



Sol Plaatje University

EOI number: SPUDHCS-001

**EXPRESSION OF INTEREST (EOI) FOR THE PROVISION OF DINING HALL CATERING SERVICES
on campuses of Sol Plaatje University, Northern Cape**

EXPRESSION OF INTEREST

January 2020

Issued by:

Sol Plaatje University

**10 Sol Plaatje Drive
Kimberley
Northern Cape
8310**

Name of respondent:



Sol Plaatje University

EOI number: SPUDHCS-001

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E1.1 Notice and Invitation to submit an Expression of Interest

Expressions of Interest (EOI) are invited from suitable and experienced Service Providers for the provision and management of dining hall catering services.

Documents will be available for downloading from the University website at www.spu.ac.za from 10:00 on Friday, 24 January 2020.

A compulsory EOI only clarification session will be held at 10:00 on Friday, 31 January 2020.

Venue: Council Chambers, Ground Floor, Luka Jantjie Building, 1 Chapel Street, Kimberley. Any and all queries relating to the EOI document and process referred to above, must be addressed in writing only to Mr. Sabata Mokhele at email: sabata.mokhele@spu.ac.za.

The closing date for the submission of an EOI is 10:00 on Tuesday, 11 February 2020, with any and all submissions to be submitted in the Tender Box, Entrance Foyer, Luka Jantjie House, Sol Plaatje Boulevard, City Centre, Kimberley – GPS coordinates 28°44'42.27"S 24°45'58.36"E. Requirements for the sealing, addressing, delivery, opening and assessment of EOI submissions are stated in the Submission Data.

Only Service Providers that comply with the terms and conditions as set out in the EOI documentation, will be eligible to participate in the subsequent Request for Proposal (RFP) process.

The University reserves the right to withdraw this process in its entirety for any reason it might deem appropriate.

Telegraphic, telephonic, facsimile, email and late submissions will not be accepted nor considered for assessment purposes



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E1.2 Submission Data

The conditions for the calling for expressions of interest are the latest edition of the SANS 10845-4, *Standard Conditions for the Calling for Expressions of Interest*.

SANS 10845-4, which can be obtained on-line from the South African Bureau of Standards (see www.store.sabs.co.za), makes several references to the Submission Data for details that apply specifically to this submission. The Submission Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the *Standard Conditions for the calling for Expressions of Interest*.

Each item of data given below is cross-referenced to the clause in the Standard Conditions for the Calling for Expressions of Interest.

Clause number	Submission Data
3.1	The Employer is the Sol Plaatje University
3.2	The documents issued by the Employer comprise the documents listed on the contents page
3.4	The language for communications is English
3.4	The employer's agent is: Mr Sabata Mokhele Email: Sabata.mokhele@spu.ac.za
4.1	Only those respondents who comply with the terms and conditions as set out in the EOI document, will be eligible to participate in the subsequent Request for Proposal (RFP) process and have such evaluated: The respondent: <ol style="list-style-type: none"> 1) is not an unincorporated joint venture and is registered in terms of the Companies Act, 2008 (Act 71 of 2008) or the Close Corporation Act, 1984 (Act No. 69 of 1984); 2) has been registered and operational for a period of at least 3 years prior to the date of EOI closure; 3) is able to provide suitable financial statements for the preceding financial year (2018) within 12 months of the financial year end which are in accordance with legislative requirements; 4) has a turnover during its preceding financial year which is not less than R 10 million.

4.7	<p>The employer's details and address for delivery and identification details that are to be shown on each EOI submission pack are:</p> <p>Location of tender box: Entrance Foyer, Luka Jantjie House, Sol Plaatje Boulevard, City Centre, Kimberley.</p> <p>Physical address: Entrance Foyer, Luka Jantjie House, Sol Plaatje Boulevard, City Centre, Kimberley. GPS coordinates 28°44'42.27"S 24°45'58.36"E.</p> <p>Identification details to be shown on each EOI submission pack: EOI no, Title of EOI and the closing date of the EOI.</p>
4.7	Parts of each submission communicated on paper shall be submitted as an original or a certified copy of original plus one extra copy .
4.9	The closing time for submissions is as stated in the Notice and Invitation to Submit an Expression of Interest.
4.9	Telephonic, telegraphic, telex, facsimile or e-mailed submissions offers will not be accepted.
5.9	<p>All respondents who submit responsive submissions and:</p> <ul style="list-style-type: none"> a) are registered on the Central Supplier Database (CSD) for the South African government (see https://secure.csd.gov.za/) unless it is a foreign supplier with no local registered entity b) provide written proof from SARS that they either have no tax obligations or have made arrangements to meet outstanding tax obligations; c) do not have any of their directors/shareholders listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; e) have not abused the Employer's Supply Chain Management System or have failed to perform on any previous contract and have been given a written notice to this effect; f) have completed the Compulsory Declaration and who are considered by the Employer not to have any conflicts of interest which may impact on their ability to perform the proposed contract in the best interests of the Employer or potentially compromise the RFP/tenders process and are free of persons in the state who are not permitted to submit RFP/ tenders or to participate in the contract; and g) are registered and in good standing with the compensation fund or with a licensed compensation insurer; <p>will have their submissions considered.</p>



