



Expression of Interest (EOI)

NRF/SARAO/EOI/SCSA/002/2020-21

REQUEST FOR EXPRESSIONS OF INTEREST TO PARTICIPATE IN A BBBEE EQUITY OPPORTUNITY

Name of Respondent:	
CSD Registration Number:	
Email Address:	
Date of Issue:	XXX 2021
Closing Date:	XXX 2021
Closing Time:	11.00AM
Submission of responses:	Electronic submissions must be sent to tenders@ska.ac.za
Enquiries:	Name: Ms. Pontsho Maruping Designation: Deputy Managing Director, SARAO Email Address: pmaruping@ska.ac.za
SARAO Business Hours	08h00 – 16h30
Category	Professional Services

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1. INTRODUCTION

The National Research Foundation Act, Act 23 of 1998, incorporates the National Research Foundation (“NRF”) as the juristic legal entity of which SARAQ is one of the national facilities.

The South African Radio Astronomy Observatory (SARAQ) is the National Research Foundation’s National Facility incorporating South Africa’s radio astronomy instruments and programmes such as the MeerKAT and KAT-7 telescopes in the Karoo in the Northern Cape, the Hartebeesthoek Radio Astronomy Observatory (HartRAQ) in Gauteng, the African Very Long Baseline Interferometry (AVN) programme in nine African countries as well as the associated human capital development and commercialisation endeavours. More information about SARAQ is available from www.ska.ac.za. More information about the international SKA project is available from www.skatelescope.org.

2. BACKGROUND

SARAQ has collaborated with Peralex Electronics (Pty) LTD to commercialise the Passive Radar Technology and their derivative products. As part of this collaboration the Parties intend to establish a special purpose vehicle (SPV) that will include a BBBEE equity share to market and sell the products. The Parties wish to use this opportunity to identify a suitable BBBEE company to acquire a (twenty six percent) 26% shareholding in the SPV. The suitable BBBEE company will complement the existing competence present within the SPV and increase the synergistic value for the company.

3. INVITATION OF EXPRESSIONS OF INTEREST

BBBEE companies who meet the qualifying criteria are hereby invited to submit expressions of interest for consideration by the SARAQ and Peralex Electronics (Pty) LTD. Shortlisted companies identified after the evaluation process detailed in this document, will be provided with the opportunity to engage with the SARAQ and Peralex Electronics (Pty) LTD prior to final selection.

4. EOI SPECIFICATIONS (OVERVIEW OF REQUIREMENTS)

All expressions of interest are to be submitted as a proposal that will include a comprehensive business plan with a strong justification as to why the company should be selected for this opportunity emphasising how it would add value to the special purpose vehicle. Information that should be included in each document as listed below;

- the respondent has a BBBEE status level 1 or 2.
- the respondent can contribute in terms of skills or funding towards the special purpose vehicle that will complement the existing competence of Peralex (Pty) LTD.
- the respondent has experience in the science, technology and engineering environment.
- the respondent has demonstrated a competence to foresee and manage economic realities, future value, as well as potential risks.
- the respondent has extensive experience in marketing science, technology and engineering products.
- the respondent has an extensive commercial network that will allow the company to access market opportunities and assist in growing the company.

In addition, the submission should include a valid BBBEE certificate and all mandatory returnable forms/schedules and documents that are present in section 9.

5. THE EVALUATION PROCESS

The evaluation process pertaining to this EOI entails a multi stage process that would include the following:

- Stage 1 - Prequalification Criteria:** Level 1 or 2 BBBEE status level contributors. Companies who fail to meet this requirement will be disqualified from further evaluation.
- Stage 2 - Compliance to Administrative Requirements:** Completion of all mandatory returnable forms/schedules and submission of all mandatory returnable documents. companies that fail to meet these requirements will be disqualified from further evaluation.
- Stage 3 - Evaluation of Functionality Criteria:** The company will be evaluated on the technical requirements of the EOI. All companies that fail to meet the score of 75% will be disqualified from further evaluation.
- Stage 4 – Interviews with shortlisted Respondents, Selection of Preferred Respondent, and Contractual Negotiations**

6. EVALUATION OF THE FUNCTIONAL REQUIREMENTS

The evaluation of the functional/ technical detail of the expression of interest will be based on the following criteria:

