

Warning against tender scams: The WRC urges members of the public to report any suspicious Request for Quotation, Purchase Order or Letter of Award to its Fraud Hotline on 0800 214 777 or email: hotline@kpmg.co.za. If a request or procurement communication appears to be suspicious Suppliers are advised to contact the WRC Supply Chain Management office on 012 761 9300 to verify its authenticity

PART A INVITATION TO BID (SBD1)

RFQ/P NUMBER:	138/01/24-25	CLOSING DATE:		04 FEBRUARY 2025	CLOSING	TIME:	24h00	
DESCRIPTION OF GOODS/SERVICES	APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF LEGAL SERVICES WITH ELECTRONIC LAW LIBRARY FOR A PERIOD OF THREE (3) YEARS							
BID RESPONSE DOCUME specified shall not be acc		DTO: quotations@w	vrc.org	. <u>.za</u> (No hand delivered quo	tation or se	ent to a d	ifferent email	than the one
RFQ VALIDITY PERIOD:	90 DAYS							
BIDDING PROCEDURE E	NQUIRIES MAY BE D	IRECTED TO	TECH	HNICAL ENQUIRIES MAY B	E DIRECT	ED TO:		
CONTACT PERSON	Supply Chain Mana	gement	CON	TACT PERSON		Supply	Chain Mana	gement
TELEPHONE NUMBER	012 761 9300		TELE	PHONE NUMBER		012 76	1 9300	
E-MAIL ADDRESS	quotations@wrc.org	j.za	E-MA	AIL ADDRESS		quotati	ons@wrc.org	<u>j.za</u>
SUPPLIER INFORMATION	N							
NAME OF BIDDER								
POSTAL ADDRESS								
STREET ADDRESS		1			•			
TELEPHONE NUMBER	CODE			NUMBER				
CELLPHONE NUMBER								
E-MAIL ADDRESS								
VAT REGISTRATION NUMBER								
SUPPLIER STATUS	TAX COMPLIANCE		OR	CENTRAL SUPPLIER	N4 A A A			
COMPLIANCE STATUS B-BBEE STATUS	SYSTEM PIN: TICK APPLIC	L CARLE BOXI	R-RR	DATABASE No: EE STATUS LEVEL SWORI	MAAA u T	ITICK	APPLICABLE	BOX1
LEVEL VERIFICATION	1101(7111 E10	STIDLE BOX		DAVIT		[HOR	/ II I LIO/IDEL	БОЛ
CERTIFICATE	☐ Yes	☐ No					es	No
[A B-BBEE STATUS LE TO QUALIFY FOR PRE				AFFIDAVIT (FOR EMES &	QSEs) M	UST BE	SUBMITTE	D IN ORDER
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?		□No	ARE '	YOU A FOREIGN BASED PLIER FOR THE GOODS VICES /WORKS OFFERED?	□Y₁ [IF Y		VER PART B:3	No]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS								
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? DOES THE ENTITY HAVE A BRANCH IN THE RSA? DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.								



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 IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).

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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / 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.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PA	ARTICULARS MAY RENDER THE BID INVALID.
SIGNATURE OF BIDDER:	
CAPACITY UNDER WHICH THIS BID IS SIGNED: (Proof of authority must be submitted e.g. company resolution)	
DATE:	



PART C STANDARD BIDDING DOCUMENTS

(SBD FORMS - SBD4, SBD6.1 (where applicable), should be fully completed and signed by the supplier/service provider). WRC reserves the right not to accept/eliminate/disqualify a quotation not accompanied by the completed prescribed SBD forms.

			BIDDER'S DISCLOSU	JRE	SB	D4
1.	Any per the princ the Rep	ciples of transparency, a public of South Africa an	may make an offer or offe accountability, impartiality, ad further expressed in var a in respect of the details r	, and ethics as ens ious pieces of legi	hrined in th slation, it is	ne Constitution of
			n the Register for Tende matically be disqualified f			ist of Restricted
2. 2.1 2.1.1	Bidder's declaration Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person a controlling interest1 in the enterprise, employed by the state? YES/NO If so, furnish particulars of the names, individual identity numbers, and, if applicable, state em numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person a controlling interest in the enterprise, in table below.			state employee		
		Full Name	Identity Number	Name of institution	State	
2.2 2.2.1	by the p	or any person connected or curing institution? YE urnish particulars:	ed with the bidder, have a ES/NO	relationship with a	ny person v	who is employed
2.2.1						
2.3			directors / trustees / share he enterprise have any into			

YES/NO

not they are bidding for this contract?

If so, furnish particulars:

2.3.1

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.



