

REQUEST FOR PROPOSAL (“RFP”)

PROVISION OF RESEARCH SERVICES IN DEVELOPING A METHODOLOGY FOR DETERMINING HARD-TO-FILL VACANCIES (HTFVS) ACROSS THE ENERGY AND WATER SECTOR



Bid Number	EWSETA/RFP/12/2020
Bid Scope	PROVISION OF RESEARCH SERVICES IN DEVELOPING A METHODOLOGY FOR DETERMINING HARD-TO-FILL VACANCIES (HTFVS) ACROSS THE ENERGY AND WATER SECTOR
Issue Date	FRIDAY 17 JULY 2020
Closing Date for submission of bids	FRIDAY 14 AUGUST 2020 @11:00HRS
Inquiries (all inquiries should be in writing)	scmadmin@ewseta.org.za

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1. BACKGROUND INFORMATION

The Energy and Water Sector Education and Training Authority (“EWSETA”) is a statutory body established through the Skills Development Act of 1998 to enable its stakeholders to advance the national and global position of the energy and water sectors in the large, medium, small levy-paying and non-levy-paying companies across the sector.

This is as a result of Government commitment to promote active labour market policies as is demonstrated in the Skills Development Act of 1998, as amended and the Skills Development Levies Act of 1999. As guided by its mandate, the SETA is an agent of transformation by promoting the achievement of desired outcomes as stipulated in the National Skills Development Plan (NSDP) whilst observing and complying with legislative and regulatory frameworks, such as the Public Finance Management Act No. 1 of 1999.

As part of its mandate, the EWSETA has the responsibility of conducting research which should inform the strategic orientation of the organisation and continuously improve the overall quality of skills-related service delivery to the energy and water sector.

Thus, the EWSETA has been tasked with the responsibility of conducting research in order to gain deeper understanding of the complex relationship between education and training and skills needs. The EWSETA will be strengthened as an authoritative organisation for labour market intelligence. Furthermore, SETAs are required by DHET to establish collaborative research partnerships with public universities in order to strengthen and enhance the sector research effort.

2. PURPOSE OF THE RESEARCH

- 2.1 EWSETA is seeking to appoint a suitably qualified and experienced public university or public research institution for conducting research in line with all requirements stipulated in the below Terms of Reference.
- 2.2 The purpose of the research is to ensure that the EWSETA has relevant, up-to-date data and information with respect developing methodology for effectively, efficiently and accurately determining hard-to-fill vacancies (HTFVs) within the energy and water sector. Furthermore, the strategic intent of the study is aimed at contributing to the reporting efficiency of the EWSETA with respect to mandated outcomes-related objectives as envisaged in the Sector Skills Plan, Strategic Plan, and Annual Performance Plan of the EWSETA.

3. SCOPE OF WORK

The service provider will research and prepare the required research report in line with a predetermined framework.

The research areas of focus below serve only as a guide in terms of the level of data, information, knowledge and insight to be acquired during the course of research. Thus, the areas of focus presented below are in no way exhaustive, as the appointed service provider will be required to provide guidance and make significant and meaningful inputs into the research areas of focus.

The appointed service provider will be expected to conduct research within each of the sectors, namely the energy and the water sectors (including all sub-sectors as per the Sector Industry Classification Codes), utilising the agreed methodologies.

The research areas of focus include, but are not limited to, the following:

3.1 Methodology

Develop a methodology of how to accurately, efficiently and effectively:

- 3.1.1 Collect data and information from related stakeholders with respect to occupations across the energy and water sector.
- 3.1.2 Collect data and information from related stakeholders with respect to the corresponding specialisations/alternative titles linked to the each of the occupations identified across the energy and water sector.
- 3.1.3 Ensure correspondence of identified occupations and specialisations with the current published Organising Framework for Occupations (OFO) List.
- 3.1.4 Prevent data anomalies/errors with respect to collected data and information by ensuring data/information integrity.
- 3.1.5 Determine which of the collected data and information (i.e. occupations and specialisations) are listed in the latest published OFO List.
- 3.1.6 Establish a prioritisation technique (e.g. weighting and ranking, etc.) with which the EWSETA can accurately prioritise occupations and corresponding specialisations in rank order.
- 3.1.7 Link identified priority occupations and corresponding specialisations to recommended learning interventions (e.g. bursaries, apprenticeships, learnerships, etc.), as well as to the correct National Qualifications Framework (NQF) levels.
- 3.1.8 Determine the quantities of each of the occupations and corresponding specialisations indicated by related stakeholders based on the data and information collected (i.e. based on the collected occupations and corresponding specialisations).

