

## ***Request for Quotation (RFQ)***

***The provision of construction related services for the removal of asbestos containing material on various buildings at the CSIR site, located at 11 Jan Celliers Street, Stellenbosch and replacing it with non-asbestos containing materials.***

***RFQ No. 5936/07/10/2022***

Date of issue:	Friday, 23 September 2022
Compulsory briefing session and site inspection	<u>Date:</u> Friday, 30 September 2022 <u>Time:</u> 11h00 to 12h30 <u>Venue:</u> Seminar Room, CSIR 11 Jan Celliers Street, Stellenbosch, Western Cape.
Closing Date and Time	Friday, 07 October 2022 at 16H30
Submission and Contact details:	For submission of quotations or any other enquiries: Email: <a href="mailto:tender@csir.co.za">tender@csir.co.za</a> ( <b><i>Please use RFQ No. as subject reference</i></b> )

## **SECTION A: TERMS OF REFERENCE, SCOPE OF WORK, TECHNICAL SPECIFICATION AND FUNCTIONAL REQUIREMENTS**

### **1 INTRODUCTION**

The Council for Scientific and Industrial Research (CSIR) is one of the leading African research and technology development organisations. The CSIR's mandate is to undertake directed and multidisciplinary research and technology innovation that contributes to the improvement of the quality of life of South Africans. The CSIR lives and achieves this mandate in partnership with national and international research and technology institutions, parties in the public and private sectors and with civil societies.

### **2 INVITATION FOR QUOTATION**

Quotations are hereby invited from registered asbestos contractors to remove, monitor, and dispose of asbestos containing materials as well as replace existing asbestos barge, fascia, soffit boards, and tanks with non-asbestos-containing material on various buildings at the CSIR Stellenbosch Campus in accordance with the Asbestos Regulations of 2001.

### **3 SCOPE OF WORK AND DELIVERABLES**

Bidders are requested to quote the CSIR on the following requirements:

- ❖ To remove, monitor, and dispose of asbestos containing material/waste such as barge, fascia, soffits, ceiling boards, gutters, downpipes, windowsills, and water tanks then to replace the removed asbestos barge, fascia, soffit, ceiling boards, gutters, downpipes and windowsills with non-asbestos-containing material on various buildings.

Bidders are to quote in line with the below pricing schedule / BoQ- See 3.1 below.

#### **3.1 ANNEXURE A- PRICING SCHEDULE / BILL OF QUANTITIES:**

Item	Quantity	Total Excl. Vat
<b>1. Building 13:</b> 1 a) To strip and remove all the existing asbestos barge, fascia, soffit boards and windowsills.	± 220,0 meters	
1 b) To strip and remove all the existing internal asbestos ceiling boards and roof sheets.	± 880 sqm	
1 c) To prepare and paint all the wooden soffit, barge and fascia boards supports with 1 x coat Duram wood primer.	± 100,0 meters	
1 d) To paint all the wooden soffit, barge and fascia boards supports with 1 x coat Duram Nuglo wood paint.	± 100,0 meters	
1 e) To supply and install Nutec fibre cement 12mm fascia boards.	± 300,0 meters	
1 f) To supply and install Nutec fibre cement 4mm soffit boards to replace the old asbestos ones.	± 60.0 sqm	
1 g) To supply and install Nutec fiber cement 12mm barge boards to replace the old asbestos ones.	± 30,0 meters	
1 h) To supply and install Nutec fibre cement 15mm windowsills to replace the old asbestos ones.	75 units	
1 i) To supply and install Nutec fibre cement 4mm ceiling boards to replace the old asbestos ones.	± 850 sqm	
1 j) To supply Duram plaster primer and paint the newly installed Nutec fibre cement fascia boards x 1 coat.	± 300,0 meters	

