



TERMS OF REFERENCE

FOR THE APPOINTMENT OF A SUITABLY QUALIFIED SERVICE PROVIDER TO PROVIDE REFURBISHMENTS AT THE DAKAWA COMMUNITY ART CENTRE

**REQUEST FOR QUOTATIONS
TERMS OF REFERENCE: DAKAWA CAC REFURBISHMENT
REF NO. MBTC-SCM/250/22**

YOU ARE HEREBY INVITED TO BID FOR THE REQUIREMENT OF MANDELA BAY THEATRE COMPLEX

RFP NUMBER:	MBTC-SCM/250/22
DESCRIPTION:	THE APPOINTMENT OF A SUITABLY QUALIFIED SERVICE PROVIDER TO PROVIDE REFURBISHMENTS AT DAKAWA CAC
PUBLISH DATE:	10 March 2023
CLOSING DATE:	24 March 2023 @ 11:00 am
BID VALIDITY PERIOD:	120 Days from the closing date
VOLUNTARY SITE VIEWING	Yes (15 -17 March 2023)
DELIVERY ADDRESS	BID DOCUMENTS MAY BE HANDED IN AT: Mandela Bay Theatre Complex (PE Opera House) Cnr John Kani & Winston Ntshona Street Central Gqeberha Or emailed to: suppliers@mandelabaytheatre.co.za
ENQUIRIES:	Mr. Buyani Molefe Email: buyani@mandelabaytheatre.co.za Tel: 061 255 4380
NB: Bidders must ensure that they sign the register when delivering their bids	

BIDDER NAME:

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATION, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITION OF CONTRACT.

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ABBREVIATIONS, ACRONYMS AND DEFINITIONS

TOR	TERMS OF REFERENCE
MBTC	MANDELA BAY THEATRE COMPLEX
PFMA	PUBLIC FINANCE MANAGEMENT ACT, 1999
TR	TREASURY REGULATIONS
DSAC	DEPARTMENT OF SPORT, ARTS AND CULTURE
CEO	CHIEF EXECUTIVE OFFICER
EC	EASTERN CAPE

1. BACKGROUND OF MBTC

The MBTC is a schedule 3A public entity accountable to the Executive Authority, the Minister of DSAC with a vision of becoming the leading producer of excellence and job creation for performing arts in the Eastern Cape. The MBTC is mandated to serve the performing arts sector of the Eastern Cape. This mandate positions the MBTC as a key enabler in advancing the production of historical play, cutting edge socio-political story – telling and innovative dance promised on and influenced by traditional Xhosa and Khoi heritage, repurposing and reversion the musical treasure that the Eastern Cape houses.

Since its declaration as a cultural institution on 4 June 2021, MBTC is required to introduce new and innovative strategies, and a new way of envisioning the future of the sector, new internal business systems and fostered new partnerships and alliances with key provincial and national and international institutions alike. This paradigm shift has channelled a new way of thinking and repositioning of MBTC into a properly re-engineered, well governed, and financially viable schedule 3A public entity that is resilient and capable of executing its mandate.

2. TERM OF CONTRACT

Proven relevant experience and success, as well as the ability to deliver a reliable, efficient and effective service will be important considerations. By the submission of a proposal, each bidder warrants that he/she/it is highly skilled, professional, competent and experienced in the area for which he/she/it has tendered. Any work performed by a successful bidder will be evaluated against these criteria. The bidder also warrants that the service provided will be of a superior standard, and is unlikely to cause undue

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difficulties. The bid may be awarded, in part or in full, at the sole discretion of MBTC, to one or more concerns on a non-exclusive basis.

Proposals / bids that are qualified by a bidder's own conditions may be rejected as being invalid, and failure of the bidder to renounce such conditions when called upon to do so may invalidate the proposal. MBTC may request clarification or additional information regarding any aspect of the proposal. The bidder must supply the requested information within 24 hours after the request has been made, otherwise the bidder may be disqualified.

