



## BID DOCUMENT

**APPOINTMENT OF CONSORTIUM PANEL OF PROFESSIONAL SERVICE PROVIDERS  
IN THE VARIOUS BUILT ENVIRONMENT DISCIPLINES, ENVIRONMENTAL  
CONSULTANTS AND SOCIAL FACILITATION FOR IMPLEMENTATION OF FSDoE  
PROJECTS FOR A PERIOD OF THREE YEARS**

**BID NUMBER:** E14/2023/2024

**CLOSING DATE:** 27 OCTOBER 2023

**TIME:** 11:00

**VALIDITY PERIOD:** 90 DAYS

**BRIEFING SESSIONS:** No briefing session will be conducted.

**NB:** All documents must be completed with original black ink.

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



## DOCUMENTS IN THE BID DOCUMENT PACK

Bidders are to ensure that they have received all pages of this document, which consist of the following documents:

### SECTION 1

- ❖ Invitation to Bid (SBD 1)
- ❖ Declaration of Interest (SBD 4)
- ❖ SBD 6.1: Preference points claim form i.t.o. Preferential Procurement Regulations 2022

### SECTION 2

- ❖ Standard Conditions of Contract (SCC)

### SECTION 3

- ❖ Specification/Terms of Reference
- ❖ Functionality Criteria

### SECTION 4

- ❖ Dividers for attachments
- ❖ Joint Venture/Consortium Annexure
- ❖ Checklist
- ❖ General Conditions of Contract (GCC)

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



# SECTION 1

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



**SBD 1**

**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	<b>E14/2023/2024</b>	CLOSING DATE:	<b>27 OCTOBER 2023</b>	CLOSING TIME:	<b>11:00</b>
DESCRIPTION:	<b>APPOINTMENT OF CONSORTIUM PANEL OF PROFESSIONAL SERVICE PROVIDERS IN THE VARIOUS BUILT ENVIRONMENT DISCIPLINES, ENVIRONMENTAL CONSULTANTS AND SOCIAL FACILITATION FOR IMPLEMENTATION OF FSDoE PROJECTS</b>				
PERIOD:	<b>THREE YEARS FROM DATE OF APPOINTMENT</b> (However, all professionals engaged with projects when the term of appointment is approaching end time, are still responsible to complete such projects.)				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
BID DOCUMENTS MAY BE COURIER TO OR DEPOSITED IN THE BID BOX SITUATED AT: <b>N8 Gateway Office Park: Plot 22</b> <b>C/O Rudolf Greyling &amp; AW Louw Avenue</b> <b>Estoire, BLOEMFONTEIN, 9301</b> <b>THE BID BOX IS ON THE OUTSIDE AND LEFT FROM THE DOORS AT ENTRANCE 3</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	<b>K Rampai</b>		CONTACT PERSON	Dr TG Monyane:	
TELEPHONE NUMBER	<b>051-4041873</b>		TELEPHONE NUMBER	051 – 404 9214	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	<a href="mailto:K.Rampai@fseducation.gov.za">K.Rampai@fseducation.gov.za</a>		E-MAIL ADDRESS	<a href="mailto:TG.Monyane@fseducation.gov.za">TG.Monyane@fseducation.gov.za</a>	
<b>SUPPLIER INFORMATION</b>					
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.....
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO					

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> 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**

## PART B

### TERMS AND CONDITIONS FOR BIDDING

<p><b>1. BID SUBMISSION:</b></p> <p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b></p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b></p>
<p><b>2. TAX COMPLIANCE REQUIREMENTS</b></p> <p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>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.</p> <p>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."</p>

**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: .....

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**SBD 4**

**BIDDER'S DISCLOSURE**

**1. PURPOSE OF THE FORM**

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

**2. Bidder's declaration**

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state?

**YES/NO**

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

SBD 4

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:  
.....  
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:  
.....  
.....

3 DECLARATION

I, \_\_\_\_\_ the \_\_\_\_\_ undersigned,  
(name)..... in  
submitting the accompanying bid, do hereby make the following statements  
that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 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 consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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.

<sup>2</sup> 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.

- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of bidder**

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



## SBD 6.1

(This form will be issued with each request in order to claim points.)

### PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

#### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 Either the 90/10 or 80/20 preference point system will be applicable as and when a Bill of Quantity is issued to successful service providers appointed on the Panel Registration contract.

The lowest acceptable offer will be used to determine the accurate system once offers are received.

1.2 Points for projects invited under this bid (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

#### 1.3 To be completed by the organ of state:

The maximum points for projects issued under this tender will be allocated as follows:

	POINTS
<b>PRICE</b> <u>(will only be evaluated as and when an offer is requested from successful service providers which are included in/registered on the Consortium Panel of Professional Service Providers.</u>	90 or 80
<b>SPECIFIC GOALS</b> <u>will only be evaluated as and when an offer is requested from to successful service providers which are included in/registered on the Consortium Panel of Professional Service Providers.</u>	10 or 20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

1.4 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

- 1.5 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

#### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

Where

- $P_s$  = Points scored for price of tender under consideration
- $P_t$  = Price of tender under consideration
- $P_{min}$  = Price of lowest acceptable tender