1 k) To supply Duram plaster primer and paint the newly installed Nutec fibre cement soffit boards x 1 coat.	± 60.0 sqm	
1 l) To supply Duram plaster primer and paint the newly installed Nutec fibre cement barge boards x 1 coat.	± 30,0 meters	
1 m) To supply Duram plaster primer and paint the newly installed Nutec fibre cement windowsills x 2 coat.	75 units	
1 n) To supply Duram plaster primer and paint the newly installed Nutec fibre cement ceiling boards x 2 coat	± 850 sqm	
1 o) To supply Duram Roofkote and paint the newly installed Nutec fibre cement fascia boards x 2 coats.	± 300,0 meters	
1 p) To supply Duram Roofkote and paint the newly installed Nutec fibre cement soffit boards x 2 coats.	± 60.0 sqm	
1 q) To supply Duram Roofkote and paint the newly installed Nutec fibre cement barge boards x 2 coats.	± 30,0 meters	
1 r) To supply Duram Roofkote and paint the newly installed Nutec fibre cement windowsills boards x 2 coats.	75 units	
1 s) To supply Duram Roofkote and paint the newly installed Nutec fibre cement ceiling boards x 2 coats.	± 850 sqm	
1 t) To supply and fit IBR 0.4mm Aluzinc roof sheets above the internal structure	± 30 sqm	
<b><u>2. Building 8:</u></b>	± 170,0 meters	

2 a) To strip and remove all the existing asbestos barge boards, including removal of existing asbestos gutters and downpipes.		
2 b) To supply and install Nutec fibre cement 12mm fascia boards.	± 110,0 meters	
2 c) To supply and install Nutec fiber cement 12mm barge boards to replace the old asbestos ones.	± 60,0 meters	
2 d) To supply and install Nutec fibre cement 15mm windowsills to replace the old asbestos ones.	250 units	
2 e) To supply Duram plaster primer and paint the newly installed Nutec fibre cement fascia boards x 1 coat,.	± 110,0 meters	
2 f) To supply Duram plaster primer and paint the newly installed Nutec fibre cement barge boards x 1 coat,.	± 60,0 meters	
2 g) To supply Duram plaster primer and paint the newly installed Nutec fibre cement windowsills x 1 coat.	250 units	
2 h) To supply Duram Roofkote and paint the newly installed Nutec fibre cement fascia boards x 2 coats.	± 110,0 meters	
2 i) To supply Duram Roofkote and paint the newly installed Nutec fibre cement barge boards x 2 coats.	± 60,0 meters	
2 j) To supply Duram Roofkote and paint the newly installed Nutec fibre cement windowsills boards x 2 coats.	250 units	
2 k) To supply and install 200x200mm aluminium box	± 110,0 meters	

gutter in charcoal with support brackets		
2 l) To supply and install 110mm PVC downpipes in White, with join boxes	9 each	
<b><u>3. Building 9:</u></b>		
3 a) To strip and remove all the existing asbestos fascia and barge boards including the PVC gutters and downpipes.	± 150,0 meters	
3.b) To supply and install Nutec fibre cement 12mm fascia boards to replace the old asbestos ones.	± 120,0 meters	
1 c) To supply and install Nutec fibre cement 12mm barge boards to replace the old asbestos ones.	± 30,0 meters	
3 d) To supply Duram plaster primer and paint the newly installed Nutec fibre cement fascia boards x 1 coat.	± 120,0 meters	
2 e) To supply Duram plaster primer and paint the newly installed Nutec fibre cement barge boards x 1 coat.	± 30,0 meters	
3 f) To supply Duram Roofkote and paint the newly installed Nutec fibre cement fascia boards x 2 coats.	± 120,0 meters	
3 g) To supply Duram Roofkote and paint the newly installed Nutec fibre cement barge boards x 2 coats	± 30,0 meters	
3 h) To supply and install 150x150mm box aluminium guttering in charcoal with supporting brackets	± 120,0 meters	

