



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

REQUESTS FOR QUOTATIONS FOR THE PROVISION OF B-BBEE VERIFICATION SERVICES TO NEDLAC FOR A PERIOD 3 YEARS	
RFQ NUMBER:	RFQ10810
RFQ ISSUE DATE:	08 May 2023
CLOSING DATE AND TIME:	17 May 2023 @ 11h00
SITE VISIT	N/A
DESCRIPTION OF SERVICES	REQUEST FOR QUOTATION FOR THE PROVISION OF B-BBEE VERIFICATION SERVICES TO NEDLAC FOR A PERIOD 3 YEARS NB: TORs attached from pg 14
SUBMISSION ADDRESS	Submissions to be sent electronically

PROCUREMENT ENQUIRIES	Name: JOYCE TONGWANE Email: joyce@nedlac.org.za
TECHNICAL ENQUIRIES	Name: THOMAS MOHL Email: thomas@nedlac.org.za

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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 interest¹ 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

¹ 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.

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 consortium² 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

² 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.

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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**

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:

	POINTS
PRICE	80
BBBEE	20
Total points for Price and SPECIFIC GOALS	100

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.)

BBBEE LEVELS	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)
BBBEE Level 1	10	20		
BBBEE Level 2	8	16		
BBBEE Level 3	5	10		
BBBEE Level 4	4	8		
BBBEE Level 5	3	6		
BBBEE Level 6 - 8	0	0		

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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TERMS OF REFERENCE – REQUEST FOR QUOTATION FOR THE PROVISION OF B-BBEE VERIFICATION SERVICES TO NEDLAC FOR A PERIOD 3 YEARS.

OVERVIEW OF NEDLAC

The Nedlac is a schedule 3A public entity that falls within the Department of Employment and Labour. The National Economic Development and Labour Council (Nedlac) is the vehicle by which Government, labour, business and community organisations seek to cooperate, through problem-solving and negotiation, on economic, labour and development issues and related challenges facing the country.

The National Economic Development and Labour Council (Nedlac) was established by statute in 1995.

- a. The legislated objects, powers and functions of Nedlac are to:
 - i. Strive to promote the goals of economic growth, participation in economic decision making and social equity;
 - ii. Seek to reach consensus and conclude agreements on matters pertaining to social and economic policy;
 - iii. Consider all proposed labour legislation relating to labour market policy before it is introduced in Parliament;
 - iv. Consider all significant changes to social and economic policy before it is implemented or introduced in Parliament;

Encourage and promote the formulation of co-ordinated policy on social and economic matters.

BACKGROUND AND SCOPE OF WORK

The appointed service provider will be assigned a resource from the Finance Division to work with to promote proper planning and stakeholder engagement with relevant B-BBEE pillar champions that guarantee successful completion of the verification process.

The appointed service provider will be expected to maintain close working relationship with the various Senior Management responsible for respective pillars and soliciting evidence or information will require utmost confidentiality at all times. Nedlac to contract a suitable qualified service provider with the following specialist skills to implement series of cross directorate tasks:

- Experienced and understanding of B-BBEE strategy and B-BBEE policy.

- Excellent understanding and application of the framework of the National B-BBEE strategy, DTI's B-BBEE code of Good Practice and other applicable legislation
- Familiarity with the B-BBEE verification challenges that may impede implementation and progress, and mitigate risk
- Project management experience: High level of competency in project initiation, monitoring, evaluation, and reporting

B-BBEE VERIFICATION

- Conduct on-site verification of Nedlac in compliance with the requirements set out by the DTI and SANAS for the B-BBEE Scorecard.
- Provide B-BBEE certificate and report, make rating improvement recommendations
- Provide training and advisory services on improvement of Nedlac B-BBEE Scorecard rating were required.
- Documentary evidence for the verification process to be collated by Nedlac and submitted as per agreed terms of engagement.
- Provide guidance on the required information including financial sector changes were necessary.
- Conduct annual indicative rating assessment that is not exhaustive but aimed at evaluating progress against implementation of improving future rating.

1. REQUIREMENTS

Bidders are required to provide the following information

- Submit a written quotation
- Submit proof of SANAS Accreditation.
- Submit fully completed and signed SBD Forms
- Submit CSD report
- Submit valid BBEE certificate or Sworn Affidavit.
- Submit methodology or approach in relation to governing regulations
- Standard verification template

- Brief customer relationship management plan addressing four key areas: quality, delivery, time management (project plan) and advisory services

2. MANDATORY REQUIREMENTS

NB: Bidders who fail to satisfy mandatory requirements will not be considered.

Description	Mark (Yes/No)
1. Valid proof of SANAS Accreditation	
2. Submit proof of CSD registration (Bidders must be registered and active on the CSD to do business with Nedlac)	
3. Completed SBD Forms	
4. BBBEE certificate or Sworn Affidavit	

3. INFORMATION/BRIEFING SESSION

None.

NB: All enquiries must be directed to the contact person as listed on the first page for this RFQ before closing date.

