

REQUEST FOR PROPOSALS: LEASING OF OFFICE PREMISES FOR A PERIOD OF 5 YEARS



REQUEST FOR PROPOSAL

BID: ECIC13P-2021/22

LEASING OF OFFICE PREMISES FOR A PERIOD OF 5 YEARS

CLOSING DATE: 1 MARCH 2022

TIME: 15H00 (SAST, OBTAINABLE BY DIALLING TELKOM ON 1026)

CONTRACT NO. SLA01-2021/22

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1. Introduction

- 1.1 The Export Credit Insurance Corporation of South Africa (SOC) Limited (ECIC or Corporation)¹ is a self-sustained state-owned entity listed under Schedule 3B of the Public Finance Management Act 1 of 1999 (as amended) and established in terms of the Export Credit and Foreign Investments Insurance Act 78 of 1957 (as amended).
- 1.2 The mandate of ECIC is to facilitate and encourage South African export trade, by underwriting export credit loans and investments outside the country, to enable South African contractors to win capital goods and services contracts in countries outside South Africa. ECIC is a registered Financial Service Provider and is regulated by the Financial Sector Conduct Authority and Prudential Authority (FSP No: 30656). Currently exempted in terms of FAIS Notice 78 of 2019.
- 1.3 ECIC operates from offices at Block C7 Eco Origins Office Park, 349 Witch Hazel Avenue, Highveld Ext 79, Centurion, 0157, South Africa.

2. Background

- 2.1 ECIC's main business is to promote trade with foreign countries or buyers in foreign countries by providing insurance cover in connection with export transactions, investments and loans or similar facilities connected with such transactions. It effectively underwrites any losses as a result of commercial causes of loss (insolvency or non-payment) or political causes of loss (nationalisation, expropriation, change in law or currency risk and other related events). The insurance cover is provided to South African registered financial institutions who provide the necessary funding or loans to finance export transactions, South African exporters who provide both goods and services to foreign buyers and South African investors who invest in foreign entities.
- 2.2 The Corporation is currently leasing offices in Highveld, Centurion and its current lease will expire on the 15 November 2022. The Corporation intends to lease premises to be occupied with effect from 15 November 2022 (with beneficial occupation date of 1 August 2022, or as soon as possible).
- 2.3 The objective of this bid is to request landlords, landlord agents and owners who specialize in the leasing of office space to submit proposals to ECIC for A-P Grade office accommodation to house the Head Office of ECIC, situated currently Centurion.
- 2.4 ECIC seeks to lease office space in the vicinity of Centurion to Rosebank (Centurion, Waterfall, Midrand, Sandton and Rosebank areas in Gauteng Province). The premises to be leased should be approximately 1 500 to 2 000 square metres usable area (excluding all common areas).

¹ Further information on the ECIC can be found at www.ecic.co.za

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3. Purpose

- 3.1 The purpose of this Request for Proposal (RFP) is to request landlords, landlord agents and owners who specialize in the leasing of office space to submit proposals to ECIC for A-P Grade office accommodation to house the Head Office of ECIC, situated currently Centurion.
- 3.2 This bid is subject to the Preferential Procurement Policy Framework Act No. 5 of 2000 and the Preferential Procurement Regulations, 2017, the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract. Where, however, the special conditions of contract conflict with the general conditions of contract, the special conditions of contract prevail.
- 3.3 **This bid is open only to bidders who have a B-BBEE Level 4 or higher.**

4. Duration of contract

- 4.1 The lease shall be for a period of 5 years.

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5. Scope of work

5.1 The bidders are to provide bids based on the following technical specifications:

Table 1

Criteria	Definition	Description
Area	Centurion to Rosebank (Centurion, Waterfall, Midrand, Sandton and Rosebank areas).	The building to be considered in the specified areas must comply with the following: 1. Must be within an office node (industrial areas are specifically excluded). 2. Within walking distance to public transport including taxi routes, Bus Routes and Gautrain Bus stops . 3. Within walking distance to retail centres that provides convenient goods and services.
Office Grade	A-P Grade	High quality modern finishes; air conditioning; adequate on-site parking; a good quality lobby finish; quality access to/from an attractive street environment; good safety/ security; and high-quality presentation and maintenance.
Usable Area (excludes all common areas)	1 500- 2 000m ²	The final gross lettable area to be leased dependent on available premises.
Lease Period	Five (5) lease period.	Bidders to submit lease proposals for a five lease period, to include rental rates, tenant installation allowance, and all other attributes as indicated in paragraph 2 on Annexure B .

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Criteria	Definition	Description
Building	- The building can be an existing building or new development. A standalone building is preferred. - The building facilities must cater for physically challenged visitors and employees. - Exterior tenant signage must be allowable.	In the case of a new development, the building must be scheduled to be ready for beneficial occupation date, being 01 August 2022.
Beneficial occupation	Three (3) months	The landlord must grant the tenant a beneficial occupation period starting from 1 August 2022.
Parking	60-80 parking bays	Secure on-site parking of which some will cater for physically disabled people, must be available in accordance with municipal by-laws. Confirmation of which should be included in the proposal.
Tenant installation allowance	The landlord to provide tenant installation allowance and demonstrated capacity to undertake the tenant installation on behalf of the tenant.	The tenant installation allowance provided shall be in line with market rates.
Building services	The office accommodation must be fully air-conditioned and ventilated, have existing fire detection and prevention services, lifts, own electric distribution board(s), Occupational Health and Safety (OHS), emergency evacuation process compliance and double tier cable trays in ceiling voids or make allowance for these.	Building services must be designed, installed and maintained in accordance with the relevant National Building Regulations.

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Criteria	Definition	Description
Technology and Communication	Provision for Uninterrupted power supply (UPS) and back-up generator power supply must be available in the event of power failure for the entire building; patch rooms available on every floor; cabling and network infrastructure with provision for wireless hotspot and minimum of Cat5e std plus, plug and play/internet ready; building access to fiber connectivity (Current office connected via fiber and Microwave backup link) ; CCTV permitting large coverage with multiple recording; and Access control system.	
Amenities, Finishes and Quality	High material spec, functional design base finishes; fast elevators; high spec stairwells; lobby and reception of quality finishes/appearance and services; general floor plate permitting design flexibility; good balance between light and environmental control; Central Environmental Control premised on typical building management system with quality split system incorporated; attractive and functional landscaping and greening or attractive building exteriors; limited on site amenities but close at hand and/in safe walking/driving proximity; kitchen/catering facilities available individually or on shared basis.	The landlord to submit building floor plans as part of the bid.
Public Environment	Safe, attractive and clean street/ foyer interface; surrounding public environment comprising good infrastructure; Improvement District / private services involvement or plans; good exposure and visibility; vehicular access and good access to public transport.	
Salient Lease Agreement Terms and Conditions	The landlord will be responsible for all building maintenance, service and repairs in respect of premises, i.e. electrical, plumbing, air-conditioning, lifts, fire equipment, general maintenance including repairs to doors, door handles, light fixtures, light bulbs; ceiling boards, light switches, plug-points, etc. which forms part of the building. Building insurance is the responsibility of the owner/landlord.	

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Criteria	Definition	Description
Value Add Attributes	The following attributes will provide an advantage to the buildings being considered: 1. building with highway exposure and ease of access. 2. Biometric fingerprinting will be advantageous. 3. ECIC intends to sell the 2 x Perkins 110KVA Standby Diesel Generators to the prospective landlord and take over the maintenance responsibility thereafter. This will be considered a value add should the prospective landlord purchase the said generators from ECIC. The two generators were commissioned by ECIC on 2 July 2015. 4. Availability of alternative water source mainly for ablution services. 5. The building with a green rating would be advantageous.	

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6. Bid evaluation

6.1 The proposals will be evaluated in phases as highlighted below and detailed in paragraphs 7 to 10 of this document:

6.1.1 Phase One: Pre-qualification and compliance

Compliance with administrative requirements stated in the Standard Bidding Documents and the pre-qualification requirements as listed in paragraph 7. In this evaluation phase, all bidders that fail to provide the required information and documentation, will be disqualified from further evaluation.

6.1.2 Phase Two: Functional evaluation (desktop evaluation)

In this evaluation phase, bidders are expected to obtain a minimum of 80 out of 100 points to proceed to the next evaluation stage of the evaluation. Failure to obtain the prescribed minimum points will automatically disqualify the bid offer from proceeding to the next evaluation phase.

6.1.3 Phase Three: Site visit

In this evaluation phase, bidders are expected to obtain a minimum of 80 out of 100 points to proceed to the next evaluation stage of the evaluation. Failure to obtain the prescribed minimum points will automatically disqualify the bid offer from proceeding to the next evaluation phase.

6.1.4 Phase Four: Preference point system

The 90/10 preference point system shall be applicable to this phase, where 90 points represent maximum obtainable points for the lowest acceptable price and 10 points represents maximum obtainable points for the B-BBEE level status. Points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table as listed in the bid documentation (refer to paragraph 10.6).

In the event that acceptable bids received are below R50 million (inclusive of all applicable taxes), the 80/20 preference point system shall be applicable to this phase.

6.1.5 Phase Five: Objective criteria

6.1.5.1 In this evaluation stage, ECIC will check if the bidder has a person who meet the following criteria in awarding the bid:

6.1.5.1.1 The bidder has a significant shareholder or owner (or equivalent) (directly or indirectly) who is classified or can be classified as a Prominent Influential Person (PIP) in

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accordance with Financial Intelligence Centre Act, 38 of 2001 (FICA).

6.1.5.1.2 The bidder has a shareholder or member or owner (or equivalent) who has questionable integrity status.

6.1.5.1.3 The bidder has a director or equivalent who is classified or can be classified as a PIP in accordance with FICA.

6.1.5.2 Should it be found during this evaluation stage, that the bidder who has attained the highest points under Evaluation Stage Four (Preference Point System) has persons listed in paragraphs 6.1.5.1.1 to 6.1.5.1.3, ECIC reserves the right to conduct further due diligence on the person(s). Should the outcome of a further due diligence not be satisfactory to ECIC or such a person(s) poses an unacceptable high risk reputation and/or integrity of the person(s) be questionable, ECIC reserves the right not to award the bid to that bidder. This process may be repeated to the next bidder if so required.

7. Evaluation Phase One: Pre-qualification and compliance

7.1 In terms of Regulation 4 of the Preferential Procurement Regulations of 2017, ECIC requires that bidders must have a minimum B-BBEE contributor status level of 4 or better. The bidder must attach copy of a valid BEE Certificate or copy of Sworn Affidavit as proof, whichever is applicable.

7.2 The proposed building must be in an office node (industrial areas are specifically excluded).

7.3 Bidders must provide the following documents:

7.3.1 Floor plans of the proposed building (preferably in size A1).

7.3.2 Proof that the bidder is the owner/landlord. Ownership to be proved by a copy of the title deed (WinDeed printout or equivalent). Where the bidder is an agent or broker, the bidder must provide proof of mandate if acting on behalf of the owner/landlord. Where the bidder is an agent or broker, the bidder must submit a certified copy of a valid Fidelity Fund Certificate issued by the Estate Agency Affairs Board (EAAB).

7.3.3 Occupation Certificate/ letter confirming grade of premises or proof from a Registered Architect that the building is Grade A or better (including Grade P).

7.4 ECIC will only consider a bid if the relevant bidder meets the pre-qualification criteria mentioned in paragraphs 7.1 to 7.3. Where a bidder fails to meet the prequalification criteria, the bid will be considered an unacceptable bid and will be disqualified from further evaluation.

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8. Evaluation Phase Two: Functional

8.1 The proposal submitted by the bidder will be evaluated by the ECIC based on the following criteria and be rated as follows:

8.1.1 Values: 0=Poor 1=Below average, 2=Average, 3=Good, 4=Very Good, 5=Excellent

Table 2

EVALUATION CRITERIA	EVIDENCE	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
1. Capacity Bidder of	Company profile, proof of ownership of building and property insurance (copy of title deed and copy of insurance document).	The bidder did not provide information as required.	0		15
		The bidder has provided less than three document(s) as required and the information in the document(s) relates to the requirements of this bid.	1		
		The bidder has provided all documents as required and the information in the document relates to the requirements of this bid. However, the information provided by the bidder is inadequate.	2		
		Bidder provided information as required. The provided information provide details of ownership of the building and property insurance. The bidder attached copy of title deed (proof of ownership) and copy of the insurance document/policy.	3-5		

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			FACTOR	POINTS	
2. Experience	Within the vicinity of Centurion to Rosebank (Centurion, Waterfall, Midrand, Sandton and Rosebank areas). Location closer to the following facilities:				30
	▪ Good exposure and visibility	Proposed building does not have good exposure and visibility as required or the exposure or visibility of the proposed building is not exposed to highway/freeway (or main road(s)).	0-2	5	
		The proposed building has good exposure and visibility as required. The proposed building is exposed to highway/freeway (or main road(s)).	3-5		
	▪ Bus stop / taxi stop (rank)	The proposed building is not closer to Bus Stop/Taxi Stop (Rank) or the facility is more than 2 kilometres away.	0-2	5	
		The proposed building is closer to Bus Stop/Taxi Rank. Walking distance is between 1 and 2 kilometres.	3		
		The proposed building is closer to Bus Stop/Taxi Rank. Walking distance is between half a kilometre and 1 kilometre.	4		
		The proposed building is closer to Bus Stop/Taxi Rank. Walking distance is half a kilometre or less.	5		

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EVALUATION CRITERIA	EVIDENCE	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
	▪ Retail shopping	The proposed building is not closer to retail shopping facility(facilities) or the facility is more than 3 kilometres away.	0-2	5	
		The proposed building is closer to retail shopping facility(facilities). Walking distance is between 1 and 3 kilometres.	3		
		The proposed building is closer to retail shopping facility(facilities). Walking distance is between half a kilometre and 1 kilometre.	4		
		The proposed building is closer to retail shopping facility(facilities). Walking distance is half a kilometre or less.	5		
	▪ Restaurants	The proposed building is not closer to restaurant(s) or the facility is more than 3 kilometres away.	0-2	5	
		The proposed building is closer to restaurant(s) Walking distance is between 1 and 3 kilometres.	3		
		The proposed building is closer to restaurant(s). Walking distance is between half a kilometre and 1 kilometre.	4		
		The proposed building is closer to restaurant(s). Walking distance is half a kilometre or less.	5		

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EVALUATION CRITERIA	EVIDENCE	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
	▪ Gautrain bus stop	The proposed building is not closer to Gautrain bus stop or the facility is more than 2 kilometres away.	0-2	5	
		The proposed building is closer to Gautrain bus stop. Walking distance is between 1 and 2 kilometres.	3		
		The proposed building is closer to Gautrain bus stop. Walking distance is between half a kilometre and 1 kilometre.	4		
		The proposed building is closer to Gautrain bus stop. Walking distance is half a kilometre or less.	5		
	▪ Health and lifestyle centres	The proposed building is not closer to Health and lifestyle centres or the facility is more than 5 kilometres away.	0-2	5	
		The proposed building is closer to retail shopping facility(facilities). Walking distance is between 3 and 5 kilometres.	3		
		The proposed building is closer to retail shopping facility(facilities). Walking distance is between 2 and 3 kilometres.	4		
		The proposed building is closer to retail shopping facility(facilities). Walking distance is 2 kilometres or less.	5		

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EVALUATION CRITERIA	EVIDENCE	FURTHER DETAIL	SUB		POINTS	
			FACTOR	POINTS		
3. Project Management, Skills and Qualifications of the project team	Detail project plan to include the following:					15
	work breakdown structure, critical path responsibilities and costing for tenant installations, detailed contingency proposal as indicated in the proposal.	Bidder did not provide the information as required, or the information provided is incomplete. Some of the information provide does not relate to services required in this bid.	0-2	5		
		Bidder provided the information as required, and the information relates to services required in this bid.	3-5			
	▪ Demonstrate capability, knowledge and qualifications of the proposed project management team Qualifications, Experience and competency of the team. Team members CV's should be included.	Bidder did not provide the information as required, or the information provided is incomplete. Some of the information provide does not relate to services required in this bid.	0-2	10		
		Bidder provided the information as required, and the information relates to services required in this bid.	3-5			

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EVALUATION CRITERIA	EVIDENCE	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
4. Provision of turnkey solution	Bidder demonstrates the capability and ability to provide a turnkey installation service (spatial design and layout, partitioning, installation of doors, locks, ironmongery, requirements, internal floor coverings and skirting requirements, internal wall finishing, additional internal electrical requirements, additional plumbing and water requirements, installation of air conditioners etc.). List not exhaustive.	Bidder did not provide the information as required, or the information provided is incomplete. Some of the information provide does not relate to services required in this bid.	0-2		15
		Bidder provided the information as required, and the information relates to services required in this bid.	3-5		
5. Compliance with technical scope as per paragraph 5.	Building attributes (				15
	▪ Grade, gross lettable area, building services)	The proposed building does not meet the minimum attributes as required or the attributes are inadequate.	0-3	5	
		The proposed building meets all the required attributes.	4-5		
	▪ Technology and communication	The proposed building does not meet the minimum attributes as required or the attributes are inadequate.	0-3	5	
		The proposed building meets all the required attributes.	4-5		
	▪ Public Environment	The proposed building does not meet the minimum attributes as required or the attributes are inadequate.	0-3	5	
		The proposed building meets all the required attributes.	4-5		

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EVALUATION CRITERIA	EVIDENCE	FURTHER DETAIL	SUB		POINTS
			FACTOR	POINTS	
6. Bidder's Experience	The bidders must demonstrate the project management team experience in providing similar services Please attach signed referral letters with contact numbers.	Bidder did not provide any reference letters as required or the reference letters provided are not for services as required in this bid.	0		10
		Bidder provided (attached to the proposal) three (3) letters of reference as required and the letter relates to the services required for this bid. In the event that some of the letters are not for services similar to this bid, the bidder will be marked down. The bidder will achieve all points allotted for this area, as long as all the letters meets the requirements.	1-3		
		Bidder provided (attached to the proposal) more than (3) letters of reference as required and the letters relates to the services required for this bid.	4-5		
TOTAL					100

8.2 All bidders who achieve a minimum of 80 points for functionality will be notified of the site visit by ECIC.

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9. Evaluation Phase Three: Site Visit

9.1 ECIC will evaluate this phase based on the following criteria and be rated as follows:

9.1.1 Values: 0=Poor 1=Below average, 2=Average, 3=Good, 4=Very Good, 5=Excellent

SITE VISIT CRITERIA	POINTS
1. Ease of access from major highways and thoroughfares	10
2. Premises within Commercial / Office Area (Industrial area not preferred)	10
3. Main arterial roads exposure	10
4. Proximity to public transport	10
5. Security and Access Control Perimeter of the premises adequately secured to ensure no unauthorised access from outside Access Control .	15
6. Value add attributes (Refer to value add attributes in Table 1 on page 7).	5
7. Modern Offices (The appearance of the accommodation must be acceptable to the Corporation and must enhance the corporate image and branding of the ECIC).	20
8. Standalone Building or low-rise multi-tenanted building (Floor sharing not preferred, if more than one floor is proposed, the floors must be located consecutive to each other).	10
9. Building complies with Occupational Health and Safety (wheelchair ramps etc.).	10
TOTAL	100

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10. Evaluation Phase Four: Preference point system

10.1 The formula below will be used to calculate the preference points:

$$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid or offer under consideration

P_{min} = Comparative price of lowest acceptable bid

10.2 Depending on the bidder's level of broad-based black empowerment contribution, a maximum of 10 points may be allocated to a bidder. The points scored by a bidder for broad-based black economic empowerment contribution will be added to the preference procurement points allocated for price.