3 i) To supply and install 110mm PVC downpipes complete.	9 each	
<b><u>4. Buildings 7 / 8 / 10 / 11 / 12 &amp; 16</u></b>	75 units	
4 a) To strip and remove all the existing external & internal asbestos windowsills.		
4 b) To supply and install Nutec fibre cement 15mm windowsills to replace the old asbestos ones.	75 units	
4 c) To supply Duram plaster primer and paint the newly installed Nutec fibre cement windowsills x 1 coat.	75 units	
4 d) To supply Duram Roofkote and paint the newly installed Nutec fibre cement windowsills boards x 2 coats.	75 units	
<b><u>5. Building 3</u></b>		
5 a) Remove asbestos water tanks	6	
<b><u>6. Building 8</u></b>		
6 a) Remove asbestos water tank	1	
<b><u>7. Building 11</u></b>		
7 a) Remove asbestos water tanks	2	
<b>8) Disposal of all</b> asbestos-containing material/waste and supply of safe disposal certificates	1	
<b>9) General building waste removal and the supply of safety certificates.</b>	1	
<b>Safety file</b>	1	
<b>Sub Total (Excl Vat)</b>		<b>R</b>

<b>Contingency (10%)</b>	
<b>VAT</b>	<b>R</b>
<b>Total (Incl Vat)</b>	<b>R</b>

**Notes to Pricing:**

Bidders are to note that if the price offered by the highest scoring bidder is not market related, CSIR may not award the contract to that bidder. CSIR may:

- negotiate a market-related price with the Respondent scoring the highest points or cancel the RFQ.
- if that bidder does not agree to a market-related price, negotiate a market-related price with the bidder scoring the second highest points or cancel the RFQ.
- if the bidder scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the bidder scoring the third highest points or cancel the RFQ.
- If a market-related price is not agreed with the bidder scoring the third highest points, CSIR may cancel the RFQ.

**NB: The above cost must be inclusive of all costs required to render the required services as per above scope of work and specifications.**

**3.2 Additional quotation requirements (These must be submitted with and/or indicated in quote):**

- The bidder must submit quotation on their official company letterhead.
- Bidders must quote as per above Bills of Quantities (BoQ)/Pricing schedule in line with the stipulated specifications.
- Bidders will be required to be a Registered Asbestos Contractor (RAC) level 2 and provide a Certificate from Department of Employment and Labour.
- Bidders will be required to provide at least three (3) contactable references from 3 different clients for similar goods and/or services delivered in the past 5 years (2016 to 2022). **Similar= Construction works related works related to the removal of asbestos containing materials**



- Goods and/or services are to be delivered to the CSIR 11 Jan Celliers Street, Stellenbosch, Western Cape.
- The pricing must be firm and inclusive of all costs required to deliver the required services to the CSIR.

#### 4 MANDATORY DOCUMENTS REQUIRED / RETURNABLES:

Bidders must submit the below-mentioned documents and/or information and confirm compliance thereof:

No.	Description	Please indicate Yes/No
1	Quotation on official company letterhead	
2	Completed BoQ (Annexure A) or pricing schedule	
3	Registered Asbestos Contractor (RAC) level 2 Certificate from Department of Employment and Labour	
4	Letter of Good Standing with the Department of Employment and Labour for Compensation for Occupational Injuries and Diseases Act (COIDA) applicable to the scope of the RFQ	
5	Proof of CIDB registration of 2GB or higher	
6	Submit completed schedule of bidder's experience and contactable references information- <b>Annexure B, pg. 21.</b>	
7	Completed and duly signed Standard Bidding Form (SBD 1)- Invitation to bid.	
8	Completed and duly signed Bidder's Disclosure Form- SBD 4	
9	Completed and duly signed Local Content Declaration certificate <b>SBD 6.2</b> as well as declarations <b>Annexure C, D, and E.</b>	

**NB:** *Non-submission of the above-mentioned documents as well as any deviation from the above quotation requirements and specifications may deem your submission unresponsive and may thus result in your submission not being considered for Price and BBBEE evaluation.*

## 5 EVALUATION CRITERIA

- 5.1 Selection of suppliers will be based on the 80/20 preference point system.
- 5.2 Submit a valid B-BBEE Certificate (SANAS accredited), CIPC B-BBEE certificate or sworn affidavit indicating the B-BBEE Status level. (RSA suppliers only)
- 5.3 No B-BBEE status will equal zero points. (RSA suppliers only)
- 5.4 Indicate CSD number (National Treasury Central Supplier Database) on quotation. If not registered yet on CSD, use [www.csd.gov.za](http://www.csd.gov.za) to register.
- 5.5 No order will be issued, or no contract will be signed without a valid CSD number (Only applicable to RSA suppliers).
- 5.6 Elimination Criteria:

Suppliers will be eliminated under the following conditions:

- Late submission of Quotes;
- Submission at the incorrect email address- submissions must be made to [tender@csir.co.za](mailto:tender@csir.co.za)
- If bidder does not submit quotation on official company letterhead.
- If bidder does not quote according to stipulated specifications and requirements
- If bidder does not price as per BOQ or pricing schedule. **Bidder to put "R0" amount on the BOQ if not charging for it)**
- Non-submission of any of the mandatory/returnable documents specified in **section 4** above.
- Bidders that are listed on the National Treasury (NT) database of restricted suppliers will not be considered.
- Bidders that are registered on the NT Register of Tender Defaulters will not be considered.

## SECTION B: TERMS AND CONDITIONS

### 6 PRICING QUOTATION

- 6.1 Price needs to be provided in South African Rand (excl. VAT), with details on price elements that are subject to escalation and exchange rate fluctuations clearly indicated, if applicable.
- 6.2 Price should include additional cost elements such as freight, insurance until acceptance, duty where applicable, etc.
- 6.3 Payment will be according to the CSIR Payment Terms and Conditions.

**The price should be firm and inclusive of costs and all services required to deliver on the required goods and/or services.**

### 7 PROCEDURE FOR SUBMISSION OF QUOTATIONS

- All quotations must be submitted electronically to: [tender@csir.co.za](mailto:tender@csir.co.za)
- Respondents must use the RFQ number as the subject reference number when submitting their bids
- The email and file sizes should not exceed a total of 25 per email
- The naming / labelling syntax of files or documents must be short and simple (e.g., BBBEE Certificate)
- Each bidder will be limited to send two emails with their submissions, and the subject of the email must clearly reference the bidder's name and RFQ number
- All documents submitted electronically via email must be clearly visible.
- Documents submitted via cloud solutions such as: *WeTransfer, Google Drive, Dropbox, etc.* will not be considered.
- Tenders or documents received after the closing date and time will be considered as a late submission. Late submissions will not be evaluated.

**NB: NO HARD COPIES OR PHYSICAL SUBMISSIONS WILL BE ACCEPTED**

## 8 BRIEFING SESSION INFORMATION AND PROTOCOL

A compulsory briefing session and/or site inspection will be held under the following details:

Date	Friday, 30 September 2022
Time	11h00 to 12h30
Venue	Seminar Room, CSIR 11 Jan Celliers Street, Stellenbosch, Western Cape.

Please take note of the following Protocols to follow when visiting the CSIR for the briefing session/site inspection:

- Only a maximum of two delegates from each company will be allowed to attend the session
- If attending a physical briefing session/site inspection, all bidders/contractors must prior to visiting the CSIR site complete the online COVID-19 symptom screening questionnaire via the following link - <https://screen.csir.co.za/>
- An attendance register will be circulated for signatures. Bidder's must clearly write their details on the attendance register and sign. Only a maximum of two people from the same company allowed to sign attendance register.
- No pens, paper or other stationary will be distributed. Bidders need to bring their own pens, notepads, etc.
- No refreshments will be served during the site inspection

## 9 REQUIREMENTS FOR A VALID BROAD-BASED BLACK ECONOMIC EMPOWERMENT (B-BBEE) CERTIFICATE, CIPC CERTIFICATE AND SWORN AFFIDAVIT

9.1 Only those tenderers who submit a valid SANAS accredited B-BBEE certificate or Sworn Affidavit (dtic or CIPC) will be awarded points for B-BBEE during evaluation.

