



**BID NUMBER:            ECDC/ELN/EOI/417/052025**

**DESCRIPTION:            EXPRESSION OF INTEREST - DATABASE OF  
PREFERRED SERVICE PROVIDERS FOR THE  
TURNKEY SOLUTION FOR THE CONVERSION  
OF SHIPPING CONTAINERS INTO A BUSINESS  
WORKPLACE FOR ECDC CLIENTS**

**BIDDERNAME: .....**

**CSD SUPPLIER NUMBER: .....**

<b>CLOSING DATE:</b>	<b>30 JUNE 2025</b>
<b>CLOSING TIME:</b>	<b>12h00</b>

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INDEX		
Nr	DETAILS	PAGE
<b>SECTION A</b>		
A	Abbreviations	3
B	Definitions	3
<b>SECTION B – GENERAL INFORMATION</b>		
1.1	General Information	7
1.2	Eligibility to Express Interest/Minimum Requirements	8
1.3	Estimated Timeline	9
1.4	Compulsory Briefing Session	9
1.5	Submission of expression of interest	10
1.6	Evaluation Criteria	12
1.7	Alteration or withdrawal of proposals	20
1.8	Cost for preparation of proposal/presentation	20
1.9	Ownership of proposals and presentations	20
1.10	Tax clearance certificate requirements	20
1.11	Confidentiality	20
1.12	Ethics	21
1.13	Competition	21
1.14	Cancellation of Expression of Interest/bid process	21
1.15	Interviews	22
1.16	Contract Award/Shortlisting	22
1.17	Supplier Due Diligence	22
1.18	Disclaimer	22
1.19	Contact and Communication	23
1.20	ECDC's Stance on Fraud, Corruption and Theft	23
<b>SECTION C – TERMS OF REFERENCE</b>		
1.	Background to ECDC	25
2.	Scope of services required	
3.	Conditions Specific to this Expression of Interest	
<b>SECTION D – REQUIRED DOCUMENTATION</b>		
A	Supplier information	30
B	Location	32
C	Capacity, Experience, Capability of Service Provider Declaration Form	33
D	Bidder's Disclosure	36
E	Statement of Consent to Data Processing	38

SECTION A: ABBREVIATIONS AND ACRONYMS	
B-BBEE	Broad-based Black Economic Empowerment
B-BBEEA	Broad-based Black Economic Empowerment Act 53 of 2003
B-BBEE Codes	Broad-based Black Economic Empowerment Codes of Good Practice-2007
CIDB	Construction Industry Development Board
CIPC	Companies and Intellectual Property Commission
DTI	Department of Trade and Industry
ECDC	Eastern Cape Development Corporation
EME	Exempt Micro Enterprise
IRBA	Independent Regulatory Board of Auditors
ISO	International Organisation for Standardisation
NRCS	National Regulatory of Compulsory Specifications
PCCA	Prevention and Combating of Corrupt Activities Act 12 of 2004
PFMA	Public Finance Management Act (Act 1 of 1999)
PPPFA	Preferential Procurement Policy Framework Act (Act 5 of 2000)
QSE	Qualifying Small Enterprise
SABS	South African Bureau of Standards
SANAS	South African National Accreditation System
SARS	South African Revenue Service
SASAE	South African Standard on Assurance Engagements
SCM	Supply chain management
SMME	Small, Medium and Micro Enterprises
ToR	Terms of Reference
CSD	National Treasury Central Supplier Database for South African Government
B: DEFINITIONS	
Acceptable tender	Means any tender which, in all respects, complies with the specifications and conditions of tender as set out in the tender document.
Accreditation Body	Means the South African National Accreditation System or any other entity appointed by the Minister from time to time whose function it is to: Accrediting verification agencies Developing, maintaining and enforcing of Verification Standards
Affordable	Means (in terms of a PPP-Agreement) that the financial commitments to be incurred can be met by funds: Designated within ECDC's existing budget for the function to which the agreement relates; and Destined for ECDC in accordance with the relevant Treasury's future budgetary projections.
All applicable taxes	Includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.
Bid	Means a written offer or proposal to supply goods and/or provide services, submitted in response to the ECDC's invitation to quote or submit proposals which includes advertised competitive bids, written price quotations or proposals.
Bid Specification	A specification that lays down the characteristics of goods to be procured or their related processes and production methods, or the characteristics of services to be procured or their related operating methods, including the applicable administrative provisions, and a detailed requirement relating to conformity assessment procedures that an entity prescribes and shall include TOR for specialised services.

Black People	means 'African', 'Indian' and 'Coloured' people who are citizens of the Republic of South Africa by birth; or are citizens of the Republic of South Africa by naturalisation before the commencement date of the Constitution of South Africa Act (1993); or became citizens of the Republic of South Africa after the commencement of the of the Constitution of South Africa Act (1993), but who for the Apartheid policy that has been in place to that date, would have been entitled to acquire citizenship by naturalisation prior to that date.
Specific goals	<p>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:</p> <p>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—</p> <p>(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</p> <p>(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.</p>
Close family member	Shall mean:- member of the same household, parent (including adoptive parent), parent-in-law, son (including adoptive son), son-in-law, daughter (including adoptive daughter), daughter-in-law, step-parent, step-son, step-daughter, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, the spouse or unmarried partner with relation to any of the person's above.
Code of Ethics	refer to the ECDC Code of Ethics for Management and Staff as may be amended from time to time.
Comparative price	Means the price after the factors of a non-firm price and all the unconditional discounts that can be utilised have been taken into consideration.
Consortium or joint venture	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.
Contract	Means the agreement that results from the acceptance of a bid by ECDC.
Designated sector	Means a sector, sub-sector or industry that has been designated by the DTI in line with national development and industrial policies for local production, where on local produced goods or locally manufactured goods meet the stipulated minimum threshold for local production and content.
Duly sign	means a document that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).
Exempt Micro Enterprise (EME)	means an enterprise with a specified total annual revenue as per Department of Trade and Industry Codes of Good Practice on Broad Based Black Economic Empowerment
Family member	<p>Means</p> <p>a husband or wife, any partner in a customary union according to indigenous law or any partner in a relationship where the parties live together in a manner resembling a marital partnership or a customary union; and</p> <p>any person related to either one or both persons referred above within the second degree through a marriage, a customary union or a relationship or the third degree of consanguinity.</p>
Firm price	Means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract.
Fronting	Means a deliberate circumvention or attempted circumvention of the B-BBEE Act and the Codes. Fronting

	commonly involves reliance on data or claims of compliance based on misrepresentation of facts, whether made by the party claiming compliance or by any other person.
Functionality	Means the measurement according to predetermined norms, as set out in the tender documents, of a service or commodity that is designed to be practical or useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of the tenderer.
Imported content	Means that portion of the tender price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the bidder or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour or intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock dues, import duty, sales duty or other similar tax or duty at the South African port of entry.
In the service of the state	Means: an employee of any municipality who has a performance contract with the municipality and is employed on a permanent, temporary or short-term basis. an employee or public servant of any national or provincial government as defined in terms of Public Services Act. a member who – is a councilor of any municipal council as defined in the Local Government Municipal Structures Act (Act No 117 of 1998); is a politician serving in any provincial legislature; or is a politician serving in the National Assembly or the National Council of Provinces; a member of the board of directors of any municipal entity; an employee and a member of a government owned entity as defined in the Public Finance Management Act (Act No 1 of 1999); and / or such other meaning ascribed to it by National Legislation from time to time.
Local content	Means a portion of the tender price which is not included in the imported content, provided that local manufacture does take place.
Non-firm prices	Means all prices other than “firm” prices
Person	Includes a juristic person.
Price Quotation	An estimate describing the product, stating its price, time of shipment, and specifies the terms of the sale and terms of the payment.
Property	Includes all movable and immovable property and intellectual property belonging to ECDC.
Public Private partnership	Means a commercial transaction between ECDC and a private party in terms of which: the private party either performs a function o.b.o. ECDC for a specified or indefinite period, or acquires the use of state property for its own commercial purposes for a specified or indefinite period; the private party receives a benefit for performing the function or by utilising state property, either by way of: compensation from a revenue fund charges or fees collected by the private party from users or customers of a service provider to them; or a combination of such compensation and such charges or fees
Qualifying small entity	Means a qualifying small entity that qualifies for measurement under a certain value as per Department of Trade and Industry Codes of Good Practice on Broad Based Black Economic Empowerment.
Rand value	means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties.
Related enterprise	Means an entity controlled by a measured entity whether directly or indirectly controlled by the natural persons who have direct or indirect control over that measured entity or the immediate family of those natural persons.
Service Level Agreement	Shall have the same meaning assigned as “Contract”
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.

State	Means: any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the PFMA any municipality or municipal entity national Assembly or the national Council of Provinces; or parliament
Stipulated minimum threshold	Means that portion of local production and content as determined by the DTI
Sub-Contract	Means the primary contractor's assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract.
Tender	The same meaning is assigned as 'Bid" above.
Threshold	Shall mean the financial limits on the value of goods or services to be procured as set and prescribed in this policy which shall determine the manner in which these goods and services will be procured
Total revenue	Means the total income of an entity from its operations as determined under South African Generally Accepted Accounting Practice.
Trust	Means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person.
Trustee	Means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.
Value for Money	Means that the item (public-private partnership agreement) results in a net benefit to ECDC defined in terms of cost, price, quality, quantity, or risk transfer, or a combination thereof.

## SECTION B

### 1. Invitation to Submit an Expression of Interest

#### 1.1 General Information

Eastern Cape Development Corporation (ECDC) wishes to, through this expression of interest, develop a database of suitably qualified, experienced, competent, service providers/contractors to register and be shortlisted to ECDC's supplier database of preferred service providers to provide turnkey solution for the conversion of shipping containers into a functional business workplace for clients seeking a modified shipping container through the ECDC Business In A Box programme.

It is envisaged that the service providers listed on the database will have the capacity and capability to deliver modified shipping containers including the provision of linked business equipment.

- a) ECDC will not procure directly from the service providers but will refer potential ECDC clients to collect quotations from service providers registered on the database. The database will be used on an "as and when required" basis.
- b) The ECDC has identified and designed 5 business in a box models, see table below for which this supplier (Service Provider) database will be used.

Business Operation	Stratified Business in a Box Models
Hair Salon	6m container models with linked hair and beauty equipment.
Beauty Spa	6m container models with nail and beauty equipment.
Butchery	12m container models with refrigeration and linked equipment with retail space.
Spaza Shop	12m container model with linked retail equipment
Tyre Repair Centre	12m container models with linked equipment and workshop space.

The shortlisted service providers are expected to provide a turnkey solution from supply, delivery, installation and the conversion of containers as well as the supply and installation of key operational equipment required by entrepreneurs to operate a sustainable enterprise.

- a) The Service Provider **MUST** have the ability to provide a turnkey solution to convert shipping containers into a functional business workplace for clients seeking a modified shipping container through the ECDC Business in a Box Programme of the required business model workplace. The service provider is therefore required to provide the following:
  - Service providers are required to provide proof of experience, ability and capability to provide a turnkey solution
  - In order to be shortlisted to the database, service providers are also required to submit the following to prove capacity, capability and experience
    - Company profile which depicts the capability, capacity (human resources, tools, plant and equipment) and experience of the service provider in providing a turnkey solution.
    - At least two contactable Reference Letter from previous client where a turnkey solution was provided with portfolio of evidence e.g. completion certificates, pictures etc.
    - Physical address of business and workshop. ECDC/ECDC representative may conduct a site inspection to verify existence of business and capability of delivery. During the evaluation stage, ECDC will verify the existence through the documentation submitted, however an ECDC representative will physically verify the existence, operations and capability service provider when the service provider's quote has been elected for the provision of the service.

- Where during the verification it is discovered that the service provider provided false

information, the service provider will be disqualified and will be removed from the database. ECDC will report the service provider to Treasury and other relevant authorities.

**b) Location :** Where is the Service Provider Located, either main office/branch

- Service Provider to indicate where their main offices/branches and areas of operation and submit proof thereof.
- ECDC Client reserves the right to limit their sourcing of quotations on that area of Town/District Municipality/Nearest Location of where the goods are required.
- ECDC/ECDC representative reserves the right to verify the location of the operations of the service provider and verify whether the service provider's business operations are in line with the required service (turnkey solution to convert shipping containers to a functional workplace).
- Where during the verification it is discovered that the service provider provided false information, the service provider will be disqualified and will be removed from the database. ECDC will report the Service Provider to Treasury and other relevant authorities.

**c) New Entrants to Database** - New entrants to the database will be permitted to apply to be added on the list of approved service providers annually after the anniversary of the approved list or when required. When the time comes ECDC will invite prospective suppliers that are not already on the preferred database to apply for accreditation and the same evaluation process will be carried out in order to shortlist for the prospective Service Provider

New entrants will only be permitted if ECDC continues with the Business in the Box Programme

## **1.2 Eligibility to Bid/Minimum Requirements**

- All interested parties which have the capacity to manufacture modified shipping containers, including the provision of linked manufacture equipment and transportation of containers.
- Service Providers must ensure that all the required returnable documents and annexures are submitted together with this document, fully completed and signed as required in Table 1 below for mandatory returnable and Annexures
- Only local to South Africa Service Providers will be allowed to submit EOI and will be shortlisted to this database of preferred service providers
- Service Providers should note that inclusion into this database list in no way guarantees the award of work by the ECDC or ECDC Clients.



### 1.3 Estimated Timeline

Activity		Date	Time
1.	Placing of Advert	23 May 2025	N/A
2.	Compulsory Briefing Meeting	There will be no briefing meeting for any enquiries relating to this EOI please email the procurement department at <a href="mailto:tenders@ecdc.co.za">tenders@ecdc.co.za</a> , attention S Vanda. <b>Bidders should send an email to ECDC Procurement at <a href="mailto:tenders@ecdc.co.za">tenders@ecdc.co.za</a> to register their interest in submitting</b> Answers/Clarity on Bid will be posted on the website at <a href="http://www.ecdc.co.za">www.ecdc.co.za</a>	
3.	Last day of questions	7 days before closing date	N/A
4.	Final date of submission of bids	30 June 2025	12h00 pm
5.	Validity period	12months	

All dates and times in this bid are South African standard time.

Any time or date in this bid/expression of interest is subject to change at ECDC's discretion. The establishment of a time or date in this bid/expression does not create an obligation on the part of ECDC to take any action or create any right in any way for any bidder/service provider to demand that any action be taken on the date established. The bidder/service provider accepts that, if ECDC extends the deadline for bid/EOI submission (the Closing Date) for any reason, the requirements of this bid/EOI otherwise apply equally to the extended deadline.

### 1.4 Compulsory Briefing Session

- 1.4.1. A compulsory briefing session is not applicable in this EOI; therefore, none will be held.
- 1.4.2. For any enquiries relating to this Expression of Interest, please email the ECDC procurement department at [tenders@ecdc.co.za](mailto:tenders@ecdc.co.za) for attention S Vanda and quote the Bid No.
- 1.4.3. Communication with interested service providers and any clarity, queries of the EOI and answers to the queries will be posted on the website at [www.ecdc.co.za](http://www.ecdc.co.za) and will also be communicated to the potential service providers via email where the Bidder( service provider) has indicated to ECDC that they are interested in submitting an EOI.

#### **Very Important**

**Bidders should send an email to ECDC Procurement at [tenders@ecdc.co.za](mailto:tenders@ecdc.co.za) to register their interest in submitting this bid stating the following:**

- ✓ Bid Number
- ✓ Name of the Bidder
- ✓ Contact Person
- ✓ Contact Details

## 1.5 Submission of Expression of Interest Documents

**1.5.1** This EOI is subject to the Public Finance Management Act and the ECDC Procurement Policy as amended from time to time. This EOI is purely for an establishment of a preferred supplier database for the commodity and will be used by ECDC's clients and therefore is not subject to the PPPFA. The entire duly signed and completed expression of interest document together with any attachments or annexures must be submitted as follows:

**1.5.2 Expression of Interest (EOI) from persons in the service of the state**, or companies with directors who are persons in the service of the state, will be considered subject to:

1.5.2.1 Submission of a signed letter on a letterhead from their Accounting Officer/Accounting Authority (AO/AA of the Government Institution where they are employed) stating that they are not prohibited from conducting business with the State in terms of Section 8 of the Public Administration Management Act, 2012 (Act No.11 of 2014- "the PFMA")

1.5.2.2 Submission of a signed letter on a letterhead from their AO/AA granting permission to perform other remunerative work outside of their employment where the PAMA does not apply to such an employee

1.5.2.3 **ECDC reserves the right to verify such information from their AO/AA.**

**1.5.3 Local interested service providers** must ensure compliance with their tax obligations. Interested Service Providers are required to submit their **unique personal identification number (PIN)** issued by SARS to enable ECDC to verify the taxpayer's profile and tax status. Application for **Tax Compliance Status (TCS) PIN** may be made via e-filing through the **SARS website ([www.sars.gov.za](http://www.sars.gov.za))**. Where no TCS PIN is available, but the bidder is registered on the Central Supplier Database (CSD), a CSD number must be provided. In bids where consortia / joint ventures / sub- contractors are involved, each party must submit a separate TCS certificate / PIN / CSD number.