10.3 The table below reflects the number of points to be allocated to a bidder based on broad-based black economic empowerment contribution:

Table 4

B-BBEE Status Level of Contributor	Number of points (90/10 system)
1	10
2	9
3	6
4	5
5	4
6	3
7	2
8	1
Non-compliant contributor	0

10.4 In the event that, any of the acceptable bids is below R50 million, the following formula will be used to calculate the preference points:

$$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid or offer under consideration

P_{min} = Comparative price of lowest acceptable bid

10.5 Depending on the bidder's level of broad-based black empowerment contribution, a maximum of 20 points may be allocated to a bidder. The points scored by a bidder for broad-based black economic empowerment contribution will be added to the preference procurement points allocated for price.

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- 10.6 The table below reflects the number of points to be allocated to a bidder based on broad-based black economic empowerment contribution:

Table 5

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

- 10.7 The B-BBEE points will be awarded as per the rating certificate, the points for joint ventures (JV) or consortiums will be awarded based on the certificate of the JV or the consortium.

11. Standard bidding documents

- 11.1 The following compulsory additional information is required. Failure to complete and supply any of these documents may lead to disqualification from this bid:

Table 6

Invitation to bid	SBD 1
Declaration of Interest	SBD 4
Preference Points Claim Form for Preferential Procurement Regulations 2017 (including a valid B-BBEE Status Level Verification Certificate)	SBD 6.1
Should a bidder not complete and sign the SBD6.1, the bidder will be allocated 0.00 points for B-BBEE.	
Declaration: Abuse of Supply Chain Management Systems	SBD 8
Certificate of Independent Bid Determination	SBD 9

12. Instructions to respondents

12.1 Correspondence

- 12.1.1 No telephonic or any other form of communication with any other ECIC member of staff other than the named individual below, relating to this RFP will be permitted. All enquiries must be in writing only.
- 12.1.2 All questions relating to the contents of the tender (conditions, rules, terms of reference etc.) must be forwarded in writing via email to procurement@ecic.co.za by not later than 17 February 2022. Questions received after this date will not be entertained.

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- 12.1.3 All questions must reference specific paragraph numbers, where applicable.
- 12.1.4 All enquiries (received on or before the closing date for enquiries) will be consolidated and ECIC will publish one response document on the ECIC website (www.ecic.co.za) within two working days after the date indicated in paragraph 12.1.2.
- 12.1.5 No requests for information shall be made to any other person or place and in particular not to the existing provider of this service.

12.2 **Submission of the proposals**

- 12.2.1 Bid documents must be clearly marked for ease of reference. Bids must be properly packaged and deposited on or before the closing date and before the closing time in the bid box situated at the security desk of ECIC offices. The physical address of ECIC office is:
- Block C7 Eco Origins Office Park
349 Witch Hazel Avenue
Highveld Ext 79
Centurion
0157
- 12.2.2 Bidders must submit two (2) printed copies, one (1) original and one (1) copy and one electronic copy (in electronic storage media, preferably a CD or flash drive/memory stick) in PDF format.
- 12.2.3 Bids submitted by means of e-mail, telex facsimile, electronic or similar means shall not be considered.
- 12.2.4 **Any bids received after the closing date and time will not be accepted.** Bid documents will only be considered if received by ECIC on or before the closing date and time, regardless of the method used to send or deliver such documents to ECIC.
- 12.2.5 All proposals and all subsequent information received from respondents will not be returned. The proposals should be addressed to the Head of Procurement of ECIC.

13. **Timeline of the bid process**

- 13.1 The period of validity of the tender and the withdrawal of offers, after the closing date and time are 180 days, expiring on 28 August 2022. The project timeframes of this bid are set out below:

Table 7

STAGE	DESCRIPTION OF STAGE	ESTIMATED COMPLETION DATE (OR WORK WEEK ENDING)
1.	Advertisement of bid on Government e-Tender Portal /ECIC Website	4 February 2022

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STAGE	DESCRIPTION OF STAGE	ESTIMATED COMPLETION DATE (OR WORK WEEK ENDING)
2.	Questions relating to bid from bidder(s)	17 February 2022
3.	Bid closing	1 March 2022
4.	Compliance	4 March 2022
5.	Functional Evaluation	11 March 2022
6.	Site visit	25 March 2022
7.	Preference Points	1 April 2022
8.	Bid Adjudication	29 April 2022

13.2 All dates and times in this bid are in South African Standard Time.

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

13.4 ECIC will notify all bidders of the outcome of the bid within 10 days from the date of adjudication of this bid.

14. Bid rules

14.1 Documents/information required as a condition of award

14.1.1 Proof of valid registration on the National Treasury Central Supplier Database (CSD).

14.1.2 All SBD's signed and completed, SBD1, SBD4, SBD6.1; SBD8 and SBD9.

14.2 Broad-Based Black Economic Empowerment and Socio-Economic Obligations

14.2.1 As prescribed in terms of the Preferential Procurement Policy Framework Act (PPPFA), Act 5 of 2000 and its Regulations, bidders are to note that ECIC will allow a "preference" to companies who provide a valid B-BBEE Certificate or Sworn Affidavit.