9.2 The following constitutes a valid **B-BBEE certificate**:

- Name of enterprise as per enterprise registration documents issued by CIPC, and enterprise business address;
- Value-Add Tax number, where applicable;
- The B-BBEE Scorecard against which the certificate is issued, indicating all elements and scores achieved for each element. The actual score achieved must be linked to the total points as per the relevant Codes;

- B-BBEE status with corresponding procurement recognition level.
- The relevant Codes used to issue the B-BBEE Verification Certificate.
- Date of issue and expiry (e.g. 9 June 2018 to 8 June 2019). Where a measured entity was subjected to a re-verification process, due to material change, the B-BBEE Verification Certificate must reflect the initial date of issue, date of re-issue and the initial date of expiry. Re-verification does not extend the lifespan of the B-BBEE Verification Certificate
- Financial period which was used to issue the B-BBEE Verification Certificate.
- Unique identification number of the B-BBEE verification professional or agency (e.g., BVA...).
- Name and logo/mark of the B-BBEE verification professional or agency.
- A B-BBEE Verification Certificate must be signed by the technical signatory at the bottom with full name and surname. The details of the technical signatory can be checked from the SANAS website ([www.sanas.co.za](http://www.sanas.co.za)). No other person is allowed to sign the B-BBEE Verification Certificate apart from the technical signatory.
- The SANAS logo on the B-BBEE Verification Certificate.

**9.3** The following constitutes a valid **dtic Sworn Affidavit:**

- Name/s of deponent as they appear in the identity document and the identity number.
- Designation of the deponent as either the director, owner or member must be indicated in order to know that person is duly authorised to depose of an affidavit.
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage of black ownership, black female ownership and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected.
- Indicate total revenue for the year under review and whether it is based on audited financial statements or management account.
- Financial year end as per the enterprise's registration documents, which was used to determine the total revenue.
- B-BBEE Status level. An enterprise can only have one status level.

- Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.
- Date deponent signed and date of Commissioner of Oath must be the same.
- Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.

**9.4** The following constitutes a valid **CIPC B-BBEE certificate:**

- Name of enterprise, registration number and business address.
- Date of issue and expiry adding to twelve months (e.g. 9 June 2018 to 8 June 2019) must be indicated.
- Percentage of total black ownership, black female ownership and total white ownership.
- Certificate number.
- Barcode with tracking number
- Barcode with enterprise number.
- B-BBEE Status and procurement recognition level.
- The dtic logo on the top left corner, and CIPC logo on the top right corner.
- CIPC watermark

## **10 SUB-CONTRACTING**

10.1 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.

10.2 A tenderer awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an exempted micro enterprise that has the capability and ability to execute the sub-contract.

10.3 If the tender intends to sub-contract, they must indicate the value of the work in Rands to be sub-contracted in relation to the total tendered amount. The supplier must also indicate the name(s) of the company / contractor.

10.4 All BBBEE certificates of the sub-contractors must also be submitted. Non-submission will result in 0 points being awarded for BBBEE.

10.5 In case of proposal from a joint venture, the following must be submitted together with the proposal/Quotation:

- Joint venture Agreement including split of work signed by both parties;
- The original or certified copy of the B-BBEE certificate of the joint venture;
- The Tax Clearance Certificate of each joint venture member;
- Proof of ownership/shareholder certificates/copies; and
- Company registration certificates.

## **11 CONSTRUCTION INDUSTRY DEVELOPMENT BOARD (CIDB)**

11.1 Only those tenderers who are registered with the CIDB or are capable of being so prior to the closing date and time of this RFQ submissions, with a grading of **2GB or higher** class of construction works, will be considered.

11.2 Joint ventures are eligible to submit proposals provided that:

- Every member of the joint venture is registered with the CIDB;
- The lead partner has a contractor grading designation in the **2GB or higher** class of construction work; or not lower than one level below the required grading designation in the class of works construction works under consideration and possess the required recognition status;
- The combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to **2GB or higher** class of construction work.

## **12 LOCAL CONTENT**

12.1 Only locally produced raw material or input will be considered. If the raw material or input to be used for a specific item is not available locally, bidders should obtain written