4. PERIOD / DURATION OF PROJECT / ASSIGNMENT

The contract period – **Three (3) Years**

5. PREFERENTIAL PROCUREMENT POINTS ALLOCATION

The Preferential Procurement Regulations points to be allocated to this RFQ is: 80/20

6. EVALUATION CRITERIA BID SUBMISSION AND ENQUIRIES

- 6.1. Service providers should send completed quotations and accompanying relevant documentations to SCM unit at joyce@nedlac.org.za by 17th of May 2023 at 11H00 (AM)
- 6.2. Any procurement questions regarding the Request for Quotation (RFQ) should be emailed to joyce@nedlac.org.za.
- 6.3. Any technical questions should be emailed to thomas@nedlac.org.za.
- 6.4. Note that no late submissions will be considered.
- 6.5. Nedlac reserves the right to cancel this request for quotation should such be deemed necessary.
- 6.6. The successful applicant must be ready and available to commence work as soon as they are appointed.

7. SELECTION AND EVALUATION CRITERIA

As this procurement is expected not to exceed a maximum of R50 million, the 80/20 preferential procurement measure is applicable. In order to achieve specific goals, a maximum of 20 points will be awarded to a tenderer for broad-based black economic empowerment as follows:

- B-BBEE status Level 1 contributor: 20 points
- B-BBEE status Level 2 contributor: 16 points
- B-BBEE status Level 3 contributor: 10 points
- B-BBEE status Level 4 contributor: 8 points
- B-BBEE status Level 5 contributor: 6 points
- B-BBEE status Level 6 - 8 contributor: 0 points

The RFQ will be evaluated in two phases as follows:

Phase 1 – Functionality Evaluation

Functionality	100
Threshold	70

Phase 2 – Pricing and Goal Evaluation

Price	80
Goal Evaluation	20

6. FUNCTIONALITY

Evaluation Area	Evaluation Criteria	Maximum Points
Experience/capabilities	Number of years in the B-BBEE Verification business <ul style="list-style-type: none"> — Less than 2 Years = 4 — 2 Years = 8 — 3 Years = 12 — 4 Years = 16 — More than 4 Years =20 	20
Resources	List of resources to be assigned to Nedlac <ul style="list-style-type: none"> • Resume • Qualifications 	20

	<ul style="list-style-type: none"> — 3 or more resources with 2 years experience =20 — 2 resources with 2 years experience = 12 — Less than two resources = 0 	
Customer relationship management plan and methodology	<p>Methodology</p> <p>Customer relationship management plan</p> <p>Project roll out plan (timelines)</p> <ul style="list-style-type: none"> — B-BBEE verification services Comprehensive Plan (Excellent) addressing all areas = 5 (40 points) — Good Plan = 4 (32 points) — Satisfactory Plan (partial) = 3 (24 points) — Poor Plan not covering all areas = 2 (16 points) — No plan = 0 (0 points) 	40
List of contactable reference	<p>Reference letter on company letterhead.</p> <ul style="list-style-type: none"> — 5 references on letterhead = 20 — 4 references on letterhead = 16 — 3 references on letterhead = 12 — 2 references on letterhead = 8 — 1 reference on letterhead = 4 	20
Total		100

List of contactable references

Previous and Current Projects (Attach reference letters on company letterhead)

Project Description	Client	Contact Person	Contact Number	Duration of the Project	Contract Value	Start Date	End Date	Reference Letter (Y/N)

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PRICING SCHEDULE

Bidders must quote on all aspects as outlined in the pricing schedule. Partial quoting will lead to disqualification of the bid. Only fixed cost will be accepted. The quote must include verifications for three financial years.

Description	Year	Amount
B-BBEE Verification (Certification)	2022/23	
Training	2023/24	
B-BBEE Verification (Certification)	2023/24	
Training	2024/25	
B-BBEE Verification (Certification)	2024/25	
	Sub-Total	
	VAT	
	Total	

STANDARD CONDITIONS OF THE BID

- Bidders must complete and attach completed and signed SBD forms:
- Bidders must also submit a SARS Tax PIN; and a valid B-BBEE certificate (original or certified copy) to joyce@nedlac.org.za prior to closing date and time.
- It is the responsibility of prospective bidders to ensure that their CSD Registration is active and updated as this serves as a prerequisite for submission of their proposals.
- It is the responsibility of prospective bidders to ensure that all bid documents are submitted before the closing time and date of the Bid;
- Nedlac reserves the right to award, cancel or partially award this contract.
- Nedlac will enter into a formal contract with one successful bidder;
- Nedlac reserves the right to award in full or in part or whichever option which will be financially viable and promotes quality, value for money, competitiveness, fairness and transparency.
- Nedlac reserves the right to terminate the contract should the performance of the service provider be unsatisfactory;
- Quotations received after closing time and date will be classified as LATE and will NOT be considered;

- Although adequate thought has been given in the drafting of this document, errors may occur which Nedlac will not be responsible for;
- Any change of information provided in the bid document that may affect delivery of the service should be brought to Nedlac's attention as soon as possible. Failure to comply with this may result in the contract being terminated;
- Service providers presenting information intentionally incorrectly or fraudulently will be disqualified;
- Service providers who have been declared insolvent and wish to do business with Nedlac must have been rehabilitated and provide the necessary proof thereof;
- The National Treasury General Conditions of Contract will be applicable to this bid (available on the National Treasury website);
- All prices quoted must be VAT inclusive;

CLOSING DATE AND TIME

The closing date for the RFQ is **17 May 2023 @ 11h00**

Quotations should be submitted to Nedlac before /on the closing date and time.