DECLARATION	
	in submitting the wing statements that I certify to be true and complete in
I have read and I understand the contents of I understand that the accompanying bid will be complete in every respect;	this disclosure; be disqualified if this disclosure is found not to be true and
The bidder has arrived at the accompany	ing bid independently from, and without consultation, with any competitor. However, communication between I not be construed as collusive bidding.
In addition, there have been no consultations competitor regarding the quality, quantity, speused to calculate prices, market allocation, the	, communications, agreements or arrangements with any ecifications, prices, including methods, factors or formulas ne intention or decision to submit or not to submit the bid, and conditions or delivery particulars of the products or
The terms of the accompanying bid have not	been, and will not be, disclosed by the bidder, directly or and time of the official bid opening or of the awarding of
There have been no consultations, communic with any official of the procuring institution in bidding process except to provide clarification	cations, agreements or arrangements made by the bidder relation to this procurement process prior to and during the n on the bid submitted where so required by the institution; ng of the specifications or terms of reference for this bid.
I am aware that, in addition and without prejude practices related to bids and contracts, bids Commission for investigation and possible im the Competition Act No 89 of 1998 and or material for criminal investigation and or may be restri	dice to any other remedy provided to combat any restrictive that are suspicious will be reported to the Competition position of administrative penalties in terms of section 59 or y be reported to the National Prosecuting Authority (NPA) cted from conducting business with the public sector for a for the Prevention and Combating of Corrupt Activities Activities
CORRECT.	JRNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS ECT THE BID OR ACT AGAINST ME IN TERMS OF
	ON 03 OF 2021/22 ON PREVENTING AND COMBATING MENT SYSTEM SHOULD THIS DECLARATION PROVE
Signature	Date
Position	Name of bi

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.



SBD 6.1

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); and
- 1.2 To be completed by the organ of state
 - (a) The applicable preference point system for this tender is the 80/20 preference point system.
 - (b) 80/20 preference point system will be applicable in this tender. The acceptable tender will be used to determine the accurate system once tenders are received.
- 1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
 - (a) Price; and
 - (b) Specific Goals.
- 1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.



1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

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, 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 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20 or 90/10

$$Ps = 80\left(1 - \frac{Pt - Pmin}{Pmin}\right)$$
 or $Ps = 90\left(1 - \frac{Pt - Pmin}{Pmin}\right)$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT



3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80\left(1 + \frac{Pt - Pmax}{Pmax}\right)$$
 or
$$Ps = 90\left(1 + \frac{Pt - Pmax}{Pmax}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
 - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.



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

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

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

The specific goals allocated points in terms of this tender - B-BBEE Status Level Of Contributor	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
B-BBEE Level	20 Points	
1	20	
2	18	
3	14	
4	12	
5	8	
6	6	
7	4	
8	2	
Non-compliant contributor	0	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3.	Name of company/firm			
4.4.	Company registration number:			
4.5.	TYPE OF COMPANY/ FIRM			
	 □ Partnership/Joint Venture / Consortium □ One-person business/sole propriety □ Close corporation □ Public Company □ Personal Liability Company □ (Pty) Limited □ Non-Profit Company □ State Owned Company [TICK APPLICABLE BOX] 			

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the



company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct:
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

SIGNATURE(S) OF TENDERER(S)



PART D TERMS OF REFERENCE / SCOPE OF WORK

1. BACKGROUND AND INTRODUCTION

The WRC operates as legislated by the Water Research Act (Act 34 of 1971) and is an entity of national importance to ensure water security, support to the DWS and water sector stakeholders through funding of research entities (universities, consultants and SMMEs). The Primary Function of the WRC is to (1) Promote coordination, cooperation, and communication in water research; (2) Establish water research needs and priorities; (3) Stimulate and fund water research according to priority; (4) Promote the effective transfer of information and technology; and (5) Enhance knowledge and capacity building within the water sector.

2. SCOPE OF WORK: REQUIREMENT / SPECIFICATION

The objective of this request for quotation is to invite prospective service providers for consideration for the provision of legal services with electronic law library for a period of three (3) years.

The specification is as follows:

Legal & Auxiliary Services requires a comprehensive online legal library and research tools that cater for:

- Law Library (A to Z areas of law)
- Research tools
- · access to legislation and bills
- legislative updates alerts
- case law and updates
- latest legal news and journal articles
- research tool to allow for legal research across various legal practices

The objectives of Legal and Auxiliary Services include

- (a) the provision of effective and efficient legal advisory services to the WRC, WRC Board and its committees; and
- (b) Effective and efficient vetting and management of commercial contracts, memoranda of agreements (MOAs) and memoranda of understanding (MOUs) so as to protect the interests of WRC.

To this end, the online legal library will serve a reliable and accurate source of reference for quality legal research process. The additional value is that the online legal library will be a resource for all WRC Branches in that it will have A to Z (Advertising Law – Wills and Estates) areas of law. Human Resources will for an example be able to access employment law and related case law.

WRC will be procuring a license to use the system.

Address:

• 2nd Floor Bloukrans Building, Lynnwood Bridge, 4 Daventry Road, Lynnwood Manor, Pretoria.



3. EVALUATION PHASES

The received proposals will be evaluated in accordance with the PPPFA and evaluated in different phases in order to arrive to the final phase of bid award, and the phases will be as follows:

- 3.1. Phase One Screening of the minimum requirements documents
- 3.2. Phase two Specification compliance
- 3.3. Phase three Price and Preference (Specific goals)

3.1 Phase One (1): Screening of the minimum requirements documents

In this phase All bids received will be verified for compliance and completeness of the submitted proposal per the below set of mandatory requirements. Bidders who fail to comply with the below requirements may be eliminated and bidders who comply with the below progresses to the next phase of technical evaluation.

