

## GAUTENG PROVINCE

INFRASTRUCTURE DEVELOPMENT  
REPUBLIC OF SOUTH AFRICA

### MINUTES & DECISIONS – SUPPLY CHAIN MANAGEMENT: TENDER ADMINISTRATION

Tender Number: RFP/DID 29/12/2023

Service: Public Private Partnership for the Refurbishment, including the Design, Construction, Operation, Maintenance and Finance of Serviced Working Environments in the Kopanong Precinct - KOPANONG PRECINCT PPP PROJECT (CLUSTER 3)

Date: 18 January 2024: Time: 10:00AM, Closing date: 28 March 2024 @11H00 AM

Venue: Emoyeni conference centre, 15 Jubilee Road, Parktown, Johannesburg

#### SECTION A: PROCEDURAL MATTERS

##### A.1 Attendance and Apologies

Officials	Designation	Apologies
Mr. Tshepo Mmamaro	Project Manager	None
Ms. Thobeng Mongale	Legal Services	None
Mr. Mpumelelo Khoza	SCM Representative	None
Mr. Siya Khumalo	SCM Representative	None
Mr. Madumetja Mothupi	SCM Representative	None
Ms. Tshifhiwa Nenungwi	SCM Representative	None
Mr. Mfundo Sithole	SCM Representative	None
Ms. Deborah Mashego	SCM Representative	None
Scribe		
Ms. Puleng Mokitimi	SCM Representative	

##### A.2 OPENING AND WELCOME

- The Chairperson: Mr. Mpumelelo Khoza opened the meeting at 10:10 am by welcoming all present.
- The briefing session was Compulsory.

### A.3 PURPOSE OF THE MEETING

- To provide a background and scope of the tender and outline the requirements that bidders must comply with.

#### A.3.1 SCM COMPLIANCE, MANDATORY, FUNCTIONALITY AND ADMINISTRATIVE REQUIREMENTS

- Closing date is on the 28 March 2024 @11h00am, late tenders will not be considered and will be returned unopened.
- Tender documents may be downloaded from: <http://e-tenders.gauteng.gov.za> or <http://e-tenders.treasury.gov.za>
- Bid documents must be downloaded and printed on the e-tender portal at bidder's cost.
- Bidders highlighted few questions that need addendum's to be issued will communicate via email and gauteng e-tender portal website, e.g. SBD 1 stated old PPPFA of 2000 and PPR of 2017.

#### SCM representative:

Mr. Siyabonga Khumalo indicated all the applicable mandatory, administrative, functionality and requirements which bidders must comply with. Mr. Mmamaro went through Scope of Work and Ms. Thobeng went through Legal.

#### MANDATORY/ COMPULSORY ADMINISTRATIVE REQUIREMENTS:

Failure to submit/meet or comply with the following requirements constitutes automatically disqualification of a tender offer.

Submission of completed and signed SBD 1- Invitation to tender.

Submission of completed SBD 3.1 – pricing schedule – firm price.

Submission of completed and signed SBD4 – bidders' disclosure.

Only tenderers who attended a compulsory site briefing session will be considered for evaluation (bidders must sign the site briefing attendance register)

Submission of signed Joint Venture agreement or consortia agreement in case of Joint Venture or consortium and should be signed by all parties involved and must detail the percentage (%) revenue split between the parties and portion/s of work to be shared.