3.2 Centralised storage system

- 3.2.1. As part of the methodology, the service provider must provide a detailed description of how the areas of focus are to be integrated into one, centralised internal system through which all data and information gathered can be effectively, efficiently, and accurately collected, stored, managed/manipulated, monitored and reported on an *ad hoc* basis (i.e. as and when required by the EWSETA).

3.3 Reporting and Dissemination

- 3.3.1 **All findings and recommendations must be evidence-based**
- 3.3.2 Provide key findings
- 3.3.3 Document in-depth insights gained through the research
- 3.3.4 Make **appropriate evidence-based recommendations**
- 3.3.5 Make appropriate recommendations for further research in relation to this research undertaking
- 3.3.6 Use an approved EWSETA reporting template

4. METHODOLOGY

The service provider will be expected to design and apply tools which will result in the collection, analysis and interpretation of verifiable and reliable data and information based on occupations and corresponding specialisations across the energy and water sector. The system should be simple to use and require little maintenance, and must also be easily upgradable/expandable.

Below are some recommendations based on previous research work undertaken. The service provider must propose a systematic approach which will be subject to review by the EWSETA.

- 4.1 **Definition:** definition of the key objectives of the study itself.
- 4.2 **Research study design:** involving target population; data collection methods; cross-sectional versus panel study; data analysis; etc.
- 4.3 **Questionnaire development:** considerations such as length of the questionnaire; questions to be included; data entry requirements; open/closed questions; variables, codes and values; answer scales; categorical/nominal scale questions; question sequence; questionnaire layout.
- 4.4 **Data management:** collection and organisation; documentation of the field phase; response statistics; control of returned questionnaires; reminder actions; helpdesk and respondent/participant support; daily backup; measures for obtaining high participation/response rates; recommendations for cleaning and coding of data.
- 4.5 **Data analysis:** Data entry for paper-based questionnaires; coding; coding of open responses; numerical data entry; management of missing values; data modification; data correction (the appointed service provider must have access to SPSS and other appropriate tools for data analysis).
- 4.6 **Presentation of results:** interpretation of and recommendations to address key challenges and opportunities; method report; report on results; interpretation of results; meaningful and insightful recommendations; dissemination of findings.
- 4.7 **Test** the findings of the desk and field research and explore potential strategies for improving the most appropriate provision of skills.

5. DELIVERABLES

- 5.1 **Research Project Plan:** The appointed service provide must submit a research project plan detailing the implementation of the research study. The project plan must include research project approach, timelines, milestones, research team structure (including roles and responsibilities), reporting protocols, communication protocols, risk management plan, and other areas of the project plan as deemed necessary by the EWSETA.
- 5.2 **Reporting:** The service provider shall deliver a draft research report in line with all EWSETA requirements as stipulated above, and in accordance with the service level agreement and/or memorandum of agreement (MOA) entered during the appointment of the service provider. The draft research study report will be delivered to the EWSETA as follows:
 - 5.2.1 1 x electronic copy of the research report in word format, submitted on a USB memory stick (**ensure the electronic copy submission is readable by any computer**).
 - 5.2.2 A portfolio of evidence (PoE) must be provided for each chapter of the research report. Such evidence will include complete raw quantitative data sets and all interview transcripts and voice recordings, together with synthesis reports, as well as any other evidence deemed necessary by the EWSETA, submitted on a

USB memory stick (**ensure the electronic copy submission is readable by any computer**).

- 5.3 The service provider shall deliver a final research study report in line with all EWSETA requirements as stipulated above, and in accordance with the service level agreement (to be drafted during the appointment of an approved service provider). The draft research study report will be delivered to the EWSETA as follows:
- 5.3.1 3 x hard copies of the research report, both full and in 1/3/25 format (including annexures and any attachments as required by the EWSETA).
 - 5.3.2 1 x electronic copy of the research report, both full and in 1/3/25 format, submitted on a USB memory stick (ensure the electronic copy submission is readable by any computer).
 - 5.3.3 A portfolio of evidence (PoE) must be provided for each chapter of the research report. Such evidence will include complete raw quantitative data sets and all interview transcripts and voice recordings, together with synthesis reports, as well as any other evidence deemed necessary by the EWSETA, submitted on a USB memory stick (ensure the electronic copy submission is readable by any computer).
 - 5.3.4 A PowerPoint presentation of the results/recommendations.
- 5.4 The final research study report shall be based on amendments/inputs/additions made to the first draft research study report by the service provider in accordance with and as required by the EWSETA recommendations/inputs/additions/etc.

6. EVALUATION CRITERIA

6.1 Stage 1: Pre-Qualification Criteria

6.1.1 Submission of Compulsory Documents:

Prospective bidders must comply with the requirements and submit all required document(s) indicated hereunder with the bid documents at the closing date and time of bid. This phase is not scored and bidders who fail to comply with all the mandatory criteria will be disqualified.

- 6.1.1.1 Bidder should be a public university or public research institution established by an Act of Parliament. Private entities will be disqualified unless they are in partnership/joint venture with a public university or research institution.
- 6.1.1.2 Prospective bidders are required to provide proof of registration with the Central Supplier Database by submitting the CSD report not older than one year. In case of a Joint Venture, each party must provide proof of registration with CSD.
- 6.1.1.3 Completed and signed Standard Bidding Documents attached to the bid.
- 6.1.1.4 In case of a Joint Venture, a written agreement between the parties which must clearly set out the roles and responsibilities of each member and include a resolution of each company of the Joint Venture together with a resolution by its members authorizing a member of the Joint Venture to sign the documents on behalf of the Joint Venture. The public institution must not subcontract more than 51% of the value of the contract to a private provider.

6.1.2 Non-compulsory documents

Prospective bidders must comply with the requirements and submit all required document(s) indicated hereunder with the bid documents at the closing date and time of bid. This phase is not scored and bidders who fail to comply with all the mandatory criteria may be disqualified.

6.1.2.1 Submit a valid Tax Clearance Certificate/ Tax Pin.

6.1.2.2 Certified copy of B-BBEE Certificate. A Joint Venture will qualify for the B-BBEE status level as a legal entity, provided that the legal entity submits their B-BBEE status level certificate. Failure on the part of the bidder to comply with the above will be deemed that preference points for B-BBEE status level of contribution are not claimed and will therefore be allocated a zero (0) points.

6.2 Stage 2: Technical/Functionality

An assessment of Functionality will be based on the evaluation criteria noted in the table below. Each of the evaluation criteria in the table will carry a weighting as indicated, and the bidder will be required to score a minimum of **75 points** (out of the 100 points), i.e. 75%, for Functionality in order to qualify to proceed to Stage 3 of the evaluation process.

CRITERIA

Criteria	Scoring	Weighted score
<p>Methodology</p> <p>In the methodology section the bidder should describe the actions to be taken to conduct the research and the rationale for the application of specific procedures and/or techniques to be used, including description/examples of tools and instruments to be employed for data collection and analysis.</p>	<p>Proposed methodology is aligned to EWSETA scope and is adaptable to in-house methodology = 10 points</p> <p>Proposed methodology is partially aligned to EWSETA scope and/or is partially adaptable to in-house methodology = 5 points</p> <p>No/irrelevant methodology = 0 points</p>	10
<p>Team Composition</p> <p>The team should be balanced in terms of skills and have appropriate qualifications and experience to conduct the research and provide evidence-based results.</p> <p>List of team members with qualification, team position and relevant experience to be submitted. This is to be supplemented by CVs and certified qualifications of each of the individual research study team members, e.g. research analyst, statistician, etc.</p>	<p>Suitable skills to conduct the research with appropriate qualifications, experience, and thought-through team composition = 10 points</p> <p>Team composition comprised of partially skilled, qualified and/or experienced team members = 5 points</p> <p>No evidence/team does not have suitable skills, qualifications, or experience and/or team composition is not appropriate = 0 points</p>	10