No	Functional Criteria	Weighting (%)
1	<p>Professional Team</p> <p><i>a. Experience in the Science, Technology & the Engineering Sector</i></p> <p>Provide CVs of all directors and managers with their relevant experience.</p> <ul style="list-style-type: none"> • The team have a combined experience of more than 10 years in the Science, Technology and the Engineering sector = 2 points • The team have a combined experience of less than 10 years in the Science, Technology and the Engineering sector = 1 points • The team have no experience in the Science, Technology and the Engineering sector = 0 points <p><i>b. Marketing Experience</i></p> <p>The team has extensive marketing experience with a strong network that when combined exceeds 5 years.</p> <ul style="list-style-type: none"> • More than 5 years marketing experience in the technology sector = 2 points • Less than 5 years marketing experience in the science and technology sector = 1 points • The team have no marketing experience = 0 points <p><i>c. Sales Experience</i></p> <p>Demonstrate sales competence of the team by providing evidence of successful sales initiatives initiated by team members.</p> <ul style="list-style-type: none"> • The team members have implemented five or more successful marketing campaigns = 2 points • The team members have implemented less than five marketing campaigns = 1 point • The team have implemented no marketing campaigns = 0 points <p><i>d. Sales Experience</i></p> <p>Demonstrate sales competence of the team by providing evidence of successful sales initiatives initiated by team members.</p> <ul style="list-style-type: none"> • The team members have implemented five or more successful marketing campaigns = 2 points • The team members have implemented less than five marketing campaigns = 1 point • The team have implemented no marketing campaigns = 0 points 	<p>CV's of the professional team and proof of registration with professional bodies or associations where requested</p> <p>References of projects/products that the team has successfully marketed .</p> <p>References of projects that the team may have been involved with and completed related to this criterion.</p>

	<p>e. Local & international Networks Demonstrate access to national and international markets for radar and other communication systems.</p> <ul style="list-style-type: none"> • The team members have extensive local and international network in the highlighted area = 2 points • The team members have an extensive local network in the highlighted area = 1 point • The team no networks in the highlighted area = 0 points 	<p>Evidence with the necessary support related to the following criterion.</p>
	<p>2. THE COMPANY The company has been registered and operational for a minimum period.</p> <ul style="list-style-type: none"> • the company has been registered and operational for three (3) years or more = 2 points • the company has been registered and operational for less than three (3) years = 1 point • the company has been not been registered as yet = 0 points 	<p>Evidence with the necessary support related to the following criterion.</p>
	<p>3. THE PROPOSAL The proposal should take the form of a comprehensive business plan with a strong justification as to why the company should be selected for this opportunity emphasising how it would add value to the special purpose vehicle. The Proposal = 10 points, shall comprise the following;</p> <ul style="list-style-type: none"> • Clear description of how the company will add value in this project = 3 points. • Clear articulation of the company’s strengths and experience that supports this value = 2 points. • Comprehensive network that the company provides that will be of value in this project = 2 points. • The overall content and structure of the business plan = 3 points. 	<p>PROPOSAL In addition to providing the information described in this document.</p>
<p>Total</p>		<p>22</p>

Respondents must score a minimum of 75% on functionality in order to qualify to be evaluated further.

7. ELIMINATION CRITERIA

Expression of interest submissions will be eliminated under the following conditions;

- Submission after the deadline.
- Failure to meet the minimum qualification requirements for stages 1, 2 and 3 of the EOI.
- Any attempt to fraudulently influence the EOI selection process, contrary to the SARAO SCM Policy.

8. DISCLAIMER

- The SARAO and Peralex are under no obligation to select a commercial partner identified through this process.

9. RETURNABLE FORMS

SBD 4 - DECLARATION OF INTEREST WITH GOVERNMENT	
<p>Any legal person, including persons employed by the State (meaning any national or provincial department; national or provincial public entity; or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999); any municipality or municipal entity; provincial legislature; National Assembly or the National Council of Provinces; or National Parliament), or persons having a kinship with persons employed by the State, including a blood relationship, may make an offer or offers in terms of this invitation to EOI (includes an advertised competitive EOI, a limited EOI, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting EOI, or part thereof, be awarded to persons employed by the State, or to persons connected with or related to them, it is required that the Respondent or his/her authorised representative, declare his/her position in relation to the evaluating/adjudicating authority where:</p> <ol style="list-style-type: none"> a. The Respondent is employed by the State; and/or b. The legal person on whose behalf the Submitted Document is signed, has a relationship with persons/s person who is/are involved in the evaluation and or adjudication of the EOI(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and/or adjudication of the EOI. 	
<p>In order to give effect to the above, the following questionnaire must be completed and submitted with this EOI:</p>	
<p>Full Name of Respondent or his/her representative:</p>	<input style="width: 100%; height: 20px;" type="text"/>
<p>Identity Number:</p>	<input style="width: 100%; height: 20px;" type="text"/>