3. ASSIGNMENT OBJECTIVE

The objective of the assignment is to provide Refurbishments at the Dakawa Community Art Centre

Request for Proposals for the appointment of a professional service provider to provide Refurbishments at the Dakawa Community Art Centre

4. MANDATORY REQUIREMENTS

No.	Requirements	Yes	No
1	Bidders information (Par 11 below)		
2	Valid Tax Pin issued by SARS		
3	If a consortium, Joint venture or Sub-contractor, valid tax Pin for each member		
4	CSD (Central Supplier Database) detailed report		
5	Certified Proof of valid Registration/affiliation to a recognized body (Engineering Council of South Africa)		
6	Valid B-BBEE Certificate (Sworn affidavit for SMMEs and QSEs) SANAS approved. Share Certificate, Certified Company Registration certificate & Certified directors ID copies		

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7	<p>Certified Proof of CIDB Registration</p> <p>Bidders should have a CIDB contractor grading designation of 1GB or higher.</p> <p>Suppliers should also include their CRS number that proves that they are CIDB registered.</p>		
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5. SUPPLY CHAIN MANAGEMENT CHECK LIST

Item	Document Reference	Description	Action to be taken	Checked, Verified & Submitted
1.	SBD 1	Invitation to tender	To be completed in full	
2.	SBD 2	Tax clearance requirements	Submission of a valid original tax clearance certificate Provide SARS Status PIN in order for MBTC to Verify	
3.	SBD 3.3	Pricing Schedule Professional services	To be completed in full	
4.	SBD 4	Declaration of Interest	To be completed in full	
5.	SBD 6.1	Preference point claim form	To be completed in full - You may submit a Sworn affidavit.	
6.	TOR	Terms of reference	To be read and applied	
7.		Company Profile and CK documents	To be submitted	
8.		Registered on the National Treasury Central Suppliers Database (CSD)	Provide the CSD Supplier Number (MAAA)	
9.	GCC	General conditions of Contract	Initial each page	

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10.		B-BBEE status level verification certificate	Submit a valid or a certified copy of a B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS	
11.		Proposal NB. Technical Threshold – 70%	To be compiled and submitted in line with requirements of the Terms of Reference	
12.		Bid Invitation	2 Originals and a copy on Memory Stick	
13.		Proof of address	Municipal rates account or letter from the ward councillor	

Additional Notes:

1. Broad Based Black Economic Empowerment (B-BBEE) rating 3 or better to be submitted.
 - a) A trust, consortium or joint venture must submit a consolidated B-BBEE Status Level Verification Certificate for every separate bid.
 - b) Public entities and tertiary institutions must also submit B-BBEE Status Level Verification Certificates together with their bids.
2. Check list to be completed and attached to the proposal.
3. Incomplete documents will be regarded as non-responsive.
4. All forms to be completed in black ink.
5. No correction fluid to be used in the document, changes should be made by drawing a line through the incorrect information, and initialling the change.
6. No late quotations / bids will be accepted.
7. MBTC reserves the right to award or withdraw the bid.

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6. SCOPE OF WORK

Refurbishments: Provide refurbishments at the Dakawa Community Art Centre. The service provider will be fully responsible for meeting all requirements in this document regarding the Works. In addition, all Works will be carried out to the standard and frequency as required by the applicable governing law and/or regulations.

The work will be done for the following categories:

- Removal of existing works
- Repairing of existing works
- Replacing of existing works

7. REQUIRED EXPERTISE, QUALIFICATIONS AND EXPERIENCE

A service provider bidding for this assignment should demonstrate the following:

- Professionally Registered Key Team Members with 5 to 10 years built environment experience in the following disciplines:
 - Construction/Building
- Company experience on similar projects with contactable references;
- Experience in building for public sector projects;

Service providers must reflect the above in the form of a proposal to execute the assignment detailed in these ToR with a clear articulated approach and methodology.

8. TIMEFRAMES

The appointed service provider will be expected to attend a detailed project briefing with the MBTC delegated team soon after appointment. Following the briefing the service provider will be expected to produce a detailed work plan reflecting all the tasks necessary to complete the assignment and the corresponding timeframes. The assignment period of the envisaged service provider will be in line with the required period to complete the implementation of the project.

9. ACCOUNTABILITY

The service provider will be accountable to and under the direction of the CEO and appointed MBTC team in the performance of the assigned duties.

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10. PRICING SCHEDULE

Table 1: Pricing Schedule – REMOVAL, REPAIRING & REPLACING EXISTING WORKS

<u>No</u>	<u>DESCRIPTION OF WORK : PART 1 / A</u>	<u>Unit</u>	<u>Qty</u>	<u>Rate</u>	<u>Value</u>	<u>Prog %</u>	<u>Amount</u>
A 1.0	<u>PROPOSED KITCHEN & ROOFED COURTYARD</u>						
A 1.1	Provide new opening in wall from Hall to Prop Kitchen Area, fit frame & door, smooth plaster & paint all reveals	Item	1,00				
A 1.2	Demolish all internal walls, sanitary ware, smooth plaster & paint affected areas.	Item	1,00				
A 1.3	Provide new opening in wall & for Window 3, Fit new Door 3 in existing opening, smooth plaster & paint reveals, provide additional security gate for Door 3	Item	1,00				
A 1.4	Provide ceramic tiles throughout & wall tiles up to dato level of 1 660mm, paint walls above	m ²	17,00				
A 1.5	Existing concrete roof & ceiling to be checked & repaired of water damage, replaster ceiling & repaint	m ²	10,00				
A 1.6	Provide new Lean to Roof Structure & rain goods on existing screen wall, See Section B-B for detail & specifications	m ²	12,00				
A 1.7	Fit new Galvanised Double Security gate Door 5 in existing opening & provide lockset	Item	1,00				
A 1.8	Condition of Courtyard floor to be checked & repaired, painted if necessary	m ²	9,50				
A 1.9	Provide 5000 lt Water Tank on Concrete platform	Item	1,00				
A 1.0a	<u>SUB TOTAL PROPOSED KITCHEN & ROOFED COURTYARD</u>						
A 2.0	<u>ABLUTIONS</u>						
A 2.1	New brick walls with flush joints & wall tiles where necessary	m ²	18,00				
A 2.2	New ceramic tiles on Floors, color to client choice	m ²	22,00				
A 2.3	New 7 x Door 3's to be fitted where needed with ironmongery	Item	7,00				

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A 2.4	Refurbish existing steel windows	Item	2,00				
A 2.5	Ceiling to be checked & replaced where necessary due to water damage	m ²	19,00				
A 2.0a	<u>SUB TOTAL ABLUTIONS</u>						
A 3.0	<u>AUDITORIUM, PROPS ROOM & SOUND DECK</u>						
A 3.1	Fix part of wall & roof section on South Eastern corner of Auditorium, cause of leaks & shrubs	Item	1,00				
A 3.2	Fix all cracks & water damages to internal walls & repaint	m ²	370,00				
A 3.3	Extend existing stage by 1 000mm, material to match existing, sprung floor to be sanded, sealed & varnished	item	1,00				
A 3.4	Provide new steps on both sides of Stage & fill & enclose existing steps to Props Room	m ³	7,00				
A 3.5	Provide new stairs from Props Room up to Stage	m ³	6,50				
A 3.6	Remove existing gate type door & fit new Door 3 with frame & ironmongery, smooth plaster & paint reveals	Item	1,00				
A 3.7	New ceramic tiles in Props Room to client choice	m ²	26,00				
A 3.9	Brick up existing opening on Kitchen Side of Screen wall, bag plaster & paint to match existing	m ²	3,20				
A 3.10	Provide new opening on West side of Screen wall, bag plaster & paint reveals	m ²	2,80				
A 3.11	Provide 2x new concrete ramps with Galvanised steel handrails & raise floor level in Passage Area to match ffl of Ablutions	m ³	3,50				
A 3.12	Entire Auditorium to be tiled with ceramic tiles to client choice	m ²	170,00				
A 3.13	Ceiling of Auditorium to be checked & replaced where necessary	m ²	50,00				
A 3.14	Existing screen wall to be lowered to specified height & new timber flooring to be fitted on top of wall	m ²	5,00				
A 3.15	Provide new Timber Deck on Steel posts & bearer beams for Sound Deck Area	m ²	15,00				
A 3.16	Provide new timber Samba Staircase & Security gate for entry to Sound Deck	Item	1,00				
A 3.0a	<u>SUB TOTAL AUDITORIUM, PROPS ROOM & SOUND DECK</u>						