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

### 3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{max}$  = Price of highest acceptable tender

## 4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

**(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)**

**Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)**

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



<b>SPECIFIC GOALS</b>  <u>(The specific goals of the department of Education and the target in terms of points allocation of either 10 or 20 points (depending on the amount of the project) will only apply during the time when offer is requested from service providers included in/appointed on the Panel for Professional service Providers and will then be implemented as follows:</u>	<b>Maximum Number of points allocated (90/10 system)</b>  <b>(To be completed by the organ of state)</b>	<b>Maximum Number of points allocated (80/20 system)</b>  <b>(To be completed by the organ of state)</b>	<b>Number of points claimed (90/10 system)</b>  <b>(To be completed by the tenderer)</b>	<b>Number of points claimed (80/20 system)</b>  <b>(To be completed by the tenderer)</b>
<b>HDI: Race: Black owned:</b>	<b>5 points:</b> (1%-25% black owned=1 point 26%-50% black owned= 3 points 51% and more black owned = 5 points)	<b>10 points :</b> (1%-25% black owned= 3 points 26%-50% black owned= 5 points 51% and more black owned = 10 points)		
<b>Promotion of enterprises located in a specific province (Free State based companies)</b>	<b>5 points</b>	<b>10 points</b>		

#### DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
  - (a) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have – disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from 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, if deemed necessary.

<div style="background-color: yellow; width: 100px; height: 15px; margin: 0 auto;"></div> <p><b>SIGNATURE(S) OF TENDERER(S)</b></p>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	..... .....

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



# SECTION 2

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



## STANDARD BID CONDITIONS

### 1. PRICES SBD 3.1/ Pricing schedule (Not applicable at this stage)

- 1.1 The bidders will be evaluated on functionality to qualify to be included in the Consortium Panel of Professional Service providers contract (E14/2023/2024).
- 1.2 Successful service providers that will be included in/registered on the Consortium Panel of Professional Service Providers (E14/2023/2024) will be evaluated on either the 90/10 or 80/20 preference point system when offers are submitted.
- 1.3 The identification of the correct preference point system shall be applicable after the Consortium Panel of Professional Service Providers has been established and request for quotations are requested. Therefore, the preference point will be either 90/10 or 80/20 preference points depending on the amount of work allocated.
- 1.4 The 90/80 points for price and the 10/20 points for specific goals will thus only be evaluated during the time when services are required and an offer is requested from the service providers included in/registered on the Consortium Panel of Professional Service Providers.

### 2. COMPLETION AND SUBMITTING OF BID DOCUMENT

#### A. STANDARD BID DOCUMENTATION FORMS (SBD) TO BE COMPLETED AND SIGNED

- 2.1 **SBD 1:**  
The **SBD 1** (Bid Invitation Form) to be completed in full and signed.
- 2.2 **SBD 4:**  
The declaration of interest form (SBD 4) to be completed at all times (if applicable or not) and signed by the bidder. The service providers must declare any relationship with any person employed by the Department as contemplated in the SBD 4. Failure to complete and sign the SBD 4 may disqualify your offer.
- 2.3 **SBD 6.1: (WILL BE APPLICABLE WHEN PRICES ARE REQUESTED FROM SERVICE PROVIDERS INCLUDED IN/REGISTERED ON THE CONSORTIUM PANEL OF PROFESSIONAL SERVICE PROVIDERS)**

The Preference Point Claim form in terms of the Preferential Procurement Regulations 2022 will be applicable and should be completed and signed by service provider if points are claimed. (This form will only be taking into consideration during time of pricing on the Project by the successful service providers included in/registered on the Panel.)

#### B. CORRECTION FLUID AND CORRECTIONS TO SBD FORMS

- 2.4 Correction fluid (e.g. Tippex) must not be used in bid documents in order to correct mistakes. **Use of correction fluid (tippex) in the bid document are not acceptable and will invalidate your bid.**
- 2.5 Where a bidder wishes to correct a mistake, a single line must be drawn through it and the bidder must place his/her signature and date next to the correction, so that the original entry is still visible and legible.

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



- 2.6 In the case of alterations/corrections a full signature must be attached above, next to or below the said alteration or correction

### C. BID FORMS

- 2.7 The bid forms should not be retyped or redrafted.
- 2.8 Only the bid documents issued by the Department of Education Free State must be used.
- 2.9 Bid documents to be completed in full.
- 2.10 Bidders shall check the numbers of the pages and satisfy themselves that none are missing, duplicated or misprinted. No liability shall be accepted in regard to claims arising from the fact that pages are missing, duplicated or misprinted.

### D. SUBMITTING OF BID DOCUMENTATION

- 2.11 Unless specifically provided for in the bid document, no bid transmitted by telegram, telex, facsimile or similar apparatus shall be considered.
- 2.12 The bid must be submitted in a **sealed envelope** before the closing date and time and deposited in the bid-box at:

**Department of Education  
Acquisition Management Sub-Directorate  
N8 Gateway Office Park  
Plot 22  
C/O Rudolf Greyling & AW Louw Avenue  
Estoire  
BLOEMFONTEIN  
9301**

**THE BID BOX IS ON THE OUTSIDE AND LEFT FROM THE DOORS IN  
ENTRANCE 3**

**The bid number and closing date must be clearly indicated on the sealed envelope.**

- 2.13 Bidders must ensure that bids are delivered timeously to the **correct address**.
- 2.14 Companies must ensure that their bid documentation is thoroughly binded. The Department cannot be held responsible for missing pages if your document is not binded.
- 2.15 Bid documents can be **downloaded** from the National Treasury eTender Publication Portal free of charge at the following address:

<http://www.etenders.gov.za>

(Click then on *Opportunities* and choose *Currently Advertised*) -

**OR**

<http://www.education.fs.gov.za>

(Click on Budget & Procurement and choose bids and then bid documents.)