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E.2.1 List of returnable documents

Respondents shall **provide or complete** the following documents:

- 1) Business registration, including details of directorship/membership/trusteeship/partnership, where applicable;
- 2) Identity number if sole proprietor, otherwise identity numbers of director(s)/member(s)/trustee(s)/partner(s);
- 3) Physical and postal address;
- 4) Contact details such as telephone numbers(s), facsimile number and e-mail address, where applicable;
- 5) List of products/services offered;
- 6) At least three (3) references that are not older than 3 years;
- 7) Bank account holder information, including stamped bank letter;
- 8) Conflict of interest declaration;
- 9) An original valid Tax Clearance Certificate issued by the South African Revenue Services or insert a tax compliance pin number in the Compulsory Declaration so that the tenderer's tax compliance status can be confirmed;
- 10) Enterprise Eligibility Declaration;
- 11) Annual financial Statements Declaration;
- 12) Report or Summary Report for the tendering entity from the National Treasury Central Supplier Database printed not more than 2 weeks prior to the closing date for submissions if applicable;
- 13) Suitable annual financial statements for the preceding financial year (2018) within 12 months of the financial year end;
- 14) B-BBEE Verification Certificates issued by a verification agency accredited by the South African National Accreditation System (SANAS) or, in the case of a Qualifying Small Enterprise, a duly completed sworn affidavit on the relevant form obtained from the DTI website (https://www.thedti.gov.za/economic_empowerment/bee_codes.jsp) if permitted in terms of the relevant code;
- 15) A letter of good standing from the Compensation Fund or a licensed compensation insurer as contemplated in the Compensation for Occupational Injuries and Disease Act, 1993 (Act No. 130 of 1993).

Compulsory Declaration

The following particulars must be furnished.

Section 1: Service Provider Details

Name of Company:	
Contact person:	
Email:	
Telephone:	
Cell no	
Fax:	
Physical address	
Postal address	

Section 2: Particulars of companies and close corporations

Company / Close Corporation registration number	
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Section 3: SARS Information

Tax reference number	
Tax compliance status pin number	
VAT registration number:	<i>State Not Registered if not registered for VAT</i>

Section 4: CIDB registration number

CIDB Registration number (if applicable)	
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Section 5: National Treasury Central Supplier Database

CSD Master Registration Number Attach CSD registration report	
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Section 6: Particulars of principals

principal: means a natural person who is a partner in a partnership, a sole proprietor, a director of a company established in terms of the Companies Act of 2008 (Act No. 71 of 2008) or a member of a close corporation registered in terms of the Close Corporation Act, 1984, (Act No. 69 of 1984).

Full name of principal	Identity number	Personal tax reference number

Attach separate page if necessary

Section 7: Record in the service of the state

Indicate by marking the relevant boxes with a cross, if any principal is currently or has been within the last 12 months in the service of any of the following:

- | | |
|--|--|
| <input type="checkbox"/> a member of any municipal council | <input type="checkbox"/> an employee of any department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act of 1999 (Act No. 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature | |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> a member of the board of directors of any municipal entity | <input type="checkbox"/> an employee of Parliament or a provincial legislature |
| <input type="checkbox"/> an official of any municipality or municipal entity | |

If any of the above boxes are marked, disclose the following:

Name of principal	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

*insert separate page if necessary

Section 8: Record of family member in the service of the state

family member: a person's spouse, whether in a marriage or in a customary union according to indigenous law, domestic partner in a civil union, or child, parent, brother, sister, whether such a relationship results from birth, marriage or adoption