<p>NB. Bidders must attach no older than 3 months certified copies of qualifications. <u>Uncertified qualification and/or certifications older than 3 months of the closing date will not be accepted and will therefore not score any points.</u> Foreign qualifications are required to be accompanied by a SAQA evaluation certificate.</p>		
<p>Reference letters from different organisations as evidence of related research work previously conducted.</p> <p>NB: The Reference Letter(s) must not be older than 5 years, must be on the letterhead of the previously serviced client and should reflect at least name of the client, title of the related work conducted, year(s) conducted and completed, contactable reference name and contact details and signed by the appropriate delegate. The Reference Letter should indicate the quality of the service rendered.</p>	<p>3 Reference Letter attached = 10 points 2 Reference Letter attached = 5 points 1 Reference Letter attached = 2 points</p> <p>No/unsatisfactory/incomplete Reference Letters attached = 0 points</p>	10
<p>Evidence of similar/related work previously conducted in the skills development context.</p> <p>At least one of the publications has to have been authored by the Lead Researcher. Date of publication cannot be older than 5 years.</p> <p>Only a copy of publications based on SETA-related studies will be considered.</p>	<p>Two (2) or more formal peer-reviewed published research papers in accredited DHET journals on research methodology with respect to scientifically derived quantitative and qualitative skill needs/Hard to Fill Vacancies = 50 points</p> <p>One (1) formal peer-reviewed published research papers in accredited DHET journals on research methodology with respect to scientifically derived quantitative and qualitative skill needs/Hard to Fill Vacancies = 25 points</p> <p>Irrelevant/outdated/non-accredited and/or non-peer reviewed publications = 0 points</p>	50

<p>Experience and Qualifications of a Lead Researcher / Project Leader who will be implementing the research undertaking and executing all related functions of the study.</p> <p>Qualifications: Master's degree in any of the related fields of Social Sciences, Education, Economics, or related field. A PhD will score higher points.</p> <p>NB. Bidders must attach no older than 3 months certified copies of qualification. <u>Uncertified qualification and/or certifications older than 3 months to the closing date will not be accepted and will therefore not score any points.</u> Foreign qualifications are required to be accompanied by a SAQA evaluation certificate.</p> <p>Experience: Must have at least 5 years of experience in related work. Higher scores will be awarded to more experienced researchers.</p>	<p>PhD in related field = 10 points Master's in related field = 5 points Any other qualification not equivalent to relevant Masters/ PhD = 0 points</p>	10
	<p>Experience: 8+ years related experience = 10 points 5-7 years related experience = 5 points Less than 5 years related experience = 0 points</p>	10
TOTAL		100

6.3. Stage 3: Pricing and preference points stage

6.3.1 Preference Points

For purpose of evaluating preference points, the following preference point systems will be applicable to all bids whereby preference points shall be awarded for Price; and B-BBEE Status Level of Contribution.

- The points scored in respect of B-BBEE contribution will be added to the points scored for price.
- The following formula will be used to calculate the points for Price:

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

Where

Ps = Points scored for comparative price of proposal or quotation

Pt = Comparative price of proposal or offer

P min = Comparative price of lowest acceptable proposal or offer

The following table must be used to calculate the score out of 20 for BBEE

B-BBEE Status Level of contributor	Number of points 80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

Bidders are required to submit original and valid B-BBEE Status Level Verification Certificates or certified copies thereof together with their bids, to substantiate their B-BBEE rating claims;

A tenderer failing to submit proof of B-BBEE status level of contributor or is a non-compliant contributor to B-BBEE may not be disqualified, but may only score points out of 80 for price; and scores 0 points out of 20 for B-BBEE.

A trust, consortium or joint venture must submit a consolidated B-BBEE Status Level Verification Certificate for every separate bid;

A bidder will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an Exempted Micro Enterprise (EME) that has the capability and ability to execute the sub-contract.

6.3.2 Financial Proposal

Financial proposals will be compared on the basis of their total amount inclusive of VAT and all other related costs. **Bidders are required to submit financial proposals as per the table below without alterations on an institutional letterhead in a separate envelope which should be clearly marked “financial proposal”.**

Item	Total cost
PROVISION OF RESEARCH SERVICES IN DEVELOPING A METHODOLOGY FOR DETERMINING HARD-TO-FILL VACANCIES (HTFVs) ACROSS THE ENERGY AND WATER SECTOR	R
Other _ specify	R
VAT	R
Total Amount inclusive of VAT	R

Pricing schedule is compulsory and failure to complete same in prescribed manner as per the above table and without alterations may result in disqualification of the bid during the financial evaluation process.

