



REQUEST FOR QUOTATION (RFQ)

Municipal legal expert required to assess feasible partnership options for the project: “Building an inclusive system to tackle plastic waste in northern Johannesburg”

Established in 2010, GreenCape is a non-profit organisation that drives the widespread adoption of economically viable green economy solutions from South Africa. GreenCape works with businesses, investors, academia, and government to unlock the investment and employment potential of green technologies and services, and to support a transition to a resilient green economy. Our aim is to be globally relevant in driving the uptake of green economy infrastructure solutions in the developing world.

One of our current projects for the Alliance to End Plastic Waste focuses on building an inclusive system to tackle plastic waste in Johannesburg. One of the main objectives of this project is to address wastage of plastic resources in the rapidly developing northern section of Johannesburg, by: Increasing collection and sorting of plastics from middle to high income residential areas, by supporting the integration of the informal waste pickers into municipal operations. Note: the collection activities incentivised and delivered under this project will include the collection and reporting of all dry recyclables. The funder's targets for recovery of material are focused on the plastics recovered for recycling from the waste stream.

Interested organisations are invited to submit quotations to undertake this work.

BACKGROUND TO THE PROJECT

As part of this project, we require a service provider to assess legally compliant and effective mechanisms of partnership between the City of Johannesburg (CoJ), Pikitup, and informal sector organisations, aided by co-funding from an international funder, CoJ, Pikitup, and industry. The practical results of such a partnership are:

- New or upgraded infrastructure on Pikitup sites – including buildings, vehicles and equipment (such as balers, conveyors etc). Pikitup will retain site ownership, and be responsible for the maintenance of any buildings.
- Operations on Pikitup sites (including collections, sorting and storage) managed and delivered by an informal sector organisation.
- Operations on Pikitup sites (including collections, sorting and storage) managed and delivered by Pikitup in partnership with an informal sector organisation (site-sharing, rather than combined operations).
- Operations on Pikitup sites (including collections, sorting and storage) managed and delivered by a Producer Responsibility Organisation (PRO) in partnership with an informal sector organisation.

These partnerships have direct reference to the National Extended Producer Responsibility (EPR) Regulations relating to co-operation between municipalities and PROs to increase the recovery of identified products under EPR (Section 5A (l) – amendments 5 May 2021) and to the National Waste Management Strategy (2020) and the EPR regulations which both require integration of

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Company Registration No. 2012/039750/08

Refer to the GreenCape website for director details

the informal sector, and increased recovery of packaging material for recycling (ideally through separation at source).

SCOPE OF WORK

The deliverables requested are:

- What are the formal agreements or structures possible to achieve the operations outlined above between CoJ-Pikitup and an informal sector organisation, and CoJ-Pikitup and PROs (ideally an association of PROs), with reference to relevant clauses in applicable national and municipal regulations and policy?
- What are the formal agreements or structures possible to achieve the operations outlined above between CoJ-Pikitup, an informal sector organisation, and PROs (ideally an association of PROs), with reference to relevant clauses in applicable national and municipal regulations and policy? (formal agreement between the 3 parties)
- For both points above, please consider specifically the Municipal Supply Chain Management Framework regarding how agreements between the parties should be structured and completed.
- What are the implications (including risks for each stakeholder – CoJ, Pikitup, informal sector organisation, and PROs) of each possible form of partnership in terms of timelines to project initiation: provide a detailed process flow of the steps/elements that must be adhered to as required by relevant regulations for:
 - Operations on a Pikitup site delivered by an informal sector organisation; or
 - Operations on a Pikitup site delivered by a contractor/s of a PRO/ association of PROs. The PRO or association of PROs would then likely form an agreement with an informal sector organisation related to site operations.
 - For both points above, the service provider to develop a list of services/offering that each entity/stakeholder can contribute/commit to a joint project.
 - This should include the conditions to access these services/offering.
 - Please also provide guidance on the process CoJ and Pikitup should follow to comply with the Municipal Supply Chain Management Framework, and enable the effective partnership models outlined above.
- For each form of partnership, what are the implications in terms of formal agreements, processes and time for the main organisation (a PRO/ association of PROs, or an informal sector organisation) with which CoJ-Pikitup has an agreement:
 - Regarding the main organisation developing infrastructure (eg construction of, or upgrade to, a sorting area) on a Pikitup site, and
 - Regarding the main organisation channelling funding from an external funder to donate equipment (such as balers), or vehicles to implement project operations.
 - Please also provide guidance on the process CoJ and Pikitup should follow to comply with the Municipal Supply Chain Management Framework, and enable the effective partnership models outlined above.

*Note: all Pikitup sites selected will be licensed and comply with the national norms and standards for storage, and the national norms and standards for sorting, shredding, grinding, crushing, screening and baling of general waste.

