



**public works &
infrastructure**

Department of
Public Works & Infrastructure
FREE STATE PROVINCE

**REQUEST FOR PROPOSAL (THE “RFP”) TO INVITE BIDDERS TO
SUBMIT PRICED PROPOSALS FOR THE LEASE OF APPROXIMATELY
317M² TO 350M² OFFICE ACCOMMODATION AND 6 LOCKABLE
COVERED PARKING FOR GOVERNMENT VEHICLES ONSITE OR
CLOSE PROXIMITY AND WITHIN 2 KM RADIUS (POLICE STATION AS
REFERENCE POINT) OF THE CBD AT BETHULIE IN XHARIEP DISTRICT
MUNICIPALITY.**

BID NUMBER : DPWFS RFP 006/2021

**ADVERT DATE:
12 NOVEMBER 2021**

**CLOSING DATE AND TIME:
06 DECEMBER 2021**

**COMPULSORY CLARIFICATION MEETING VENUE, DATE AND TIME:
THE MEETING WILL BE HELD ON 22 NOVEMBER 2021 AT 10H00 ON 18 HARTLEY ROAD,
HAMILTON, BLOEMFONTEIN (PUBLIC WORKS AND INFRASTRUCTURE: PROPERTY
MANAGEMENT)**

**VALIDITY PERIOD OF THE PROPOSAL:
90 DAYS**

ENQUIRIES:

BIDDING PROCESS: MR. MOLEBATSI PHASUMANE – phasumanem@fsworks.gov.za OR 051 492 3862

TECHNICAL: MS. MOIPONE DISEKO – disekon@fsworks.gov.za OR 051 410 7543

PUBLIC NOTICE
INVITATION TO TENDER
BID NUMBER: DPWFS RFP 006/2021

REQUEST FOR PROPOSAL (THE “RFP”) TO INVITE BIDDERS TO SUBMIT PRICED PROPOSALS FOR THE LEASE OF APPROXIMATELY 317M² TO 350M² OFFICE ACCOMMODATION AND 6 LOCKABLE COVERED PARKING FOR GOVERNMENT VEHICLES ONSITE OR CLOSE PROXIMITY AND WITHIN 2 KM RADIUS (POLICE STATION AS REFERENCE POINT) OF THE CBD AT BETHULIE IN XHARIEP DISTRICT MUNICIPALITY.

(THE LETTABLE SPACE OF THE PROPOSED BUILDING MUST BE IN BETHULIE)

The Department is not bound to appoint any tender who submits a response to this RFP. The Department further reserves the right to accept any tender in whole or in part.

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SECTION 1: RETURNABLE DOCUMENTS

1. EVALUATION CRITERIA

Phase:	Details:
Stage 1	Mandatory requirement - evaluation of bid submission - compliance with the set mandatory requirements and technical specification.
Stage 2	Compliance with terms of reference as stated in the bid document.
Stage 3	Price and preference - evaluation of preferred bids in accordance to the Preferential Procurement Regulations of 2017 using 80/20 or 90/10 Preference points system

1.1. Stage 1 - Mandatory requirements

The following mandatory requirements will be applicable for this contract.

Note: Bidders who fail to adhere to these minimum requirements will not be eligible for further evaluation on responsiveness, standard requirements, price and preference.

- 1.1.1 Bidders must provide the unique security pin issued by the South African Revenue Services before the closing of this bid.
- 1.1.2 Bidders must attach a valid municipal services (water, sanitation, rates and electricity) clearance certificate or a current bill of account not owing more than ninety (90) days or a valid lease agreement with a current statement from the lessor not owing more than ninety (90) days.
- 1.1.3 Bidders must be registered and active on the Central Supplier Database before the date of closing of this bid. A valid CSD master registration number must be provided to that effect. A full report must be attached to the bid document and not a summary report.
 - a. However, joint ventures, partnerships, including unincorporated partnerships must register on the CSD within 15 days of the date of bid advert closing.
- 1.1.4 A valid Original or certified proof of property ownership registration (deeds registration) or sales agreement of the building which is exchanging hands and certified copies of directors' identity documents.
- 1.1.5 The building must be within the geographic boundaries specified in the bid documents, i.e. In Bloemfontein, Mangaung Metropolitan Municipality.
- 1.1.6 The size of accommodation offered may not be less than the minimum lettable area specified in the bid documentation, i.e. not less than 317 m².
- 1.1.7 Only minimum of B-BBEE status level one (1) and two (2) of contribution, i.e. B-BBEE Certificate Level three (3) to eight (8) contribution will not be considered. (Where trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification Certificate for every separate tender. An original or certified copy of the original must be attached.
- 1.1.8 Bidders must attach a SAPOA Area certificate to confirm the proposed area or area certificate issued by a professional Property Valuer registered with the SACPVP for the proposed area for leasing.
- 1.1.9 Bidders must complete and sign Annual Financial Declaration (Attach income statement and the balance sheet as support for the declaration) attached to the RFP document.
- 1.1.10 Bidders must attend mandatory clarification meeting the details of which are listed in the tender notice and invitation.

1.1.11 The property must be zoned for any category which permits usage of the property for commercial or office accommodation purposes. The Department will accept any proposal from a bidder whose building is not zoned as such

1.1.12 All documents must be completed in writing with a black ink.

Note: Bidders who fail to adhere to these minimum requirements will not be eligible for further evaluation on responsiveness, standard requirements, price and preference.

1.2. Stage 1 (b) - Non Mandatory requirements.

1.2.1 This contract may be awarded to a tenderer that did not score the highest points in accordance with PPPFA act is such a bidder is based in Free State Province where the project is taking place.

1.2.2 A valid Tax Compliance Status which will be verified by a unique security Personal Identification number (PIN) issued by the South African Revenue Services and/or CSD report showing a compliant tax status (where Consortium / Joint Venture / Sub-contractors are involved, each party to the association must have a compliant tax status) which will be confirmed at the time of award.

1.2.3 Completed and signed schedule of equipment offered. (Refer to the relevant section in the specification).

1.2.4 Duly completed and signed SBD 6.1 – Preference points claim form in terms of the Preferential Procurement Regulations 2017.

1.3. Stage 2 – Compliance with terms of reference

1.3.1. Compliance with the terms of reference for office accommodation, i.e. location of the property, size, condition of the property.