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



### 3. LATE BIDS

Bids received after the closing date and time, at the address indicated in the bid document, will not be accepted for consideration and where practicable, be returned unopened to the bidder.

### 4. NO BRIEFING SESSION WILL BE CONDUCTED

### 5. FUNCTIONALITY

The Department reserves the right to request a presentation should the need arise for this bid.

\*\*A bidder who scored less than **70 OUT OF 100 POINTS** on the total functionality points will automatically be disqualified

### 6. EVALUATION ON PRICE AND PREFERENCE (80/20 OR 90/10 preference point system)

Please note that the under-mentioned will only be applicable and evaluated on when successful service providers included in/registered on the Consortium Panel for Professional Service Providers (E14/2023/2024) are requested to submit an offer for services to be rendered when a need arises and will then be evaluated on either the 90/10 or 80/20 preference point system. The lowest acceptable offer will be used to determine the accurate and applicable preference point system once offers are received.

- 6.1 Price Offers received from successful service providers registered on the Consortium Panel of Professional Service Providers will be evaluated in terms of the new Preferential Procurement Regulation, 2022 Regulation 3.1 (a) and (b).

Preferential Procurement Regulation, 2022 Regulation 3.2 (a) stipulates the following:

"If it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of— (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system. "

The following formula will be used to calculate the points for price:

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

Where

$P_s$  = Points scored for comparative price of bid under consideration

$P_t$  = Comparative price of bid under consideration

$P_{\min}$  = Comparative price of lowest acceptable bid

- 6.2 Points will be allocated to a Bidder for specific goals as stipulated in the SBD 6.1 form.
- 6.3 Bidders are required to complete the preference claim form (SBD 6.1), and submit the proof as required for specific goals.

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

- 6.4 Only Bidders who have completed and signed SBD 6.1 AND who submitted the relevant proof for specific goals will be considered for preference points.
- 6.5 Failure on the part of the Bidder to comply with the above paragraphs will be deemed that preference points for specific goals are not claimed and will therefore be allocated a zero (0).
- 6.6 **Criteria for breaking deadlock in scoring:** If two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for specific goals.  
If two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.

## 7. SPECIFIC GOALS

Please note that the 90/80 points for price and the 10/20 points for specific goals will only be evaluated as and when an offer is requested from successful service providers included in/registered on the Consortium Panel of Professional Service Providers.

The specific goals of the department of Education and the target in terms of points allocation of either 10 or 20 points (depending on the amount of the project) will only apply during the time when an offer is requested from successful service providers included in/registered on the Consortium Panel of Professional Service Providers:

Where points are claimed for specific goals the SBD 6.1 form should be completed and signed and the following documentation should be attached as proof that bidder qualify for the points for specific goals:

Specific goal	Total Number of Points allocated per preference point system	Documents that should be attached in order to claim points
<b>HDI: Race: Black owned:</b>	<b>80/20: 10 points</b> (1%-25% black owned= 3 points 26%-50% black owned= 5 points 51% and more black owned = 10 points)  <b>90/10: 5 points</b> (1%-25% black owned=1 point 26%-50% black owned= 3 points 51% and more black owned = 5 points)	Valid and original/original certified copy of accredited BBBEE certificate or valid and original/original certified copy of sworn affidavit
<b>Locality: Free State based</b>	<b>80/20: 10 points</b>  <b>90/10: 5 points</b>	<ul style="list-style-type: none"> <li>Proof of Free State Municipality account not older than 90 days at the closing date of the bid. Free State Municipal rates and taxes account bearing name of the director(s)/owner/company address.</li> </ul> OR  Original/Original Certified Copy of Lease Agreement.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

		<p>OR</p> <ul style="list-style-type: none"> <li>Original/Original Certified Copy of Sub-Lease Agreement. (Proof that the bidder is sub - leasing a property with a main lease agreement must be submitted together with the sub – lease agreement.)</li> </ul> <p>If lease agreement/sub-lease agreement is submitted as proof, the following must be attached:</p> <ul style="list-style-type: none"> <li>Certified copies of invoices (from Lessor) for the last three consecutive months; and</li> <li>Proof of Payments (from the Lessee) for the last three (3) consecutive months.</li> </ul>
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## 8. JOINT VENTURE/CONSORTIUM AGREEMENT

- 8.1 Where an entity forms a Joint Venture or a Consortium with another entity and/or other entities, such parties must express in the bid proposal and a **joint venture/consortium agreement should be submitted together with the bid. Kindly complete attached Joint Venture/Consortium Annexure** and register on the CSD as a Joint Venture/Consortium.
- 8.2 **Failure to submit** a Joint Venture/Consortium **agreement that are signed by all the parties in the Joint Venture/Consortium** will render the bid non-responsive and your offer will be **disqualified**.
- 8.3 Individual entity/ies must be registered on the CSD and after closing and before awarding, register a Joint Venture or a Consortium on the CSD.
- 8.4 It is expected that a joint venture/consortium should open a joint bank account (proof of the bank account should be submitted) within 30 days after the awarding of the contract.
- 8.5 A Joint Venture or consortium must submit a consolidated B-BBEE status level verification certificate/sworn affidavit to claim points for specific goals.

