registration experience in construction projects.
- A registered professional in any of the Built Environment disciplines with 10 years post registration experience in construction law.
- Forensic expertise with specialised knowledge in forensic engineering and or Architecture with 8 years' experience in forensic investigation.
- Where a team member is a retired professional, more than 15 years direct involvement with construction projects, proven track record of being involved with building incident investigation and OHS experience. The registration is not a requirement.

## 5. PROJECT TIMEFRAME

- An initiation meeting to be held within 48hrs of appointment to discuss and get any clarity on the matter.
- A detailed project timeline which should not be more than 4 months will be agreed upon by the Service Provider and CBE within 5 days of appointment
- CBE will require 3 reports, i.e.,
  - First draft within 8 weeks of initiation of project.
  - second draft within five weeks from the submission of the First draft.
  - second draft to include a draft skeletal document of proposed guidelines.
  - Third draft – final draft report and presentation which will be presented to CBE and all inputs finalised within 7 days.

## 6. EVALUATION PROCESS

The following evaluation process shall be followed:

**Pre-qualification Criteria (Bidders must meet the following pre-qualification criteria. Failure to meet these requirements shall result in the disqualification of your proposal):**

- 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 bid will not be awarded to any bidder who is not**

registered on the CSD, or whose tax matters are not in order and/or who 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. Evaluation Phases:**

**i. Phase 1: Technical Evaluation**

The bidders' proposal will be evaluated against the set criteria indicated under paragraph 7 below. A form will be used which will reflect the name of the bidder, the different criteria, with space provided to record the points awarded and motivation for points awarded. The allocation of points will not be effected on a basis of consensus.

The following scoring matrix will be used:

Unable to evaluate	Does not comply with the requirements	Partial compliance with requirements	Full compliance with requirements	Exceeds requirements	Exceptionally exceeds requirements
0	1	2	3	4	5

The following formula will be used to convert the points scored against the weight:

$$Ps = \left( \frac{So}{Ms} \right) \times 100$$

Where:

Ps = Percentage scored for technical evaluation by proposal under consideration

So = Total score of proposal under consideration

Ms = Maximum possible score

Bidders will be expected to achieve a minimum threshold score of 65% in order to 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 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 etc
- Confirmation of the authenticity and content of the reference letters submitted (bidders must provide a minimum of two (2) signed reference letters of the same work undertaken even if this method is not selected for due diligence). Purchase orders will also be accepted, subject to the CBE verifying the authenticity of the information submitted.

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 as outlined in the Preferential Procurement Regulations, 2022 where:**

- a) 80 points are allocated for price and 20 points are allocated for specific goals.

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



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

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

iii. The final points will be calculated as follows:

Points for price:	80 points
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 regulations will apply in terms of awarding points.

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, B-BBEE certificates/affidavits, 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 if B-BBEE affidavits are submitted, 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 i.e. date, month and year (not only the calendar year) must be specified. Failure to do so will result in the invalidation of the affidavit.**

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.

**Special note: Bidders must please ensure that B-BBEE 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), in addition to the requirements set out under 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. Failure to do so will invalidate the affidavit, resulting in points not being allocated.**

<b><u>Small business development</u></b>	<b><u>5</u></b>
EME (Turnover less than R10 million)	5
QSE (Turnover higher than R10 million less than R50million)	3
<b><u>Ownership</u></b>	<b><u>5</u></b>
100% black owned	5
At least 51% black owned	4
<b><u>Specific goal</u></b>	<b><u>10</u></b>
<b><u>Women ownership</u></b>	<b><u>4</u></b>
100% women owned	4
At least 51% women owned	3
Less than 51% women owned	2
<b><u>Youth ownership</u></b>	<b><u>4</u></b>
100% youth owned	4
At least 51% youth owned	3
Less than 51% youth owned	2
<b><u>Disabled ownership</u></b>	<b><u>2</u></b>
Any disabled ownership	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

