



GAUTENG PROVINCE

HUMAN SETTLEMENTS
REPUBLIC OF SOUTH AFRICA

SPECIAL CONDITIONS OF THE CONTRACT

BID NUMBER	HLA 4/2/4 - 2024/09
DESCRIPTION	THE ESTABLISHMENT OF A PRE-APPROVED LIST OF SERVICE PROVIDERS TO PROVIDE INTEGRATED COMMUNICATION SERVICES: MARKETING, EVENTS MANAGEMENT, PUBLIC RELATIONS, ADVERTISING AND BULK MEDIA BUYING SERVICES FOR THE DEPARTMENT OF HUMAN SETTLEMENTS OVER A PERIOD OF 36 MONTHS.
CLOSING DATE	25 April 2025
CLOSING TIME	11H00
VALIDITY PERIOD	120 DAYS

1. EVALUATION

Bids will be evaluated on functionality and in accordance with the pre-scripts of the Preferential Procurement Policy Framework Act (PPPFA) and its regulation.

1.1 Functionality

The functionality contained in the Terms of References applies.

1.2 Cost of tendering

Accept that, unless otherwise stated in the tender data, the department will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer comply with requirements.

2. REQUEST FOR CLARIFICATIONS

Request clarification of the tender documents, if necessary, by notifying the employer at least five working days before the closing time stated in the tender data. **There will be a non-compulsory briefing session for this tender. Attendance is highly recommended.**



3. NON - COMMITMENT

- 3.1 The department is not bound to accept any of the bids submitted.
- 3.2 The department reserves the right to withdraw or amend these terms of reference by notice in writing to all parties who have received the terms of reference prior to the closing date.
- 3.3 The cost of preparing bids will not be reimbursed.

4. REVIEW PROCESS

- 4.1 Documents submitted on time by bidders shall not be returned and shall remain the property of the department.
- 4.2 All bids duly lodged will be evaluated in accordance with the evaluation criteria.

5. LATE BIDS

Bids received late shall not be considered and may be returned to the bidder if possible. A bid will be considered late if it is received one second after closing time or any time thereafter. The bid closing time is 11:00 am.

6. GENERAL

- 6.1 Bidders must provide all the information requested in the Terms of Reference and as specified further in the Special Conditions.
- 6.2 The department reserves the right not to appoint.
- 6.3 After the establishment of the pre-approved list and during the implementation of this contract both price and Specific Goals will be considered for the appointment of service providers into various projects. Depending on the value of the project, either 80/20- or 90/10-point system would apply.
- 6.4 The appointments may be awarded to a tenderer that did not score the highest points in accordance with section 2(1)(f) of the PPPFA Act 5 of 2000.
- 6.5 The duration of the contract is for a period of 36 months from the date of appointment.
- 6.6 The relevant stipulations of the Public Finance Management Act 1 of 1999 ("the PFMA") i.e., Sections 38(1) (f) and 76(4) (b), read with Treasury Regulation 8.2, apply for payments after the rendering of monthly services.

NOTE: No deviation from, or breach or failure to follow any of the conditions, shall be considered to be a condonation, waiving or ratification of such deviation, breach or failure to



comply, unless such condonation, waiving or non-fulfilment has been agreed upon in writing, through the GDHS.

- 6.7 The stipulations of Treasury General Conditions of Contract Practice Note: SCM 1 of 2003 apply to cases of any breach of the conditions of contract, or where an unsatisfactory service is rendered.
- 6.8 Notwithstanding anything to the contrary, or any other periods of time or terms that may be contained in this contract, it is a specific condition hereof that the GDHS shall have the right to terminate the contract with one month's written notice should the need for the service no longer exist and the service no longer be required.
- 6.9 After the establishment of a panel, bidders may be required to provide proof of the following documents prior to the appointment to any project, but not limited to the following:
- Certificate of acceptability
 - Structural engineering certificate
 - Electrical compliance certificate

7. REASONS FOR REJECTION

- 7.1 The department reserves the right to return late bids as mentioned in section 5 above.
- 7.2 The department reserves the right to determine and reject bids that are not in accordance to specification/Terms of Reference.
- 7.3 Bidders shall not contact the department on any matter pertaining to their bids from the closing date to the time the bid has been adjudicated. Any effort by a bidder to influence the bid evaluation or adjudication may result in rejection of the bid concerned.
- 7.4 The department shall reject a submission if the bidder has committed a proven corrupt or fraudulent act in competing for a particular contract.
- 7.5 The department may disregard any submission if that bidder, or any of its directors:
- (i) Have abused the Supply Chain Management (SCM) system of any Government Department;
 - (ii) Have committed proven fraud or any other improper conduct in relation to such system;
 - (iii) Have failed to perform on any previous contract and the proof thereof exists; and
 - (iv) Is restricted from doing business with the public sector or if such supplier failed to perform on a contract based on the specific goals.

End.