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A 4.0	<u>ENTRANCE FOYER, OFFICE AREA</u>						
A 4.1	Replace exg steel windows on Froude Street with Aluminium Window 3 types, all new windows to be fitted with burglar bars, smooth plaster & paint reveals	Item	5,00				
A 4.2	Entire Area to be tiled with ceramic tiles to client choice	m ²	96,00				
A 4.3	Remove existing Steel window between Foyer & Hall, fit new Double Timber Door 2, brick up openings, smooth plaster & paint to match existing	Item	1,00				
A 4.4	all cracks & water damage to walls to be fixed & walls repainted	m ²	182,00				
A 4.5	Existing ceiling to be checked & replaced if necessary	m ²	87,50				
A 4.6	Remove existing Double Entrance Door & fit new Aluminium Double Door 1 with skylight, smooth plaster & paint reveals to match existing	Item	1,00				
A 4.7	Replace existing 2 x Steel windows on high level with new (Church Type) steel windows fitted with Nylon braided type ropes to open & close windows	Item	2,00				
A 4.0a	<u>SUB TOTAL OF ENTRANCE FOYER, OFFICE AREA</u>						
No	<u>DESCRIPTION OF WORK : PART 2 / B</u>		<u>Quantity</u>	<u>Rate</u>	<u>Value</u>	<u>Prog %</u>	<u>Amount</u>
B 1.0	<u>LOBBY, ART GALLERY & SOUND STUDIO</u>						
B 1.1	Repair cracks & Water damage to all internal walls, waterproof & paint all walls	m ²	162,00				
B 1.2	Remove existing Door in Sound Studio & brick up opening, smooth plaster & Paint	m ²	1,80				
B 1.3	Replace 2 x timber windows with new aluminium Windows No6 windows, smooth plaster & p[aint reveals	Item	2,00				
B 1.4	Repair / replaster reveals of entrance to Lobby Area from Passage	Item	1,00				
B 1.5	Provide extractor fan in Lobby to blow out on Froude Street	Item	1,00				
B 1.6	Replace & Modify exg Roof Structure & remove exg box gutter system abutting the Wall of the Auditorium, Sound Studio, Art Gallery & Lobby	m ²	88,00				
B 1.0b	<u>SUB TOTAL LOBBY, ART GALLERY & SOUND ROOM</u>						
B 2.0	<u>OFFICE SPACE & TEXTILE ROOM</u>						
B 2.1	Repair & replace existing ceiling in this area where needed	m ²	54,00				

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B 2.2	Repair all cracks & water damage to wall, waterproof & repaint	m ²	127,00				
B 2.3	Existing carpet squares to be lifted & new ceramic tiles to be laid throughout to client choice	m ²	59,00				
B 2.4	Fit new Double Timber Door 2 to Resource Centre, smooth plaster & paint reveals	Item	1,00				
B 2.5	Remove all existing Steel Windows & replace with new aluminium windows, smooth plaster & paint reveals to match existing	Item	5,00				
B 2.6	Existing Roof Sheets to be removed & replaced with new to match new roof structure sheets	m ²	72,00				
B 2.0b	<u>SUB TOTAL OFFICE SPACE & TEXTILE ROOM</u>						
B 3.0	<u>RESOURCE CENTRE & ROOFED PATIO</u>						
B 3.1	Repair all cracks in wall & repaint	m ²	110,00				
B 3.2	Replace all existing steel windows with new aluminium type windows, smooth plaster & paint reveals, all windows to be fitted with burglar bars	Item	2,00				
B 3.3	Replace existing timber doors with new timber doors, fit security gates & lock sets	Item	1,00				
B 3.4	Replace existing timber Sprung floor with new prung Floor, re-use existing material where necessary example extension of Stage in Auditorium	m ²	83,00				
B 3.5	Fit new Isoboard ceiling between existing roof Structure	m ²	62,00				
B 3.6	Replace existing Roof Sheets with new to match that of new Roof Structure	m ²	64,50				
B 3.7	Provide new Roof Structure on Street Facade with new brick & concrete columns, roof pitch to match that of existing See Elevations & notes	m ²	51,00				
B 3.0b	<u>SUB TOTAL RESOURCE CENTRE & ROOFED PATIO</u>						
B 4.0	<u>ABLUTIONS & ROOFED WALKWAY</u>						
B 4.1	Build new Honeycomb wall between exg columns at Roofed Walkway, smooth plaster & paint & fit new Security Gate Door 4 for access to passage & Parking	m ²	28,00				
B 4.3	Provide additional water tanks on concrete platforms for water storage at later stage	Item	1,00				
B 4.4	All existing windows doors to be replaced with new, smooth plaster & paint reveals	Item	8,00				