- Bid forms must be properly received on the bid closing date and time specified on the invitation, fully completed, dated.
- Invitation to Bid (SBD 1) must be fully completed,
- Submission of a Valid SARS Tax Clearance Certificate together with Supplier SARS Tax Compliance Status Verification PIN to enable Water Research Commission to verify Tax Compliance status on SARS eFiling. NB: Bidders whom their Tax matters are not in order will not be considered for this bid.
- Submission of fully completed SBD 4 (Declaration of Interest),
- Submission of fully completed SBD 6.1 (Preference points Claim for Specific goals),
- Submission of the original or certified B-BBEE Status Level Verification Certificate or original B-BBEE Sworn Affidavit in case of EME and QSE)
- Submission of Central Supplier Database (CSD) Compliance History Report.

NB: Any bidders who did not sign and submit any of the requested documents may be disqualified.

3.2. Phase Two (2): Specification compliance

Service providers submitting price quotations / proposals will be checked against the specification to ascertain compliance. Service providers who fail to fully comply with the specification requirements will be eliminated.

3.3. Phase Three (3): Price and Preference (Specific goals) Evaluation

Service providers who comply with set evaluation requirements will be evaluated under Price and Preference (Specific goals) phase.

List the specific goals applicable to this RFQ:



Stated Specific Goal in the	Proof to be submitted for	Points Allocation
Invitation (RFQ/RFB/RFP)	allocation of points	
The specific goal to be applied	BEE certificate or sworn affidavit	In this category, points will be
for this RFQ/P/B to which points	or Companies and Intellectual	allocated as follows:
may be allocated is/are as	Property Commission (CIPC)	B-BBEE Level 20 Points
follows: (e.g.:)	issued certificate confirming	1 20
B-BBEE STATUS	their annual total revenue and	2 18
LEVEL CONTRIBUTOR	the level of Black Ownership.	3 14
		4 12
		5 8
		6 6
		7 4
		8 2
		Non-compliant 0

4. PRICING

The RFQ will be evaluated in terms of the Preferential Procurement Regulations (2022).

Note

- Fees must be quoted in South African Rand
- Price(s) must be firm and all-inclusive and VAT where applicable.

5. PERIOD / DURATION OF PROJECT / ASSIGNMENT

Once off.

6. PAYMENT:

The WRC will be invoiced according to the amount of services rendered payment will be affected 30 days from the date of the invoice.

7. STANDARD CONDITIONS OF THE TENDER

- i. Bidders must complete SBD 4, SBD 6.1,
- ii. Bidders must also submit a **valid tax clearance certificate**; and a **valid B-BBEE certificate** (original or certified copy) to the WRC offices PRIOR or by the closing date, if the WRC is not already in possession of these certificates;
- iii. It is the responsibility of prospective bidders to ensure that all bid documents are submitted before the closing time and date of the tender;
- iv. The WRC reserves the right to award or not to award this contract;
- v. The WRC will enter into a formal contract with one successful bidder;
- vi. The WRC reserves the right to terminate the contract should the performance of the service



- provider be unsatisfactory;
- vii. Bids received after closing time and date will be classified as **LATE** and will **NOT** be considered;
- viii. Although adequate thought has been given in the drafting of this document, errors may occur which the WRC will not be responsible for;
- ix. Any change of information provided in the tender document that may affect delivery of the service should be brought to the WRC's attention as soon as possible. Failure to comply with this may result in the contract being terminated;
- x. Service providers presenting information intentionally incorrectly or fraudulently will be disqualified;
- xii. Service providers who have been declared insolvent and wish to do business with the WRC must have been rehabilitated and provide the necessary proof thereof;
- xiii. The WRC reserves the right to award, cancel or partially award this contract.
- xiv. The National Treasury General Conditions of Contract will be applicable to this tender (available on the National Treasury website);
- xv. Bidders must complete and attach all relevant standard bid document;
- xvi. All prices quoted must be VAT inclusive; where applicable
- xvii. Only those bidders, who have met the minimum functional criteria, as stipulated above, may be invited to present their proposal as required. Please note that bidders, who may be invited for presentations, may have their technical scores re-evaluated.
- xviii. For those bidders who have met the minimum functional criteria, as stipulated above, the WRC has the right to visit the business premises to verify the information provided in the tender documents; please note that bidders who may have their premises inspected, may have their technical scores re-evaluated.
- xix. Short-listed companies could be invited to present and discuss their proposals.
- xx. A service level agreement will be entered into between the WRC and the successful respondent.

8. CLOSING DATE AND TIME

The closing date for the RFQ is the 04 February 2025 @ 24h00 .
Quotations should be sent to quotations@wrc.org.za to reach the WRC before 24h00 or the closing date and time.

9. ENQUIRIES

For any technical enquiries and commercial enquiries please contact: the WRC Supply Chain Unit at quotations@wrc.org.za