14.2.2 Bidders are required to complete SBD 6.1 and submit it together with proof of their B-BBEE Status as stipulated in the bidding form in order to obtain preference points for their B-BBEE status.

14.3 B-BBEE Joint Ventures or Consortiums

14.3.1 Bidders who would wish to respond to this bid as a Joint Venture [JV] or consortium with B-BBEE entities, must state their intention to do so in their bid submission. Such Respondents must also submit a signed JV or consortium agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party.

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- 14.3.2 If such a JV or consortium agreement is unavailable, the partners must submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be awarded business by ECIC through this bid process. This written confirmation must clearly indicate the percentage [%] split of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to ECIC.
- 14.3.3 Bidders are to note the requirements for B-BBEE compliance of JVs or consortiums as stipulated in the bidding form in order to obtain preference points for their B-BBEE status and submit it together with proof of their B-BBEE Status.

14.4 Sub-contracting

- 14.4.1 ECIC fully endorses Government's transformation and empowerment objectives and in awarding the tender or contract, preference may be given to bidders (Generics) who are willing to subcontract at least not less than 30% of the contract to a company which is Black Owned, Black Women Owned, Black Youth Owned, owned by Black People with Disabilities, an EMEs and QSE. EME's and QSE's are allowed to bid without subcontracting.
- 14.4.2 If contemplating subcontracting, please note that a bidder will not be awarded points for B-BBEE if it is indicated in its Proposal that such bidder intends subcontracting more than 30% (thirty percent) of the value of the contract to an entity/entity that do not qualify for at least the same points that the bidder qualifies for, unless the intended subcontractor is a company which is Black Owned, Black Women Owned, Black Youth Owned, owned by Black People with Disabilities, an EME and QSE , with the capability to execute the subcontract.
- 14.4.3 A person awarded a contract may not subcontract more than 25% (twenty five) of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.
- 14.4.4 Respondents are required to indicate the percentage of the contract that will be sub-contracted as well as the B-BBEE status of the sub-contractor/s on the SBD6.1.

14.5 ECIC's rights

- 14.5.1 ECIC reserves the right to:
 - 14.5.1.1 Amend any bid conditions, bid validity period, bid specifications, or extend the bid closing date, all before the bid closing date. Such amendments will be posted on the ECIC's website under the relevant tender information. All prospective bidders must therefore ensure that they visit the website of ECIC (www.ecic.co.za) regularly before they

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submit their bid response to ensure that they are kept updated on any amendments in this regard.

- 14.5.1.2 Cancel or withdraw this bid at any time, as a whole or in part without reasons and without attracting any liability.
- 14.5.1.3 Award this bid to more than one bidder.
- 14.5.1.4 Negotiate with all or some of the shortlisted bidders.
- 14.5.1.5 Not accept the lowest priced bid or award the bid to a bidder other than the highest scoring bidder.
- 14.5.1.6 Conduct site visits at bidder's offices and / or at client sites if so required.
- 14.5.1.7 Request any relevant information and/ or documents to verify or clarify information supplied in the bid response in relation, but not limited, to the structure of the bidding entity, bidder's capacity, proposed solution, proposed timelines etc.

14.6 Contract fees

Where a bidder indicates that its prices are subject to confirmation, or are in any way conditional, **such pricing will not be considered.**

14.7 Confidentiality

Any information relating to the submissions, through the process or otherwise shall be treated in strict confidence. In submitting a response, a Service provider agrees that it shall not be entitled to any information disclosed by another respondent to ECIC, which ECIC has determined to be of a confidential nature. The content and details of the evaluation of submissions will remain confidential to ECIC.

14.8 Other matters

- 14.8.1 If the ECIC does not accept any proposal, it will declare this bid process closed and may then elect to:
 - 14.8.1.1 Proceed on a completely different basis; and/or
 - 14.8.1.2 Not to appoint any respondent (in the event it deems all or any of the proposals not appropriate).
- 14.8.2 The ECIC reserves the right to engage in any processes required to validate all claims made in the proposal.

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14.8.3 The ECIC has the right to enter into negotiation with a prospective Service provider regarding any terms and conditions, including fees, of a proposed contract.

14.8.4 Bidders are allowed to submit joint proposals to allow different companies/entities to undertake different components of the work under one single proposal. In such event however, each bidder is required to provide a B-BBEE certificate.

14.9 Disclaimer

14.9.1 The ECIC has produced this bid in good faith. However, the ECIC, its agents and its employees and associates, do not warrant its accuracy or completeness. The ECIC will not be liable for any claim whatsoever and howsoever arising (including, without limitation, any claim in contract, negligence or otherwise) for any incorrect or misleading information contained in this bid due to any misinterpretation of this bid

14.9.2 This bid is a request for proposals only and not an offer document; answers to it must not be construed as acceptance of an offer or imply the existence of a contract between the ECIC and the bidder.

14.10 Terms of engagement

The ECIC's engagement of the service provider will be documented in a contract between the ECIC and the appointed bidder.

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Annexes

Annexure A: Protection of personal information

1. ECIC recognises that when the Bidder submit its proposal in response to this Request for Quotations, it will provide personal information, which ECIC will process for the sole purpose of evaluating the Bidder's proposal. By submitting its proposal in responding to this Request for Quotations, the Bidder hereby provide its consent to the processing of its Personal Information by ECIC.
2. The following terms shall have the meaning ascribed to them:
 - 2.1. **"Personal Information"** shall bear the same meaning as ascribed to it under POPI;
 - 2.2. **"POPI"** means Protection of Personal Information Act, No. 4 of 2013;
 - 2.3. **"Responsible Party"** shall bear the same meaning as ascribed to it under POPI; and
 - 2.4. **"bid"** means this Request for Quotations.
3. ECIC as the Responsible Party undertakes to:
 - 3.1. comply with the provisions of POPI as well as all applicable legislation as amended or substituted from time to time;
 - 3.2. treat all Personal Information strictly as defined within the parameters of POPI;
 - 3.3. process Personal Information only in accordance with the consent it was obtained for, for the purpose agreed, as permitted by law;
 - 3.4. secure the integrity and confidentiality of any Personal Information in its possession or under its control by taking appropriate, reasonable technical and organisational measures to prevent loss, damage, unauthorised destruction, access, use, disclosure or any other unlawful processing of Personal Information;
 - 3.5. not transfer any Personal Information to any third party in a foreign country unless such transfer complies with the relevant provisions of POPI regarding transborder information flows; and
 - 3.6. not retain any Personal Information for longer than is necessary for achieving the purpose in terms of bid or in fulfilment of any other lawful requirement.
4. ECIC will ensure that all reasonable measures are taken to:
 - 4.1. identify reasonably foreseeable internal and external risks to the Personal Information in its possession or under its control;
 - 4.2. establish and maintain appropriate security safeguards against the identified

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risks;

- 4.3. regularly verify that the security safeguards are effectively implemented;
- 4.4. ensure that the security safeguards are continually updated in response to new risks or deficiencies in previously implemented safeguards;
- 4.5. provide immediate notification to the Bidder if a breach in information security or any other applicable security safeguard occurs; provide immediate notification to the Bidder where there are reasonable grounds to believe that the Personal Information has been accessed or acquired by any unauthorised person;
- 4.6. remedy any breach of a security safeguard in the shortest reasonable time and provide the Bidder with the details of the breach and, if applicable, the reasonable measures implemented to address the security safeguard breach;
- 4.7. provide immediate notification to the Bidder where the Bidder has, or reasonably suspects that, Personal Information has been processed outside of the purpose agreed to or consented to;
- 4.8. provide the Bidder, upon request, with all information of any nature whatsoever relating to the processing of the Personal Information for the purpose of the bid and any applicable law; and
- 4.9. notify the Bidder, if lawful, of receipt of any request for access to Personal Information, in its possession and relating to the Bidder.

The Bidder has the right to inspect the Personal Information processing operations, as well as the technical and organisational information security measures employed by the ECIC to ensure compliance with the provisions of this Annexure.

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Annexure B: Pricing template/example (Five year lease)

1. For 5 year lease:

Price component	Costs in Rands for a 5-year lease (inclusive of VAT at 15%)				
	2022/23	2023/24	2024/25	2025/26	2026/27
	1 Nov 2022 to 31 Oct 2023	1 Nov 2023 to 31 Oct 2024	1 Nov 2024 to 31 Oct 2025	1 Nov 2025 to 31 Oct 2026	1 Nov 2026 to 31 Oct 2027
Building (Net rental)					
Parking					
Maintenance (Operating cost)					
Total cost					

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2. Pricing Summary required: 5 years lease proposal (including VAT where applicable)

Solution components	Cost in Rands for a 5 years lease				
	2022/23	2023/24	2024/25	2025/26	2026/27
	1 Nov 2022 to 31 Oct 2023	1 Nov 2023 to 31 Oct 2024	1 Nov 2024 to 31 Oct 2025	1 Nov 2025 to 31 Oct 2026	1 Nov 2026 to 31 Oct 2027
Rate per m2 = R/1 500-2 000sqm					
Indicate operating cost per m ² (Vat inclusive)					
List operational cost components for which ECIC will be responsible (i.e. electricity, sewage, water, refuse removal etc.)					
Indicate cost per under cover parking bay (VAT inclusive)					
Indicate cost per open parking bay (VAT inclusive)					
Indicate Tenant Installation allowance per m ²					
Indicate breakdown and information on deposit required					
Provide information on generator costs (where applicable)					
Provide information on any other excluded cost:					
Total cost:					

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Annexure C: Relevant Standard Bidding Documents

SBD 1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE EXPORT CREDIT INSURANCE CORPORATION OF SOUTH AFRICA (SOC) LIMITED					
BID NUMBER:	ECIC13P-2021/22	CLOSING DATE:	12 MAY 2021	CLOSING TIME:	15H00
DESCRIPTION	LEASING OF OFFICE PREMISES FOR A PERIOD OF 5 YEARS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Preferably via email: procurement@ecic.co.za					
or					
Block C7 Eco Origins Office Park 349 Witch Hazel Avenue Highveld Ext 79 Centurion 0157					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ayanda Mdunge		CONTACT PERSON	Ayanda Mdunge	
E-MAIL ADDRESS	procurement@ecic.co.za		E-MAIL ADDRESS	procurement@ecic.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] ☐ Yes ☐ No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

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ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS			
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.			

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PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE:

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SBD 4

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state², 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 bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, 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 bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(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 bid.
2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.
 - 2.1. Full Name of bidder or his or her representative:
 - 2.2. Identity Number:
 - 2.3. Position occupied in the Company (director, trustee, shareholder³):
 - 2.4. Company Registration Number:
 - 2.5. Tax Reference Number:
 - 2.6. VAT Registration Number:
 - 2.6.1. 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 paragraph 3 below.
 - 2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**
 - 2.7.1 If so, furnish the following particulars:
Name of person / director / trustee / shareholder/ member:
Name of state institution at which you or the person connected to the bidder is employed :
Position occupied in the state institution:

² "State" means –

- a. 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);
- b. any municipality or municipal entity;
- c. provincial legislature;
- d. national Assembly or the national Council of provinces; or
- e. Parliament.

³ 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.

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Any other particulars:
.....
.....
.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES / NO

2.7.2.1 If yes, did you attached proof of such authority to the bid document? YES / NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:
.....
.....
.....
.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? YES / NO

2.8.1 If so, furnish particulars:
.....
.....
.....
.....

2.9 Do you, or any person connected with the bidder, 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 bid? YES / NO

If so, furnish particulars.
.....
.....
.....
.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? YES/NO

2.10.1 If so, furnish particulars.
.....
.....
.....
.....
.....

2.11 Do you or any of the directors / trustees / shareholders / members YES/NO

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of the company have any interest in any other related companies whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

.....
.....
.....

3. Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Persal Number

4. DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder
May 2011

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SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 (a) The value of this bid is estimated to not exceed R500 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable.

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

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- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

$P_{\min}$ = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

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5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

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8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....
.....
.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from

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obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

- (e) forward the matter for criminal prosecution.

WITNESSES	
1.	SIGNATURE(S) OF BIDDERS(S)
	DATE:
2.	ADDRESS
	
	

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SBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder 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? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now 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.	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder 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)? or Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder 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?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		

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Item	Question	Yes	No
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME).....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js365bW

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SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids⁴ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging)⁵. Collusive bidding is a pe se prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

⁴ Includes price quotations, advertised competitive bids, limited bids and proposals.

⁵ Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

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SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. 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 consortium⁶ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 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 bid;

⁶ 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.

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- (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. 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 bid invitation relates.
9. 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.
10. 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js914w 2

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Annexure D: Administrative checklist

Hereunder is a checklist to ensure that the bid document is complete in terms of administrative compliance. Please ensure that the following forms have been completed and signed and that all documents, as requested, are attached to the tender document.

ITEM	DOCUMENT REFERENCE		ACTION TO BE TAKEN	YES/ NO
1.	SBD 1	Invitation to bid	Is the form duly completed and signed?	
2.	SBD 4	Declaration of Interest	Is the form duly completed and signed?	
3.	SBD	Preference Points Claim Form for Preferential Procurement Regulations 2017	Is the form duly completed, B-BBEE points claimed and form signed?	
4.	B-BBEE status level verification certificate or Sworn Affidavit		Is proof of B-BBEE Status level of contributor attached? Bidder must attach copy of BEE Certificate or copy of Sworn Affidavit, whichever is applicable.	
5.	SBD 8	Declaration: Abuse of Supply Chain Management Systems	Is the form duly completed and signed?	
6.	SBD 9	Certificate of Independent Bid Determination	Is the form duly completed and signed?	
7.	CSD Report or MAAA Number			
8.	Tender submission (if the bidder is submitting physical information/documents)		Two (2) printed copies (one original and one copy) submitted?	
			One (1) electronic copy submitted?	

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ITEM	DOCUMENT REFERENCE	ACTION TO BE TAKEN	YES/ NO
9.	Floor plans of the proposed building (preferably in size A1).		
10.	Proof that the bidder is the owner/landlord. Ownership to be proved by a copy of the title deed (WinDeed printout or equivalent). Where the bidder is an agent or broker, the bidder must provide proof of mandate if acting on behalf of the owner/landlord. Where the bidder is an agent or broker, the bidder must submit a certified copy of a valid Fidelity Fund Certificate issued by the Estate Agency Affairs Board (EAAB).		
11.	Occupation Certificate/ letter confirming grade of premises or proof from a Registered Architect that the building is Grade A or better (including Grade P).		
12.	Copy of proposed draft service level agreement with a clear escalation process		

I, the undersigned (name) certify that the information furnished on this checklist is true and correct.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder