



sanedi

South African National Energy
Development Institute.

**REQUEST FOR QUOTATIONS
FOR
BASIC LABOUR LAW TRAINING**

Name of Respondent:

CLOSING DATE

26th April 2019

11H00

Bidders must ensure that bids are submitted timeously, in the correct submission format and to the correct return address.

Late bids will not be accepted for consideration.

RFQ Number	1/2019
Date of RFQ	12 th April 2019
SANEDI Contact	All enquiries and RFQ submissions must be directed to : Name: Ms. Fikile Manganyi Tel: 011 038 4300 e-mail address: enquiries.procurement@sanedi.org.za
Required response time for quotation	26 th April at 11:00 Submissions must be made to 1/2019.procurement@sanedi.org.za failure to submit in the correct e-mail will render your submission disqualified.
Work specification (and Technical specifications)	<p>Project Background</p> <p>The South African National Energy Development Institute (SANEDI) is a state-owned entity established under the National Energy Act (“the Act”), 2008 (Act 34 of 2008). The Act provides for SANEDI to direct, monitor and conduct energy research and development, promote energy research and technology innovation as well as undertake measures to promote energy efficiency throughout the economy.</p> <p>Scope of works</p> <p>Every organization is expected to understand and implement labor laws to ensure that employee’s rights are protected and employer’s obligations and responsibilities are set forth. It is for this reason the SANEDI would like prospective bidders to conduct basic labor law training for General Managers, Managers and supervisors.</p> <p>The prospective service provider is requested to present a 3 day to 4 day in-house course to 15 Managers and 5 Executives. The training must be tailor made to meet the requirements of the organization and as such a facility to receive questions before the session must be made available to allow for critical questions to be raised by the attendees before the sessions and for such must be addressed as part of the training.</p> <p>Expected outcomes:</p> <ul style="list-style-type: none"> • The Labour Relations Act <ul style="list-style-type: none"> ○ Understanding the 27 November 2018 amendments ○ The Labour Relations Act: Collective labour law provisions ○ The Labour Relations Act: Individual Labour Law provisions ○ Unfair dismissals and unfair labour practices ○ Disputes of right, and disputes of interest ○ When to consult and when to negotiate

	<ul style="list-style-type: none">○ Dispute resolution mechanisms of the LRA● The Basic Conditions of Employment Act<ul style="list-style-type: none">○ Understanding the 27 November 2018 amendments○ Defining the employment contract – permanent, temporary and labour brokers○ The regulation of working hours and leave provisions – and their cost implications○ Remuneration and benefits – and implications, such as overtime regulations○ Termination of employment – regulations and cost implications● The Skills Development Act, and the Skills Development Levies Act<ul style="list-style-type: none">○ Understanding the new SETA Grant Regulations of 1 April 2013○ Understand SETAs, ETQAs, OFOs, and the landscape for Skills Development○ Annual Training Reports, Workplace Skills Plans, and PIVOTAL training○ How to implement and manage learnerships○ Levies, Grants and Seta-funded Interventions● The Employment Equity Act, and the BBBEE Bill<ul style="list-style-type: none">○ Understanding the 1 August 2014 amendments – & the risks of non-compliance○ Developing the EE Plan, E Reporting, and the role of the EE Committee○ Understanding the revised BBBEE Codes of 1 April 2015, and their implications● Disciplinary Hearings, Grievances, Performance Management, and Absenteeism● Understand collective bargaining in industrial relations including:<ul style="list-style-type: none">○ Getting to “Yes”○ Positional bargaining, Distributive bargaining, Integrative bargaining
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Required qualifications and experience (Technical Evaluation Criteria)	Evaluation criteria and format of the proposal		
	Evaluation Criteria	Scoring Guidelines (1-10)	Weighting
	<p>1. Capability and Experience of the facilitator: the facilitator must at least have 3 years' experience in conducting bid Performance Management training in the public sector.</p> <p>The CV of the facilitator must include the following:</p> <ul style="list-style-type: none"> • Organization where the training was conducted • Duration of the training • What did the training entail (brief summary) • References <p><i>(CV of the facilitator must be attached, failure to do so will result into 0 score)</i></p>	<p>(a) 3 years' experience and above=10</p> <p>(b) 2 years' experience=5</p> <p>(c) 1 year experience=1</p>	<p>30%</p>
	<p>Methodology: Demonstrate how the training will be conducted by including the course outline for the training. The course outline must be clear and practical.</p>	<p>(a) Poor course outline = 1</p> <p>(b) Average course outline = 5</p> <p>(c) Excellent course outline = 10</p>	<p>25%</p>
	<p>Company experience in conducting similar training: experience of the company in offering trainings in public sector</p>	<p>1 year experience = 1</p> <p>3 years' experience = 5</p> <p>5 years' experience = 10</p>	<p>10%</p>
<p>Track record of previous training done which must be supported by written references (in the client's letterhead) from government department/state owned entities</p>	<p>1 written reference = 1</p> <p>2 written reference = 5</p> <p>3 written references = 10</p>	<p>25%</p>	

		Non public sector references = 1	
	Member of a Professional Body in the field of Labour Law	Yes/No	10%
	Threshold		70
	Total		100%
Total points available 100 = Minimum threshold 70 points			
Terms and Conditions	<p>The RFQ will be evaluated on the basis of price or where deemed necessary by the procurement department, evaluated on the 80/20 basis. SANEDI reserves the right not to accept the lowest priced quoted.</p> <p>The RFQ shall be subjected to the SANEDI procurement terms and conditions which can be found on www.sanedi.org.za</p> <p>New suppliers are requested to apply for registration as suppliers on the database as no RFQs will be considered without suppliers firstly being registered on the supplier database.</p>		
Quoted Price excluding Disbursements VAT inclusive	(Attach a formal quotation on company official letterhead to this RFQ)		
	R		
Discounted amounts Disbursements VAT inclusive			
	R		
Total Amount VAT inclusive			
	R		
Other Requirements	<p>The supplier must:</p> <ol style="list-style-type: none"> 1. Attached brochures of the training need to be attached to the RFQ. 2. Attach a formal quotation on their company letter head in addition to filling in the price on this RFQ. 3. Indicate any early settlement discounts and the percentages applicable and the applicable time frames. 4. Attach SBD9(Available on the SANEDI website) <p>(Only applicable to new suppliers not on our Database)</p>		

Application to register on the SANEDI database and all returnable schedules must accompany the RFQ.

1. Returnable schedules:

- a. BBBEE certificate must be attached*
- b. SBD 4 must be completed*
- c. Valid tax clearance*
- d. Acknowledgment of SANEDI procurement Terms and conditions.*
- e. Central Supplier Database (CSD) Summary Report*

Forms are available on www.sanedi.org.za

SBD 4: Bidder’s Declaration of Interest

	<p>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 an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favoritism, 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 where</p> <ul style="list-style-type: none"> - 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.
	<p>In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.</p>

COMPANY & REPRESENTATIVE DETAILS	
Full Name of bidder or his or her representative	
Identity Number	
Position occupied in the Company (director, trustee, shareholder, member):	
Registration number of company, enterprise, close corporation, partnership agreement or trust	
Tax Reference Number	
VAT Registration Number	

	DECLARATIONS	YES	NO
	Are you or any person connected with the bidder presently employed by the state?		
	If so, furnish the following particulars: Name of person / director / trustee / shareholder/ member		
	Name of state institution at which you or the person connected to the bidder is employed :		
	Position occupied in the state institution		
	Any other particulars:		
	If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?		
	If yes, did you attach proof of such authority to the bid document? <u>(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.</u>		
	If no, furnish reasons for non-submission of such proof:		
	Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?		

If so, furnish particulars:		
Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?		
If so, furnish particulars:		
Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies Wither or not they are bidding for this contract?		
If so, furnish particulars:		

Full details of directors / trustees / members / shareholders.			
The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in the table below.			
Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number / Persal 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);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

DECLARATION OF INTEREST

I, the undersigned (name).....

Certify that the information furnished in this declaration is correct and I accept that SANEDI may reject the bid or act against me should this declaration prove to be false.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

SBD 9: Certificate of Independent Bid Determination

I, the undersigned, in submitting the accompanying bid for

in response to the invitation for the bid made by SANEDI do hereby make the following statements that I certify to be true and complete in every respect:

I therefore certify, on behalf of that I have read and I understand the contents of this Certificate;

1. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
2. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
3. 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;
4. 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

5. 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 will not be construed as collusive bidding.

6. 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) 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.

7. 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.
8. 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.
9. 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.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date

B-BBEE Bid Declaration

Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:		
B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED (Points claimed for BBEE must be substantiated by means of a certified B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).		Points Claimed
SUB-CONTRACTING	YES	NO
Will any portion of the contract be sub-contracted?		
If yes, indicate: what percentage of the contract will be subcontracted?	%	
the name of the sub-contractor?		
the B-BBEE status level of the sub-contractor?		
is the sub-contractor an EME?		

I, the undersigned (full name).....

Certify that the B-BBEE information furnished on this declaration form is true and correct and attach a current broad-based black economic empowerment certificate as verified by an accredited agency.

i accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

Name of Enterprise Bidding:

Name of Authorised Representative

Signature of Authorised Bidder

Date