1.4. Stage 3 – Price and Preference (80/20 OR 90/10 preference point system)

1.4.1 Allocation of preferential points based on B-BBEE status level of contribution

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

1.4.2 The 80/20 or 90/10 preference point systems.

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

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

Where

Ps =Points scored for price of bid under consideration
Pt =Price of bid under consideration
Pmin =Price of lowest acceptable bid

- 1.4.4** Each Bid will be required to meet the set criteria at each relevant evaluation stage prior to it proceeding to the next stage of evaluation. Bids that do not meet the set criteria of a particular stage of evaluation will be eliminated.

Returnable Documents

Returnable Documents will be used for tender evaluation purposes and be incorporated into the contract

The tenderer must return the following returnable documents legibly completed and signed in **FULL**.

1. Resolution of Board of Directors
2. Resolution of Board of Directors to enter into Consortia Or Joint Ventures (in case of Joint Venture or Consortia)
3. Special Resolution of Consortia or Joint Ventures.
4. Certified B-BBEE Certificate issued by a South African National Accreditation System (SANAS) or Auditors approved and registered by the Independent Regulatory Board of Auditors (IRBA), where Consortium / Joint Venture are involved Bidders are to hand in their consolidated B-BBEE certificates.
5. Standard Bidding Document 1 (SBD 1) – Invitation to Bid
6. Standard Bidding a Document 6.1 (SBD 6.1) – Preference points claim form in terms of the Preferential Procurement Regulations 2017.
7. Annexure A: Record of Addenda to tender documents
8. Annexure B: Proposed amendments and qualifications
9. Annexure C: Preferencing schedule: Broad Based Black Economic Empowerment Status
10. Annexure D: Compulsory Declaration
11. Annexure E: Space Need Analysis

LIST OF RETURNABLE DOCUMENTS

1. THE BIDDER MUST COMPLETE THE FOLLOWING RETURNABLE DOCUMENTS:

Bid Document Name:	Number of Pages:	Returnable document:
Resolution of Board of Directors	1 Pages	
Resolution of Board of Directors to enter into Consortia or JV	2 Pages	
Special Resolution of Consortia or Joint Venture	3 Pages	
SBD 1: Invitation to Bid	1 Pages	
Standard Bidding a Document 6.1 (SBD 6.1) – Preference points claim form in terms of the Preferential Procurement Regulations 2017.	2 Pages	
Annexure A: Record of Addenda to tender documents	4 Pages	
Annexure B: Proposed amendments and qualifications	6 Pages	
Annexure C: Preferencing schedule: Broad Based Black Economic Empowerment Status	2 Pages	
Annexure D: Compulsory Declaration	4 Pages	
Annexure E: Space Need Analysis	1 Page	
Annual Declaration	1 Page	
	Pages	
	Pages	
	Pages	
	Pages	
	Pages	

Name of Bidder	Signature	Date

RESOLUTION OF BOARD OF DIRECTORS

RESOLUTION of a meeting of the Board of *Directors / Members / Partners of:

(legally
correct full name and registration number, if applicable, of the Enterprise)

Held at _____ (place)

on _____ (date)

RESOLVED that:

- 1 The Enterprise submits a Tender to the Department of Public Works and Infrastructure, Free State Province in respect of the following project:

(project
description as per Tender Document)

Tender Number: _____ (Tender Number as per Tender Document)

- 2 *Mr/Mrs/Ms: _____

in *his/her Capacity as: _____ (Position in the Enterprise)

and who will sign as follows: _____

be, and is hereby, authorised to sign the Tender, and any and all other documents and/or correspondence in connection with and relating to the Tender, as well as to sign any Contract, and any and all documentation, resulting from the award of the Tender to the Enterprise mentioned above.

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			

Note:

1. * Delete which is not applicable.
2. **NB.** This resolution must be signed by all the Directors / Members / Partners of the Tendering Enterprise.

ENTERPRISE STAMP

RESOLUTION OF BOARD OF DIRECTORS TO ENTER INTO CONSORTIA OR JOINT VENTURES

RESOLUTION of a meeting of the Board of *Directors / Members / Partners of:

(Legally correct full name and registration number, if applicable, of the Enterprise)

held at _____ (place)

on _____ (date)

RESOLVED that:

1 The Enterprise submits a Tender, in consortium/joint venture with the following Enterprises:

(List all the legally correct full names and registration numbers, if applicable, of the Enterprises forming the consortium/joint venture)

to the Department of Public Works and Infrastructure, Free State Province in respect of the following project:

(Project description as per Tender Document)

Tender Number: _____ (Tender Number as per Tender Document)

2 *Mr/Mrs/Ms: _____

in *his/her Capacity as: _____ (Position in the Enterprise)

and who will sign as follows: _____

be, and is hereby, authorised to sign a consortium/joint venture agreement with the parties listed under item 1 above, and any and all other documents and/or correspondence in connection with and relating to the consortium/joint venture, in respect of the project described under item 1 above.

3 The Enterprise accept joint and several liability with the parties listed under item 1 above for the due fulfilment of the obligations of the joint venture deriving from, and in any way connected with, the Contract to be entered into with the Department in respect of the project described under item 1 above.

4 The Enterprise choose as its *domicilium citandi et executandi* for all purposes arising from this joint venture agreement and the Contract with the Department in respect of the project under item 1 above:

Physical address:

(code)

Postal Address: _____

_____ (code)

Telephone number: _____ code)

Fax number: _____
(code)

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

Note:

1. * Delete which is not applicable.
2. **NB.** This resolution must be signed by all the Directors / Members / Partners of the Tendering Enterprise.
3. Should the number of Directors / Members / Partners exceed the space available above, additional names, capacity and signatures must be supplied on a separate page.

ENTERPRISE STAMP

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SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

RESOLUTION of a meeting of the duly authorised representatives of the following legal entities who have entered into a consortium/joint venture to jointly tender for the project mentioned below: *(legally correct full names and registration numbers, if applicable, of the Enterprises forming a consortium/joint venture)*

1

2

3

4

5

6

7

8

Held at _____ *(place)*

on _____ *(date)*

RESOLVED that:

A. The above-mentioned Enterprises submit a tender in consortium/joint venture to the Department of Public and Infrastructure Works, Free State Province in respect of the following project:

*(Project
description as per Tender Document)*

Tender Number: _____ *(Tender Number as per Tender Document)*

B. Mr/Mrs/Ms: _____

in *his/her Capacity as: _____(Position in the Enterprise)

and who will sign as follows: _____

be, and is hereby, authorised to sign the tender, and any and all other documents and/or correspondence in connection with and relating to the tender, as well as to sign any Contract, and any and all documentation, resulting from the award of the tender to the Enterprises in consortium/joint venture mentioned above.

C. The Enterprises constituting the consortium/joint venture, notwithstanding its composition, shall conduct all business under the name and style of:

D. The Enterprises to the consortium/joint venture accept joint and several liability for the due fulfilment of the obligations of the consortium/joint venture deriving from, and in any way connected with, the Contract entered into with the Department in respect of the project described under item A above.

E. Any of the Enterprises to the consortium/joint venture intending to terminate the consortium/joint venture agreement, for whatever reason, shall give the Department 30 days written notice of such intention. Notwithstanding such decision to terminate, the Enterprises shall remain jointly and severally liable to the Department for the due fulfilment of the obligations of the consortium/joint venture as mentioned under item D above.

F. No Enterprise to the consortium/joint venture shall, without the prior written consent of the other Enterprises to the consortium/joint venture and of the Department, cede any of its rights or assign any of its obligations under the consortium/joint venture agreement in relation to the Contract with the Department referred to herein.

G. The Enterprises choose as the *domicilium citandi et executandi* of the consortium/joint venture for all purposes arising from the consortium/joint venture agreement and the Contract with the Department in respect of the project under item A above:

Physical address: _____

_____ (code)

Postal Address: _____

_____ (code)

Telephone number: _____(code)

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	DPWFS RFP 006/2021	CLOSING DATE:	06 DECEMBER 2021	CLOSING TIME:	11:00
DESCRIPTION	REQUEST FOR PROPOSAL (THE "RFP") TO INVITE BIDDERS TO SUBMIT PRICED PROPOSALS FOR THE LEASE OF APPROXIMATELY 317M² TO 350M² OFFICE ACCOMMODATION AND 6 LOCKABLE COVERED PARKING FOR GOVERNMENT VEHICLES ONSITE OR CLOSE PROXIMITY AND WITHIN 2 KM RADIUS (POLICE STATION AS REFERENCE POINT) OF THE CBD AT BETHULIE IN XHARIEP DISTRICT MUNICIPALITY.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Ground Floor (Main Entrance Foyer)					
O.R Tambo House (Lebohang Building);					
Cnr. Markgraaff and St Andrews Street,					
Bloemfontein, 9301					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mr Molebatsi Phasumane	CONTACT PERSON	Ms Moipone Diseko		
TELEPHONE NUMBER	051 492 3861 / 066 307 2629	TELEPHONE NUMBER	051 410 7543		
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS	phasumanem@fsworks.gov.za	E-MAIL ADDRESS	disekon@fsworks.gov.za		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] Yes No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] Yes No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		Yes No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?					YES NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA?

YES NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

YES NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

YES NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
(Proof of authority must be submitted e.g. company resolution)

DATE:

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS
2017
(a)**

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

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

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2
- a) The value of this bid is estimated is to be between R30 000 and R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).
- 1.3 Points for this bid shall be awarded for:
- (b) Price; and
- (c) B-BBEE Status Level of Contributor.
- 1.4 The maximum points for this bid are allocated as follows:
- | | POINTS |
|--|---------------|
| PRICE | 80 |
| B-BBEE STATUS LEVEL OF CONTRIBUTOR | 20 |
| Total points for Price and B-BBEE must not exceed | 100 |
- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black

Economic Empowerment Act;

- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

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

or

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{min} = Price of lowest acceptable bid

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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18

3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

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

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

7. SUB-CONTRACTING

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

(*Tick applicable box*)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

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

(*Tick applicable box*)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

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

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

shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from 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.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>	<p>..... SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p> <p>ADDRESS</p> <p>.....</p> <p>.....</p>
--	---

Annexure A: Record of Addenda to tender documents

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:		
	Date	Title of Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Attach additional pages if more space is required.

Signed.....

Date.....

Name.....

Position.....

Tenderer.....

Annexure B: Proposed amendments and qualifications

The Tenderer should record any deviations or qualifications he may wish to make to the tender documents in this Returnable Schedule. Alternatively, a tenderer may state such deviations and qualifications in a covering letter to his tender and reference such letter in this schedule.

The Tenderer's attention is drawn to clause 5.8 of SANS 10845-3 regarding the employer's handling of material deviations and qualifications.

Page	Clause or item	Proposal

Signed.....

Date.....

Name.....

Position.....

Tenderer.....

Annexure D: Compulsory Declaration

The following particulars must be furnished. In the case of a joint venture, separate declarations in respect of each partner must be completed and submitted.

Section 1: Enterprise details

Name of enterprise	
Contact person	
Email	
Telephone	
Cell	
Fax	
Physical address	
Postal address	

Section 2: Particulars of companies and close corporations

Company / Closed Corporation registration number	
--	--

Section 3: SARS information

Tax reference number	
VAT registration number	(state Not Registered if not registered for VAT)

Section 4: CIDB registration number

CIDB Registration number (if applicable)	
---	--

Section 5: Particulars of principals

principal: means a natural person who is a partner in a partnership, a sole proprietor, a director of a company established in terms of the Companies Act of 2008 (Act No. 71 of 2008) or a member of a close corporation registered in terms of the Close Corporations Act, 1984, (Act No. 69 of 1984).

[illegible]

Attach separate page if necessary

Section 6: Record in the service of the state

Indicate, by marking the relevant boxes with a cross, if any principal is currently or has been within the last 12 months in the service of any of the following:

- | | |
|---|--|
| <input type="checkbox"/> a member of any municipal council | <input type="checkbox"/> an employee of any department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act of 1999 (Act No. 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature | |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Provinces | |
| <input type="checkbox"/> a member of the board of directors of any Municipal entity | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> an official of any municipality or municipal entity | <input type="checkbox"/> an employee of Parliament of a provincial legislature |

If any of the above boxes are marked, disclose the following:

Name of principal	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

Attach separate page if necessary

Section 7: Record of family member in the service of the state

family member: a person's spouse, whether in a marriage or in a customary union according to indigenous law, domestic partner in a civil union, or child, parent, brother, sister, whether such a relationship results from birth, marriage or adoption

Indicate, by marking the relevant boxes with a cross, if any family member of a principal as defined in section 5 is currently or has been within the last 12 months in the service of any of the following:

- | | |
|---|--|
| <input type="checkbox"/> a member of any municipal council | <input type="checkbox"/> an employee of any department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act of 1999 (Act No. 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature | |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Provinces | |
| <input type="checkbox"/> a member of the board of directors of any Municipal entity | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> an official of any municipality or municipal entity | <input type="checkbox"/> an employee of Parliament of a provincial legislature |

If any of the above boxes are marked, disclose the following:

Name of family member	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

Attach separate page if necessary

Section 8: Record of termination of previous contracts with an organ of state

Was any contract between the tendering entities, including any of its joint venture partners, terminated during the past five years for reasons other than the employer no longer requiring such works or the employer failing to make payment in terms of the contract?

☐ Yes ☐ No (tick appropriate box)

If yes, provide particulars (insert separate page if necessary)

Section 9: Declaration

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the tendering entity, confirms that the contents of this Declaration are within my personal knowledge, save where stated otherwise in an attachment hereto, and to the best of my belief is both true and correct, and that:

- i) neither the name of the tendering entity, nor any of its principals, appears on:
 - a) the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004 (Act No. 12 of 2004); or
 - b) National Treasury's Database of Restricted Suppliers (see www.treasury.gov.za)
- ii) the tendering entity or any of its principals has not been convicted of fraud or corruption by a court of law (including a court outside of the Republic of South Africa) within the last five years;
- iii) any principal who is presently employed by the state has the necessary permission to undertake remunerative work outside such employment (attach permission to this declaration);
- iv) the tendering entity is not associated, linked or involved with any other tendering entities submitting tender offers;
- v) the tendering entity has not engaged in any prohibited restrictive horizontal practices, including consultation, communication, agreement, or arrangement with any competing or potential tendering entity regarding prices, geographical areas in which goods and services will be rendered, approaches to determining prices or pricing parameters, intentions to submit a tender or not, the content of the submission (specification, timing, conditions of contract, etc.) or intention to not win a tender;
- vi) the tendering entity has no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- vii) neither the tenderer nor any of its principals owes municipal rates and taxes or municipal service charges to any municipality or a municipal entity, and are not in arrears for more than three months;
- viii) SARS may, on an on-going basis during the term of the contract, disclose the tenderer's tax compliance status to the Employer and, when called upon to do so, obtain the written consent of any subcontractors who are subcontracted to execute a portion of the contract that is entered into in excess of the threshold prescribed by National Treasury, for SARS to do likewise.

Signed.....

Date.....

Name.....

Position.....

Enterprise name.....

.....

NOTE 1: The Standard Conditions of Tender contained in SANS 10845-3 prohibits anticompetitive practices (clause 3.1) and requires that tenderers avoid conflicts of interest, only submit a tender offer if the tenderer or any of his principals is not under any restriction to do business with the Employer (4.1.1) and submit only one tender either as a single tendering entity or as a member in a joint venture (clause 4.13.1). Clause 5.7 also empowers the Employer to disqualify any tenderer who engages in fraudulent and corrupt practice. Clause 3.1 also requires tenderers to comply with all legal obligations.

NOTE 2: Section 30(1) of the Public Service Act, 1994, prohibits an employee (person who is employed in posts on the establishment of departments) from performing or engaging remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department. When in operation, Section 8(2) of the Public Administration Management Act, 2014, will prohibit an employee of the public administration (i.e. municipalities and all national departments, national government components listed in Part A of Schedule 3 to the Public Service Act, provincial departments including the office of the premier listed in Schedule 1 of the Public Service Act and provincial departments listed in schedule 2 of the Public Service Act, and provincial government components listed in Part B of schedule 3 of the Public Service Act) or persons contracted to executive authorities in accordance with the provisions of section 12A of the Public Service Act of 1994 or persons performing similar functions in municipalities, from conducting business with the State or to be a director of a public or private company conducting business with the State. The offence for doing so is a fine or imprisonment for a period not exceeding five years, or both. It is also a serious misconduct which may result in the termination of employment by the employer.

NOTE 3: Regulation 44 of Supply Chain Management regulations issued in terms of the Municipal Finance Management Act of 2003 requires that municipalities and municipal entities should not award a contract to a person who is in the service of the State, a director, manager or principal shareholder in the service of the State or who has been in the service of the State in the previous twelve months.

NOTE 4: Regulation 45 of Supply Chain Management regulations requires a municipality or municipal entity to disclose in the notes to the annual statements particulars of any award made to a close family member in the service of the State.

NOTE 5: Corrupt activities which give rise to an offence in terms of the Prevention and Combating of Corrupt Activities Act of 2004, include improperly influencing in any way the procurement of any contract, the fixing of the price, consideration or other moneys stipulated or otherwise provided for in any contract, and the manipulating by any means of the award of a tender.

NOTE 6: Section 4 of the Competition Act of 1998 prohibits restrictive horizontal practice, including agreements between parties in a horizontal relationship, which have the effect of substantially preventing or lessening competition, directly, or indirectly fixing prices or dividing markets or constituting collusive tendering. Section 5 also prohibits restrictive vertical practices. Any restrictive practices that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties.

Annual Financial Statements Declaration

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the respondent, confirms that:

- 1) The enterprise's financial year end is
- 2) The enterprise's financial statements have been prepared in accordance with the provisions of the Companies Act of 2008 or the Close Corporation Act of 1984, as applicable
- 3) The enterprise has compiled its financial accounts [tick one box]:
☐ internally ☐ independently
- 4) The following statement applies to the enterprise [tick one box and provide relevant information]
☐ enterprise has had its financial statements audited;
name of auditor
☐ enterprise is required by law to have an independent review of its financial statements
name of independent reviewer
☐ enterprise has not had its financial statements audited and is not required by law to have an independent review or audit of such statements
- 5) The attached income statement and balance sheet is a true extract from the financial statements complying with applicable legislation for the preceding financial year within 12 months of the financial year end.
[Attach the income statement and the balance sheet contained in the financial statement]
- 6) The annual turnover for the last financial year is R
- 7) The total assets as at the end of the last financial year is R
...
- 8) The total liabilities as at the end of the financial year is R
..

I hereby declare that the contents of this Declaration are within my personal knowledge, and save where stated otherwise are to the best of my belief both true and correct.

Signed

Date

Name

Position

Tenderer

Schedule of the Tenderer's Experience (Particulars of Tenderers Projects)

FORM: PARTICULARS OF TENDERERS PROJECTS

Project title:	REQUEST FOR PROPOSAL (THE “RFP”) TO INVITE BIDDERS TO SUBMIT PRICED PROPOSALS FOR THE LEASE OF APPROXIMATELY 317M² TO 350M² OFFICE ACCOMMODATION AND 6 LOCKABLE COVERED PARKING FOR GOVERNMENT VEHICLES ONSITE OR CLOSE PROXIMITY AND WITHIN 2 KM RADIUS (POLICE STATION AS REFERENCE POINT) OF THE CBD AT BETHULIE IN XHARIEP DISTRICT MUNICIPALITY.		
Tender no:	DPWFS (RFP) 006/2021	Closing date:	06 DECEMBER 2021
Advertising date:	12 NOVEMBER 2021	Validity period:	90 days

Note: The Tenderer is required to furnish the following particulars and to attach additional pages if more space is required. Failure to furnish the particulars will result in the tender offer being disqualified from further consideration.

1. PARTICULARS OF THE TENDERER’S CURRENT AND PREVIOUS COMMITMENTS

- 1.1. Current projects: Appointment letter(s) must be provided to buttress the information supplied below.**

Projects currently engaged in	Name of Employer or Representative of Employer	Contact tel. no.	Contract sum	Contractual commencement date	Contractual completion date	Present progress
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

Projects currently engaged in		Name of Employer or Representative of Employer	Contact tel. no.	Contract sum	Contractual commencement date	Contractual completion date	Present progress
1							
1							
1							
2							
Name of Tenderer		Signature		Date			

- 1.2. **Completed projects: Both appointment letter(s) and completion certificates linked to the project(s) listed below must be provided to buttress the information provided.**

Projects completed in the previous 5 (five) years		Name of Employer or Representative of Employer	Contact tel. no.	Contract sum	Contractual commencement date	Contractual completion date	Date of Certificate of Practical Completion
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

Projects completed in the previous 5 (five) years		Name of Employer or Representative of Employer	Contact tel. no.	Contract sum	Contractual commencement date	Contractual completion date	Date of Certificate of Practical Completion
11							
12							
Name of Tenderer			Signature			Date	

SECTION 2

TERMS OF REFERENCE

2. TERMS OF REFERENCE

2.1. PURPOSE OF THE RFP

The Purpose of this request for proposal to advertise "RFP" for lease of 317m² to 350m² office accommodation and 6 lockable covered parking for government vehicles onsite or close proximity and within 2 KM radius (Police station as reference point) of the CBD at Bethulie in Xhariep district municipality

2.2. ISSUING OFFICE

The Department is responsible for procuring all leased offices accommodation on behalf of the Free State Provincial Government ("Provincial Government").

These RFP has been issued by the Department. In securing leased office accommodation the primary objective of the Department, inter alia, is to provide functional and best fit for use, type and location of office accommodation and optimal value to the Provincial Government. In addition to which, the Department subscribes to the principles and objectives of Broad Based Economic Empowerment ("B-BBEE").

The Department intends entering into a medium to long term lease for office accommodation within Bethulie, Mangaung Metropolitan Municipality which has a minimum B grade quality rating.

The Department intends to install a Provincial Government Department that will conduct administrative business operations within the building.

Failure to adhere or meet any of the above Mandatory Requirements will results in the bid being disqualified.

2.3. QUESTIONS REGARDING THE RFP

The Department is the sole point of contact regarding all procurement and contractual matters relating to the requirements described in this RFP. All questions, enquiries, and requests for clarification of information concerning this RFP should be addressed in writing to the following contact persons:

Technical enquiries:

Name: Me. Moipone Diseko
Tel: 051 410 7543
E-Mail: disekon@fsworks.gov.za

Procurement enquiries:

Name: Mr. Molebatsi Phasumane
Tel: 051 492 3861/78
E-Mail: phasumanem@fsworks.gov.za

A list of Bidder enquiries (without identifying the source of the enquiry) and our responses thereto will be distributed to all Bidders. Whenever a response to an enquiry would constitute a modification or addition to the original RFP, the reply will be made in the form of an Amendment Notice to the RFP. All enquiries must include:

- The company's name, address and phone number.
- A clear and concise question.
- Relevant paragraph within this RFP to which question relates.

NB: No meetings or telephonic enquiries with bidders will be entertained.

2.4. AMENDMENTS TO THE RFP

The Department may at its sole discretion amend, revise or add to the RFP prior to the deadline for submission of Bids and, at its own discretion, may extend the deadline for the submission of Bids.

Any changes to the RFP will be in the form of written amendment issued by the Department. Such amendments will be sent by email with receipt acknowledgement requested to all Bidders. Amendments will be clearly marked as such. Each amendment will be numbered consecutively and will become part of this RFP. Any Bidder who fails to receive such amendments shall not be relieved of any obligation under its proposal as submitted.

The Department reserves the right to withdraw or cancel this RFP at any stage.

2.5. BRIEFING SESSION

Failure to attend this clarification meeting will lead to disqualification.

2.6. BID SUBMISSIONS

A one (1) envelope bid submission process will be followed by this RFP. The following documentation will be included in the envelope

Title on Envelope:	DPWFS RFP 006/2021: Department of Public works and Infrastructure, Free state province invite proposal from interested parties to submit proposal for the lease of approximately 317m² to 350m² office accommodation and 6 lockable covered parking for government vehicles onsite or close proximity and within 2 KM radius (police station Bethulie in Xhariep district municipality. The lettable space of proposed building must be in Bethulie.
Documentation to be included in the envelope:	<ul style="list-style-type: none">• All returnable documents correctly provided in terms of section two (2) of this RFP.• Technical Proposal addressing all the technical specifications in terms of section three (3) of this RFP.• Financial proposal in the format as required.

All bidders must comply with the above outlined bid submission format. Failure by any bidder to comply with this bid submission format will automatically result in their bid submissions being disqualified.

2.7. TERMS OF REFERENCE FOR ACCOMMODATION NEEDS

2.7.1. OFFICE ACCOMMODATION NEEDS

OFFICE ACCOMMODATION ANALYSIS - BETHULIE			
Rank	Allocated Space in m ²	Number of officials	Total m2
Assistant Director	16	2	32
Senior Administration Officer	8	1	8
Administration Officer	8	12	96
Senior Administration Clerk	8	5	40
Security Officer	8	7	13
Cleaners	8	1	8
Strongroom	12	1	12
Storeroom	9	1	9

Consultation Rooms	8	2	16
Boardroom (Including kitchenette)	40	1	40
Registry	14	1	14
Kitchen	10	1	10
Toilet	5	3	15
Paraplegic Toilet	4	1	4
			360

Footnote: The committee resorted to reduce the space for security officers or they work in shifts i.e from 56m² to 13m²

2.7.2. NORMS AND STANDARDS

Summary of Space Planning Norms and Standards

FUNCTION	POST LEVEL	SPATIAL REQUIREMENTS	NORM	NOTES
Administration	0-8	Open-plan. Some local storage.	Workspace area should be between 6-8 m ²	<ol style="list-style-type: none"> Standard hard wearing modular furniture should be used. All workspace should have a daylight factor of at least 10%
Technical & Management	9-12	Open-plan. Some layout space and or space for large equipment such as drawing boards.	Workplace area should be between 8-16 m ²	
Senior Management	13-14	Open-plan or cellular offices. Requirement for some privacy and space for small meetings.	Workplace area should be between 16-20 m ²	
Executive Management	15 and Above	Cellular offices. Requirement for privacy and space for small meetings.	Workplace area should be between 20-25 m ²	
Boardroom (with kitchenette)	N/A	Writing Whiteboard Size 1600mm x 900mm. Each wall must have at least one socket outlet.	40m ²	
Storeroom No. 1	N/A	With standard steel modular shelving to store lever arch files. Four levels per shelf against three walls.	9m ²	
Storeroom No. 2	N/A	With no shelving.	9m ²	

2.8. EVALUATION OF BID SUBMISSIONS

- 2.8.1.** The contract resulting from this RFP, if any, will be awarded to the most technically responsive Bidder offering the best value for money to the Department.
- 2.8.2.** Proposals will be evaluated by a Bid Evaluation Committee. The main objective of the Bid Evaluation Committee will be the examination of each bid proposal to determine how effectively it satisfies the Department requirements. The evaluation of bid submissions will be conducted in three (3) phases:

2.9. CONTRACT MANAGEMENT

- 2.9.1.** Any contract awarded pursuant to this RFP will incorporate the requirements, specifications, terms, and conditions contained in this RFP, as well as the contents of the bidder's proposal as accepted by the Department.
- 2.9.2.** The Department reserves the right to negotiate the modification of proposed terms and conditions with the 1st preferred bidder in conjunction with the award criteria contained herein, prior to the execution of a contract to ensure a satisfactory end product or service.
- 2.9.3.** The department will only make payment for the space which the bidder is appointed for as per the approved needs of the client department issued by the department.
- 2.9.4.** The successful bidder will be required to sign the Lease Agreement developed by the Department. No other form of agreement will be considered by the Department in this regard.
- 2.9.5.** The escalation rate for office accommodation will be based on the CPIX, the Department will not accept any escalation rate that is above the CPIX
- 2.9.6.** Regarding parking the Department will accept escalations on exceptional cases and such escalation should not exceed 2% per annum, when the escalation has reached the market rate the escalation will cease to be implemented. The department further reserves the right to review the number of allocated parking bays per annum and where necessary reduce the number of parking bays allocated on each building and the cost associated with such a reduction.
- 2.9.7.** The lease agreement entered into and signed at the commencement of the lease agreement emanating from this bid/tender shall be amended or reviewed according to the applicable and relevant clauses of the lease agreement in order to align it to the changes in legislation, changing environment and specific needs of the parties.
- 2.9.8.** It is the responsibility of the bidder to ensure that the proposed accommodation is in an acceptable and suitable condition for occupation and usage by the tenant. This should be done for a period of four (4) months after receipt of a signed lease agreement by both parties Should the building not be ready within the specified period the Department reserve the right to terminate the lease agreement and/or recover any monies that the Department may have lost due to the delays in the handing over of the building to the Department.
- 2.9.9.** Funding should be secured within 30 days after receipt of the lease agreement signed by both parties
- 2.9.10.** The cost for any such renovations, upgrade and/or modification of the proposed accommodation referred to above shall be to the account of the bidder (Tenant installation).
- 2.9.11.** A comprehensive maintenance plan for the proposed building, must accompany these RFP.
- 2.9.12.** The Department reserves the right to re-negotiate the terms of these RFP at any time before appointment, including the terms relating to pricing changes and escalation.
- 2.9.13.** The Property should be zoned for business or any other zoning that will accommodate office accommodation.
- 2.9.14.** All the compliant certificates should be available and valid during handing over of the building to the Department.

2.10. PROPOSAL PREPARATION COSTS

All costs incurred in the preparation and submission of proposals and related documentation, including bidder presentation to the Department, will be borne by each bidder.

2.11. CLARIFICATION OF BIDS

Prior to contract award, the Department may, at its sole discretion, seek clarification from any bidder regarding any proposal information and may do so without notification to any other bidder.

2.12. TECHNICAL PROPOSAL

SPECIFICATION FOR MINIMUM REQUIREMENTS AND FINISHES TO WHICH THE BUILDING MUST COMPLY:

2.12.1. GENERAL:

- a.** This specification forms part of the written offer of the bidder and must be initialled and submitted with all other documents.
- b.** Any requirements laid down in this specification shall be considered as supplementary to those set out in the written offer of the bidder and on the drawings. The fact that the Department checked the documentation and its acceptance thereof does not exempt the bidder from his responsibilities with regard to the fulfilment of the requirements of this specification.

2.12.2. CONSTRUCTION AND APPEARANCE OF BUILDING:

The design, construction and appearance of the building, including the internal and external finishes shall be of a standard acceptable to the Department of Public works and Infrastructure, Free State Province. The building must comply with the National Building Regulations as proclaimed by the National Building Regulations and Building Standards Act of 1977 (Act 103 of 1977) as well as the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as amended. The building shall be fully accessible to the disabled and the facilities must be provided as required by the Occupational Health and Safety Act, 1993 (Act 85 of 1993), i.e. all the relevant certificate to this effect, e.g. the COC certificate, must be submitted before occupation of the building by the Department.

2.12.3. SECURITY:

The following security measures shall be complied with:

- a.** All entrances to the building, which shall be limited to the minimum, must afford entry through one or more access points.
- b.** External walls of all floors, up to at least 1 metre above floor level, shall be of a heavyweight structure such as 220mm thick brick or 190mm thick concrete.
- c.** All window must have burglar guards and all doors must have security gate.
- d.** The front door security gate must operate with an electronic locking mechanism, controlled from reception desk.

2.12.4. RECORD ROOMS:

- a.** Record rooms, on each floor, shall be rooms with category 1 record room doors which can be opened from both sides and which comply with SABS Specification 949. Record rooms shall be of masonry of not less than 220mm or of concrete of not less than 120mm thick or of such structure approved by the Department of Public Works and Infrastructure.

- b. Record rooms may have no external windows and all ventilation openings in the walls shall be fitted with fire dampers approved by the Fire Prevention Officer of the Department of Public Works and Infrastructure.
- c. All keys shall be handed over to the Department of Public Works and Infrastructure.

2.12.5. ROOM AREAS AND PARTITIONS:

Partition walls shall be used to divide the total floor area of the building into office and other areas required. The walls shall have a noise reduction factor of not less than 45dB within a range of 100 to 1000 hertz. The factor has a bearing on complete wall sections including glass and doors if any.

2.12.6. PASSAGE WIDTH:

As a general standard an average passage width with a minimum of 1-1.5m over short distances shall be provided. Where certain functions within the building necessitate wider passages those specific areas will be identified and the passage width specified as part of the accommodation particulars.

2.12.7. FLOOR TO CEILING HEIGHTS:

A clear floor to height of as close as possible to 2.4-2.7m throughout shall be maintained in all general areas of the building. Where a certain function inside a building necessitates a higher floor to ceiling height, the specific areas will be identified and the height specified as part of the accommodation particulars. Conduits, water pipes, air ducts and other services shall not be visible underneath the ceiling in offices and public areas.

2.12.8. DOORS, LOCKS AND KEYS:

All offices shall be provided with a door of at least 900mm and each fitted with a good quality four lever mortice lock with two keys fitting one lock only and which shall be handed over to the Departmental Representative upon occupation of the building.

2.12.9. FLOOR COVERING:

Floor covering, either in a form of carpets, and tiles, must be of an acceptable standard and quality to last at least 10 years.

2.12.10. POWER POINTS:

- a. Offices and other rooms where electrical appliances can be used shall be provided with 15A socket outlets. In offices two socket outlets shall be provided for every 12m² or part thereof. The Department of Public Works and Infrastructure shall indicate any additional socket outlets, which are required, in the accommodation particulars for individual services. The wiring and securing of electrical circuits shall be such that an electrical heater as well as computer equipment can be run from the socket outlets in each office.
- b. Electrical circuits for socket outlets shall be secured by means of single phase earth leakage relays having a sensitivity of 25 mA.21.
- c. The COC must be issued before the building can be occupied.

2.12.11. LIGHTING:

- a. Each office shall be provided with its own light switch (Green LED light bulbs and sensors) in a suitable position near the floor.
- b. The lighting levels all measured at working plane.

2.12.12. TELEPHONES:

- a. Each office, conference room and security control area shall be fitted with a telephone jack in accordance with the requirements of accredited service provider.
- b. The user department (s) itself will negotiate with accredited service provider as to the number of telephone lines that are to serve the building, but the owner of the building shall make provision for conduits, draw wires and telephone jacks.

2.12.13. TRUNKING:

The trunking (Double power skirting) servicing the building must conform to the latest technological standards.

2.12.14. FACILITIES FOR CLEANERS:

On every floor of a multi-story building or for every 750m² gross floor area a cleaner's room of not less than 6m² shall be provided as a storeroom for cleaning equipment and material. It shall be provided with a drip sink, 4m long shelves and sufficient cross ventilation, preferably by means of an outside, secured window and shall comply with the requirements of the Hazardous Chemicals Act regarding storage of chemicals.

2.12.15. TOILET FACILITIES:

The following norms shall be applied:

a. Males-staff and public

One WC for every 15 persons to a total of 60 and thereafter one for every 20 person additional person's thereof.

b. Females- staff and public

One WC (water Closet) for every 10 persons to a total of 60 and thereafter one for every 20 additional persons thereof. One hand wash basin for every two WC's.

c. Physically challenged persons

Toilet facilities for physically challenged persons have to be provided according to norms and standards.

2.12.16. MATERIAL AND FINISHES:

- a. All walls and ceilings, whether painted or finished otherwise, shall be of a neutral colour.
- b. Walls of tea kitchens, stairs, entrance halls and toilets shall be washable and hardwearing and acceptable to the Department of Public Works and Infrastructure.

2.12.17. INSPECTION:

The Department of Public Works and Infrastructure considers it a condition of contract that in contracting with the lessor and with reasonable frequency during the process of refurbishment its inspector shall be given access to the building that they may wish to inspect. The inspector's approval of any part of the building does not exempt the owner from complying with any of these minimum standard requirements. A deviation from the minimum requirements may only be allowed with written permission from the Department of Public Works and Infrastructure.

2.13. INSTALLATION OF INFORMATION AND COMMUNICATION TECHNOLOGY INFRASTRUCTURE

2.13.1. This scope is for the installation of network points, incl. Trunking, cabinets, power sockets, UPSs, panels, routers, switches, testing and labelling, network schematic and professional services.

2.13.2. The installation and commissioning of information and communication technology must be installed according to SITA requirements and standards.

