



## **NATIONAL ECONOMIC DEVELOPMENT AND LABOUR COUNCIL**

P.O.BOX 1775, SAXONWOLD, 2132 – 14A JELlicoe AVENUE, ROSEBANK 2196  
TELEPHONE +27(0) 11 328 4200 WEBSITE: WWW.NEDLAC.ORG.ZA

<b>REQUESTS FOR QUOTATIONS</b>	
<b>APPOINTMENT OF A QUALIFIED TRAINING PROVIDER TO CONDUCT HEALTH AND SAFETY TRAINING TO HEALTH AND SAFETY COMMITTEE REPRESENTATIVES</b>	
<b>RFQ NUMBER:</b>	RFQ10627
<b>RFQ ISSUE DATE:</b>	19 January 2023
<b>CLOSING DATE AND TIME:</b>	27 January 2023 @ 11h00
<b>RFQ VALIDITY PERIOD</b>	N/A
<b>DESCRIPTION OF SERVICES</b>	Appointment of a service provider to conduct health and safety training to health & safety committee representatives.  NB: TORs attached from pg 14
<b>SUBMISSION ADDRESS</b>	Submissions to be sent electronically

<b>PROCUREMENT ENQUIRIES</b>	<b>Name: JOYCE TONGWANE</b> <b>Email: <a href="mailto:joyce@nedlac.org.za">joyce@nedlac.org.za</a></b>
<b>TECHNICAL ENQUIRIES</b>	<b>Name: Sharlotte van Rooyen</b> <b>Email: <a href="mailto:sharlotte@nedlac.org.za">sharlotte@nedlac.org.za</a></b>

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**COMPANY REGISTRATION NUMBER:**.....

**CSD NUMBER :**.....

**ADDRESS:** .....

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.....

**CONTACT PERSON :** .....

**TEL:** .....

**FAX:** .....

**E-Mail :** .....

**Mobile:** .....

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**TOTAL RFQ PRICE R .....(VAT Incl.)**

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## 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 interest<sup>1</sup> 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

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<sup>1</sup> 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.

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2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....  
 .....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....  
 .....

**3 DECLARATION**

I, \_\_\_\_\_ the \_\_\_\_\_ undersigned,  
 (name)..... in submitting  
 the accompanying bid, do hereby make the following statements that I certify to  
 be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products

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<sup>2</sup> 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.

or services to which this bid invitation relates.

- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring 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**

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**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).

To be completed by the organ of state

*(delete whichever is not applicable for this tender).*

- a) The applicable preference point system for this tender is the 90/10 preference point system.
  - b) The applicable preference point system for this tender is the 80/20 preference point system.
  - c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
- 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:

	<b>POINTS</b>
<b>PRICE</b>	
<b>SPECIFIC GOALS</b>	
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

- 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.

## **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).

## **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

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration Pmax = Price of highest

acceptable tender

## 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)

**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.

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**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

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### **REQUESTS FOR QUOTATIONS**

#### **APPOINTMENT OF A QUALIFIED TRAINING PROVIDER TO CONDUCT HEALTH AND SAFETY TRAINING TO HEALTH AND SAFETY COMMITTEE REPRESENTATIVES**

##### **1. INTRODUCTION**

The National Economic Development and Labour Council (Nedlac) is a statutory body that was established through Nedlac Act No. 35 of 1994 and operates under the terms of its own Nedlac Constitution. Nedlac's vision is to promote growth, equity and participation through social dialogue.

Nedlac has appointed a health and safety committee to serve the organisation on matters related to occupational health and safety. The committee comprises of nine members of which eight are Nedlac employees and one is an external advisory member.

##### **2. PURPOSE**

Nedlac requires services of a reputable and accredited HWSETA accredited training provider to conduct health and safety training to eight appointed health and safety committee representatives at Nedlac.

The objective of this exercise is to provide the health and safety committee representatives with an overview of the Occupational Health and Safety Act including understanding the

responsibilities and duties of employees and employer in terms of the act and how the appointed health and safety committee representatives should carry out their duties.

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

3.1 The training modules should cover but not be limited to the following:

- a) Health and safety legislation and legal compliance;
- b) Roles and responsibilities of the health and safety representatives;
- c) Functions and duties of the health and safety committee;
- d) Health and safety inspections;
- e) Incident prevention, inspections and reports;
- f) Hazard identification;
- g) Health and safety documentation and emergency planning;
- h) Conducting health and safety committee meetings.

3.2 Training must be accredited by the HWSETA.

3.3 Training material to be aligned with relevant SAQA unit standards.

3.4 Facilitator to conduct a pre-course assessment prior to training, to identify a suitable level of pitching the training.

3.5 Certification of competence must be issued to delegates upon successful completion of training.

3.6 Training should preferably be conducted at the Nedlac premises and include enactment of procedures.

3.7 Training material should include manuals and videos.

3.8 Training facilitators must be accredited by the HWSETA.

### **4. REQUIREMENTS OF THE TRAINING PROVIDER**

4.1 The successful training provider must provide the following:

- 4.1.1 A project proposal indicating how they would respond to the scope of work set out above.

- 4.1.2 CVs of the training provider and facilitators.
- 4.1.3 Budget indicating all cost assumptions and a maximum amount for the training.
- 4.1.4 An up to date proof accreditation.
- 4.1.5 Have five years or more experience in providing such training.
- 4.1.6 Signed reference letters from contactable references, for similar projects completed.

## 5. SUBMISSION OF DOCUMENTS

- 5.1 In addition to the requirements of 4.1 above, training providers must submit the following documents:
  - 5.1.1 Proof of CSD registration.
  - 5.1.2 Completed SBD forms.
  - 5.1.3 BBBEE certificate or affidavit.

## 6. EVALUATION AND SELECTION CRITERIA

### 6.1 Evaluation Criteria

The following evaluation criteria will be utilised:

5= Excellent, 4 = Good, 3 = Satisfactory, 2 = Poor, 1= Unacceptable

The below matrix will be used in scoring the submissions:

**A. Competence and expertise of the training provider measured in years of experience**



What is required	Application of evaluation criteria	% Allocation
<p>Availability of appropriate skills and resources to facilitate the training.</p> <p>CVs of the assigned training staff to demonstrate skills and capabilities by showing current and previous training done, as well as number of years in the fields set out above.</p> <p>Proof of accreditation of bidder and facilitator/s.</p>	<p>5 = five and above years' experience</p> <p>4 = four years' experience</p> <p>3 = three years' experience</p> <p>2 = two years' experience</p> <p>1 = one years' experience</p>	50%
<b>B. Similar projects completed</b>		
What is required	Application of evaluation criteria	% allocation
<p>Work performance on previous assignments (training providers to specify area of speciality) successfully completed in the areas set out above (supported by signed reference letters).</p>	<p>5 = five and above successfully completed projects</p> <p>4 = four successfully completed projects</p> <p>3= three successfully completed projects</p> <p>2= two successfully completed projects</p> <p>1= one successfully completed project</p>	20%
<b>C. Project plan</b>		
What is required	Application of evaluation criteria	% allocation
<p>Project plan demonstrates good understanding of the scope of work.</p>	<p>5 = excellent understanding of scope of work, elements of innovation.</p>	30%

	<p>4 = good understanding of the scope of work, good quality proposal/project plan.</p> <p>3= adequate understanding of the project, competent proposal.</p> <p>2 = inadequate proposal.</p> <p>0 = no proposal submitted.</p>	
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## 6.2 Selection Criteria

- 6.2.1 Bidders that attain a minimum score of 70% on functionality will be evaluated further for price and BBBEE.
- 6.2.2 The final decision and successful appointment will be made by Nedlac and no correspondence will be entered into thereafter.
- 6.2.3 Nedlac reserves the right to cancel this bid or ultimately decide not to appoint any training provider in terms of this call for quotations.
- 6.2.4 Bidders must be ready and available to commence work immediately after appointment.

## 7. BID SUBMISSION AND ENQUIRIES

- 7.1 Bidders should send their completed quotations and accompanying relevant documentation to SCM unit at [joyce@nedlac.org.za](mailto:joyce@nedlac.org.za) copying [procurement@nedlac.org.za](mailto:procurement@nedlac.org.za) by **27 January 2023 at 11h00**.
- 7.2 Note that no late proposals will be considered.
- 7.3 Technical enquiries regarding this Terms of Reference should be emailed to Charlotte Kopano van Rooyen at [sharlotte@nedlac.org.za](mailto:sharlotte@nedlac.org.za).
- 7.4 Procurement enquiries regarding these terms of reference should be emailed to

## **8. PAYMENT TERMS**

Payments will be made within 30 days from receipt of invoice and against presentation of satisfactory deliverables as will be agreed upon on appointment of the successful bidder/training provider.