Submission of valid COIDA certificates or a letter of good standing

Subcontractors / A Turnkey contractor must have a Valid CIDB Grade 9GB. (CIDB Certificates or CRS Numbers must be provided)

**OTHER ADMINISTRATIVE REQUIREMENTS**

Submission of the proof of registration with CSD (CSD summary registration report or MAAA Number)
Submission of a Tax Compliance Status PIN that will grant a third-party access to the bidder's Tax Compliance Status
Submission of Company registration documents (Founding Statement – CK1 or Certificate of Incorporation – CM1, etc).
Submission of ID copies for Directors / shareholders / members / owners
Submission of completed and signed SBD 6.1 - Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022

Applicable PPPFA Price and Preference Point System:	90/10
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**BBBEE SPECIFIC GOALS – PREFERENCE POINTS ALLOCATION**

<b>BEE SCORECARD</b>		
<b>BEE ELEMENT</b>	<b>PROJECT TARGET</b>	<b>BID EVALUATION WEIGHTING</b>
<b>A: Private party equity</b>		20%
A1: Black Equity	40%	
A2: Active Equity	55% of A1	
A3: Cost of Black Equity	Value for money	
A4: Timing of project cash flow to Black Shareholders	Early and ongoing	
<b>B: Private party management and employment</b>		15%
B1: Black Management control	Commensurate with A1 & A2	
B2: Black Women in management control	15% of B1	
B3: Employment equity	Compliant with law	
B4: Skills development	1% of payroll	

<b>C: Subcontracting</b>		50%
C1: Capital expenditure cash flow to Black people/Black Enterprises	30%	
C2: Operating expenditure cash flow to Black people/Black Enterprises	30%	
C3: Black Management control	25%	
C4: Black Women in management control	15% of C3	
C5: Employment equity	Compliant with law	
C6: Skills development	1% of payroll	
C7: Procurement to Black Enterprise SMMEs	30%	
<b>D: Local socio-economic impact</b>	Sustainable, effective plan	15%

NB: In the case of Joint Ventures or Consortiums, the bidder must submit all documents required to claim the Preference Points for all parties involved, if one of the parties to the JV or Consortium did not submit all the required documents **NO** Preference points will be allocated.

#### **OBJECTIVE CRITERIA APPLICABLE TO THIS BID**

In an effort to uplift SMMEs, the department reserve a right to appoint a bidder who complies with subcontracting requirements than a bidder who does not complies with subcontracting requirements even if such bidder scored highest points in term of price and preference. Therefore, bidders must submit an intent to subcontract at least 30% of value of the total costs related to the capital component of the Construction Contract and operation to SMMEs who are at-least 51% owned by black people. The subcontracting intent must at-least reflect the intended subcontracting amount / percentage of work, description of work/service subcontracted, intended payment condition, minimum number of subcontractors to be subcontracted and must be signed by the main contractor authorized person. The intent for subcontracting should be accompanied with affidavit from the contractor's authorized person.

Details of the subcontracting in line with departmental developmental goals to be defined at contracting stage.

### 7.3 Functionality Evaluation and Scoring Process

<b>Evaluation Area</b>	<b>Max Score</b>	<b>Min Score</b>
<p><b>Integrated Project solution and Project management of the Bidder (A Bidder is required to assume that there will be no BAFO process. This assumption shall not detract from the Institution's rights in this respect.)</b></p>	<b>15</b>	
<p>A. Demonstration of the ability to provide a total integrated solution in alignment with the Institution's objectives.</p> <ul style="list-style-type: none"> <li>• A Bidder shall submit a proposal demonstrating its understanding of the Institution's objectives and Bidder's interpretation of what would constitute a total integrated solution to the Institution within the framework of a long-term strategic partnership between the Private Party and the Institution. The solution should include technical solution including. <ul style="list-style-type: none"> <li>- development and delivery (2 points),</li> <li>- Financial solution (1 points),</li> <li>- Legal solution (1 points),</li> <li>- BEE (1 point) and</li> <li>- Price (1 point)</li> </ul> </li> </ul>	<b>6</b>	<b>7.5</b>
<p>B. Capacity and capability of the project management function</p> <p>A Bidder shall submit a proposal pertaining to the structuring, capacity and capability of its project management function for the Project, which will clearly indicate how such Bidder will address/has addressed this critical element.</p> <p>during bid preparation, envisaged time frames for key milestones from being appointed a Preferred Bidder through to Service Commencement (as defined in the PPP Agreement).</p> <p>The bidder's proposal must include the capacity at:</p> <ul style="list-style-type: none"> <li>- Financial Close - (1),</li> <li>- Construction – (1),</li> <li>- Operation – (1),</li> <li>- Maintenance (1) and</li> <li>- Expiry or termination of the Project in an effective manner (1).</li> </ul>	<b>5</b>	
<p>C. Appropriate Overall Project Plan including construction and operations commissioning and services commencement.</p> <p>A Bidder shall provide the Project Plan to meet time frames, stating all assumptions and detailing, inter alia the following:</p>	<b>4</b>	

<ul style="list-style-type: none"> <li>- timetable and milestones for reaching Financial Close; (1)</li> <li>-Project Site handover and establishment milestone; (1)</li> <li>- design and approval milestones;(1)</li> <li>- construction milestones (indicating a complete Project Site handover) ;(0.5) and</li> <li>- relocation milestones (0.5).</li> </ul>		
Technical	<b>55</b>	
<p>A. Technical: Project Integration of B, C, D and E</p> <p>A Bidder shall submit a technical proposal that shows the integration of the design, sustainability and operational aspects of the Project as detailed in the technical sections set out below.</p> <ul style="list-style-type: none"> <li>- A Bidder shall submit a technical proposal that shows the integration of the design of the Project as detailed in the technical sections of the output specifications. 3</li> <li>- A Bidder shall submit a technical proposal that shows the sustainability of the Project as detailed in the technical sections of the output specifications. 2</li> <li>- A Bidder shall submit a technical proposal that shows the operational aspects of the Project as detailed in the technical sections of the output specifications. 3</li> </ul> <p>Points will be allocated using factor per level as follows (Max= 1 factor, e.g. if the bidder is excellent the factor is 1,</p> <ol style="list-style-type: none"> <li>1. Excellent = 1</li> <li>2. Good = 0.75</li> <li>3. Fair = 0.5</li> <li>4. Poor = 0.25</li> <li>5. No submission = 0 point</li> </ol>	<b>8</b>	
<p>B. Technical: Architecture and Sustainability</p> <p>A Bidder must demonstrate:</p> <ul style="list-style-type: none"> <li>- how design objectives will be reached (2 points).</li> <li>- in a detailed proposal, that the Bidder will comply with the Output Specifications for the Project including, at a minimum, design, and development of proposals to a level that includes space planning and interior design depicting how design objectives will be reached (2 points).</li> <li>- as far as possible, integration of environmental and sustainability design objectives and principles into the architectural design concept (2 points).</li> <li>- integration of working environments, security and space concepts (2 points).</li> <li>- operability of the design and integration of facilities management operations into the design and the design process as well as essential components making up the life cycle of the Service (3 points); and</li> <li>- that sufficient attention has been given to employee wellness, gender and disabled persons issues (of both</li> </ul>	<b>14</b>	<b>27.5</b>

<p>staff and visitors) (3 points)</p> <p>Points will be allocated using factor per level as follows (Max= 1 factor, e.g. if the bidder is excellent the factor is 1,</p> <ol style="list-style-type: none"> <li>1. Excellent = 1</li> <li>2. Good = 0.75</li> <li>3. Fair = 0.5</li> <li>4. Poor = 0.25</li> <li>5. No submission = 0 point</li> </ol>		
<p><b>C. Technical: Construction</b></p> <p>A Bidder must provide:</p> <p>A Bidder must provide: a detailed proposal demonstrating that the Bidder will comply with the Output Specifications for the Project including, at a minimum, design and development to a level that includes competent designs in line with the Output Specifications in the following disciplines: 20.</p> <ul style="list-style-type: none"> <li>- Structural 2</li> <li>- Civil Services 1,5</li> <li>- Wet Services 1,5</li> <li>- Fire 1</li> <li>- Electrical 3</li> <li>- Security 3</li> <li>- HVAC 3</li> <li>- Vertical Transport, i.e. Lifts, 2</li> <li>- ICT 3</li> </ul> <p>Points will be allocated using factor per level as follows (Max= 1 factor, e.g. if the bidder is excellent the factor is 1,</p> <ol style="list-style-type: none"> <li>1. Excellent = 1</li> <li>2. Good = 0.75</li> <li>3. Fair = 0.5</li> <li>4. Poor = 0.25</li> <li>5. No submission = 0 point</li> </ol>	<b>20</b>	
<p><b>D. Technical: Transitional Arrangements</b></p> <ul style="list-style-type: none"> <li>- A Bidder must provide a framework of its anticipated Relocation plan taking into account the Clustering and Decanting Plan (3 points) and</li> <li>- A Bidder is required to provide detailed proposal demonstrating that the Bidder will comply with the Output Specifications for the Project including, at a minimum, a construction completion, commissioning programme and completion certification process (3 points)</li> </ul> <p>Points will be allocated using factor per level as follows (Max= 1 factor, e.g. if the bidder is excellent the factor is 1.</p> <ol style="list-style-type: none"> <li>1. Excellent = 1</li> <li>2. Good = 0.75</li> <li>3. Fair = 0.5</li> </ol>	<b>6</b>	

4. Poor = 0.25 5. No submission = 0 point		
E. Technical: Operations  A Bidder must provide the following:	7	
<ul style="list-style-type: none"> <li>a detailed proposal demonstrating that the bidder will comply with the output specifications for the project including, at a minimum, a comprehensive proposal demonstrating how the requirements related to the operations period (including Hard and soft Facilities Management) as set out in the output specifications and the serviced Level specifications will be met as well as an operation response to each of the services according to the Output Specification;(3)</li> </ul>		
<ul style="list-style-type: none"> <li>Demonstrate that the Operations Contractor is in agreement with the final design of the facilities and the project Assets specified in the RFP Bid; and (1)</li> </ul>		
<ul style="list-style-type: none"> <li>A process for acceptance and sign off the completed works by the operations contractor at the end of the construction period (1)</li> </ul>		
<ul style="list-style-type: none"> <li>A procedure to ensure that the operations contractors is part of the design development process, and will provide acceptance of the design throughout the process (1)</li> </ul>		
<ul style="list-style-type: none"> <li>(Cluster 3)-A procedure to ensure that the operations of the Data centre remain unaffected throughout the concession period, especially during construction and is part of the design development process. (1)</li> </ul>		
<p>Points will be allocated using factor per level as follows (Max= 1 factor, e.g. if the bidder is excellent the factor is 1.</p> <p>1. Excellent = 1 2. Good = 0.75 3. Fair = 0.5 4. Poor = 0.25 5. No submission = 0 point</p>		
Financial	10	
<p>A. Approach to Risk Transfer</p> <p>A Bidder shall provide a clear demonstration of its approach to transfer of risk, in accordance with the PPP agreement</p>	2	
<p>B. Compliance to funding requirements</p> <p>A Bidder is to provide full details of the amount, term, rates and conditions applicable to all funding required to ensure that the Project remains fully funded throughout the life cycle of that Project and) where applicable, is to provide complete term sheets.</p>	4	



<p><b>C. Financial Model</b></p> <p>A Bidder is to provide a financial model prepared in accordance with Annex 3 (Financial and Insurance Requirements);</p>	<b>2</b>	<b>5</b>
<p><b>E. Value for Money</b></p> <p>A Bidder must demonstrate how it proposes to establish the Value for Money to the Institution (1 point)</p>	<b>1</b>	
<b>Legal</b>	<b>10</b>	<b>5</b>
<p><b>A. Provision of detailed and initiated by parties thereto of the Heads of terms of each of the Construction Contract and Operations Contract. (No markups are allowed in the PPP)</b></p> <p>A bidder is to provide detailed and initialled by parties thereto of the heads of terms of each of the Construction Contract and Operations Contract demonstrating appropriate flow down of risk from the Private Party and the relevant contractor, and where any such risk stays with the Private Party a full explanation of how the Private Party will manage such risk;</p>	<b>3.5</b>	
<p><b>B. The Members of the Bidder</b></p> <p>provide documentation showing members of the Bidder and the proposed contracting structure for the Project during construction and operation. The documentation will be expected to show key project participants and their roles, for example, Lenders, Private Party, Construction Contractor, and Operations Contractor.</p>	<b>1.5</b>	
<p><b>C. Memorandum of incorporation and shareholders agreement of the Private Party</b></p> <p>Each bidder must provide a memorandum of incorporation and shareholders agreement of the private party (to be formed upon being designated a preferred bidder) which has been agreed by all bidders of the consortium and initiated for identification purposes.</p>	<b>1.5</b>	
<p><b>D. Transfer of all fixed assets to the institution in accordance with the provisions of the PPP Agreement</b></p> <p>Each bidder must provide an undertaking to establish a private party whose sole purpose and objective will be to enter into a PPP agreement and provide the project deliverables.</p> <p>confirm that all fixed assets used in providing the Services and owned, managed and maintained by the Private Party will be transferred to the Institution in accordance with the provisions of the PPP Agreement.</p>	<b>0.50</b>	

<p><b>E. Compliance with laws</b></p> <p>Each must confirm that it has satisfied itself that the project or any aspect of it not a notifiable transaction as contemplated under the competition's act, 1998 and to the extent that it is a notifiable transaction, that it has satisfied itself that necessary requirements to comply with the provision of competition act, 1988 have been complied with or shall be complied with prior to financial close.</p> <p>Confirm that it has complied with all applicable laws in preparation and submission of its bid including completion anticorruption laws.</p>	<p><b>0.5</b></p>	
<p><b>F. Environmental Due Diligence</b></p> <p>Each bidder must confirm that it has conducted its environmental due diligence and its acceptance of any environmental risks.</p> <p>Each bidder confirms its satisfaction with regard to the risk of pollution and/or contamination on the Project Sites and confirm that it takes responsibility for compliance with legal requirements to deal with any contamination and/or pollution material.</p>	<p><b>0.5</b></p>	
<p><b>G. Heritage aspects</b></p> <p>Each bidder must confirm its acceptance of the Heritage implications in the Project Site;</p>	<p><b>0.5</b></p>	
<p><b>H. Compliance with NIPP</b></p> <ul style="list-style-type: none"> <li>• Each bidder must take note of form SBD 5 issued together with this RFP, as set out in Annex 7 (Standard Bidding Documents), containing details of the National Industrial Participation Programme (NIPP). Further details of the NIPP can be obtained on the Institution of Trade and Industry's (DTI) website, which is <a href="http://www.dti.gov.za">www.dti.gov.za</a>; SBD 5 must be dully signed by the bidder.</li> <li>• In the event that a Bidder falls within the import level stated in SBD 5, a Bidder shall ensure that by the time of submission of the RFP Bid it has made appropriate arrangements with the DTI to satisfy the NIPP requirement and its RFP Bid must be accompanied by the SBD 5 form duly completed and signed by the DTI to signify compliance with the NIPP requirements; and</li> <li>• Note! Each bidder must sign or initial the form with note that the Institution shall not accept any responsibility and/or risk arising from any compliance or non-compliance (as the case may be) with the NIPP.</li> </ul>	<p><b>0.5</b></p>	
<p><b>Local Production and Content (SBD 6.2 with annexure C)</b></p> <p>set up achievable local production and local content requirements.</p> <p>incorporate a requirement for local content, which requires that a certain percentage of the total value of the Project be spent in South Africa as further</p>	<p><b>1</b></p>	

described in Part 3 of Annex 2.		
<b>Expanded Public Work Programme (EPWP)</b> (a) Bidders must, in their RFP Bids, submit a comprehensive EPWP project implementation plan describing in detail how it will meet the requirements set out in the Part 5 of Annexure 2. The bidder is required to reference the Guidelines taking into consideration the additional requirements and minimum number of Work Opportunities (434) that must be created for the Project.  The points scoring for EPWP shall be 10 points as a category to be scored in terms of the evaluation. The formula to calculate the bidders' points in respect of this category is: $\frac{\text{NuWo} * 10}{\text{MWO}} = \text{points scored for the EPWP category}$ <i>NuWo</i> <i>Number of Work Opportunities offered under Bid:</i> <i>NuWo</i>  <i>Minimum Work Opportunities required for this cluster: MWO (434)</i>	10	5
Total	100 points	

#### A.3.6 SCOPE OF WORK

#### PROJECT MANAGER AND CONSULTANT

- One member of SPV must have attended Briefing session.
- Bidders should submit in two envelop system- technical and pricing.
- Don't retype the bid document, submit B-BBEE or Sworn Affidavit as per turnover.
- Consortium or Joint Venture must submit separate document's such as tax pin, CSD report etc.
- Subcontracting of 30% of the contract value bidders must submit intent together with affidavit stated all the requirements.
- Private Public Partnership and key main subcontractor agreement will be evaluated.
- Establishment of SPV a must non-negotiable.
- Comply with the City of Joburg by-laws their our key stakeholder.

#### COMMENTS / QUESTIONS / INPUTS

Question: What to put Non-Firm or Firm for pricing?

Answer: Firm will change due to CPI.

Question: In SPV does each entity need to complete form?

Answer: Submit documents for all members because they are already in Company that is Incorporated company. In the name of the bidder put SPV name.

Question: In JV do both companies need to have 9GB?

Answer: No, if one has is fine. But be aware that during evaluation when we calculate CIDB grading it can decrease.

Question: Bid document mention heritage assessment impact, how can we get access?

Answer: We will communicate via email or gauteng e-tender portal.

Question: Is the transfer of any fixed assets of SPV and main subcontractor or SPV only?

Answer: SPV partners fixed assets remain with the department including for a main subcontractor.

Question: PPP agreement/schedule check gauteng e-tender portal?

Answer: We will communicate via email or gauteng e-tender portal.

Question: Base date of Financial model are old stated 2018 instead of the latest?

Answer: We will communicate via email or gauteng e-tender portal.

## SECTION B: CLOSURE

### B.1 CLOSURE

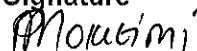
- Bidders were urged to read the bid document thoroughly and the advert in detail to comply with all requirements for this service, for any further enquiries that might arise after the site briefing meeting can be directed to the following Department of Infrastructure officials: Technical enquiries can be directed Tshepo Mmamaro @ [tshepo.mmamaro@gauteng.gov.za](mailto:tshepo.mmamaro@gauteng.gov.za) and general enquiries can be directed to Siya Khumalo @ [siya.khumalo@gauteng.gov.za](mailto:siya.khumalo@gauteng.gov.za).

The Last Date for Accepting queries is 14 days before Closing Date.

- Chairperson closed the meeting at 12H00 pm.

Minutes approved / Approved as amended.

Signature




Compiler: Ms. Puleng Mokitimi

Date: 18 January 2024

Supply Chain Management Meeting

Minutes approved / Approved as amended.

Signature



Chairperson: Mr. Patrick Mothupi

Date: 18 January 2024

Supply Chain Management Meeting

Tender Number: RFP/DID 29/12/2023

Service: Public Private Partnership for the Refurbishment, including the Design, Construction, Operation, Maintenance and Finance of Serviced Working Environments in the Kopanong Precinct - KOPANONG PRECINCT PPP PROJECT (CLUSTER 3).