Only firm prices will be accepted. Non-firm prices (including prices subject to rates of exchange variations) will not be considered. Bidders are requested to provide a clear agreement regarding joint venture/consortia. The percentage involvement of each company in the joint venture agreement should be indicated on the agreement.

7. NOTES TO BIDDERS

Outlined below are requirements that each bid must comply with throughout the project’s lifespan.

- 7.1 A prospective bidders must ensure that that their tax matters are in order in line with the Treasury Regulations and reflect accordingly on CSD. It is therefore a condition of this bid that the tax matters of the bidder be in order at the time of award. Failure of the bidder for not complying with their tax matters at the time of award will result in the bidder being disqualified.
- 7.2 The EWSETA will not be liable to reimburse any costs incurred by applicants in preparing their proposals.
- 7.3 Bids received late shall not be considered under any circumstances. A bid will be considered late if it arrives after **11:00 o’clock** on/after the closing date.
- 7.4 EWSETA does not bind itself into making an appointment from proposals and offers received.
- 7.5 EWSETA reserves the right, at its sole discretion, to cancel this request for proposals, presentations, and price, or not to make any appointment at all.
- 7.6 EWSETA will not make upfront payments.
- 7.7 Successful bidder must undertake to abide by the confidentiality undertakings contained in the agreement to be conclude.
- 7.8 The successful bidder will be informed of the outcome. A contract will only be deemed to be concluded when reduced to writing and signed by the designated responsible

- person of both parties (duly authorised). The designated responsible person of the EWSETA is the Chief Executive Officer or her/his written authorised delegate.
- 7.9 A probation period of 30 days will apply to the agreement and a penalty regime system in the maintenance addressing recourse by the supplier or EWSETA will be implemented.
- 7.10 Please note that any plagiarism of any sort contained within any bid or any other documents submitted to the EWSETA by any bidder will result in the disqualification of the respective bidder and may have legal ramifications.
- 7.11 EWSETA may request clarification or further information regarding any aspect of the bidder. The bidder must provide the requested information within forty-eight (48) hours after the request has been made; otherwise the bidder may be disqualified.
- 7.12 Nothing, as stipulated in these Terms of Reference may be amended without the written confirmation of the Chief Executive Officer of EWSETA or his/her authorised delegate.
- 7.13 **Any possible staff changes during the course of the engagement must be done in consultation and approval of the EWSETA.**
- 7.14 **All works produced and emanating from this research undertaking remain the property of the EWSETA and are therefore subject to the approved EWSETA Memorandum of Agreement (MOA) or any such agreement entered into between the EWSETA and the respective service provider.**
- 7.15 This research undertaking is to commence when the contract is finalised and be completed by the end of February 2021.

8. SUB-CONTRACTING

A tenderer will not be awarded points for B-BBEE status level if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a tenderer qualifies for unless the intended sub-contractor is an exempted micro-enterprise that has the capability and ability to execute the sub-contract.

9. SUBMISSION OF BIDS

Bidders are required to submit **ONE original plus two copies** of the bid document which should be hand delivered to the following address;

EWSETA, Building B, Ground Floor – reception
32 Princess of Wales Terrace, Sunnyside Office Park, Parktown, 2193

Bidders are required to submit their proposals in two (2) sealed envelopes in the following format:

Envelope 1: Technical Proposal

Marked with the name of the bidder, contact details, company address, closing date, and Titled: Technical Proposal for EWSETA Tender No: **EWSETA/RFP/12/2020**

Section 1 : Compliance Documents

Section 2 : Technical proposal

Envelope 2: Price and valid BEE Certificate Proposal

Marked with name of bidder, contact details, company address closing date, and clearly titled indicating tender number **EWSETA/RFP/12/2020**.

The financial proposal envelope must be clearly marked as “Financial Proposal” on the envelope.

