



Annexure A
Business Requirements Specification (BRS)

**Appointment of a panel of service providers for the destruction or disposal of
non-compliant goods nationally for a period of five (5) years**

1. Background

The Customs and Excise Act 91 of 1964 confers a duty on SARS to provide efficient and effective State warehouse services as an essential component of the value chain of Customs and Excise's mandate of trade facilitation and revenue collection.

In pursuance of the Customs mandate, Customs implements interventions that are aimed at improving Customs compliance. The interventions result in detention and seizure of goods that are found to have been dealt with contrary to the provisions of the Act, including un-cleared and abandoned goods. The non-compliant goods are stored at SARS state warehouses. State warehouses are prescribed premises in terms of the Customs and Excise Act No. 91 of 1964 as amended (herein after referred to as 'the Act') for the deposit, security, and protection of goods dealt with in terms of the Act pending compliance with it as well as other applicable legislation. The Act authorises the SARS Commissioner to dispose of goods that are condemned and forfeited to the State through various disposal processes.

To dispose of the goods in a manner that complies with the regulations and is environmentally friendly, SARS needs to appoint a panel of qualified service providers for the provision of destruction or disposal of non-compliant goods for a period of five (5) years, on an as and when required basis.

2. Scope of Work

The scope is in line with the objectives and shared values embedded in the constitutions of recognised associations of disposal practitioners to the extent that it complies with the relevant Regulations. The destruction and disposal of goods will be carried out at SARS premises and off-site premises. SARS will communicate the location of the destruction or disposal to the service provider.

The overall purpose of the destruction is as follows:

- The destruction and disposal services include the collection, transport, destruction and disposal of seized goods. The goods must be destroyed irreversibly such that they cannot be reconstituted or otherwise used for their original purpose to avoid the risk of illicit leakages and possible diversion onto the local market, for example, electronics, clothing and textile goods as well as vehicles.

- To reduce the amount of waste that is generated, and where waste is generated, ensure that waste is re-used, recycled, and reconverted in an environmentally friendly manner before being safely treated and disposed of.
- To recycle or reuse the content of seized clothing, textile, footwear and leather goods by providing a cost-effective model which will either limit or eliminate cost to SARS.
- Goods must be recycled after being machine shred and compressed for further use, to avoid possible diversion of the original goods onto the local market i.e., electronics, clothing and textile, crushing of vehicles.
- Shredders used for destruction should be able to accommodate the various commodities as specified per type in accordance with various legal requirements to ensure safe and environmentally friendly destruction as specified in the various governing acts.
- Goods like Electronics, clothing and textile, crushing of vehicles, creams and medicaments, alcohol etc will require industry specific destruction equipment with sufficient capacity to perform the destruction in a reasonable time.
- The service provider must have all the necessary equipment in place for destruction and disposal of different commodities.
- The service provider will be required to safely transport the waste to destruction/disposal facility and provide destruction certificates.
- Due to the sensitive nature of the goods being transported, a closed vehicles (with a valid permit) are required for conveying of cigarettes, clothing, textiles, footwear, medicaments, creams, machinery and parts.
- All volumes destroyed or disposed must be recorded in the relevant register on the date of destruction and signed by a Customs' representative, indicating the reference to the destruction certificate or disposal certificate.
- The bidder must ensure timely submission of disposal certificates and waste manifests after each disposal or destruction.
- Ensure that arrangements for the disposal process to be undertaken under Customs supervision.
- To make VAT payments to SARS on the recycled portion of the waste.
- At any given time, SARS may request the appointed service provider/s to provide a report of all disposals undertaken.
- The service providers must register with SARS to obtain an importer / exporter code, if awarded the tender.
- The service provider may be required to provide insurance on some detained goods.

3. Disposal of general and hazardous goods

- The service provider will be required to first assess the general and/or hazardous goods at SARS warehouses and recommend to the appropriate action to treat or dispose in line with regulatory requirements.
- The service provider must ensure the safe and correct disposal of hazardous chemical substances, oil waste and hazardous biological agents etc.
- The service provider will be required to provide disposal certificates after each removal of general and/or hazardous waste to the Customs official.
- The service provider will be required to safely transport the waste to destruction/disposal facility and provide destruction certificates.
- The service provider must comply with the requirements of the Hazardous Chemical Substance Regulations promulgated in terms of the Occupational Health and Safety Act No 85 of 1993.
- The service provider must ensure that the transportation of hazardous waste is undertaken in accordance with the requirements of SANS 0228 for the transportation of dangerous goods.
- The bidder must be registered as a transporter of hazardous waste, to be disposed of / treated at landfill site or authorised waste handling facility. ***For example, in Gauteng, a service provider must be registered with the Gauteng Waste Information System.***

4. General Health, Safety and Environment Obligations

The service provider will be required to:

- Always ensure compliance with SARS' security, health and safety measures and procedures.
- The service provider is required to use a licensed landfill site / waste handling facility for disposal / treatment of waste generated at SARS and off-site facilities. The service provider must provide proof that the proposed landfill site / waste handling facility is licensed. The service provider must further provide proof of account/ relationship with the proposed landfill / waste handling facility that will be used for the disposal/ treatment of waste, if subcontracting or using another company's facility for disposal.
- The service provider must equip all labourers with protective gear when carrying out disposal and destruction activities.
- The service provider must have a Health and Safety File which will include applicable statutory and management information.

- Prior to undertaking the disposal and destruction, the service provider will be required to furnish SARS with all applicable regulatory compliance documentation, for example, licenced facility and licenced transporter.

5. Regulatory Compliance

The appointed service providers must comply with all applicable regulatory requirements in terms of the destruction or disposal of goods. Waste in South Africa is currently governed by the following pieces of legislation: (not limited to).

- The South African Constitution (Act 108 of 1996)
- Hazardous Substances Act (Act 5 of 1973)
- Health Act (Act 63 of 1977)
- Environmental Conservation Act (Act 73 of 1989)
- Occupational and Safety Act (Act 85 of 1993)
- National Water Act (Act 36 of 1998)
- The National Environmental Management Act (Act 107 of 1998)
- Municipal Structures Act (Act 117 of 1998)
- Municipal Systems Act (Act 32 of 2000)
- Mineral and Petroleum Resources Development Act (Act 28 of 2002)
- Air Quality Act (Act 39 of 2004)
- National Environmental Management: Waste Act (Act 59 of 2008)
- National Environmental Management: Waste Amendment Act, 2014 (Act 26 of 2014).

All destruction and disposals must be carried in accordance with local municipal regulations regarding the disposal of waste. The service provider will be requested to prove that the method of destruction is in accordance with such regulation.

6. Classification of Goods

SARS classifies goods for destruction or disposal into two categories, i.e., general goods and hazardous goods. The table below lists some of the goods that SARS destruct or dispose.

Category A : General Goods							Category B: Hazardous Goods
Liquid waste	Solid waste	Organic waste	E-waste	Textile waste	Vehicle destruction	Miscellaneous	Hazardous waste
Alcohol Beverages	Plastics	Food Products	Electronics	Clothing	Steel & Metals	Any type of waste not	Chemicals/ Creams/ Cosmetics/

						classified	Perfumes
Beverages (excl. alcohol)	Papers	Cigarette & tobacco	Machinery & parts	Footwear	Crushing of vehicles		Medical equipment (e.g., syringes & needles)
Oil	Tyres			Leather products			Diesel & Petrol

7. Venues to Conduct Disposals

The appointed service provider/s is expected to visit the relevant below listed Customs State Warehouses (satellite warehouses and hubs) before a disposal is conducted or any other site specified by SARS. The satellite warehouses supply the disposal hubs with goods for disposal purposes.

The below list, which will be used to undertake disposals, serves as a guide for scheduling of disposals however it must not be seen as an exhaustive list of hubs for conducting disposals. SARS reserves the right to direct that disposals be conducted at a satellite state warehouse or different areas, other than the ones listed below, as dictated by operational requirements:

Province	Disposal Hub	Satellite Warehouse	Address
Gauteng	Kaserne	ORTIA Customs and Excise State Warehouse	10 Mpumelelo Road, Doornfontein, City Deep)
		Kaserne State Warehouse	
	Pretoria	Pretoria Customs and Excise State Warehouse	136 Francis Baard, Pretoria
		Iscor State Warehouse	1 Arcelor Mittal, Cnr Roger Dyason and Frikkie Meyer, Pretoria West)
Northern Cape	Upington	Violsdrift Customs and Excise Border Post	N7 Violsdrift, Violsdrift Border Post, Violsdrift
		Nakop Customs and Excise Border Post	N10 Nakop Border Post, Nakop
		Upington Railway station	Upington Station, Station Single, Upington, 8800
KwaZulu-Natal Province	New Pier State Warehouse	Richards Bay Customs and Excise office	103 Dollar Drive, Richards Bay, 3900

		Cato Creek Customs and Excise State Warehouse	1 Bay Terrace, Durban
		New Pier State Warehouse	Gate 5, New Pier State Warehouse, Bluff, Durban
Free State	Ladybrand	Ficksburg Customs and Excise Border Post	End Bloem Street, Ficksburg, 9730
		Caledonspoort Customs and Excise Border Post	Caledonspoort Border Post, Fouriesburg , 9725
		Van Rooyens Hek Customs and Excise Border Post	P66 road, Van Rooyens Gate, Wepener, 9944
		Qacha's Nek Customs and Excise Border Post	R56 Maluti road, Matatiele, 4730

Mpumalanga	Lebombo	Oshoek Customs and Excise Border Post	End of N17 East, Oshoek, 2356
		Golela Customs and Excise Border Post	End of P720 Road, Pongola
		Jeppes Reef Customs and Excise Border Post	End of R570 Road, Shongwe Mission, 1331
		Mananga Customs and Excise Border Post	Lebombo Dry Port Facility-KM7, Customs Clearance Facility, Komatiport, 1340
		Lebombo SWH	
North-West	Kopfontein	Ramatlabama Customs and Excise Border Post	N18 Nelson Mandela Road, Mafikeng, 2735
		Skilpadshek Customs and Excise Border Post	N4 Lobatse Road, Lorato, Zeerust
		Kopfontein	
Limpopo	Musina	Beitbridge Customs and Excise Border Post	End of N1 North Musina, 0900
		Grobler's Bridge Customs and Excise Border Post	End of N11 to Botswana, Tomburke
		Musina State warehouse	N1 North, Musina Military Base, Musina, 0900

	Nerston	Nerston Customs and Excise Border Post	Utilised at Oshoek
	Mahamba	Mahamba Customs and Excise Border Post	End of R575 Road, Piet Retief
Eastern Cape	Cape Town/Port Elizabeth/East London	Port Elizabeth Customs and Excise State Warehouse	2D Mowbray Street Newton Park Port Elizabeth
		East London SARS offices	36 Phillip Frame Road Chiselhurst, East London 5247
Western Cape		Cape Town office	9 FW de Klerk Boulevard, Cape Town

8. LISTOF CLUSTER

The table below provides a list of regions in a cluster and satellite warehouse. Bidders should indicate which cluster they are bidding for within each category of disposal as displayed in Paragraph 11 of the Main RFP document.

Cluster A – Inland

Region	Satellite Warehouse
Limpopo	Beitridge Customs and Excise Border Post
	Grobler's Bridge Customs and Excise Border Post
	Musina State warehouse
Mpumalanga	Oshoek Customs and Excise Border Post
	Golela Customs and Excise Border Post
	Jeppes Reef Customs and Excise Border Post
	Mananga Customs and Excise Border Post
	Lebombo SWH
Gauteng	ORTIA Customs and Excise State Warehouse
	Kaserne State Warehouse
	Pretoria Customs and Excise State Warehouse
	Iscor SWH
Northwest	Ramatlabama Customs and Excise Border Post
	Skilpadshek Customs and Excise Border Post
	Kopfontein

Free state	Ficksburg Customs and Excise Border Post
	Caledonspoort Customs and Excise Border Post
	Van Rooyens Hek Customs and Excise Border Post
	Qacha's Nek Customs and Excise Border Post

Cluster B – Coastal

REGION	SATELLITE WAREHOUSE
Western Cape	
Northern Cape	Vioolsdrift Customs and Excise Border Post
	Nakop Customs and Excise Border Post
	Upington Railway station
Eastern Cape	Port Elizabeth Customs and Excise State Warehouse East London SARS offices
Kwa-Zulu Natal (New Pier State Warehouse)	Richards Bay Customs and Excise office
	Durban Customs Warehouses: Cato Creek Customs and Excise State Warehouse
	New Pier State Warehouse