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B 4.5	All cracks to be fixed & walls to be painted, provide wall tiles where neseccary	m ²	93,00				
B 4.7	New ceramic tiles to all floor areas of Ablution Block	m ²	17,50				
B 4.8	Exg Roof Structure of Courtyard to be raised & extended as shown at later stage, provide clear roof sheet over window areas of Resource Centre	m ²	60,00				
B 4.0b	<u>SUB TOTAL ABLUTIONS & ROOFED WALKWAY</u>						
B 5.0	<u>SITE WORKS</u>						
B 5.1	Provide Water Tanks on Concrete platforms & Pump at Ablutions on North Side of Building	Item	1,00				
B 5.2	Paved Parking Area	m ²	860,00				
B 5.0b	<u>SUB TOTAL OF SITE WORKS (EXCLUDED FROM TOTAL WORK TO BE DONE)</u>						
<u>NO</u>	<u>DESCRIPTION OF WORK</u>		<u>Qty</u>	<u>Rate</u>	<u>Value</u>	<u>Prog %</u>	<u>Amount</u>
<u>C 1.0 & C 2.0</u>	<u>EXTRAS & OMITs PART 3 / C</u>						
<u>C 1.0</u>	<u>EXTRAS</u>						
C 1.1	item						
<u>C 1.0c</u>	<u>SUB TOTAL EXTRAS</u>						
<u>C 2.0</u>	<u>OMISSIONS</u>						
C 2.1	Item						
<u>C 2.0c</u>	<u>SUB TOTAL OMISSIONS</u>						
<u>D 1.0</u>	<u>TOTAL OF ALL WORK TO BE DONE (PARTS 1/A, 2/B & 3/C) / Completed to date (Excluding P&G Profit & VAT)</u>						
D 1.1	Add P&G Profit & VAT : Allowance as follows / P&G (5,0%), Profit (5,0%) & VAT(15,0%)						
<u>E 1.0</u>	<u>Contract Value / Completed to date (Inclusive VAT)</u>						
<u>F 1.0</u>	Less Retention : 5%						

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<u>G 1.0</u>	<u>Progress Payment : Progress Payment No1 : Amount due : # Payment amount calculated on a Monthly basis</u>			#			
<u>H 1.0</u>	<u>Contract Balance (includes Retention due on [TBC] / Final payout) :</u>						

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11. ELIGIBILITY CRITERIA

11.1 Technical Requirements (Stage 1)

The functional / technical criterion to be utilized to test the capability of service providers is set out as follows:

Value	Description
5 - Excellent	Meets and exceed the functionality requirements
4 – Very Good	Above average compliant to the requirements
3 - Good	Satisfactory and should be adequate for stated element
2 - Average	Compliant to the requirement
1 - Poor	Unacceptable, does not meet the set criteria