10. CLOSING DATE OF PROPOSAL

A comprehensive proposal together with pricing schedule must reach EWSETA by no later than **FRIDAY 14 AUGUST 2020 not later than 11H00**. Please note that no late proposals will be considered.

11. TENDER VALIDITY

This RFP shall be valid for 90 days calculated from bid closing date.

12. NEGOTIATION

EWSETA has the right to enter into negotiation with a prospective contractor regarding any terms and conditions, including price(s), of a proposed contract.

EWSETA shall not be obliged to accept the lowest of any quotation, offer or proposal.

The successful bidder will be informed. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible person of both parties. The designated responsible person of EWSETA is the Chief Executive Officer or his/her written authorised delegate.

13. PAYMENTS

EWSETA will pay the Contractor the Fee as set out in the final contract. No additional amounts will be payable by EWSETA to the Contractor.

The Contractor shall, from time to time during the currency of the contract, invoice EWSETA for the services rendered. No payment will be made to the contractor unless an invoice complying with section 20 of the VAT Act No 89 of 1991 has been submitted to EWSETA.

Payment shall be made into the bidder's bank account normally 30 days after receipt of an acceptable valid invoice and all supporting documents.

The contractor shall be responsible for accounting to the appropriate authorities for its Income Tax, VAT or other moneys required to be paid in terms of applicable law.

14. FRAUD HOT-LINE

EWSETA subscribes to fair and just administrative processes. EWSETA, therefore, urges its clients, suppliers and the general public to report any fraud or corruption to:

EWSETA TIP-OFFS ANONYMOUS

Free Call: 0800 611 205

Email: ewseta@tip-offs.com

Or visit their website www.tip-offs.com



Annexure 1 - SBD1

PART A :

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE ENERGY & WATER SECTOR EDUCATION AND TRAINING AUTHORITY					
BID NUMBER:	EWSETA/RFP/12/2020	CLOSING DATE:	14 AUGUST 2020	CLOSING TIME:	11:00HOURS
DESCRIPTION	PROVISION OF RESEARCH SERVICES IN DEVELOPING A METHODOLOGY FOR DETERMINING HARD-TO-FILL VACANCIES (HTFVS) ACROSS THE ENERGY AND WATER SECTOR				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX
SITUATED AT (STREET ADDRESS)

SUPPLIER INFORMATION

NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)
	<input type="checkbox"/>	A REGISTERED AUDITOR
		NAME:

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]



ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY	EWSETA	CONTACT PERSON	MR. KABELO MASILO
CONTACT PERSON	MPHO MAPHUTI	TELEPHONE NUMBER	011 274 4700
TELEPHONE NUMBER	011 274 4700	FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	kabelom@ewseta.org.za
E-MAIL ADDRESS	scmadmin@ewseta.org.za		

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE
1.3.	BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.4.	WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.5.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
2.6	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1.	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.	

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

15. ANNEXURE 2: EWSETA GENERAL CONDITIONS OF PURCHASE

General

EWSETA and the Supplier enter into an order/contract on these conditions to supply the items (goods/services/works) as described in the order/contract.

Conditions

These conditions form the basis of the contract between EWSETA and the Supplier. Notwithstanding anything to the contrary in any document issued or sent by the Supplier, these conditions apply except as expressly agreed in writing by EWSETA. No servant or agent of EWSETA has the authority to vary these conditions orally. These general conditions of purchase are subject to such further special conditions as may be prescribed in writing by EWSETA in the order/contract.

Price and payment

The price or rates for the items stated in the order/contract may include an amount for price adjustment, which is calculated in accordance with the formula stated in the order/contract. The Supplier may be paid in one currency other than South African Rand. Only one exchange rate is used to convert from this currency to South African Rand. Payment to the Supplier in this currency other than South African Rand, does not exceed the amounts stated in the order/contract. EWSETA pays for the item within 30 days of receipt of the Supplier's correct tax invoice.

Delivery and documents

The Supplier's obligation is to deliver the items on or before the date stated in the order/contract. Late deliveries or late completion of the items may be subject to a penalty if this is imposed in the order/contract. No payment is made if the Supplier does not provide the item as stated in order/contract.