Position occupied in the Company (director, trustee, shareholder, member):	
Registration number of company, enterprise, close corporation, partnership agreement:	
Tax Reference Number:	
VAT Registration Number:	
The names of all directors/trustees/shareholders/members, their individual identity numbers, tax reference numbers and, if applicable, employee/PERSAL numbers must be indicated in a separate schedule including the following questions:	
Schedule attached with the above details for all directors/members/shareholders	
Are you or any person connected with the Respondent presently employed by the State? If so, furnish the following particulars in an attached schedule	<input type="checkbox"/> Yes <input type="checkbox"/> No
Name of person/ director/ trustee/ shareholder/member:	
Name of State institution at which you or the person connected to the Respondent is employed	
Position occupied in the State institution	
Any other particulars:	
If you are presently employed by the State, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, did you attach proof of such authority to the EOI document?	
If No, furnish reasons for non-submission of such proof as an attached schedule	
(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the EOI.)	
Did you or your spouse or any of the company's directors/ trustees /shareholders /members or their spouses conduct business with the State including any business units of the National Research Foundation in the previous twelve months?44	<input type="checkbox"/> Yes <input type="checkbox"/> No
If so, furnish particulars as an attached schedule	
Do you, or any person connected with the Respondent, have any relationship (family, friend, other) with a person employed by the State and who may be involved with the evaluation and or adjudication of this EOI?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If so, furnish particulars as an attached schedule	
Do you or any of the directors/ trustees/ shareholders/ members of the company have	<input type="checkbox"/> Yes <input type="checkbox"/> No

any interest in any other related companies whether or not they are submitting for this contract?	
If so, furnish particulars as an attached schedule	

SBD 8 - DECLARATION OF PAST SCM PRACTICES	
Is the Respondent or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? If Yes, furnish particulars as an attached schedule:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the Respondent or any of its directors listed on the Register for Tender Defaulters in terms of Section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? If Yes, furnish particulars as an attached schedule:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Was the Respondent or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years? If Yes, furnish particulars as an attached schedule:	<input type="checkbox"/> Yes <input type="checkbox"/> No
Was any contract between the Respondent and any NRF terminated during the past five years because of failure to perform on or comply with the contract? If Yes, furnish particulars as an attached schedule:	<input type="checkbox"/> Yes <input type="checkbox"/> No
The Database of Restricted Suppliers and Register for Tender Defaulters resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	

SBD 9: CERTIFICATE OF INDEPENDENT EOI DETERMINATION
I, the signatory to this document, in submitting this EOI in response to the invitation for the EOI made by the National Research Foundation, do hereby make the following statements that I certify to be true and complete in every respect:
I have read and I understand the contents of this Certificate;
I understand that the EOI will be disqualified if this Certificate is found not to be true and complete in every respect;
I am authorised by the Respondent to sign this Certificate, and to submit the EOI, on behalf of the Respondent;
Each person whose signature appears on the EOI has been authorised by the Respondent to determine the terms of, and to sign, the EOI on behalf of the Respondent;
For the purposes of this Certificate and the accompanying EOI, I understand that the word "competitor" shall include any individual or organisation, other than the Respondent, whether or not affiliated with the Respondent, who:
a. Has been requested to submit a EOI in response to this EOI invitation;

- b. Could potentially submit a EOI in response to this EOI invitation, based on their qualifications, abilities or experience; and
- c. Provides the same goods and services as the Respondent and/or is in the same line of business as the Respondent

The Respondent has arrived at the accompanying EOI independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium (meaning an association of persons for combining their expertise, property, capital, efforts, skill, and knowledge in an activity for the execution of the EOI) will not be construed as a collusive submission.

In particular, without limiting the generality of paragraphs above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- a. Prices;
- b. Geographical area where product or service will be rendered (market allocation);
- c. Methods, factors or formulas used to calculate prices;
- d. The intention or decision to submit or not to submit, a EOI;
- e. The submission of a EOI which does not meet the specifications and conditions of the EOI; or
- f. Submitting with the intention not to win the EOI.

In addition, there have been no consultations, communications, agreements, or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this EOI invitation relates.

The terms of this EOI have not been, and will not be, disclosed by the Respondent, directly or indirectly, to any competitor, prior to the date and time of the official EOI opening or of the awarding the EOI or to the signing of the contract.

I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to EOIs and contracts, EOIs 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.