LOCATION

Focused on the City of Johannesburg, but it is hoped that the information can be applied nationally to support the co-operation of municipalities and PROs in complying with the National EPR Regulations.

DATE OF DELIVERY

15 April 2023

GENERAL INFORMATION

1. Any quotation submitted after the closing date and time shall **not** be considered.
2. GreenCape reserves the right to cancel the procurement process without notice at any time and not make any appointment on this project.
3. All quotations will be evaluated on the basis of a functionality/price/B-BEEE weighting of 50:30:20. B-BBEE points will be calculated as per the table set out in Annexure A to this RFQ.
4. Each bidder must include in its quotation a confirmation that it does not and will not have any actual or potential conflict of interest in submitting its quotation (see Declaration of Interest attached as Annexure B to this RFQ).
5. Functionality will be based on the following criteria
 - a. Relevant legal qualifications
 - b. Experience in applying national and local regulations and policy applicable to municipalities (especially in the City of Johannesburg)
 - c. Experience in providing legal expertise to guide municipal partnerships with external entities (especially in the City of Johannesburg)
6. The acceptance of a quotation and the awarding of this project or any part thereof to a bidder will be communicated in writing by GreenCape.
7. Following acceptance of a quotation, the appointed bidder will be expected to enter into a service level agreement and a non-disclosure agreement with GreenCape.
8. The successful quote submitted by the bidder will form part of the service level agreement and may not be amended at any time after acceptance unless agreed to in writing by GreenCape and the service provider.
9. The appointed bidder will be expected to comply, inter alia, with the following:
 - 9.1. any applicable health and safety rules and regulations, including, but not limited to, the provisions of the Occupational Health and Safety Act No. 85 of 1993;
 - 9.2. registration and good standing with the Commissioner for Compensation for Occupational Injuries and Diseases and having the necessary employer's liability insurance in respect of its employees/agents in line with the provisions of the Compensation for Occupational Injuries and Diseases Act No. 130 of 1993, as amended; and
 - 9.3. sufficient insurance to cover its liabilities in respect of the services to be provided and any other insurances that may specifically be required by GreenCape in relation to its appointment on this project.

SUBMISSION REQUIREMENTS

Interested organisations are invited to submit a quote for the outlined scope of work that should include the following:

1. Quotation for the work, broken down by activity
2. A brief work plan that outlines the proposed approach and activities that would be taken to achieve the required scope of work. The work plan should include:
 - a. the proposed activities to achieve the required scope of work
 - b. the timeframes for each activity
 - c. a brief description of the proposed approach to assess feasible partnership options for the project: “Building an inclusive system to tackle plastic waste in northern Johannesburg”,
 - d. a risk register and mitigation plan that addresses any key project risks.
3. CVs of proposed team and team structure/organogram
4. Company profile, indicating previous projects with similar requirements
5. Tax Clearance Certificate
6. Company Registration Certificate
7. Declaration of Interest
8. BEE credentials with certificate or affidavit as relevant
9. Letter of good standing from the Compensation Fund in South Africa (COID)
10. Proof of required insurances

Please email the above documentation to kirsten@greencape.co.za by 10th March 2023, using the reference: ALL 0017. Please note that a failure to submit any of the required documentation could result in the bidder being excluded from the tender process.

For any queries related to this RFQ, please email: kirsten@greencape.co.za.



Annexure A: B-BBEE score weighting

Table 1 – B-BBEE score weighting

B-BBEE Level Status of Contributor	Number of Points
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2
Non-compliant	0



Annexure B: Declaration of Conflict of Interest

Any legal person/s having a relationship with persons employed by The GreenCape Sector Development Agency or any of the funders listed in this RFQ may make an offer/s in terms of this invitation to bid. In view of the possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to The GreenCape Sector Development Agency or any of the funders listed in this RFQ, it is required that the bidder or his/her authorized representative declare his/her interest as required below.

1. Have you previously provided services/products to The GreenCape Sector Development Agency or any of the funders listed in this RFQ?

YES

NO

If yes, please furnish further particulars:

2. Do you have any relationship (family, friend or otherwise) with employees of The GreenCape Sector Development Agency or any of the funders listed in this RFQ?

YES

NO

If yes, please furnish further particulars:

3. Were you previously employed by the GreenCape Sector Development Agency or any of the funders listed in this RFQ?

YES

NO

If yes, please specify further details of previous employment:

4. Please provide details of any other positions that you currently hold that could be of relevance to assessing conflict of interest for purposes of this project (e.g. directorships, partnerships, trusteeships, shareholdings, etc.):

I am aware that in the event of not accurately declaring any of the above, The GreenCape Sector Development Agency is entitled to terminate the agreement, and take any further action it deems necessary.

I hereby confirm that all the information provided above is true and correct.

SIGNATURE

FULL NAME

DATE

CAPACITY