Where items are to be delivered to the Supplier:

Clearly marks the outside of each consignment or package with the Supplier's name and full details of the destination in accordance with the order and includes a packing note stating the contents thereof; On dispatch of each consignment, sends to EWSETA at the address for delivery of the items, an advice note specifying the means of transport, weight, number of volume as appropriate and the point and date of dispatch; Sends to EWSETA a detailed priced invoice as soon as is reasonably practical after dispatch of the items, and states on all communications in respect of the order number and code number (if any).

Containers/packing material

Unless otherwise stated in the order/contract, no payment is made for containers or packing materials or return to the Supplier.

Title and risk

Without prejudice to rights of rejection under these conditions, title to and risk in the items passes to EWSETA when accepted by EWSETA.

Rejection



If the Supplier fails to comply with his obligations under the order/contract, EWSETA may reject any part of the items by giving written notice to the Supplier specifying the reason for rejection and whether and within what period replacement of items or re-work are required.

In the case of items delivered, EWSETA may return the rejected items to the Supplier at the Supplier's risk and expense. Any money paid to the Supplier in respect of the items not replaced within the time required, together with the costs of returning rejected items to the Supplier and obtaining replacement items from a third party, are paid by the Supplier to EWSETA.

In the case of service, the Supplier corrects non-conformances as indicated by EWSETA.

Warranty

Without prejudice to any other rights of EWSETA under these conditions, the Supplier warrants that the items are in accordance with EWSETA's requirements, and fit for the purpose for which they are intended, and will remain free from defects for a period of one year (unless another period is stated in the Order) from acceptance of the items by EWSETA.

Indemnity

The Supplier indemnifies EWSETA against all actions, suits, claims, demands, costs, charges and expenses arising in connection therewith arising from the negligence, infringement of intellectual or legal rights or breach of statutory duty of the Supplier, his subcontractors, agents or servants, or from the Supplier's defective design, materials or workmanship.

The Supplier indemnifies EWSETA against claims, proceedings, compensation and costs payable arising out of infringement by the Supplier of the rights of others, except an infringement that arose out of the use by the Supplier of things provided by EWSETA.

Assignment and sub-contracting

The Supplier may not assign or subcontract any part of this order/contract without the written consent of EWSETA.

Termination

EWSETA may terminate the order/contract at any time (without prejudice to any right of action or remedy which has accrued or thereafter accrues to EWSETA):

If the Supplier defaults in due performance of the order/contract, or if the Supplier becomes bankrupt or otherwise is, in the opinion of EWSETA, in such financial circumstances as to prejudice the proper performance of the order/contract, or for any other reason in which case the Supplier will be compensated for all costs incurred.

Governing law

The order/contract is governed by the law of the Republic of South Africa and the parties hereby submit to the non-exclusive jurisdiction of the South African courts.

16. ANNEXURE 3: SBD4

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state*, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest, where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Full Name of bidder or his or her representative:

.....

2.2 Identity Number:

.....

2.3 Position occupied in the Company (director, shareholder, etc):

.....

2.4 Company Registration Number:

.....

2.5 Tax Reference Number:

.....

2.6 VAT Registration Number:

.....

* "State" means –

(a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);

17. ANNEXURE 4: SBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

The order/contract is governed by the law of the Republic of South Africa and the parties hereby submit to the non-exclusive jurisdiction of the South African courts.

1. This Standard Bidding Document must form part of all bids invited.
2. It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
3. The bid of any bidder may be disregarded if that bidder or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><i>The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</i></p>	Yes	No
4.1.1	If so, furnish particulars:		

4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <i>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</i>	Yes	No
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes	No
4.3.1	If so, furnish particulars: <input type="checkbox"/> <input type="checkbox"/>		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes	No
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

18. ANNEXURE 5: SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Standard Bidding Document (SBD) must form part of all bids¹ invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a pe se prohibition meaning that it cannot be justified under any grounds.
3. Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such a system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
4. This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
5. In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.



CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: that: (Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - a. has been requested to submit a bid in response to this bid invitation;
 - b. could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - c. provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. 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 consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - a. prices;
 - b. the geographical area where product or service will be rendered (market allocation)



- c. methods, factors or formulas used to calculate prices;
 - d. the intention or decision to submit or not to submit, a bid;
 - e. the submission of a bid which does not meet the specifications and conditions of the bid; or
 - f. bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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 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.
10. 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder