



**SUPPLIER WORKSHOP
FOR 2024 – 2025 FY
DATE: 26 NOVEMBER 2024
VENUE: MS TEAM
PRESENTER:**



**forestry, fisheries
& the environment**

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA



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SCM Legislative Framework

❑ Constitution of the Republic of South Africa

Section 217 of the Constitution states that (1) when an organ of the state in the national, provincial, or local sphere of government, or any other institution identified in national legislation, contracts for goods or services, it must do so in accordance with a system which is **fair, equitable, transparent, competitive and cost-effective**.

❑ Public Finance Management Act

Section 51 (1) states that an Accounting Authority of a public entity must uphold a procurement system which is fair, equitable, transparent, competitive, and cost-effective.



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SCM Legislative Framework

- **Preferential Procurement Policy Framework Act**

To give effect to section 217 (3) of the Constitution by providing a framework for the implementation of the procurement policy contemplated in section 217 (2) of the Constitution and to provide for matters connected therewith.

- **Promotion of Administrative Justice Act**

Regulates the administrative system of South Africa in order to ensure justice and to give all persons affected by administrative actions a right to be heard. PAJA gives effect to section 33 of the Constitution of South Africa and ensures that the principles of lawfulness, reasonableness, and procedural fairness are upheld



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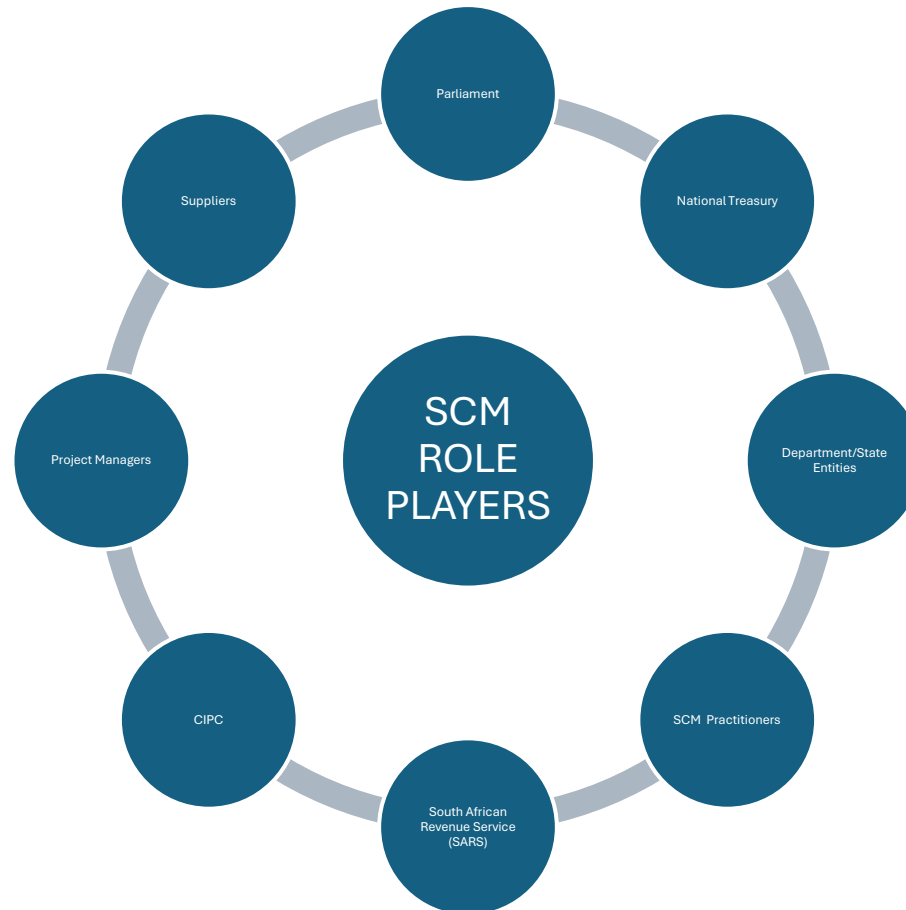


Mandate of The Department

- The legal mandate and core business of the Department is to manage, protect, and conserve South Africa's environment and natural resources.
- The mandate is informed by section 24 of the Constitution of the Republic of South Africa, 1996 which affords everyone the right to (a) an environment that is not harmful to their health or well-being; and (b) to have the environment protected for the benefit of present and future generations, through reasonable legislative and other measures.



Role Players in the Public Procurement Process



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Procurement Process



Planning

- Identify a need
- Determine Specification
- Choose Procurement Method
- Determine Sourcing Strategy



Procurement Process

- Advertise Bid
- Close Bid
- Evaluation
- Recommend



Contract Management

- Award
- Implementation
- Manage Contract



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Factors That May Lead to Tender Disqualifying

Submitting proposal after the closing date and time

Non-compliance with tender conditions

Failing to meet the minimum threshold on functional evaluation criteria

Not meeting Joint Ventures/Consortia requirements

Not submitting proposal or pricing schedule

False declaration

Listed on the Register of Tender Defaulters



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PLATFORM FOR ADVERTISING BIDS



Request for Proposals are advertised on the e-tender portal; and the Department website for a minimum of 21 days.



Request For Quotations are sent to different service providers registered on the Central Supplier Database (CSD), to some extent e-tender portal, and the Department website.



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Responding to RFQ's cont....

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

1. 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).
- The applicable preference point system for this tender is the 80/20 preference point system.

1.2 Points for this tender shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.3 To be completed by the organ of state:

The total points for this tender are allocated as follows:

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

1.4 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.

1.5 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.

2. 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,



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Responding to RFQ's cont....

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).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 points is allocated for price on the following basis:

80/20

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

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(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:

- (a) any other invitation for tender, that is 80/20 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 80/20 preference point system.



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Responding to RFQ's cont....

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	A: Number of points allocated (80/20 system) (To be completed by the organ of state)	B: Number of points claimed (80/20 system) (To be completed by the tenderer) B=A(20)
more than 50% (fifty percent) ownership by Black people	20	
more than 50% (fifty percent) ownership by Women	20	
more than 50% (fifty percent) ownership by people with disabilities	20	
NB: POINTS CLAIMED BY SUPPLIER MUST BE THE SAME AS POINTS IN A FOR SPECIFIC GOALS		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.2. Name of company/firm.....

4.3. Company registration number:

4.4. 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]

4.5. 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;



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Responding to RFQ's cont....

- 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.

SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:	-----
DATE:	-----
ADDRESS:	-----



Responding to RFQ's cont....



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Companies and Intellectual
Property Commission
a member of the dti group

B-BBEE CERTIFICATE FOR EXEMPTED MICRO ENTERPRISES

Issued by the Companies & Intellectual Property Commission (CIPC) on behalf of the Department of Trade and Industry. Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end, the annual Total Revenue was R10,000,000.00 (Ten Million Rands) or less.

This Certificate serves as an Affidavit in terms of Code Series 000, Section 4.5 of the Amended Codes 2013.



Tracking Number: 9232432126



Enterprise Number: K2012025807

B-BBEE LEVEL 1 CONTRIBUTOR: 135% PROCUREMENT RECOGNITION

B-BBEE INFORMATION

Certificate Number	9232432126
Total Number of Shareholders	ONE (1) SHAREHOLDER(S)
Number of Black Shareholders	ONE (1) BLACK SHAREHOLDER(S)
Number of White Shareholders	ZERO (0) WHITE SHAREHOLDER(S)
Black Ownership Percentage	100% BLACK OWNERSHIP
Black Female Percentage	0% BLACK FEMALE OWNERSHIP
White Ownership Percentage	0% WHITE OWNERSHIP
B-BBEE Status	B-BBEE LEVEL 1 CONTRIBUTOR: 135% PROCUREMENT RECOGNITION
Date of Issue	09-March-2020
Expiry Date	08-March-2021

- Unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution: 100%
- Black people who are youth as defined in the National Youth Commission Act of 1996: 0%
- Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act: 0%
- Black people living in rural and under developed areas: 0%
- Black military veterans who qualify to be called a military veteran in terms of the Military Veterans Act 18 of 2011: 0%

ENTERPRISE INFORMATION

Registration number	2012 / 025807 / 07
Enterprise Name	BRAWNPOWER HOLDINGS (PTY) LTD
Registration Date	10-February-2012
Enterprise Type	Private Company
Enterprise Status	In Business

Physical Address
the dti Campus - Block F
77 Meintjies Street
Sunnyside 0001

Postal Address: Companies
P O Box 429
Pretoria
0001

Docex: 256
Web: www.cipc.co.za
Contact Centre: 086 100 2472(CIPC)
Contact Centre (International): +27 12 394 9500





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Responding to RFQ's cont....

SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name	
Trading Name	
Registration Number	
Enterprise Address	

3. I hereby declare under oath that:
 - The enterprise is _____% black owned;
 - The enterprise is _____% black woman owned;
 - Based on the management accounts and other information available on the _____ financial year, the income did not exceed R10,000,000.00 (ten million rands);
 - Please confirm on the table below the B-BBEE level contributor, by ticking the applicable box.

100% black owned	Level One (135% B-BBEE procurement recognition)	
More than 51% black owned	Level Two (125% B-BBEE procurement recognition)	
Less than 51% black owned	Level Four (100% B-BBEE procurement recognition)	

4. The entity is an empowering supplier in terms of the dti Codes of Good Practice.
5. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
6. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

Commissioner of Oaths
Signature & stamp



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Challenges encountered by the Department During the Procurement Process

Non-responsive RFQs

Late quotations/proposals

Improperly completed SBD documents

Non-response to bid validity extension

Miscalculation on the quotation/pricing schedule

Cancellation of purchase orders by bidders

Under quoting

Exorbitant quotations/proposals



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Common Mistakes Bidders Commit in Responding to Quotations/Bids

Submitting quotations late

Not responding to bid validity extension

Under quoting

Quoting exorbitant amount

Joint Ventures/Consortia not properly constituted



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Procurement Opportunities

Most Procured Commodity

- Catering
- Conference Venue
- Stationery
- Promotional Material
- Protective Clothing
- Training
- Equipment hire for events
- Office Furniture and Equipment
- Garden Tools and Equipment
- Wheel/Skip Bins and Waste Material
- Professional Services



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ENGAGEMENT AND QUESTIONS FROM SUPPLIERS



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THANK YOU!

Mr Mthokozisi Msomi

Supply Chain Management

Department of Environment, Forestry and Fisheries

Tel: 012 399 9775 | Mobile:

Website: <http://www.dffe.gov.za>

Address: The Environment House, 473 Steve Biko Road, Arcadia, Pretoria, 0083

Thank You



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