2.13.3. Networking equipment:

a. All network devices including network cabling to have:

2.13.4. Hundred (100) network points are requested to be fitted based on approved floor plans. The department expects good workmanship with no cables protruding on the walls and cabinets. The specifications for the network infrastructure are as specified below:

Technical Specifications					
ITEM	DESCRIPTION	Unit of Measure	Quantity	Rate in Rands	Total
(a)	Horizontal Cabling				
1	Cat 6 Network Point				
2	Cat 6 Patch Lead				
3	Cat 6 Fly Lead				
4	24-way patch panel				
5	50 x 50 Punch plate white				
6	45 deg adapter				
7	25 x 50mm Blank				
8	1U Brush Panel				
9	Testing and Labelling				
10	Cabinet x15U wall mount				
11	Provide Test Results				
(b)	Server Room				
1	27U 19" 600 x 800x 2055 cabinet with 5-way power				
2	27U 19" 600 x 800 cabinet with 5-way power				
3	3 KVA UPS + SNMP Card and rail kit – rail mount				

Technical Specifications					
ITEM	DESCRIPTION	Unit of Measure	Quantity	Rate in Rands	Total
4	4 Core M/M Fibre optic				
5	24-way splice enclosure complete				
6	LC unjacketed pigtails m/m				
1	LC – LC m/m Fibre patch cord				
2	Splicing and OTDR				
3	Install EGA Trunking				
4	1U Brush Panel				
5	48 way patch Panel				
6	Air Cons				
7	Fire Suppression				
8	Raised Floor with Ramp				
9	Fire Plate if –Drywall				
10	Smoke Detector				
11	Climate Monitor				
12	Biometric link to Active Directory				
(c)	Routing Infrastructure				
1	40 x 40 mm EGA Trunking				
2	Install EGA Trunking				
3	3.5m Power pole				
4	Service outlet Kit				
(d)	Professional Services				
1	Project Management	N/A			
2	Certification	N/A			
3	Schematic Layout of network	N/A			
4	Consumables	N/A			
(e)	Board Room Specifications				
	Blinds				
	Microphones	N/A			
	Speakers	N/A			
	Video Conference System Solution (with camera)	N/A			
	Sound Proof Room	N/A			
	Clock	N/A			
	Adjustable Dim Lights	N/A			
	Network Points	1			
	Carpet to minimize echo.				
	Table	N/A			
	Chairs	N/A			

Technical Specifications					
ITEM	DESCRIPTION	Unit of Measure	Quantity	Rate in Rands	Total
	Aircon	1			
	Sound Control System (Amp & Mixer)	N/A			
	Interactive Touch Screen E.g. Sharp Aquos Board PN-L 60313 60" Touch.	N/A			

SECTION 3
BID OFFER

1. BID OFFER – OFFICE ACCOMMODATION

Bid no:	DPWFS RFP 006/2021	Closing date:	06 DECEMBER 2021
Advertising date:	12 NOVEMBER 2021	Validity period:	90 days

2. ACCOMMODATION PARTICULARS

Name of building	
Address of building	
Market Value of building	
Municipal valuation of building	
Gross floor area of accommodation	m ²
Date accommodation may be occupied	
Commencement date of lease	
Lease period	
Option period	
Value Added Tax Number	

3. RENTALS (OFFICES, STORES AND PARKING)

	Offices	Stores	Parking
Lettable Area	m ²	m ²	
Parking bays			
Rental per month	R		R
VAT per month	R		R
Total per month	R		R

Tariffs	R /m ²	R /m ²	R each
VAT	R /m ²	R /m ²	R each
Total (1)	R /m ²	R /m ²	R each
Escalation Rate	%	%	%

Operating Costs (Provide / Attach details on what costs entail)	R /m ²	R /m ²	
VAT	R /m ²	R /m ²	
Total (2)	R /m ²	R /m ²	
Escalation Rate	%		
Total (1 + 2)	R /m ²	R /m ²	R each

Alteration Cost for Lessor:	R	R	
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4. RESPONSIBILITIES

Note: The state is not prepared to accept responsibility for services or costs involved as per grey areas. (Indicate where applicable)

a. Services	State	Lessor	Estimated cost per month
i. Water consumption			
ii. Electricity consumption			
iii. Sanitary services			
iv. Refuse removal			
v. Domestic cleaning service			
vi. Consumable Supplies			

b. Maintenance	State	Lessor	Estimated cost per month
i. Internal maintenance			
ii. External			
iii. Garden (If applicable)			
iv. Air conditioning			
v. Lifts			
vi. Floor covering: normal wear			

c. Rates and Insurance	State	Lessor	Estimated cost per month
i. Municipal rates & Increases			
ii. Insurance & Increases			
iii. SASRIA insurance + Increase			

d. Other Responsibilities	a. State	Lessor	Estimated cost per month
i. Contract costs			
ii. Stamp duty			
iii. Firefighting equipment			
iv. Cost of alterations			

Note: State is not prepared to accept responsibility for costs involved within grey coloured columns

Does the building comply with the National Building Regulations?	Yes	No
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5. NATIONAL BUILDING REGULATIONS:

Electricity Compliance Certificate	Yes	No
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Fire Regulation	Yes	No
Accessibility Regulation	Yes	No
Health and Safety Regulation	Yes	No

PARTICULARS FOR PAYMENT OF RENTAL:

Person/Organisation to whom cheque must be issued	
Postal address	
Telephone no.	
Cell. No.	
e-mail address	

b. INCOME TAX REFERENCE NUMBER:

INCOME TAX REFERENCE NUMBER (in terms of Section 69 of the Income Tax Act, 1962 (Act 58 of 1962) as amended)		
Name of owner / Duly authorised representative	Signature	Date

2.4. COMPLIANCE WITH ALL THE ACTS, REGULATIONS AND BY- LAWS GOVERNING THE BUILT ENVIRONMENT CERTIFICATE

Bid no:	DPWFS RFP 006/2021	Closing date:	06 DECEMBER 2021
Advertising date:	12 NOVEMBER 2021	Validity period:	90 DAYS

COMPLIANCE WITH ALL THE ACTS, REGULATIONS AND BY- LAWS GOVERNING THE BUILT ENVIRONMENT

I, _____ duly authorised to represent
 _____ (the bidders name) acknowledge that I as
 _____ shall ensure that _____ (description of the property in question) complies in every respect with the requirements of the following Acts, Regulations and By - Laws:

- (i) Occupational Health and Safety Act, 1993. (Act 85 of 1993)
 - (ii) The National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977)
 - (iii) The Municipal by-laws and any special requirements of the local supply authority.
 - (iv) The local fire regulations, to guarantee/ensure the health and safety of all State employees occupying this/these premises and the public visiting the premises for business or other purposes.
- I furthermore agree to advise the Department of Public Works and Infrastructure immediately in writing of any reason I am unable to perform in terms of this agreement and to apply the necessary corrective measures.

Name owner / authorised representative	Signature	Date

1. WITNESS:

Name of witness	Signature	Date

2. WITNESS:

Name of witness	Signature	Date

SECTION 4: CONTRACT