Indicate by marking the relevant boxes with a cross, if any family member of a principal as defined in section 5 is currently or has been within the last 12 months been in the service of any of the following:

- | | |
|---|---|
| <input type="checkbox"/> a member of any municipal council | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the |
| <input type="checkbox"/> a member of any provincial legislature | |

- ☐ a member of the National Assembly or the National Council of Province Public Finance Management Act, 1999 (Act 1 of 1999)
- ☐ a member of the board of directors of any municipal entity ☐ a member of an accounting authority of any national or provincial public entity
- ☐ an official of any municipality or municipal entity ☐ an employee of Parliament or a provincial legislature

Name of family member	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

*insert separate page if necessary

Section 9: Record of termination of previous contracts with an organ of state

Was any contract between the tendering entity including any of its joint venture partners terminated during the past 5 years for reasons other than the employer no longer requiring such works or the employer failing to make payment in terms of the contract.

☐ Yes ☐ No (Tick appropriate box)

If yes, provide particulars (insert separate page if necessary)

Section 10: Declaration

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the tendering entity confirms that the contents of this Declaration are within my personal knowledge, and save where stated otherwise in an attachment hereto, are to the best of my belief both true and correct, and:

- i) neither the name of the tendering entity or any of its principals appears on:
 - a) the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004 (Act No. 12 of 2004)
 - b) National Treasury's Database of Restricted Suppliers (see www.treasury.gov.za)
- ii) neither the tendering entity or any of its principals has within the last five years been convicted of fraud or corruption by a court of law (including a court outside of the Republic of South Africa);
- iii) any principal who is presently employed by the state has the necessary permission to undertake remunerative work outside such employment (attach permission to this declaration);
- iv) the tendering entity is not associated, linked or involved with any other tendering entities submitting tender offers
- v) has not engaged in any prohibited restrictive horizontal practices including consultation, communication, agreement, or arrangement with any competing or potential tendering entity regarding prices, geographical areas in which goods and services will be rendered, approaches to determining prices or

pricing parameters, intentions to submit a tender or not, the content of the submission (specification, timing, conditions of contract etc) or intention to not win a tender;

- vi) has no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- vii) neither the tenderer or any of its principals owes municipal rates and taxes or municipal service charges to any municipality or a municipal entity and are not in arrears for more than 3 months;
- viii) SARS may, on an on-going basis during the term of the contract, disclose the tenderer's tax compliance status to the Employer and when called upon to do so, obtain the written consent of any subcontractors who are subcontracted to execute a portion of the contract that is entered into in excess of the threshold prescribed by the National Treasury, for SARS to do likewise.

Signed

Name

Date

Position

Enterprise name

NOTE 1 The Standard Conditions of Tender contained in SANS 10845-3 prohibits anticompetitive practices (clause 3.1) and requires that tenderers avoid conflicts of interest, only submit a tender offer if the tenderer or any of his principals is not under any restriction to do business with employer (4.1.1) and submit only one tender either as a single tendering entity or as a member in a joint venture (clause 4.13.1). Clause 5.7 also empowers the Employer to disqualify any tenderer who engages in fraudulent and corrupt practice. Clause 3.1 also requires tenderers to comply with all legal obligations.

NOTE 2: Section 30(1) of the Public Service Act, 1994, prohibits an employee (person who is employed in posts on the establishment of departments) from performing or engaging remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department. When in operation, Section 8(2) of the Public Administration Management Act, 2014, will prohibit an employee of the public administration (i.e. organs of state and all national departments, national government components listed in Part A of Schedule 3 to the Public Service Act, provincial departments including the office of the premier listed in Schedule 1 of the Public Service Act and provincial departments listed in schedule 2 of the Public Service Act, and provincial government components listed in Part B of schedule 3 of the Public Service Act) or persons contracted to executive authorities in accordance with the provisions of section 12A of the Public Service Act of 1994 or persons performing similar functions in organs of state from conducting business with the State or to be a director of a public or private company conducting business with the State. The offence for doing so is a fine or imprisonment for a period not exceeding 5 years or both. It is also a serious misconduct which may result in the termination of employment by the employer.

NOTE 3: Regulation 44 of Supply Chain Management regulations issued in terms of the Municipal Finance Management Act of 2003 requires that organs of state and municipal entities not award a contract to a person who is the service of the state, a director, manager or principal shareholder in the service of the state or who has been in the service of the state in the previous twelve months.

NOTE: 4: Regulation 45 of Supply Chain Management regulations requires a municipality or municipal entity to disclose in the notes to the annual statements particulars of any award made to a close family member in the service of the state.

NOTE: 5 Corrupt activities which give rise to an offence in terms of the Prevention and Combating of Corrupt Activities Act of 2004) include improperly influencing in any way the procurement of any contract, the fixing of

the price, consideration or other moneys stipulated or otherwise provided for in any contract and the manipulating by any means of the award of a tender.

NOTE: 6 Section 4 of the Competition Act of 1998 prohibits restrictive horizontal practice including agreements between parties in a horizontal relationship which have the effect of substantially preventing or lessening competition, directly or indirectly fixing prices or dividing markets or constitute collusive tendering. Section 5 also prohibits restrictive vertical practices. Any restrictive practices that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties.

Enterprise Eligibility Declaration

	The undersigned, who warrants that he / she is duly authorised to do so on behalf of the respondent confirms that:																				
1)	The respondent is not an unincorporated joint venture and is (tick appropriate box): <div style="margin-left: 20px;"> <input type="checkbox"/> a close corporation – ck no <input type="checkbox"/> a company – company no </div>																				
2)	The respondent confirms that the respondent's turnover over the preceding financial year is not less than R 10 million																				
3)	The respondent confirms that they have been in continuous operation for more than three years (i.e.: since 2016 or earlier) (Provide certificate to commence operations)																				
4)	The respondent confirms that they have successfully supplied and/or are supplying the following relevant services in respect of this EOI; <i>Student, conference, dining hall and/or similar Catering Services:</i> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 8%;">No</th><th style="width: 22%;">Employer and contact details</th><th style="width: 30%;">Description of service</th><th style="width: 18%;">Monthly Value (VAT incl.)</th><th style="width: 22%;">Contract duration</th></tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td><td></td><td></td><td></td><td></td></tr> <tr> <td style="text-align: center;">2</td><td></td><td></td><td></td><td></td></tr> <tr> <td style="text-align: center;">3</td><td></td><td></td><td></td><td></td></tr> </tbody> </table> <p style="margin-top: 20px;">The respondent has included substantiation of completing these projects in the format of Schedule 2A</p>	No	Employer and contact details	Description of service	Monthly Value (VAT incl.)	Contract duration	1					2					3				
No	Employer and contact details	Description of service	Monthly Value (VAT incl.)	Contract duration																	
1																					
2																					
3																					

5)	<p>The respondent hereby further confirms that the enterprise:</p> <ul style="list-style-type: none"> a) is registered on the National Treasury Central Supplier Data Base (attach CSD Registration report); b) is in possession of a letter of good standing from the Compensation Fund or a licensed compensation insurer as contemplated in the Compensation for Occupational Injuries and Disease Act, 1993 (Act No. 130 of 1993) (attach letter).
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I hereby declare that the contents of this Declaration are within my personal knowledge and save where stated otherwise are to the best of my belief both true and correct.

Signed Date

Name Position

Tenderer

Annual Financial Statements Declaration

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the respondent, confirms that:

- 1) The enterprise's financial year end is
- 2) The enterprise's financial statements have been prepared in accordance with the provisions of the Companies Act of 2008 or the Close Corporation Act of 1984, as applicable
- 3) The enterprise has compiled its financial accounts [tick one box]:
☐ Internally ☐ independently
- 4) The following statement applies to the enterprise [tick one box and provide relevant information]
☐ enterprise has had its financial statements audited;
name of auditor
☐ enterprise is required by law to have an independent review of its financial statements
name of independent reviewer
☐ enterprise has not had its financial statements audited and is not required by law to have an independent review or audit of such statements
- 5) The attached income statement and balance sheet is a true extract from the financial statements complying with applicable legislation for the preceding financial year within 12 months of the financial year end.

[Attach the income statement and the balance sheet contained in the financial statement]
- 6) The annual turnover for the last financial year is R
- 7) The total assets as at the end of the last financial year is R
- 8) The total liabilities as at the end of the financial year is R

I hereby declare that the contents of this Declaration are within my personal knowledge and save where stated otherwise are to the best of my belief both true and correct.

Signed

Date

.....
Name

.....
Position

.....
Tenderer