#	Sub-Criteria	Weight	Value	Actual Score										
1	<p>Approach paper setting out the manner in which the bidder intends to satisfy the requirements established in the Scope of Work (not more than 5 pages).</p> <p>Project plan for the implementation of the works. The approach plan must also provide details of the project timelines.</p> <p>Approach paper's response to the Terms of References reflects:</p> <ul style="list-style-type: none"> Excellent understanding of what is required in the terms of reference and proposed action plan Good understanding of what is required in the terms of reference and proposed action plan Satisfactory understanding of what is required in the terms of reference and proposed action plan Poor understanding of what is required in the terms of reference and proposed action plan Not acceptable understanding of what is required in the terms of reference and proposed action plan <table border="1"> <tr> <td>6 Points</td><td>12 Points</td><td>18 Points</td><td>24 Points</td><td>30 Points</td></tr> <tr> <td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr> </table>	6 Points	12 Points	18 Points	24 Points	30 Points	1	2	3	4	5	30	<p>5 – Excellent</p> <p>4 – Very Good</p> <p>3 - Good</p> <p>2 – Average</p> <p>1 - Poor</p>	
6 Points	12 Points	18 Points	24 Points	30 Points										
1	2	3	4	5										
	<p>Qualification and experience of key staff to be involved (2 page cv)</p> <ul style="list-style-type: none"> Certified Qualification and professional registration as per requirements (including the 		<p>10 years or more experience with a Degree/Btech = 5</p> <p>6 to 8 years ' experience with a Degree/Btech = 4</p>											

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<p>following)</p> <ul style="list-style-type: none">• Civil/Structural/Build Engineer Specialist• Skilled Foreman• Occupational Health and Safety Officer <p>For each professional listed above the following criteria will apply:</p> <p>Unregistered Professionals and professionals with any qualifications less than what's stipulated will score 0</p> <table><tr><th>6 Points</th><th>12 Points</th><th>18 Points</th><th>24 Points</th><th>30 Points</th></tr><tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr></table>	6 Points	12 Points	18 Points	24 Points	30 Points	1	2	3	4	5	30	<p>3 to 5 years ' experience with a Degree/Btech = 3</p> <p>1 to 2 years ' experience with a Degree/Btech = 2</p> <p>0 years ' experience with a Degree/Btech = Not acceptable</p>	
6 Points	12 Points	18 Points	24 Points	30 Points									
1	2	3	4	5									
<p>Company Experience on similar projects</p> <p>Number of Completed Similar Projects:</p> <p>(Provide reference letters as evidence)</p> <table><tr><th>6 Points</th><th>12 Points</th><th>18 Points</th><th>24 Points</th><th>30 Points</th></tr><tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr></table>	6 Points	12 Points	18 Points	24 Points	30 Points	1	2	3	4	5	30	<p>5 or more Relevant/Similar Projects = 5</p> <p>3 -4 Relevant/Similar Projects = 4</p> <p>2 Relevant/Similar Projects = 3</p> <p>1 Relevant/Similar Projects = 2</p> <p>0 Relevant/Similar Projects = Not Acceptable 2</p>	
6 Points	12 Points	18 Points	24 Points	30 Points									
1	2	3	4	5									
<p>Locality/ Proximity Local Supplier (Proof of address)</p> <table><tr><th>2 Points</th><th>4 Points</th><th>6 Points</th><th>8 Points</th><th>10 Points</th></tr><tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td></tr></table>	2 Points	4 Points	6 Points	8 Points	10 Points	1	2	3	4	5	10	<p>5 = Based in Makana Municipality</p> <p>4 = Based outside Makana Municipality but in the Eastern Cape</p> <p>3 = Based in neighbouring provinces</p> <p>2 = Based in other provinces</p> <p>1 = Outside RSA</p>	
2 Points	4 Points	6 Points	8 Points	10 Points									
1	2	3	4	5									
Threshold	70												
Total	100												

NB: Bidders who fail to meet a minimum score of 70 out of 100 points in Stage 1 will be eliminated and not proceed for evaluation in Stage 2 (Price and Specific goals) of the assessment.

11.2 Preferential Points System (Stage 2)

A preferential point system will be applied in the procurement of goods and services as prescribed in the PPPF Act, Section 2(a).

An 80/20 procurement point system will be applied on procurement of goods and services equal to or below R50 million where a maximum of 80 points are awarded for price and a maximum of 20 points are awarded for specific goals. The preferential

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points awarded under the 80/20 threshold are awarded using the framework detailed below:

CRITERIA		POINTS
BID PRICE		80
B-BBEE CONTRIBUTION LEVEL		10
1	10	
2	9	
3	7	
4	6	
5	4	
6	3	
7	2	
8	1	
Non-compliant contributor	0	
		10
Youth	4	
People living with disabilities	3	
Women	3	
TOTAL		100