- authorisation from the Department of Trade Industry and Competition (dtic) should there be a need to import such raw material or input and;
- 12.2 A copy of the authorisation letter must be submitted together with the bid document at the closing date and time of the RFQ. For further information, bidders may contact the dtic at telephone 012 394 3717/1390.
- 12.3 The guidelines and declarations that should be used by tenderers when preparing a tender are available on the dtic website. Guidance on the calculation of local content and manufacturing can be accessed on the dtic's official website – [http://www.thedti.gov.za/industrial\\_development/ip.jsp](http://www.thedti.gov.za/industrial_development/ip.jsp)
- 10.4.1 Tenderers must complete Declarations D and E, and consolidate the information on Declaration C. Annexures C, D and E must be submitted with the tender by the closing date and time as determined by the CSIR. If the tender is successful, the tenderer must continuously update Declarations C, D and E with actual values for the duration of the contract.
- 12.5 The Declaration Certificate for Local Production and Content (SBD 6.2) in addition to the above declarations must also be completed, duly signed and submitted by the bidder at the closing date and time of the tender; and
- 12.6 The rates of exchange quoted by the bidder in paragraph 8.8 below of the declaration certificate will be verified for accuracy.
- 12.7 The exchange rate to be used for the calculation of local production and content must be the exchange rate published by the South African Reserve Bank (SARB) AT 12:00 on the date of advertisement of bid.
- 12.8 Only the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 must be used to calculate local content.
- 12.9 Bidders must clearly indicate in their bids, the quantities of products to be supplied, and the level of local content for each product.
- 12.10 Applicable local production and content minimum thresholds for this tender are as per the table below:



Sector	Local Content	Minimum Local Content Threshold
Steel Products and Components for Construction	Applicable	100%
Plastic Pipes	Applicable	100%

**All the sectors indicated above are designated as per below thresholds:**

- Steel Products and Components **(100%)**
- Plastic pipes **(100%)**

**Bidders are to declare any or additional item part of the scope of works that falls within the above designated sectors on Local content Annexures C, D, and E.**

#### **12.12 How to apply for exemption:**

The exemption request must be on your signed company's letterhead and cover the following:

- The procuring entity/government department/state owned company,
- Tender/bid number,
- Closing date,
- Item(s) for which the exemption is being requested for,
- Description of the goods, services or works for which the requested exemption item will be used for and the local content that can be met,
- Reason(s) for the request,
- Attach specification issued by the procuring entity, and
- Supporting letters from local manufacturers/sub-suppliers (if applicable).

**Attention to:**

Dr. Tebogo Makube  
 Chief Director: Industrial Procurement Unit  
 The Department of Trade and Industry  
 Private Bag X84,  
 Pretoria,  
 Gauteng, 0001

### **13 CORRECTNESS OF RESPONSES**

- 13.1 The tenderer must confirm satisfaction regarding the correctness and validity of their quotation and that all prices and rates quoted cover all the work/items specified in the RFQ. The prices and rates quoted must cover all obligations under any resulting contract.
- 13.2 The tenderer accepts that any mistakes regarding prices and calculations will be at their own risk.

### **14 ADDITIONAL TERMS AND CONDITIONS**

- 14.1 A tenderer shall not assume that information and/or documents supplied to CSIR, at any time prior to this request, are still available to CSIR, and shall consequently not make any reference to such information document in its response to this request.
- 14.2 Copies of any affiliations, memberships and/or accreditations that support your submission must be included in the tender.
- 14.3 An omission to disclose material information, a factual inaccuracy, and/or a misrepresentation of fact may result in the disqualification of a tender, or cancellation of any subsequent contract.
- 14.4 Failure to comply with any of the terms and conditions as set out in this document will invalidate the Quotation.

### **15 CSIR RESERVES THE RIGHT TO**

- 15.1 Extend the closing date;
- 15.2 Verify any information contained in a proposal;
- 15.3 Request documentary proof regarding any tendering issue;
- 15.4 Appoint one or more service providers, separately or jointly (whether or not they submitted a joint proposal);
- 15.5 Award this RFQ as a whole or in part; and
- 15.6 Cancel or withdraw this RFQ as a whole or in part.

### **16 PERSONAL INFORMATION**

- 16.1 Each Party consents to the other Party holding and processing “personal information” (as defined in the POPI Act) relating to it for legal, personnel, administrative and management purposes (including, if applicable, any “special personal information” relating to him/her, as defined in the POPI Act). Notwithstanding the generality of the aforesaid, each Party hereby undertakes to comply with all relevant provisions of the POPI Act and any other

- applicable data protection laws. The Client further agrees to comply with all CSIR's reasonable internal governance requirements pertaining to data protection.
- 16.2 Each Party consents to the other Party making such information available to those who provide products or services to such parties (such as advisers, regulatory authorities, governmental or quasi-governmental organisations and potential purchasers of such Party or any part of their business).
- 16.3 The Client consents to the transfer of such information to CSIR's business contacts outside South Africa in order to further its business interests.
- 16.4 While performing any activity where a Party is handling personal information as a "responsible party" (as defined in the POPI Act), each Party undertakes that it will process the personal information strictly in accordance with the terms of the POPI Act, this Contract, and the other Party's instructions from time to time, and take appropriate operational measures to safeguard the data against any unauthorised access.
- 16.5 Each Party acknowledges that in the course of conducting business with each other, each Party intends to maintain and process personal information about the other Party in an internal database. By signing this Contract, each Party consents to the maintenance and processing of such personal information.
- 16.6 Where relevant, the Client shall procure that all of its personnel, agents, representatives, contractors, sub-contractors, and mandataries shall comply with the provisions of this clause 12 (Personal Information). The CSIR shall be entitled on reasonable notice to conduct an inspection or audit Client's compliance with the requisite POPI Act safeguards.

## **17 DISCLAIMER**

This RFQ is a request for quotations only and not an offer document. Answers to this RFQ must not be construed as acceptance of an offer or imply the existence of a contract between the parties. By submission of its quotation, tenderers shall be deemed to have satisfied themselves with and to have accepted all Terms & Conditions of this RFQ. The CSIR makes no representation, warranty, assurance, guarantee or endorsements to tenderer concerning the RFQ, whether with regard to its accuracy, completeness or otherwise and the CSIR shall have no liability towards the tenderer or any other party in connection therewith.

**18 OTHER TERMS AND CONDITIONS**

- 18.1 The supplier shall under no circumstances offer, promise or make any gift, payment, loan, reward, inducement, benefit or other advantage, which may be construed as being made to solicit any favour, to any CSIR employee or its representatives. Such an act shall constitute a material breach of the Agreement and the CSIR shall be entitled to terminate the Agreement forthwith, without prejudice to any of its rights.
- 18.2 A validity period of 90 calendar days will apply to all quotations except where indicated differently on the quote.

**19 No goods and/or services should be delivered to the CSIR without an official CSIR Purchase order or signed supplier agreement. The CSIR purchase order number must be quoted on the invoice. Invoices without CSIR purchase order numbers will be returned to supplier.**

**20 Note: This is not a Purchase Order**

**DECLARATION BY TENDERER**

**Only tenderers who completed the declaration below will be considered for evaluation.**

**RFQ No: 5936/07/10/2022**

I hereby undertake to render services described in the attached tendering documents to CSIR in accordance with the requirements and task directives / proposal specifications stipulated in **RFQ No 5936/07/10/2022** at the price/s quoted. My offer/s remains binding upon me and open for acceptance by the CSIR during the validity period indicated and calculated from the closing date of the proposal.

I confirm that I am satisfied with regards to the correctness and validity of my proposal; that the price(s) and rate(s) quoted cover all the services specified in the proposal documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this bid as the principal liable for the due fulfilment of this bid.

I declare that I have no participation in any collusive practices with any tenderer or any other person regarding this or any other proposal.

I accept that the CSIR may take appropriate actions, deemed necessary, should there be a conflict of interest or if this declaration proves to be false.

I confirm that I am duly authorised to sign this proposal.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

WITNESSES	
1	.....
2	.....
DATE: .....	

**21 ANNEXURE B: SCHEDULE OF BIDDER'S EXPERIENCE AND CONTACTABLE REFERENCES**

<b>Client / Company Name</b>	<b>Contact person, email, and Telephone Number</b>	<b>Description of goods and/or services delivered</b>	<b>Value of the goods and/or services delivered (Inclusive of Vat)</b>	<b>Date when goods and/or services were delivered to client / Completion date</b>

## RFQ No. 5936/07/10/2022

### 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

<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.


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

<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.



intention not to win the bid and conditions or delivery particulars of the products 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