## 9. PAYMENT TO SUPPLIERS

Payments will be handled as prescribed by the PFMA and will normally be effected within 30 days of receipt of all the required documentation, which should be correct in every respect.

## 10. LEGISLATION / LAWS

Bidders must comply with the provisions of Labour Legislation as well as any other relevant legislation or legal requirement.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



**11. VALIDITY PERIOD OF BID**

The period for which offers are to remain valid and binding (in order for the Department to finalize it), is indicated in the bid documents (**90 DAYS**) and is calculated from the closing time on the understanding that offers are to remain in force and binding until the close of business on the last day of the period calculated and if this day falls on a Saturday, Sunday or public holiday, the bid is to remain valid and binding until the close of business on the following working day.

**12. QUANTITIES**

Where quantities are specified in the bid documents the Department cannot guarantee that they will be ordered as such, as it depends on Departmental needs and availability of funds. The Department is not liable for any damages the contractor might suffer for not ordering specific quantities.  
Where quantities are specified, "as required" the quantities will be ordered as and when needed.

**13. SPECIFICATION – BIDDERS RESPONSE**

**Where a specification provides for the bidders response to the different points of specification, the form must be properly completed.** Where items deviate from the requirement, the deviation must be indicated.

**14. QUALIFICATIONS OF BIDDERS**

- 14.1 The Accounting Officer does not bind himself/herself to accept either the offer scoring the highest point or any bid and reserves the right to accept or cancel the bid which he/she deems to be in the best interest of the Department even if it implies a waiver by the Accounting Officer of certain bid requirements which the Accounting Officer considers to be of minor importance and not complied with by a bidder.
- 14.2 The department will disqualify any bid from a bidder whose name appears on the national list of restricted bidders/suppliers/persons.
- 14.3 The department may terminate the contract in whole or in part if the supplier and/or representatives of the department, in the judgement of the department, committed or have engaged in corrupt or fraudulent practices during the bidding process or the execution of that contract that benefited that supplier.
- 14.4 The Department reserves the right to allocate a bid to different service providers to ensure the empowering of as many companies as possible.

**15. COMPLIANCE TO CONTRACT**

- 15.1 The Department may monitor compliance to the contract after adjudication of the bid that include, but need not be limited to, site inspections and the request for documentary proof of compliance with the PFMA and relevant legislation.
- 15.2 Where services are rendered, which involves minimum wages for employees in terms of the sectoral wage determination, the Department reserves the right to request copies of payslips of employees during the period of the contract.

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



**16. JOB CREATION**

16.1 The bid aims to meet the needs of the Department, while also contributing to, amongst other, economic development and job creation.

16.1.1 Indicate how many additional permanent staff members will be employed as a result of winning the bid: \_\_\_\_\_

16.1.2 Indicate how many temporary staff members will be employed as a result of winning the bid: \_\_\_\_\_

16.1.3 Indicate whether the service of Free State Citizens will be utilized:

YES ☐ NO ☐ [TICK APPLICABLE BOX]

**17. CENTRAL SUPPLIER DATABASE (COMPULSORY)**

*Please note that bidders should be registered on the Central Supplier Database.*

**PLEASE SUBMIT A PRINTOUT REPORT OF YOUR COMPANY'S DETAILS AS REFLECTED ON THE CENTRAL SUPPLIER DATABASE.**

**18. LOCAL CONTENT**

Service providers are encouraged to make use of local production and local content.

**19. MAXIMUM DELIVERY PERIOD**

As indicated in specification.

**20. PENALTIES**

If detected that a preference had been obtained on a fraudulent basis or any specified goals are not attained in the performance of the contract, an organ of state may:

- Recover all costs, losses or damages resulting from the above-mentioned contract.
- Cancel the contract and claim damages.
- Impose a financial penalty, more severe than the theoretical financial preference associated with the claim which was made.
- Restrict the contractor, its shareholders and directors from obtaining business from any organ of state for a period not exceeding 10 years.

**21. SUCCESSFUL BIDDERS**

- The successful bidder/s will be obliged to sign a contract with the Department.
- Companies that are awarded bids must ensure that the income tax number and VAT number (where applicable) are indicated on the Invoice.

**22. AWARDING CONTRACTS TO GOVERNMENT OFFICIALS IS NOT ALLOWED**

**A GOVERNMENT EMPLOYEE MUST NOT HAVE A BUSINESS INTEREST IN ANY ENTITY CONDUCTING BUSINESS WITH THE PROVINCIAL GOVERNMENT.**

In accordance with Treasury Instruction Note 17 of 2012, an employee of the Free State Provincial Government or a provincial public entity may not have a business interest in any entity conducting business with the Provincial Government.

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



According to the Public Service Regulations, 2016, an employee may not do business with any organ of state.

The Provincial Government may not award any tender or enter into any contract with an employee in the employment of the State.

All bids received contrary to Treasury Instruction Note 17 of 2012 and the Public Service Regulations, 2016 (Regulation 13) shall be disqualified.

**23. VALID TAX MATTERS**

It is a requirement that the Tax matters of the successful contractor/s are in order when awarded a project.

**24. SUPPLIER DUE DILIGENCE**

The State reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period and this may include pre-announced/non announced site visits. During the due diligence process the information submitted by the bidder will be verified and any misrepresentation thereof may disqualify the bid in whole or parts thereof.

**25. DECLARATIONS**

A bidder must declare that:

- Information provided is true and correct.
- The signatory to the bid document is duly authorized.
- Documentary proof regarding any bid issue will, when required, be submitted to the satisfaction of the State.

**26. THE BIDDER MUST COMPLETE THE FOLLOWING:**

This is to certify that the above standard conditions have been read and the bidder undertakes to comply herewith for the full duration of the contract/bid. It is further accepted that any deviation from the bid conditions, requirements and specifications as well as false information provided on any form/document may result in the termination of contract prior to expiry.

I \_\_\_\_\_ in my capacity as \_\_\_\_\_ of  
\_\_\_\_\_(Company), hereby certifies that I take note and accept  
the above-mentioned Standard Conditions, Special Conditions of the Contract and the  
General Conditions of a Contract. I further declare that the information submitted is  
correct.

\_\_\_\_\_

**SIGNATURE**

Contact person of company: \_\_\_\_\_

Tel. of company: (\_\_\_\_) \_\_\_\_\_

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



# SECTION 3

## SPECIFICATION/ TERMS OF REFERENCE -FUNCTIONALITY

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



REQUEST FOR BIDS

**E14/2023/2024**

APPOINTMENT OF CONSORTIUM PANEL OF PROFESSIONAL SERVICE PROVIDERS  
IN THE VARIOUS BUILT ENVIRONMENT DISCIPLINES ENVIRONMENTAL  
CONSULTANTS AND SOCIAL FACILITATION FOR IMPLEMENTATION OF FSDoE  
PROJECTS FOR A PERIOD OF THREE YEARS.

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



## TERMS OF REFERENCE

### SECTION 1: SUMMARY OF BRIEF

It is the intention of the Free State Department of Education to enter into a three-year agreement with the consortium of Built Environment Service providers and Social Facilitation specialists for the implementation of various projects in the province.

### SECTION 2: PROJECT DESCRIPTION

#### 2.1 BACKGROUND

The Free State Department of Education seeks to accelerate delivery of education infrastructure and related services in order to improve access and meet its objectives of providing quality education to all learners in the province. The Free State has approximately 1000 Public Ordinary & Farms Schools (Primary, Intermediate, Combined and Secondary) in five districts of the province.

Most school- and hostel facilities are dilapidated and need refurbishment, structural defects sometimes need to be investigated and attended to urgently, schools need additional facilities or upgrades and, in some areas, new school- or hostel facilities need to be designed and constructed. All of the mentioned scenarios result in amongst other things overcrowding, and environments that impacts negatively on quality teaching and learning.

It is against this background that the Free State Department of Education is seeking the services of service providers, in the form of a consortium professional consulting firms or companies for the design, project management, implementation and social facilitation of projects to achieve the successful implementation and completion of infrastructure projects for the period of three (3) years.

All projects to be implemented will be approved through the U-AMP of the relevant financial year apart from damages through storms or other unforeseen circumstances.

Possible projects to be implemented include, but are not limited to:

1. New schools and/or hostels
2. Administration Blocks,
3. Nutrition Centres,
4. Additional classrooms
5. Grade R classrooms,
6. Media Centers,
7. Science Laboratories,

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

8. Ablution Blocks and
9. Upgrading & Refurbishment to existing schools
10. Major repairs
11. Assessments of structures (condition assessments, structural assessments, valuations)

The following different disciplines that will be required are listed below as a consortium:

1. **Construction Project Management** (Principal Agent) with the following services under them. These services will be sought on a need basis:
  - Construction manager / Clerk of Works (full time onsite resource)
  - Social Facilitation Services (Stakeholder Management)
2. **Architectural Services**
  - Town and Regional Planning
  - Environmental Consultants
3. **Quantity Surveyor Services**
4. **Civil Engineering / Structural Engineering Services**
  - Land Surveying
  - Geotechnical Engineering Services
5. **Electrical Engineering Services**
6. **Mechanical Engineers**
7. **Occupational Health & Safety Services**

The responsibilities will include, but not be limited to the design, monitoring and management of implementation and project management of projects to achieve the successful implementation and completion of infrastructure projects for three years from date of approval. This will include full compliance with the new IDMS requirements (Stage gates), all DORA IEG Framework requirements i.e., updating of EFMS, Completion of NIEMS at Practical Completion stage and stakeholder engagements through social facilitation.

### SECTION 3: INFORMATION RELATED TO SUCCESSFUL INCLUSION ON THE PANEL

3.1 Professional Service Providers will be included in a panel of consortiums and upon appointments for a specific project enter into an agreement with the department for the execution of the specific project based on the Standard CIDB PSP Agreement / PROCSA including a service level agreement. Panel of Professionals will not automatically lead to an appointment on a project. Appointment will follow after a specific need from a project identified and a consultant from the panel has been appointed after a competitive discounts process.

3.2 Based on the needs of the department, all bids will be rotated amongst the consortium panel of professional service providers according to the specific goals of the FSDoE.

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

### 3.3 REMUNERATION

The consortia approved for inclusion in the panel of professional service providers will be remunerated according to their professional fees with the relevant discipline not exceeding the National Public Works gazetted recommended fees scales. Disbursements will be remunerated in line with published Department of Public Work gazetted rates as regulated in the standard operating procedure. When their services are required, professionals will be required to submit quotations indicating competitive discounted fee percentage based on the gazetted fees of various relevant professional councils. All appointments will be subjected to the standard operating procedure at the time of the required service.

## SECTION 4: DELIVERABLES

### 4.1 EXPECTED DELIVERABLES

The successful bidder will be expected to:

- 1) Implement identified projects (design, manage and monitor to completion including condition assessments) as per the Stage requirements listed in the respective Published Professional fee guidelines.
- 2) Align all project to the IDMS 2019 project management Stages - Inception to Close out.
- 3) Fully utilize and update EFMS from Inception to Close out stage.
- 4) Submit NEIMS forms at practical Completion Stage

All firms are required to be registered with one or more of the following councils when appointed on a project.

Proof that the individual that will be managing the project is a relevant professionally registered individual. Required certified registrations, in the professional category, with the following applicable statutory bodies:

- Certified Registration with the South African Council for the Project and Construction Management Profession (SACPCMP).
- Certified Registration with the South African Council for the Quantity Surveying Profession (SACQSP).
- Certified Registration with South African Council for the Project and Construction Management Profession (SACPCMP) in the category of Health & Safety Manager /Agents.
- Certified Registration with the South African Council for the Architectural Profession (SACAP).
- Certified Registration with the Engineering Council of South Africa (ECSA).
- Certified Registration with the South African Council for Professional and Technical Surveyors (SAGC).
- Certified Registration with the South African Council for Planners (SACPLAN).
- Certified Registration with the South African Council for Natural Scientific Professions (SACNASP).

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

## SECTION 5: REMUNERATION AND APPLICABLE DISCIPLINES

### 5.1 DISCIPLINES – COMPULSORY REQUIREMENTS

**5.1.1 All firms must produce proof of professional registration, failure to produce such will lead to automatic disqualification and a letter of good standing from their respective councils** in line with their appointment to ascertain that they are still validly registered with their professional council.

**5.1.2 All professional service providers in the consortium are required to produce proof of a valid professional indemnity cover of R5 million and above.** Failure to attach a Professional indemnity leads to an automatic disqualification. NB: All respondents to this bid must produce a consortium agreement of all parties involved.

- As after successful inclusion in the panel, no party will be replaced without prior approval of the department of education. The agreement binds all parties of the consortium to the department of education as agents appointed by the principal agent through the department of education.
- Bidders will be expected to populate all disciplines of their consortium they are bidding for.
- Failure to respond to all disciplines included herein as consortium services required by the FSDoE will automatically lead to a disqualification.
- Should a registered professional(s) indicated to be employed by any of the discipline in the consortia group, leave the employment of the service provider at any time during the appointment term, should be replaced by another registered professional and notify FSDoE.
- Under no circumstances should any discipline of the consortia appointed allow candidates/students to undertake work without the presence of the registered professional.
- The consortium must provide an organogram of all the team members representing the consortium group including the signed consortium agreement by all disciplines involved.
- Multi-disciplinary firms offering more than one discipline must produce evidence of being registered with the relevant professional council and/or association to perform such services.
- Failure to attach the required registration of performing various disciplines from the various professional councils and /or associations will lead to disqualification.
- ***Please note: A firm that has only employed a Professionally registered individual without the firm being registered with the relevant council and /or association to operate the services performed by the individual will not be considered as multi-disciplinary firm.***
- ***Under no circumstances should lead consultants treat the consortium team members as subconsultants under them, but independent professional team members acting on behalf of the client (FSDoE) in this case. All consortium team members are agents of the client department.***

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



# COMPLETE UNDER- MENTIONED TABLE

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



**PROPOSED CONSORTIUM MEMBERS AND THEIR QUALIFICATIONS (TO BE COMPLETED BY BIDDER)**

Professional Services Under the Consortium	Name of Consulting firm	Company Practice Registration number	No. of years' experience of the company	Valid professional Indemnity Insurance
<b>1. Construction Project Management services including Clerk of Works (full time on-site) &amp; be able to acquire the following services below as and when required:</b>  1.1 Social Facilitation firm				
<b>2. Architectural including the following services as and when required:</b>  2.1 Town and Regional Planning  2.2 Environmental consultants				

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



Professional Services Under the Consortium	Name of Consulting firm	Company Practice Registration number	No. of years' experience of the company	Valid professional Indemnity Insurance
<b>3. Quantity Surveying Services</b>				
<b>4. Civil / Structural Engineering</b> <b>Services including service below:</b> 4.1 Land Surveying 4.2 Geotechnical Engineering				
<b>5. Electrical / Mechanical Engineering Services</b>				

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



Professional Services Under the Consortium	Name of Consulting firm	Company Practice Registration number	No. of years' experience of the company	Valid professional Indemnity Insurance
6. Mechanical Engineering				
7. Occupational Health & Safety Services				

I, \_\_\_\_\_, declare that the above-mentioned information is true and correct.

\_\_\_\_\_  
SIGNATURE OF BIDDER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Witness 1

\_\_\_\_\_  
Witness 2

\_\_\_\_\_  
Employer

\_\_\_\_\_  
Witness 1

\_\_\_\_\_  
Witness 2



## SECTION 6: FUNCTIONALITY

The following functionality criteria applies to **main disciplines** (Construction Project Manager, Architect, QS, Civil /Structural, Electrical Engineers, Mechanical Engineers and Occupational Health And Safety) of the consortium only; all other added disciplines requires just professional registration and a representative included in the bid.

Scoring points: **TOTAL 100 points = minimum of 70 points to qualify.**

The Bidders will be assessed for functionality as set out below. Bidders scoring less than the **minimum score of 70 points** for functionality will not be evaluated further. **Criteria for functionality:**

FUNCTIONALITY CRITERIA		MAXIMUM POINTS ALLOCATED
<b>**1. Provide three (3) valid written and contactable reference letters (per main professional discipline) of contracts of similar projects executed in the past ten (10) years indicating:</b> <ul style="list-style-type: none"> <li>• Duration of project,</li> <li>• Contract value,</li> <li>• Quality of service of projects: <ul style="list-style-type: none"> <li>➤ THREE Written verifiable references per main professional discipline = 50 points</li> <li>➤ TWO Written verifiable references per main professional discipline = 30 points</li> <li>➤ ONE Written verifiable reference per main professional discipline = 20 points</li> <li>➤ None Provided = 0 points</li> </ul> </li> </ul>		<b>50</b>
<b>2. Provide Company Experience (of the lead / PA) in the provision of similar previous projects completed, with completion certificates attached. Submit verifiable company profile with full details of experience. The company profile must reflect details of projects completed as per the submitted completion certificates. (Both detailed company profile with completion certificates should be attached to receive points.)</b> <ul style="list-style-type: none"> <li>➤ More than 10 years of experience = 25 points</li> <li>➤ Experience between 5 and 9 years = 20 points</li> <li>➤ Experience below 5 years = 15 points</li> <li>➤ None Provided = 0 points</li> </ul>		<b>25</b>
<b>**3. Signed Financial Statements (per main discipline)</b> Attached copy of recent annual financial statements signed by a registered accountant with active turnover. None provided	= 25 points = 0 points	<b>25</b>
<b>Total points</b>		<b>100</b>

\*\*Applies to Construction Project Manager, Architect, QS, Civil /Structural, Electrical Engineers, Mechanical Engineers and OHS only. Sub consultants requires key personnel, and their council registration certificates only.

**NB: Criteria 1: All disciplines should submit the same number of reference letters to claim full points. Any discipline submitting lowest number of letters as opposed to others included in this, their lowest points will be applied to the whole consortium.**

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

### **SUCCESSFUL REGISTRATION ON THE PANEL OF CONSORTIUM**

Selection as a successful consortium does not give rise to a contract (express or implied) between the successful bidder and the FSDoE for the supply of the requested services. No legal relationship will exist between the FSDoE and any successful bidder for the supply of the services until such time as a binding contract is executed by them.

A bidder is bound by its bid and all other documents forming part of the bidder's response and, if selected as a successful bidder, must enter into a contract based on the bid with or without further negotiation.

The shortlisted bidders may be called to present their Team if the Evaluation Committee deems it necessary. Bidders who will meet the minimum functionality score (paper-based functionality evaluation) will be appointed to the panel and contracted by the department for 3 years from the date of appointment.

The allocation of work to service providers on this panel will be on a rotational basis based on a discounted rate of the gazetted fees for the appointments on projects as and when required, and rotation will be decided by the department of Education, based on bidders with the highest points being considered first and discounts will be requested from firms in the panel of PSPs.

### **SECTION 7: SPECIAL CONDITIONS**

- **This appointment is solely for registered professional service providers with registered practice(s) with the relevant professional bodies.**
- The appointment of this framework is strictly to the company submitting a bid for consideration not on an individual capacity.
- In cases where a discipline fee is not guided/regulated by gazetted National Public Works fees scales, competitive bids will be open amongst listed bidders on the panel.
- In a case where consultants are appointed for consultancy nearer to the end of term of the framework, such consultants are still responsible for completing the work assigned to them even if the project duration goes beyond the term of the framework appointment.
- A PSP assigned any work may not cede, assign, or subcontract any part thereof to any person unless with the written consent of FSDoE or as may be required by the applicable laws, for instance, in cases where a correspondent may be necessary.
- Skills transfer - all PSPs are expected to at least train one official per project from a list of FSDoE officials if so required. This agreement will be based on the stipulated candidate programme of various professional councils required by such a candidate to obtain a status of professional registration either being *Professional Engineer, professional Quantity Surveyor, Professional Architect, etc.*
- **All PSP's affected by non-submission of the required service will be levied with a penalty of R2000,00 per day from the day such a final account should have been submitted, according to the prescripts of the JBCC agreement. This penalty shall be applied to other items of defaults such as: NEIMS, EFMS, final accounts and close out reports should PSPs not comply with their obligations.**

Technical Enquiries: Dr TG Monyane : 051 – 404 9214  
E-mail : [TG.Monyane@fseducation.gov.za](mailto:TG.Monyane@fseducation.gov.za)

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



# SECTION 3

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



# ATTACH:

- **PROOF OF REGISTRATION ON CSD**

**PRINT OUT REPORTS OF CSD  
OF EACH COMPANY IN  
CONSORTIUM**

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



# ATTACH:

## **1) CERTIFIED COPIES OF ALL COMPANIES REGISTRATION CERTIFICATES REFLECTING ACTIVE MEMBERS**

**(CK1/CK2)/TRUST DEED/PTY LTD MEMORANDUM OF  
INCORPORATION/CERTIFICATE OF INCORPORATION/ PARTNERSHIP  
AGREEMENT ETC.**

## **2) ID DOCUMENTS OF DIRECTORS/OWNERS**

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



# ATTACH:

- **Proof of professional registrations and**
- **Letter of good standing from respective councils**

(Failure to produce such will lead to automatic disqualification)

## AND

- **Valid professional indemnity covers of R5 million and above**

(Failure to attach a Professional indemnity leads to an automatic disqualification.)

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



# **FUNCTIONALITY**

# **ATTACH: REFERENCE LETTERS for each of the 7 main disciplines**

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



# **FUNCTIONALITY**

# **ATTACH:**

- **COMPANY PROFILE WITH FULL  
DETAILS OF EXPERIENCE  
AND**
- **COMPLETION CERTIFICATES**

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2





# **FUNCTIONALITY**

# **ATTACH:**

Copies of recent annual financial statements (per main disciplines) signed by a registered accountant with active turnover.

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

# ATTACH:

The consortium must provide  
an **ORGANOGRAM** of all the  
team members representing the  
consortium group

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



# **ATTACH SIGNED JOINT VENTURE/ CONSORTIUM AGREEMENT (signed by ALL parties) and complete under- mentioned annexure:**

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

## **JOINT VENTURE/CONSORTIUM ANNEXURE**

### **IN CASE OF A CONSORTIUM/JOINT VENTURE CONCERN THE FOLLOWING SHOULD BE COMPLETED:**

I/we certify that this is a bona fide bid.

I/we also certify that I/we have not done and I/we undertake that I/we shall not do any of the following acts at any time before the hour and date specified for the closure of submission of Bid for this Contract.

1. Fixed or adjusted the amount of this bid by, or under, or in accordance with any agreement or arrangement with any other person outside this consortium/joint venture/sub-contracting;
2. Communicate to a person outside this consortium/joint venture/sub-contracting other than the person calling for these bids, the amount or approximate amount of the proposed bid, except where the disclosure, in confidence, of the approximate amount of the bid was necessary to obtain insurance premium quotations required for the preparation of the bid;
3. Caused or induced any other person outside this consortium/joint venture/sub-contracting to communicate to me/us the amount or approximate amount of any rival bid for this contract;
4. Entered into any agreement or arrangement with any other person outside this consortium/joint venture/sub-contracting to induce him/her to refrain from bidding for the contract, or as to the amount of any bid to be submitted or the conditions on which a bid is made, nor caused or induced any other person to enter to any sub agreement or arrangement; and
5. Offered or paid or given or agreed to pay or given any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any bid or proposed bid for this contract, any act or thing of the sort described above.
6. Certified that a joint bank account will be open in the name of the Consortium/Joint/Venture/Sub-Contractor's Names.

In this certificate, the term "person" includes any persons, body of persons or association, whether corporate or not; and the term "agreement or arrangement" includes any agreement or arrangement, whether formal or informal and whether legally binding or not and the term "person outside this consortium/joint venture/sub-contracting means, when the consortium/joint venture/sub-contracting is a partnership, a person other than a partner or an employee of such partnership, or when the consortium/joint venture/sub-contracting is a company, a person other than a person or company holding shares in the consortium/joint venture/sub-contracting, or any employee of such a person, consortium/joint venture/sub-contracting.

**Name and surname:** \_\_\_\_\_

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



**SIGNED ON BEHALF OF BIDDER**

**Date:** \_\_\_\_\_

<b>CHECK LIST:</b>			
<b>SUMMARY OF FORMS TO BE COMPLETED AND REQUIREMENTS</b>			
<b>PLEASE ENSURE THAT YOU SIGN AND COMPLETE THE FOLLOWING DOCUMENTS:</b>			
<b>SBD FORM</b>	<b>DESCRIPTION</b>	<b>TO BE COMPLETED BY</b>	<b>COMMENTS ON COMPLIANCE BY SERVICE PROVIDER</b>
<b>STANDARIZED BID FORMS</b>			
<b>SBD 1</b>	Invitation to bid	To be completed and signed by the service provider.	
<b>SBD 4</b>	Declaration of interest	To be completed and signed by the service provider.	
<b>SBD 6.1</b>	Preference points claim form	To be completed and signed by the service provider in order to claim points. <u>Point system and this form will only be applicable as and when an offer is requested to successful service providers included in/register on the Panel Registration contract.</u>	
<b>PLEASE ENSURE THE SUBMITTING OF THE FOLLOWING DOCUMENT:</b>			
<b>CSD REPORT</b>			
Ensured that it is attached.			
<b>FUNCTIONALITY</b>			
Ensured that all documentation to evaluate functionality criteria is attached.			
<b>SPECIFICATION/TERMS OF REFERENCE/SPECIAL CONDITIONS</b>			
Ensured that all documentation as requested is attached.			
<b>SPECIFIC GOALS</b>			
Ensured that all documentation to claim points for specific goals is attached.			
<b>CIDB PRINTOUT REPORT</b>			
Ensured that CIDB printout is attached			
<b>JOINT VENTURE AGREEMENT (if applicable)</b>			
<b>Joint Venture agreement</b> (Compulsory if applicable)	In the event that a joint venture bid is submitted a <b>signed</b> joint venture agreement, witnessed by a registered Attorney at Law must be submitted with the bidding document. Failure to submit a signed joint venture agreement ( <b>signed by all the parties</b> ) will lead to disqualification of the bid.		

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Witness 1

\_\_\_\_\_  
Witness 2

\_\_\_\_\_  
Employer

\_\_\_\_\_  
Witness 1

\_\_\_\_\_  
Witness 2



# **GENERAL CONDITIONS OF CONTRACT IS APPLICABLE**

**[www.treasury.gov.za](http://www.treasury.gov.za)**

<http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/General%20Conditions%20of%20Contract.pdf>

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2