- **ECDC and ECDC Clients will thus not do business with service providers who are not tax-compliant and as such the client will be required to do business with only tax-compliant service providers. Prior to any commitment to a service provider, the service provider will be required to prove their tax compliance as outlined above.**

**1.5.4 Foreign bidders** who are foreign-based suppliers must complete the questionnaire in Annexure A, If the answer is "No" to all the questions, it is not a requirement to register for a tax compliance status system or provide a PIN code from SARS – **N/A only Local Service providers will be shortlisted on the database.**

### **1.5.5 Bidder's Disclosure (Declaration of Interest and Conflict of Interest) (Annexure D)**

1.5.5.1 The bidder (service provider), or any of its directors/trustees/shareholders/members, **MUST** declare any interest in any other related enterprise (enterprise they have interest in), whether they are bidding for this contract or not. The service provider can obtain this information from the CIPC and CSD.

1.5.5.2 Bidders must declare any relationship with any person employed by ECDC.

1.5.5.3 Bidders must declare that they have not engaged in collusive practices with any other bidder.

1.5.5.4 Any attempt to collude with other bidders or manipulate the bidding process may result in immediate disqualification.

### 1.5.6 Terms and Conditions

- 1.5.6.1 The EOI document **MUST** be **completed and signed by an authorised representative** of the bidder (service provider).
- 1.5.6.2 Proof of authority, delegation authority (e.g., **company resolution or delegation of authority**) **must** be submitted with the bid.
- 1.5.6.3 Failure to comply with these requirements **may render the bid invalid**.

### 1.5.7 Bid Validity and Offer Commitment

- 1.5.7.1 The bidder confirms that their offer remains binding for acceptance by ECDC during the validity period specified in this RFQ.
- 1.5.7.2 Any errors in price calculations shall be borne by the bidder, and the bid price remains final once submitted. - **N/A**

### 1.5.8 EOI to be **submitted placed in sealed envelopes** in the Bid Box or electronically on or before the final date and time of submission of proposals as indicated above labelled clearly as follows:

- 1.5.8.1 **Physical Submission:** Place a sealed hardcopy in the bid box at ECDC's Head Office, clearly labelled with the RFQ Number.

Bid Reference Number:	<b>ECDC/ELN/EOI/417/052025</b>
Bid Subject:	<b>Database of Preferred Service Providers for the Turnkey Solution for the Conversion of Shipping Containers into a Business Workplace for ECDC Clients</b>
Delivered at:	<b>ECDC Head Office at ECDC House, Ocean Terrace Park, Moore Street, Quigney, East London,</b>
Attention:	S Vanda

- 1.5.8.2 **Electronic Submission:** Email the bid document in **PDF format** to [bidsubmissions@ecdc.co.za](mailto:bidsubmissions@ecdc.co.za) ensuring that all required signatures are digitally included

E-mail subject header:	SUBMISSION OF EXPRESSION OF INTEREST: <b>ECDC/ELN/EOI/417/052025</b>
Maximum email capacity.	ECDC has an email capacity for receiving documents that are below 20MB. Service Providers are advised to submit their tenders in sections.

- 1.5.8.3 **IMPORTANT NOTE:** All EOI/Bid documents are to be completed in permanent ink.
- 1.5.8.4 No alterations of the EOI/Bid Document will be allowed.
- 1.5.8.5 No correction fluid will be allowed. All corrections should be initialled.
- 1.5.8.6 One original duly signed (by authorised representative) and completed bid document **MUST** be submitted inclusive of the terms and conditions of this EOI/ bid document.

- 1.5.8.7 If physical submission, a PDF soft copy of the duly signed and completed original bid (e.g. PDF format in Flash drive/disc) should be submitted with the Original duly signed and completed hardcopy bid document however non-submission of a soft copy will not result in the Bid being disqualified
- 1.5.8.8 The bid box is open on weekdays between 08h00am and 16h30pm.
- 1.5.8.9 **Late submissions, whether electronic or physical will not be considered** and where practicable, be returned unopened to the Bidder(s).

## 1.6 Evaluation Criteria

This Expression of Interest will be evaluated in the following stages:

<b>Stage 1</b>	<b>Pre-Qualification (Mandatory Requirements)</b> –	Service Providers are to meet all the Mandatory Tender Requirements in order to be Shortlisted.  Failure to submit the Mandatory Tender Requirements as required will result in the submission being disqualified.
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### 1.6.1 EOI Validity Period

Responses to this EOI received from vendors will be valid for a period of **12 months** counted from the closing date of the tender.

### 1.6.2 Stage 1: Pre-Qualification Stage (Mandatory Requirements)

Bidders must meet the following Mandatory submission Returnables in order to be shortlisted.

Description	Mandatory Requirement to be included on the Database	Disqualification if not submitted with Expression of Interest or Bidder is found to be Non-Compliant at the Close Date
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1.	<p><b><u>Bidders must be registered on the National Treasury Central Supplier Database (CSD).</u></b></p> <p>The following information will be verified on the National Treasury Central Supplier Database:</p> <ol style="list-style-type: none"> <li>1. Business Registration including details of directorship and membership, - The bidders' Business Registration Status will be verified on the CSD prior to the quotation being awarded/order being placed to the service provider and where the preferred bidder's status is under deregistration, <b>7 working days</b> will be granted for remedy, failing which the service provider will be disqualified to be awarded that quotation.</li> <li>2. ID Number,</li> <li>3. Government Employee</li> <li>4. Tender Defaulting and Restriction Status. Should the Tender be a restricted supplier or a defaulting supplier they will be disqualified and excluded from the database</li> </ol> <p><b>Onus on the Service Provider</b></p> <p>Onus is on the service provider to make sure that all these are active and compliant with the CSD at the time the quote is submitted. ECDC/ECDC Client will verify if the Service Provider has been registered on CSD. Service provider will be required to submit CSD Number when submitting a quote to the ECDC client/if already registered by the time EOI submission ECDC/ECDC Client will use that number submitted CSD Number to verify compliancy and above information. <b>It is the responsibility of the service provider to ensure that the correct CSD Number is provided.</b></p> <p><b>Directors/Employees in the Service of State</b></p> <p>Where a person within the Bidding Entity is an Employee of the State, the Service Provider should.</p> <ol style="list-style-type: none"> <li>1. submit a signed letter on a letter head from their Accounting Officer/Accounting Authority (AO/AA of the Government Institution where they are employed) stating that they are not prohibited from conducting business with the State in terms of Section 8 of the Public Administration Management Act, 2012 (Act No.11 of 2014- "the PFMA")</li> <li>2. submit a signed letter on a letter from their AO/AA granting permission to perform other remunerative work outside of their employment where the PAMA does not apply to such an employee.</li> </ol> <p><b>Note:</b> ECDC/ECDC Client reserves the right to verify such information from their AO/AA. If approval letter is not submitted, the Service Provider's quote will be disqualified and may be removed from the database of preferred service providers.</p> <p><b>JV's and Consortium.</b></p> <p>Where the Bidder is a JV/Consortium, each firm must be registered on the CSD</p>	<p>✓ <b>Service Providers are required to be registered on CSD within a month of being shortlisted on the database.</b> Failure of Service Provider not registering may lead to being removed from the database of preferred service providers for this commodity</p> <p>✓ <b>No service provider will be selected to quote on the service nor supply the services for the client if they are not registered with CSD</b></p>	No
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2.	<p><b>Tax Compliance Requirements:</b></p> <ul style="list-style-type: none"> <li>Service Providers must ensure compliance with their tax obligations.</li> <li>In EOI where Consortia/Joint venture/Sub-Contractors are involved; each party must submit a separate proof of Tax Compliance Status.</li> </ul> <p><b>2.1. Local Bidders</b> must ensure compliance with their tax obligations. Bidders (Service Providers shortlisted on the database) will be required to submit their <b>unique personal identification number (PIN)</b> issued by SARS to enable ECDC to verify the taxpayer's profile and tax status. Application for <b>Tax Compliance Status (TCS) PIN</b> may be made via e-filing through the <b>SARS website (<a href="http://www.sars.gov.za">www.sars.gov.za</a>)</b>. Where no TCS PIN is available, but the bidder is <b>registered on the Central Supplier Database (CSD)</b>, a <b>CSD number must be provided. In bids where consortia / joint ventures / sub- contractors are involved, each party must submit a separate TCS certificate / PIN / CSD number.</b></p> <ul style="list-style-type: none"> <li>ECDC will thus not do business with Bidders who are not tax-compliant and as such the client will be required to do business with only tax-compliant service providers. Prior to any commitment to a service provider, the service provider will be required to prove their tax compliance as outlined above.</li> <li>The bidders' Tax status will be verified on the CSD prior to the award of the quotation and where the preferred bidders is not compliant, <b>7 working days</b> will be granted for remedy, failing which the bidder will be disqualified</li> </ul>	This will be required at Quotation Stage	No
3.	Proof of company registration (CIPC registration) with ID copies of all the directors.	Yes	Yes
4.	<b>Annexure A – Supplier Information (SBD 1) (Completed and signed by the delegated authority)</b>	Yes	Yes