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

## 7. EVALUATION CRITERIA

CRITERIA FOR FUNCTIONALITY	WEIGHT	SCORING GUIDELINE
<p>The Bidder must have a team of no less than 4 Professional members and the team must be led by a Forensic expert in any of the professional field lead by the CBE.</p> <p>The Bidder must submit the structure and composition of the proposed team, clearly outlining the main disciplines/ specialities (professional registration and experience) of the professional members to be involved in the investigation.</p> <p><i>Please note that only members with valid registration and in good standing with the Professional Council will be considered, unless the team member is a retired professional.</i></p>	30	<p>5 = 6 team members provided  4 = 5 team members provided  3 = 4 team members provided  2 = 2-3 team members provided  1 = 1 member provided  0 = No team member provided</p>
<p><b>Experience of professional members</b></p> <p>Bidders must submit detailed CVs of their key resources illustrating the following information:</p> <ul style="list-style-type: none"> <li>A registered professional engineer with 5 years of experience in forensic investigations (5)</li> <li>A registered professional engineer with 10 years post registration experience in construction projects (5)</li> <li>A registered professional in any of the Built Environment disciplines with 10 years post registration experience in construction law (10)</li> <li>Forensic expertise specialises in forensic engineering and or Architecture with 8 years experience (10)</li> </ul>	40	<p>5 = 9+ years' experience in forensic investigation  4 = 6-8 years' experience in forensic investigation  3 = 5 years' experience in forensic investigation  2 = 4 years' experience in forensic investigation  1 = 3 years' experience in forensic investigation  0 = less than 2 years' experience in forensic investigation</p> <p>5 = 16-20 years post registration experience in construction projects  4 = 11-15 years post registration experience in construction projects  3 = 10 years post registration experience in construction projects  2 = 9 years post registration experience in construction projects  1 = 8 years post registration experience in construction projects  0 = less than 8 years post registration experience in construction projects</p> <p>5 = 15+ years' experience in construction law  4 = 11-15 years' experience in construction law  3 = 10 years' experience in construction law  2 = 7-9 years' experience in construction law  1 = 6 years' experience in construction law  0 = less than 5 years' experience in construction law</p> <p>5 = 10+ years' experience in forensic investigation specialises in forensic engineering and or Architecture  4 = 9 years' experience in forensic investigation specialises in forensic engineering and or Architecture  3 = 8 years' experience in forensic investigation specialises in</p>

CRITERIA FOR FUNCTIONALITY	WEIGHT	SCORING GUIDELINE
<ul style="list-style-type: none"> <li>A retired professional with more than 15 years experience in construction projects (10)</li> </ul> <p><i>Please provide a CV. Take note that only members with valid registration and in good standing with the Professional Council will be considered, unless the team member is a retired professional.</i></p>		<p>forensic engineering and or Architecture  2 = 5-7 years' experience in forensic investigation specialises in forensic engineering and or Architecture  1 = 4 years' experience in forensic investigation specialises in forensic engineering and or Architecture  0 = less than 3 years' experience in forensic investigation specialises in forensic engineering and or Architecture</p> <p>5 = 20+ years' experience in construction projects  4 = 16-19 years' experience in construction projects  3 = 15 years' experience in construction projects  2 = 14 years' experience in construction projects  1 = 13 years' experience in construction projects  0 = less than 12 years' experience in construction projects</p>
<p>Provide a minimum of two (2) signed reference letters for the same/similar work undertaken for previous clients. The reference letters must:</p> <ul style="list-style-type: none"> <li>contain valid contact details</li> <li>be on an official letterhead</li> <li>bear the signature of a company official</li> <li>not be older than three years</li> </ul>	20	<p>5 = 4+ signed referee letters  4 = 3 signed referee letters  3 = 2 signed referee letters  2 = 1 signed referee letter  1 = list of contactable references  0 = no reference letters submitted/unsigned/undated letters/letters not relevant to the assignment</p>
Empowering Supplier	10	<p>5= ownership to the value of:</p> <ul style="list-style-type: none"> <li>≥75% black female; and/or</li> <li>Any value for youth; and/or</li> <li>Any value for persons with disabilities</li> </ul> <p>4= 100% black-owned entity and/or ≥ 51% black female owned entity  3= 51% or more black-owned entity  0 = No information submitted/requirement not met  An additional point will be allocated if an entity has demonstrated that it employs persons with disabilities unless a score of 5 has already been allocated.</p>
<b>Total</b>	<b>100</b>	
<b>Threshold Score</b>	<b>65%</b>	

## 8. 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/Bid 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.
- Service providers are required to submit a detailed breakdown of their pricing as per below.
- **Bidders must indicate the rate per hour of their proposed key resources, based on the latest Guideline Professional Fees as Gazette by the relevant Professional Council. Rates quoted must be inclusive of VAT (if VAT registered). For pricing evaluation purposes only, the rate per hour for each key resource proposed will be averaged and multiplied by an estimated 50 hours of work to provide a total price. The actual number of hours to be spent on the investigation must be detailed on the project plan.**
- The price quoted must be inclusive of VAT (if applicable) and prices for this contract are 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.
- Should the bidder fail to meet any of the administrative requirements stipulated on this Terms of Reference, the CBE reserves the right to request the bidder(s) to rectify and re-submit the relevant documents within a pre-determined timeframe. Should the bidder fail to submit within the stipulated timeframe, their proposal will be disqualified.
- 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 [sthembile@cbe.org.za](mailto:sthembile@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. WeTransfer files must be valid for a period of 7 days after the closing date failing which will result in the disqualification of the proposal.**
- 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 award of this bid may be subject to price negotiation with the preferred bidders.
- The CBE reserves the right not to award this contract.
- 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 proposals is **18 October 2024 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.**

## **9. ENQUIRIES**

All queries must be directed to the relevant officials as follows:

### **Supply Chain Management:**

Procurement Officer

Ms S. Madonsela

Tel: 012-346 3985

Email: [sthembile@cbe.org.za](mailto:sthembile@cbe.org.za)

### **Technical:**

Legal Specialist

Ms M. Chiloane

Tel: 012-346 3985

Email: [meltonia@cbe.org.za](mailto:meltonia@cbe.org.za)