5.	<p><b>Proof of Service Provider's Capability, Capacity Experience</b></p> <p><b>a) Service Providers are required to complete Annexure C to declare their ability to provide a turnkey solution</b></p> <ul style="list-style-type: none"> <li>- to convert shipping containers into a functional business workplace for clients seeking a modified shipping container through the ECDC Business in a Box Programme of the required business model workplace and</li> <li>- ability to provide related equipment</li> </ul> <p><b>b) The Service Provider <b>MUST</b> have the ability to provide a turnkey solution to convert shipping containers into a functional business workplace for clients seeking a modified shipping container through the ECDC Business in a Box Programme of the required business model workplace. The service provider is therefore required to provide the following:</b></p> <ul style="list-style-type: none"> <li>• Service providers are required to provide proof of experience, ability and capability to provide a turnkey solution</li> <li>• In order to be shortlisted to the database, service providers are also required to submit the following to prove capacity, capability and experience <ul style="list-style-type: none"> <li>- Company profile which depicts the capability, capacity (human resources, tools, plant and equipment) and experience of the service provider in providing a turnkey solution.</li> <li>- Atleast two (2) Contactable Reference Letter from previous client where a turnkey solution was provided with portfolio of evidence. The portfolio of evidence to include but not limited to <ul style="list-style-type: none"> <li>✓ completion certificates/proof of delivery,</li> <li>✓ picture of the container referred to in the reference letter that has been converted this may be accompanied by pictures of the conversion process</li> <li>✓ fully functional converted container ready for use (with compliant electrical installation, insulation, floor,)</li> <li>✓ Reference Letter should be signed, with contactable contacts of the previous client (email address, contact number, address)</li> </ul> </li> <li>- Physical address of business and workshop. ECDC/ECDC representative may conduct a site inspection to verify existence of business and capability of delivery. During the evaluation stage, ECDC will verify the existence through the documentation submitted, however an ECDC representative will physically verify the existence, operations and capability service provider when the service provider's quote has been elected for the</li> </ul> </li> </ul>	Yes	Yes
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	<p>provision of the service.</p> <p><b>Important Note:</b> Where during the verification it is discovered that the service provider provided false information, the service provider will be disqualified and will be removed from the database. ECDC will report the service provider to Treasury and other relevant authorities.</p>		
6.	<p><b>Annexure B – Location of Service Provider’s area of operation/office/branch office.</b></p> <p><b>6.1</b> Service Provider is required to indicate the location and area of operation of their office/branch office and place of operation</p> <p><b>6.2</b> Service Provider <b>MUST</b> prove their physical location in South Africa and location in South Africa by submitting Valid Lease Agreement of Service Provider/Municipal Account of Service Provider/Tax Clearance Certificates/BBBEE Certificates/CIPC Certificates/Valid stamped Proof of Address from the Councillor/Municipal Bill, Bank, Insurance.</p> <p><b>6.3</b> ECDC Clients reserves the right to request quotations from the Service Providers that are nearest to required need.</p> <p><b>6.4</b> Service Provider who has not proved their locality will be granted 5 working days from the days of communication by ECDC to rectify</p> <p><b>6.5</b> Only local to South Africa Service Providers will be allowed to submit EOI and will be shortlisted to this database of preferred service providers</p> <p><b>6.6</b> ECDC reserves the right to verify the location of the operations of the service provider and verify whether the service provider’s business operations are inline with the category they responded to.</p> <p><b>6.7</b> During the evaluation stage, ECDC will verify the existence through the documentation submitted, however an ECDC representative will physically verify the existence, operations and capability service provider when the service provider’s quote has been elected for the provision of the service.</p> <p>Where during the verification it is discovered that service provider provided false information, the service provider will be disqualified and will be removed from the database. ECDC will report the Service Provider to Treasury and other relevant authorities.</p>	Yes	Yes

7.	<p><b>Annexure D – Bidder’s Disclosure (Declaration of Interest and Conflict of Interest)</b> (To be Signed and Completed by the Duly Authorised Signatory).</p> <ol style="list-style-type: none"> <li>1. Bidders and their directors/shareholder/member/trustees etc <b>MUST declare ALL THE ENTITIES (companies) they have an interest in, regardless if those companies are bidding for this contract or not</b>, and</li> <li>2. Bidder’s Disclosure to be signed by the delegated authority, and</li> <li>3. Bidders can check their CSD and CIPC for the companies / directors / shareholder /members/trustees etc they have interest in.</li> </ol> <p><b>Where all the bidder’s interest in other entities were not declared, THE BIDDER WILL NOT MEET THE MANDATORY REQUIREMENTS AND WILL BE DISQUALIFIED</b> on the following grounds</p> <ul style="list-style-type: none"> <li>✓ <b>Collusive Bidding:</b> Failure to disclose relationships with other enterprises bidding on this contract or previous collusion history. <b>Conflict of Interest:</b> Failure to declare direct or indirect relationships with ECDC employees.</li> <li>✓ <b>Fraudulent Misrepresentation:</b> Providing false information on CIPC or CSD declarations.</li> <li>✓ <b>Failure to Disclose Business Interests:</b> Not listing all companies linked to the bidder.</li> <li>✓ <b>Manipulation of the Bidding Process:</b> Any attempt to influence bid evaluation improperly.</li> </ul>	Yes	Yes
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8.	<p><b>Annexure E - Statement of Consent to Data Processing</b></p> <ol style="list-style-type: none"> <li>1. The Bidder should grant ECDC consent for Data Processing to be able to perform due diligence procedures to be able to evaluate the content of the Bid. and</li> <li>2. Duly completed and signed by the authorised signatory.</li> </ol> <p>Prior to the bid evaluation, where the statement of consent is unsigned, ECDC will provide <b>48 hours'</b> notice to the bidder for remedy, failing which the bidder will be disqualified.</p>	No	Yes, if not signed when the evaluation stage of the bid commences.
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**KINDLY NOTE THAT, FAILURE TO SUBMIT THE REQUIRED DOCUMENTATION WITH THE PROPOSAL MAY RESULT IN YOUR PROPOSAL BEING DISQUALIFIED WITHOUT FURTHER CONSIDERATION.**

### 1.7 Alteration or withdrawal of Proposals

Interested Parties may withdraw their proposal by written notification.

### 1.8 Costs for preparation of proposals/presentations

The costs incurred by interested parties in respect of the attendance of any briefing or presentation meetings if necessary or costs incurred in preparing any proposal will be borne by the interested party and the ECDC shall in no way be liable to reimburse such costs incurred.

### 1.9 Ownership of proposals and presentations

The ECDC shall on receipt of any proposal relating to this request and submitted in accordance with the procedure set out herein, become the owner thereof and the ECDC shall not be obliged to return any proposal.

### 1.10 Tax Clearance Certificate requirements

Service Providers must ensure compliance with their tax obligations.

In EOI where Consortia/Joint venture/Sub-Contractors are involved; each party must submit a separate proof of Tax Compliance Status.

**Local Bidders** must ensure compliance with their tax obligations. Bidders (Service Providers shortlisted on the database) will be required to submit their **unique personal identification number (PIN)** issued by SARS to enable ECDC to verify the taxpayer's profile and tax status. Application for **Tax Compliance Status (TCS) PIN** may be made via e-filing through the **SARS website ([www.sars.gov.za](http://www.sars.gov.za))**. Where no TCS PIN is available, but the bidder is **registered on the Central Supplier Database (CSD)**, a **CSD number must be provided**. **In bids where consortia / joint ventures / sub- contractors are involved, each party must submit a separate TCS certificate / PIN / CSD number.**

ECDC will thus not do business with Bidders who are not tax-compliant and as such the client will be required to do business with only tax-compliant service providers. Prior to any commitment to a service provider, the service provider will be required to prove their tax compliance as outlined above.

The bidders' Tax status will be verified on the CSD prior to the award of the quotation and where the preferred bidders is not compliant, **7 working days** will be granted for remedy, failing which the bidder will be disqualified

### 1.11 Confidentiality

The entire process of call for expression of interest was initiated by the ECDC in terms of its procurement policy and is confidential. All deliberations in respect of the acceptability or otherwise of the proposals shall be conducted in closed sessions and members of the Evaluation and Procurement Committee and prospective Service Providers are bound to treat all discussions as highly confidential.

The Service Provider shall not divulge directly or indirectly to any other person than a person employed by ECDC, make copies or extracts of any of the information obtained during this assignment, while they may have access to ECDC's trade secrets, confidential information which may include, specifications, plans, drawings, pattern, samples, written instructions, notes, memoranda, technical information, know-how or process or method or any other records of whatsoever nature without the written consent of ECDC and shall surrender all these items to ECDC on termination of the assignment or on demand of ECDC.

The Service Provider shall not be entitled to make use of the information whether for its own benefit or that of others, to make available or derive any profit from any of the information or knowledge specifically related to the business or affairs of ECDC.

Any document, shall remain the property of ECDC and shall be returned (all copies) to ECDC on completion of the contract if so required by ECDC.

## **1.12 Ethics**

Any attempt by an interested Service Provider to obtain confidential information, or enter into unlawful agreements with competitors or influence the Evaluation and /or the Procurement Committee or the ECDC during the process of examining, evaluating and comparing Bids/Proposals/Interest or Quotations will lead to the rejection of its bid/quotation/proposal/interest in its entirety.

The interested Service Provider must declare any business or other interests it has with the ECDC or any employee of the ECDC, as per the declaration of interest form annexed hereto marked in Section D; failing which the Bidder shall be automatically disqualified from further participation in the Bid or call for proposals. The disqualification will be applicable at any stage of the bidding and / or engagement process.

## **1.13 Competition**

Bidders/interested Service Providers and their respective officers, employees and agents are prohibited from engaging in any collusive action with respect to the bidding process which serves to limit competition amongst bidders.

In general, the attention of bidders/interested Service Provider is drawn to Section 4(1) (b) (iii) of the Competition Act 1998 (Act No. 89 of 1998) (the Competition Act) that prohibits collusive bidding.

An agreement between, or concerted practice by, firms, or a decision by an association of firms, is prohibited if it is between parties in a horizontal relationship and if a bidder/s is / are or a contractor(s) was / were involved in collusive bidding.

If bidders/interested Service Provider have reason to believe that competition issues may arise from any submission of a response to this expression of interest they may make, they are encouraged to discuss their position with the competition authorities before submitting response.

Any correspondence or process of any kind between bidders and the competition authorities must be documented in the responses to this expression of interest.

In this regard bidders/interested Service Providers are required to complete Bidders Disclosure, failing which the Bidder shall be automatically disqualified from further participation in the Bid or call for proposals/ expression of interest. The disqualification will be applicable at any stage of the bidding and / or engagement process.

If a bidder (s) or contractor (s), based on reasonable grounds or evidence obtained by ECDC, has /have engaged in the restrictive practice referred to above, ECDC may refer the matter to the Competition Commission for investigation and possible imposition of an administrative penalty as contemplated in Section 59 of the Competition Act 89 of 1998.

If a bidder(s) or contractor(s) has / have been found guilty by the Competition Commission of the restrictive practice referred to above, ECDC may in addition and without prejudice to any other remedy provided for, invalidate the bid(s) for such an item(s) offered, and / or terminate the contract in whole or part, and / or restrict the bidder(s) or contractor(s) for conducting business with the public sector for a period of not exceeding 10 (ten) years and / or claim damages from the bidder(s) / contractor(s) concerned.

## **1.14 Cancellation of Expression of Interest/Bidding Process**

The ECDC shall be entitled, within its sole and entire discretion, to cancel this Bid/Call for Proposals/Expression of Interest and/or Quotations at any time and shall notify the interested Service Providers accordingly. The ECDC shall in no way be liable for any damages whatsoever, including, without limitation, damages for loss of profit, in any way connected with the cancellation of this Expression of Interest. The publication of the expression of interest does not commit the ECDC to appoint any of the qualifying Bidders.

### 1.15 Interviews

In terms of the bid evaluation process short listed bidders may be interviewed. This will entail the bidder being invited to a venue as determined by the bid committee. All transport and accommodation costs incurred by the bidder will be for the bidders account and will not be reimbursed in any way. Failure to attend a scheduled interview will lead to immediate disqualification from the bid process.

The ECDC reserves the right to appoint a bidder without conducting interviews.

### 1.16 Contract Award/Shortlisting

- a) ECDC reserves the right to limit the number of Service Providers on the database of preferred service providers.
- b) Where a service provider is shortlisted to the database, ECDC does not guarantee that such Service Provider will receive a request for quotation to quote for supply and delivery as indicated in the expression of interest. **The ECDC will not procure directly from the suppliers but will refer potential clients to collect quotations from suppliers registered on the database. The database will be used on an "as and when required" basis.**
- c) The interested parties to note that this does not amount to any contractual obligation on the part of ECDC and ECDC Clients. The purpose of this document is to assist ECDC in the identification and evaluation of potential Service Providers to be included in the database of preferred service providers who may subsequently be invited by ECDC's potential clients to for collection of quotations from suppliers registered in this database.
- d) Service Providers will be notified of the short-listing to the database by Procurement Department of ECDC.
- e) ECDC's Client reserves the right to invite for quotation approved Service Providers according to each Service Provider's location and availability.
- f) It is not mandatory that ECDC's Client only invites the Service Provider in this database if there is no Service Provider shortlisted for that category or location.
- g) Until such time that an appropriate contract has been concluded in writing between the ECDC's Client and the successful Service Provider, no rights shall be conferred, nor shall any legitimate expectations be conferred to the successful Service Provider to carry out the works or services provided for in this Bid/proposal/expression of interest.
- h) The ECDC will not entertain any request for feedback before the final database shortlisting

### 1.17 Supplier Due Diligence

ECDC reserves the right to conduct supplier due diligence prior to final shortlisting to the database and or post shortlisting and at any time during the period the Service Provider is included in the database. This may include site visits and requests for additional information. Should ECDC or the Client at any stage discover that the information submitted by the Service Provider is false or there is a misrepresentation of any kind, ECDC will report the Service Provider to the Treasury and other relevant authorities.

### 1.18 Disclaimer

This document has been prepared for the purpose of providing information to interested Service Providers. The provision of any additional information about the organization to Service Providers, are disclosed and will be made available to enable the prospective Service Providers to submit comprehensive proposals.

Interested Bidders are accordingly required to conduct their own due diligence in respect of the ECDC and its business

operations and the nature and scope of the services required.

The ECDC accepts no responsibility for the fairness, accuracy or completeness of any information or opinions, for any errors, omissions or misstatements, negligent otherwise, made by any person in this Bid document or at any Compulsory briefing session

The ECDC accepts no liability for any loss incurred by any person(s) due to events or action taken as a consequence of the preparation and dissemination of this bid request.

Except in cases of criminal negligence or wilful misconduct, and in the case of infringement the bidder shall not be liable to ECDC, whether in contract, tort, or otherwise, for any indirect or consequential loss or damage, loss of use, loss of production, or loss of profits or interest costs, provided that this exclusion shall not apply to any obligation of the bidder to pay penalties and/or damages to ECDC; and

The aggregate liability of the bidder to ECDC, whether under the contract, in tort or otherwise, shall not exceed the total contract price, provided that this limitation shall not apply to the cost of repairing or replacing defective equipment.

### 1.19 Contact and Communication

A nominated official of the bidder(s) can make enquiries in writing, to the specified person on the table below. Bidder(s) must reduce all telephonic enquiries to writing and send to the above email address.

The delegated office of ECDC, Procurement Department, may communicate with Bidder(s) where clarity is sought in the bid proposal.

Any communication to an official or a person acting in an advisory capacity for ECDC in respect of the bid between the closing date and the award of the bid by the Bidder(s) is discouraged.

All communication between the Bidder(s) and ECDC must be done in writing.

Details	Bidding Procedure
Department	Procurement Department
Contact person	Siyabulela Vanda
Telephone number	043 704 5699
E-mail address	<a href="mailto:svanda@ecdc.co.za">svanda@ecdc.co.za</a>

Where Service Providers want to report any fraudulent activity/ies they should report to the following

Whilst all due care has been taken in connection with the preparation of this bid, ECDC makes no representations or warranties that the content of the bid or any information communicated to or provided to Bidder(s) during the bidding process is, or will be, accurate, current or complete. ECDC, and its employees and advisors will not be liable with respect to any information communicated which may not be accurate, current or complete.

If Bidder(s) finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this bid or any other information provided by ECDC (other than minor clerical matters), the Bidder(s) must promptly notify ECDC in writing of such discrepancy, ambiguity, error or inconsistency in order to give ECDC an opportunity to consider what corrective action is necessary (if any).

Any actual discrepancy, ambiguity, error or inconsistency in the bid or any other information provided by ECDC will, if possible, be corrected and provided to all Bidder(s) without attribution to the Bidder(s) who provided the written notice.

All persons (including Bidder(s)) obtaining or receiving the bid and any other information in connection with the Bid or the Tendering process must keep the contents of the Bid and other such information confidential, and not disclose or use the information except as required for the purpose of developing a proposal in response to this Bid

## 1.20 ECDC's Stance on Fraud, Corruption, and Theft

The Eastern Cape Development Corporation (ECDC) upholds the highest standards of integrity, accountability, and ethical governance. As a responsible public entity, ECDC has a zero-tolerance approach to fraud, corruption, and theft, recognizing these as serious offenses that undermine public trust and hinder sustainable development. ECDC is committed to fostering a culture of transparency and ethical conduct, ensuring that all employees, stakeholders, and service providers adhere to strict anti-fraud policies and governance frameworks. To this end, ECDC encourages the reporting of any suspected fraudulent activities through its confidential and independently managed fraud hotline.

ETHICS & FRAUD HOTLINE REPORTING CHANNELS	
Hotline Name:	ECDC Ethics & Fraud Hotline
Contact Number:	0800 116 665
WhatsApp Number:	0860 004 004
SMS Number:	48691
Dedicated Email Address:	<a href="mailto:ecdc@behonest.co.za">ecdc@behonest.co.za</a>
SMS Number:	48691
Free Post	BNT165, Advance Call Pty (Ltd), Brooklyn Square, 0075
Website Link	<a href="http://www.behonest.co.za">www.behonest.co.za</a>



## SECTIONS C

### TERMS OF REFERENCE / BID SPECIFICATIONS

## ABOUT ECDC

### Vision

To be an innovative leader in promoting sustainable economic growth and development of the Eastern Cape.

### Mission

**To promote sustainable economic development in the Eastern Cape through focused:**

- a) Provision of innovative development finance
- b) Leveraging of resources, strategic alliances, investment and partnerships.

**Your Growth is our satisfaction**

### Legislative Mandate

ECDC draws its mandate directly from the Eastern Cape Development Corporation Act (Act 2 of 1997) and is led by the economic development priorities of the provincial government, as detailed in the Provincial Growth and Development Plan (PGDP), Eastern Cape Provincial Industrial Development Strategy (PIDS), the policy statements and budget speech of the Member of the Executive Council (MEC) of Economic Development, Environment Affairs and Tourism (DEDEAT).

Section 3 of the ECDC Act states that the Corporation shall “plan, finance, co-ordinate, market, promote and implement development of the Province and its people in the field of industry, commerce, agriculture, transport and finance”.

## 2. BACKGROUND

The business-in-a-box concept allows new and existing entrepreneurs to acquire a proven turnkey concept in a specific business sector. The approach aims to promote economic development by fast tracking the entrepreneurial journey through the provision of business infrastructure in the form of modified shipping or prefabricated containers and proven business models.

To achieve impact and scale, the ECDC has identified and designed 5 business in a box models, see table below.

Business Operation	Stratified Business in a Box Models
Hair Salon	6m container models with linked hair and beauty equipment.
Beauty Spa	6m container models with nail and beauty equipment.
Butchery	12m container models with refrigeration and linked equipment with retail space.
Spaza Shop	12m container model with linked retail equipment
Tyre Repair Centre	12m container models with linked equipment and workshop space.

The product models include the container designs, specifications and the key operational equipment required by entrepreneurs to operate a sustainable enterprise.

## 2.1 OBJECTIVES

The objective of this EOI is to develop a database of capable suppliers of modified shipping containers to assist with the roll out of the programme. In terms of the programme design, clients will apply for funding for a specific business model from the ECDC, who will procure the container directly from suppliers in the ECDC database if the application is successful.

Suppliers must be capable of providing turnkey services covering all elements of the business in a box model including: container modification, procurement of operational equipment, container delivery, site preparation and connections to available services such as water and electricity.

## 2.2 DESCRIPTION OF SERVICES

The ECDC is seeking to develop a panel of service providers to supply turnkey Business in a Box business models. It is envisaged that suppliers listed on the database will have the capacity and capability to deliver modified shipping containers including the provision of linked business equipment. The description of the services required includes but is not limited to the following elements.

- Procurement of both 6- and 12-meter shipping containers.
- Conversion and modification of shipping containers to the specifications outlined in the ECDC business in a box product catalogue.
- Procurement and installation of linked business equipment into the modified containers
- Delivery of containers to clients operating location
- Preparation of clients site location
- Connection of containers to available municipal services such as water and electricity
- Container compliance with all regulations including electric and health and safety norms and standards.
- Installation of safety measures such as suitable fencing, burglar door and burglar bars on opening windows based on security assessment agreed upon on each site.

## 2.3 QUALIFICATIONS, EXPERTISE AND EXPERIENCE

Service providers must demonstrate experience and capacity to deliver modified shipping containers and the other outlined services as per section 2.2 above.

a) The Service Provider **MUST** have the ability to provide a turnkey solution to convert shipping containers into a functional business workplace for clients seeking a modified shipping container through the ECDC Business in a Box Programme of the required business model workplace. The service provider is therefore required to provide the following:

- Service providers are required to provide proof of experience, ability and capability to provide a turnkey solution
- Service providers are required to provide proof of experience, ability and capability to provide a turnkey solution

- In order to be shortlisted to the database, service providers are also required to submit the following to prove capacity, capability and experience
- Company profile which depicts the capability, capacity (human resources, tools, plant and equipment) and experience of the service provider in providing a turnkey solution.
- Atleast two (2) Contactable Reference Letter from previous client where a turnkey solution was provided with portfolio of evidence. The portfolio of evidence to include but not limited to
  - ✓ completion certificates/proof of delivery,
  - ✓ picture of the container referred to in the reference letter that has been converted this may be accompanied by pictures of the conversion process
  - ✓ fully functional converted container ready for use (with compliant electrical installation, insulation, floor,)
  - ✓ Reference Letter should be signed, with contactable contacts of the previous client (email address, contact number, address)
- Physical address of business and workshop. ECDC/ECDC representative may conduct a site inspection to verify existence of business and capability of delivery. During the evaluation stage, ECDC will verify the existence through the documentation submitted, however an ECDC representative will physically verify the existence, operations and capability service provider when the service provider's quote has been elected for the provision of the service.
  - Where during the verification it is discovered that the service provider provided false information, the service provider will be disqualified and will be removed from the database. ECDC will report the service provider to Treasury and other relevant authorities.

**b) Location:** Where is the Service Provider Located, either main office/branch

- Service Provider to indicate where their main offices/branches and areas of operation and submit proof thereof.
- ECDC Client reserves the right to limit their sourcing of quotations on that area of Town/District Municipality/Nearest Location of where the goods are required.
- ECDC/ECDC representative reserves the right to verify the location of the operations of the service provider and verify whether the service provider's business operations are in line with the required service (turnkey solution to convert shipping containers to a functional workplace).
- Where during the verification it is discovered that the service provider provided false information, the service provider will be disqualified and will be removed from the database. ECDC will report the Service Provider to Treasury and other relevant authorities.

**c) New Entrants to Database** - New entrants to the database will be permitted to apply to be added on the list of approved service providers annually after the anniversary of the approved list or when required. When the time comes ECDC will invite prospective suppliers that are not already on the preferred database to apply for accreditation and the same evaluation process will be carried out in order to shortlist for the prospective Service Provider

New entrants will only be permitted if ECDC continues with the Business in the Box Programme

## **2.4 Quality of Goods Supplied**

- a) The Service Provider is required to supply goods that meets the quality standards of the relevant regulatory industry bodies e.g. SABs, NRCS, ISO etc
- b) Where suppliers did not supply quality goods as required and within the relevant regulatory industry bodies , the goods will not be accepted and will not be reimbursed for the goods

## **2.5 Objective of Accreditation**

ECDC's objective for creating a database is to:

- a) To streamline quality control System,
- b) Facilitate a pre-approved database of Service Providers in line with required commodity
- c) To ensure utilization of legally compliant and capable service providers/suppliers/manufacturers
- d) To promote Service Provider development and sustainability,
- e) Builds a service provider track record with a credible institution

## **CONDITIONS SPECIFIC TO THIS EXPRESSION OF INTEREST**

### **2 Responsibilities and duties**

- 2.1 Notwithstanding the fact that a description of the services has been provided above, ECDC shall be entitled to request additional services related to deliverables required to ensure the successful completion of the services set out above on such further terms and conditions as may be agreed between the parties in writing.

### **3 ECDC facilities – N/A**

- 3.1 Unless otherwise agreed in writing by ECDC, the Service Provider will work from its own office and provide its own facilities, such as transport, telephone, cellphone, fax and computer facilities to perform the services.
- 3.2 The Service Provider may use certain facilities made available by ECDC to assist in performing the services, including but not limited to computer facilities, telephone and fax facilities and stationery. In this regard the Service Provider agrees to:
- 3.3 Abide by the health, safety and security measures as prescribed by ECDC from time to time;
- 3.4 To use such accommodation and facilities entirely at his own risk and ECDC shall not be liable for any loss or damage whatsoever and howsoever caused arising out of or in connection with the use of these items, other than loss or damage caused as a result of ECDC's own willful misconduct.

### **4 Force majeure - N/A**

- 4.1 If a force majeure situation arises, the bidder/interested Service Provider shall promptly notify ECDC in writing of such condition and the cause thereof. Unless otherwise directed by ECDC in writing, the bidder/interested Service Provider shall continue to perform its obligations under the contract as far as is reasonably practical, and shall seek all reasonable alternative means for performance not prevented by the force majeure event.

### **5 Insurance – N/A**

The Service Provider shall provide their own insurance until the goods have been delivered/received by the client..

## **6 Warranty**

Service Provider shall

Supply, service and warranty support of the container for a period of 18 months to the client

## **7 Duration of the contract**

7.1 It is anticipated that the appointment on to the database will be made during end **1 July 2025**

### **7.2 The Database will be for the duration of the Business in the Box Programme**

7.3 Upon non-delivery of works as per the works order (task instruction), ECDC client may/shall, cancel the contract, and reallocate the works order (task instruction) to another Service Provider and ECDC may place completely remove the service provider from the database. Necessary steps may also be taken to recover monies paid to the service provider.

7.4 Work may only be commenced by Service Providers acknowledgement of receipt of a written task instruction by ECDC client and once an order for the task instruction has been generated.

## **8 Payments and tax**

8.1 The Service Provider shall furnish the ECDC client with a VAT compliant tax invoice accompanied by a copy of the delivery note upon fulfillment of obligations stipulated in the contract.

8.2 In instances where a certain portion of the quoted amount is required to enable the service provider to commence with the work, a written notice between the ECDC client and the service provider must be submitted to ECDC together with a valid invoice of the stated amount. Up to the maximum amount of 50% of the portion may be paid and the remaining 50% payment will be done once the installation is completed to the satisfaction of ECDC and the Client if not covered.

8.3 Payments shall be made promptly by ECDC in Rand, but in no case later than thirty (30) days after submission of a VAT compliant tax invoice and supporting documentation by the Service Provider if the services have been properly executed as agreed.

8.4 A foreign bidder shall be entirely responsible for all taxes, stamp duties, license fees, and other such levies imposed outside the Republic of South Africa.

8.5 A local bidder shall be entirely responsible for all taxes, duties, license fees, etc., incurred until delivery of the contracted goods to ECDC.

## SECTION D

### ANNEXURE A: SUPPLIER INFORMATION AND DELEGATED AUTHORITY INFORMATION

Note: Mandatory Requirement. Failure to complete and sign this document will result in the bid being non-responsive.

<b>Legal Name of Bidder: (Same as CSD)</b>			
<b>Trading Name of Bidder: (Same as CSD)</b>			
<b>Registration Number (Same as CSD)</b>			
<b>Physical Address</b>	The bidder elects as its <i>domicillium citandi et executandi</i> in the Republic of South Africa, where all legal notices may be served.		
<b>Postal Address</b>			
<b>Contact Person</b>			
<b>Title/Position in the Firm</b>			
<b>Mobile Number</b>			
<b>Bidder Telephone Number</b>			
<b>Facsimile Number</b>			
<b>Email Address of Contact Person</b>			
<b>Email Address of Bidder</b>			
<b>VAT Registration Number (Same as CSD)</b>			
<b>Central Supplier Database Number</b>	MAAA		
<b>Are the Accredited Representative in South Africa for the Goods /Services/Works Offered?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No (If Yes enclose Proof)	<b>Are you a foreign based supplier for the Goods/Services/Works Offered?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No (If yes, answer the questionnaire Below)
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS – THIS EOI IS ONLY FOR LOCAL SUPPLIERS. NO FOREIGN SUPPLIERS WILL BE ELIGIBLE TO BID .</b>			
Is the Bidder a resident of the Republic of South Africa (RSA)			<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the Bidder have a branch in the RSA?			<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the Bidder have a permanent establishment in the RSA?			<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the Bidder have any source of income in the RSA			<input type="checkbox"/> Yes <input type="checkbox"/> No

**THE DULY DELEGATED OFFICIAL TO COMPLETE AND SIGN THIS EXPRESSION OF INTEREST, DULY DELEGATED BY THE DIRECTORS/SHAREHOLDERS/TRUSTEES/MEMBERS OF THE SERVICE PROVIDER ABOVE IS:**

FULL NAME OF DELEGATED AUTHORITY	IDENTITY NUMBER OF DELEGATED AUTHORITY
AUTHORISATION OF DELEGATION PROVIDED BY: (e.g. Chairperson of the Board, Managing Director, Shareholder, Member of a CC, Trustee or similar)	POSITION OF THE DELEGATED AUTHORITY. employed by the bidder, e.g. Chief Executive Officer, Chief Financial Officer, Chairperson of the Board etc.

**1. A duly signed Letter of Authority/Board Resolution/Delegation of Authority Matrix must be provided with the Bid document.**

1.1 Where there is more than one (1) director / shareholder / trustee / members etc. in the Company/Trust/Close Corporation etc. (institution), the directors /shareholder /trustees /member etc., should delegate a person by means of submitting a duly signed Delegation of Authority granting the authorized personnel to sign the Bid Document on the Bidder's behalf, **OR**

1.2 Where there is only one Director and the person completing the document is not the Director. The Director should delegate a person by means of submitting a duly signed Delegation of Authority granting the authorized personnel to sign the Bid Document on the Bidder's behalf.

**2. The Letter of Authority MUST be signed by all directors of the Bidder/ Directors that meet the quorum for the Letter of Authority to be valid (a signed Board Resolution authorising the signatory will be accepted – Board Resolution to be signed by the duly authorised individual (Chairperson of the Board/Company Secretary).**

3. Where a person within the Bidding Entity is an Employee of the State, the Bidder must

3.1 submit a signed letter on a letter head from their Accounting Officer/Accounting Authority (AO/AA of the Government Institution where they are employed) stating that they are not prohibited from conducting business with the State in terms of Section 8 of the Public Administration Management Act, 2012 (Act No.11 of 2014- "the PFMA")

3.2 submit a signed letter on a letter from their AO/AA granting permission to perform other remunerative work outside of their employment where the PAMA does not apply to such an employee

**3.3 ECDC reserves the right to verify such information from their AO/AA.**

**BIDDER ACKNOWLEDGEMENT OF REQUEST AND TERMS AND CONDITIONS:**

I HEREBY ACCEPT THE TERMS OF THIS REQUEST FOR QUOTATION AND ACKNOWLEDGE THAT I AM APPROPRIATELY DELEGATED TO RESPOND ON BEHALF OF THE BIDDER.

SIGNATURE of the DELEGATED AUTHORITY.		DATE	
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**Annexure B: LOCATION**

**Note:** Mandatory Requirement. Only Service Providers who reside in South Africa will be eligible to be invited for this Expression of Interest. This programme is being implemented in the Eastern Cape. ECDC reserves the right to only invite the Service Providers that are closest to the area of need.

Service Provider is required to indicate their Office/Branch Offices/Area of Operation

**Proof of Residence (Office/Branch Office/Area of operation) – The following documents of the Service Providers should be submitted as proof (Municipal Accounts, Valid Lease, BBBEE, Municipal Clearance, Tax, signed and stamped proof of residence from the Councillor)**

Item		Physical Address
1.	Main Office	
2.	Operations/Workshop/Factory	
3	Branch Office 1	
4	Branch Office 2	
5	Branch Office 3	
6	Branch Office 4	



## Annexure C: CAPABILITY , CAPACITY, EXPERIENCE OF SERVICE PROVIDER DECLARATION FORM

**Note:** Mandatory Requirement. Service Providers to indicate compliance and provide proof thereof

Service providers must demonstrate capability, experience and capacity to deliver modified shipping containers and the other outlined services as per section

Item	Description	Service Provider to Indicate whether they comply or not and provide proof thereof as required in the document	
		COMPLY	DO NOT COMPLY
1	<p>The Service Provider <b>MUST</b> have the ability to provide a turnkey solution to convert shipping containers into a functional business workplace for clients seeking a modified shipping container through the ECDC Business in a Box Programme of the required business model workplace. The service provider is therefore required to provide the following:</p> <ul style="list-style-type: none"> <li>• Service providers are required to provide proof of experience, ability and capability to provide a turnkey solution</li> <li>• In order to be shortlisted to the database, service providers are also required to submit the following to prove capacity, capability and experience <ul style="list-style-type: none"> <li>○ Where during the verification it is discovered that the service provider provided false information, the service provider will be disqualified and will be removed from the database. ECDC will report the service provider to Treasury and other relevant authorities.</li> </ul> </li> </ul>		
	Company profile which depicts the capability, capacity (human resources, tools, plant and equipment) and experience of the service provider in providing a turnkey solution. (Attach proof)		
	<p>Atleast two (2) Contactable Reference Letter from previous client where a turnkey solution was provided with portfolio of evidence. The portfolio of evidence to include but not limited to</p> <ul style="list-style-type: none"> <li>✓ completion certificates/proof of delivery,</li> <li>✓ picture of the container referred to in the reference letter that has been converted this may be accompanied by pictures of the conversion process</li> <li>✓ fully functional converted container ready for use (with compliant electrical installation, insulation, floor,)</li> <li>✓ Reference Letter should be signed, with contactable contacts of the previous client (email address, contact number, address)</li> </ul>		

	(Attach proof)		
	<b>Service Provider's Undertaking to provide the service when awarded            (Service Provider should undertake to provide the whole services. In ability to provide one of the service MAY result in the service provider being disqualified)</b>		
		<b>SERVICE HAS THE ABILITY AND UNDERTAKES THAT THEY WILL PROVIDE THE SERVICE WHEN APPOINTED</b>	<b>SERVICE DOES NOT HAVE THE ABILITY TO PROVIDE FOR THE SERVICE WHEN APPOINTED</b>
	<ul style="list-style-type: none"> <li>Procurement of both 6- and 12-meter shipping containers.</li> </ul>		
	<ul style="list-style-type: none"> <li>Conversion and modification of shipping containers to the specifications outlined in the ECDC business in a box product catalogue.</li> </ul>		
	<ul style="list-style-type: none"> <li>Procurement and installation of linked business equipment into the modified containers</li> </ul>		
	<ul style="list-style-type: none"> <li>Delivery of containers to clients operating location</li> </ul>		
	<ul style="list-style-type: none"> <li>Preparation of clients site location</li> <li></li> </ul>		
	<ul style="list-style-type: none"> <li>Connection of containers to available municipal services such as water and electricity</li> </ul>		
	<ul style="list-style-type: none"> <li>Provide a Converted Container compliant with all regulations including electric and health and safety norms and standards.</li> </ul>		

	<ul style="list-style-type: none"> <li>Installation of safety measures such as suitable fencing, burglar door and burglars on opening windows based on security assessment agreed upon on each site.</li> </ul>		
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I ..... HAVING BEING DULY AUTHORISED  
 BY ..... (Company Name) C O N F I R M THAT THE INFORMATION PROVIDED IN THIS ANNEXURE WITH THE REQUIRED SUPPORTING DOCUMENTS IS ACCURATE. IF ECDC FINDS THE INFORMATION TO BE INACCURATE AND FRAUDULENT IN ANY WAY SHALL REPORT ME AND THE COMPANY TO THE RELEVANT AUTHORITY.

SIGNATURE of the DELEGATED AUTHORITY.		DATE	
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**ANNEXURE D: BIDDER'S DISCLOSURE (DECLARATION OF INTEREST AND CONFLICT OF INTEREST) (SBD4)**

**Note:** Mandatory Requirement. Failure to complete and sign this document will result in the bid being non-responsive.

**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 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

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 ☐

- 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 they are bidding for this contract? Yes ☐ No ☐

- 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>1</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 intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.5 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.
- 3.6 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.
- 3.7 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 5 ABOVE IS CORRECT.

I ACCEPT THAT THE ECDC MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 05 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

<b>SIGNATURE of the DELEGATED AUTHORITY</b>		<b>DATE</b>	
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<sup>1</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.

## ANNEXURE E: STATEMENT OF CONSENT TO DATA PROCESSING

**Note:** Mandatory Requirement. Failure to complete and sign this document will result in the EOI not being evaluated.

In terms of the provisions of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013)

1. I, \_\_\_\_\_ (full names of the delegated authorised authority),

Identitynumber \_\_\_\_\_ ("the bidder")

do hereby grant my consent to the Eastern Cape Development Corporation ("the ECDC") and its appointed processor to process my personal data for the purpose of any or all the undermentioned actions, being the legitimate reasons for processing and/or using my personal data.

2. I accept that my personal information will only be utilized for the purposes it was collected, that the information will only be retained for as long as it is necessary and required by law, and that I have the right to view such information at any time, as well as requested correction or deletion of my personal information held by the ECDC.

3. I am aware that I may withdraw my consent at any time by using the relevant Data Subject Consent Withdrawal Form.

4. I herewith consent to the ECDC official / staff member / employee or agent collecting and having access to my personal information.

5. I expressly consent to the ECDC official / staff member / employee or agent to collect and process this information for the purpose of **considering my application for funding / leasing / employment alternatively for considering our bid document.**

6. I expressly consent to the ECDC or its official / staff member / employee or agent having access to my personal information contained in my application for lease, employment, funding, my bid document, or any other administrative document required by the ECDC for processing.

7. I expressly consent to the ECDC or its official / staff member / employee or agent using my personal information to communicate with me in person / via telephone / email / video call / fax / WhatsApp / any form of social media.

8. I expressly consent that the ECDC or its official / staff member / employee or agent may discuss any of my personal information with any of its officials / staff members / employees or agents that may at any stage of my application be involved in considering the same and forward any such information to any ECDC relevant committee or forum.

9. I expressly consent to the ECDC or its official / staff member / employee or agent handing over any outstanding accounts to debt collection third parties (applicable to properties/development finance and business support unit).

10. I expressly consent to the ECDC or its official / staff member / employee or agent handing over my personal information for purposes of verification of my credit profile or record, references or any purpose required in terms of the law.

<b>SIGNATURE</b>	<b>of</b>		<b>DATE</b>	
<b>DELEGATED AUTHORITY</b>	<b>the</b>			