



The South African Council for the Project and Construction Management Professions

— CONSTRUCTING NEW PERSPECTIVES —

YOU ARE HEREBY INVITED TO BID (PROVIDE A PROPOSAL) AS A CASE PRESENTER TO THE SOUTH AFRICAN COUNCIL FOR THE PROJECT AND CONSTRUCTION MANAGEMENT PROFESSIONS (SACPCMP).			
BID DESCRIPTION	Law Firm to assist Council as Case Presenter during Disciplinary Tribunal Hearings		
BID NUMBER	GOV/02/2025		
NAME OF INSTITUTION	The South African Council for the Project and Construction Management Professions (SACPCMP)		
THE PLACE WHERE GOODS ARE TO BE DELIVERED	SACPCMP Offices 446 Rigel Avenue South Rigel Office Park Erasmusrand Pretoria		
RFP DISTRIBUTION DATE	06 May 2025	Time	09h00
RFP CLOSING DATE	20 May 2025	Time	16h00
CONTACT DETAILS	Electronic bids	Electronic bids should be submitted to Nokuthula Madlala tenders@sacpcmp.org.za	
	Physical address	446 Rigel Avenue S (446 Rigel Avenue S, City of Tshwane Gauteng, 0181)	
	Admin queries	Nokuthula Madlala tenders@sacpcmp.org.za	
	Fax	No facsimile bids will be considered	
	Email	tenders@sacpcmp.org.za	
	Technical queries	linda.maruma@sacpcmp.org.za	
CATEGORY	Closed tender		
SECTOR	Regulatory Council		
REGION	Gauteng Province		

SUMMARY BRIEF

BACKGROUND INFORMATION

The South African Council for the Project and Construction Management Professions (SACPCMP) is a statutory body established by Section 2 of the Project and Construction Management Act (Act No.48 of 2000), is a juristic person established for statutory professional certification, registration and regulation of Project and Construction Management Professions to protect public interest. In line with the Construction Industry development initiatives, the Council continues to advance and promote the science and management practice of project and construction management thereby contributing towards promotion of the Construction and Built Environment industries.

In terms of section 31 Act, the disciplinary hearing must be conducted by the Disciplinary Tribunal.

SCOPE OF WORK

The Service Provider will:

- a. Lead evidence and advance arguments in support of the charge.
- b. Cross-examine witnesses.
- c. Question any person who was subpoenaed in terms of Section 31(3) of the Act;
- d. Call anyone to give evidence or to produce any book, document or object in his or her possession or custody or under his or her control which they suspect or believe has bearing on the subject of the Hearing.
- e. Call witnesses, present evidence, and address the Tribunal in aggravation of sentence.

The service will be requested as and when necessary.

QUERIES

All queries must be provided in writing and directed to linda.maruma@sacpcmp.org.za during office hours between 09h00 and 16h30.

The SACPCMP reserves the right not to consider any proposal not fully completed. By accepting to take part in the proposal process, you agree to keep in confidence all information imparted to you in relation with the proposal process, not to disclose it to third parties and not to use it for other purpose than the proposal. The Respondent is responsible for all costs incurred in the preparation and submission of the proposal. Copy/s of any affiliations, memberships and/or accreditations that support your submission must be included in the proposal.

Kindly note that SACPCMP is entitled to:

- Amend any RFP conditions, validity period, specifications, or extend the closing date and/or time of RFP's before the closing date. All Respondents, to whom the RFP documents have been issued, will be advised in writing of such amendments in good

time.

- Verify any information contained in a proposal.
- Not appoint any bidder.
- Vary, alter, and/or amend the terms of this RFP, at any time prior to the finalisation of its adjudication hereof.
- Disqualify proposals that contain an omission of disclosure of material information, that is factually inaccurate, and/or contain misrepresentation.
- Not accept the lowest proposal or any proposal in part or in whole. The SACPCMP normally awards the contract to the bidder whose proposal is technically acceptable and/or financially advantageous to the SACPCMP.
- Appointment as a successful contractor/ service provider shall be subject to the parties agreeing to mutually acceptable contractual terms and conditions. In the event of the parties failing to reach such agreement within 30 (thirty) days from the appointment date, the SACPCMP shall be entitled to appoint the contractor who was rated 2nd (second), and so on.
- Cancel or withdraw from this RFP as a whole or in part without furnishing reasons and without attracting any liability.
- This proposal and its acceptance shall be subject to the terms and conditions contained in this RFP document.

PROPOSAL

Bids shall include all relevant information about the bidder as indicated in the advertisement, which will enable the SACPCMP to assess the service provider's competence. Responding potential service providers will be evaluated on the quality of the written proposals, design elements, quality and or samples of previous work provided. All proposals should be submitted by 16h00 on 20 May 2025 to:

The Finance Department
Subject Line: Bid Reference Number
Nokuthula Madlala
Email: tenders@sacpcmp.org.za

SUBMISSION DOCUMENT

UNDERSTANDING OF THE BRIEF

Detailed proposal to include the firms understanding of the requirements of the assignment in respect of the request for proposal. The proposal must set out the **firm's approach and end-to-end methodology** in respect of the scope (including its quality assurance) and any other value-added services to be provided to SACPCMP.

SUBMISSION

All quotations must be submitted on the official forms provided and should not be re-typed. Please provide an electronic submission containing all information

(excluding previous samples) to the SACPCMP offices before the stipulated deadline, which must include the following:

- Company Information
 - Company Profile
 - The service provider must have a minimum of five (5) years' experience and expertise in providing similar service within the regulatory environment.
 - At least three references on similar assignments on client's letterhead.
- Quotation/ Pricing
 - Which should include a summary of qualifications and experience of all team members who would provide a scope of work.
 - Year of admission as legal practitioner of proposed case presenter/s and letter of good standing from the Legal Practice Council.
 - The quoted price must be in South African Rands and be inclusive of 15% VAT, if VAT registered vendor.
- Forms

This relates to the application for inclusion in the Database of Service Providers

 - SBD 6.1 Form
 - National Treasury Central Supplier Database CSD Form (Proof of registration on the CSD needs to be provided)
 - Tax clearance certificate (No service provider will be considered if their tax matters are not up to date with SARS.) (Addendum B)
 - The service provider shall be an Exempted Micro Enterprise (EME) and Qualifying Small Enterprise (QSE) BBBEE recognition level. (Addendum A)

FAILURE TO COMPLY

Proposals will be disqualified or excluded under the following conditions:

- Any quotation submitted after the closing date and time shall **NOT** be considered.
- Ensure that your proposal/quotation clearly covers **ALL** the above aspects of the RFQ.
- **DO NOT** include insurance to your quote as SACPCMP provides its own insurance.
- **ALL QUOTATIONS and ENQUIRIES** are to be addressed to the respective person stipulated on the Request for Proposal document.
- The SACPCMP reserves the right to cancel the procurement process at any time without notice, and not issue the order.
- Conditional quotations will be subject to SACPCMP acceptance and approval processes.
- The onus will rest with the service provider who has been awarded the services to inform SACPCMP of any changes to the information provided on

such SBD forms. Failure to do so will result in misrepresentation of facts/ information and may results in SACPCMP terminating the service or contract.

- Payment terms: compliant invoices will be processed 30 days after receipt of invoice.

Evaluation is based on criteria for submission documents.

2nd Phase of Evaluation

The evaluation phase will be evaluated as follows:

Description	Number of points for preference
Price	80
Specific goals	Number of points for preference
More than 30% black shareholding or owned enterprise.	10
More than 30% woman or women shareholding or owned enterprise.	2
More than 30% youth shareholding or owned enterprise.	2
More than 30% of people living with disability shareholding or owned enterprise.	1
RDP Goals	
SMMEs	5

1. Quotation Price

These requirements are only minimum requirements. It is required that Service provider familiarise himself/herself with the details of the services/ supplies to be able for him/her to quote accordingly. The quoted price must be in South African Rands and be inclusive of 15% VAT.

1.1. PRICING SCHEDULE

PROJECT STRUCTURE (please include delivery costs, if any)				
ITEM NO	ITEM DESCRIPTION	QTY	PRICE PER MONTH	Total
1				
2				
3				
4				
5				
6	Maintenance and support			

Please indicate how the line items above are factored into your costing breakdown of services.

NB: Validity period for this RFQ should be at least 6 Months from the date of submission.

2. General Conditions of Contract

General Conditions of Contract (GCC) as per National Treasury will apply. Service providers must familiarise themselves with these conditions as they will be applicable throughout the duration of the contract period.

3. Evaluation Criteria

Quotations received will be evaluated according to the prescriptions of the Preferential Procurement Regulations 2022 issued on 4 November 2022 pertaining to the Act and the SACPCMP Procurement Policy determined within the framework of the Act. The 80/20 preference point system will apply.

4. Contract Management

The Service Provider will be required to sign a Standard Contract based for the duration and value of services.

Authorised Bidder’s Signature

Date

PLEASE NOTE

1. Any quotation submitted after the closing date and time shall **NOT** be considered.
2. Ensure that your Quotation/ quotation clearly covers **ALL** the above aspects of the RFQ.
3. **DO NOT** include insurance to your quote as SACPCMP provides its own insurance.
4. **ALL QUOTATIONS and ENQUIRIES** are to be addressed to the respective person stipulated on the Request for Quotation **in Supply Chain Management Department**.
5. The SACPCMP reserves the right to cancel the procurement process at any time without notice, and not issue the order.
6. Conditional quotations will be subject to SACPCMP acceptance and approval processes.
7. It is no longer compulsory for bidders to submit SBD 4, 8 & 9 together with this RFQ on the stipulated closing date.
8. The SACPCMP shall request the preferred bidder / service provider to complete and submit SBD 4, 8 & 9 before any awards are finalised. The SBD form shall be valid for a period of twelve (12) months from the date submitted. The onus will rest with the service provider who has been awarded the services to inform SACPCMP of any changes to the information provided on such SBD forms. Failure to do so will result in misrepresentation of facts/ information and may result in SACPCMP terminating the service or contract.
9. Payment terms: compliant invoices will be processed within 30 days after receipt.

FOR OFFICE USE ONLY

RECEIVED BY: _____

COMPANY STAMP

SBD 6.1

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids/ Quotations:

- the 80/20 system for requirements with a Rand value of above R30,000 and 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 The value of this bid cannot exceed an estimated amount of R50 000 000 (including all applicable taxes) and therefore the 80/20 preferential procurement point system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) Specific preference points

1.4 The maximum points for this bid/ Quotation are allocated as follows:

Description	Number of points for preference
Price	80
Specific goals	Number of points for preference
More than 30% black shareholding or owned enterprise.	10
More than 30% woman or women shareholding or owned enterprise.	2
More than 30% youth shareholding or owned enterprise.	2

More than 30% of people living with disability shareholding or owned enterprise.	1
RDP Goals	
SMMEs	5
TOTAL	100

- 1.6 Any specific goal for which a point may be awarded must be clearly specified in the invitation to submit a tender.
- 1.7 Tenderer failing to submit proof of required evidence to claim preferences for other specified goals, may only score in terms of the 80 or 90 points for price; and scores points out of 20 or 10 points, the relating to specific goals stated in the invitation to submit a tender
- 1.8 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 deemed fit in any manner required by the purchaser..

1. DEFINITIONS

Black People"	has the meaning assigned to it in section 1 of the Broad Based Black Economic Empowerment Act.
"Disability"	means in respect of a person, a permanent means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being.
Highest acceptable tender";	means a tender that complies with all specifications and conditions of tender and that has the highest price compared to other tenders
Historically Disadvantaged Individual (HDI)"	means a South African citizen: who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No 110 of 1983) or the

	Constitution of the Republic of South Africa, 1993, (Act No 200 of 1993) ("the Interim Constitution); and/or who is a female; and/or who has a disability: provided that a person who obtained South African citizenship on or after the coming to effect of the Interim Constitution, is deemed not to be a HDI
People with disabilities". “	In terms of the Code of Good Practice on the Employment of Persons with disabilities: it is persons who have a long-term or recurring physical or mental impairment, which substantially limits their prospects of entry into, or advancement in employment
Price”	means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
SMMEs”	means small businesses; as defined in section 1 of the National Small Business Act, 1996 (Act No 102 of 1996) a separate and distinct business entity, including co-operative enterprises and non-governmental organisations, managed by one owner or more which, including its branches or subsidiaries, if any, is predominantly carried on in any sector or sub sector of the economy mentioned in Column I of the Schedule and which can be classified as a micro-, a very small, a small or a medium enterprise by satisfying the criteria 40 mentioned in columns 3; 4 and 5 of the' Schedule opposite the smallest relevant size or class as mentioned in column 2 of the Schedule.

“Specific goals”	means specific goals as contemplated in section 2(1)(d) of the Act which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994;
“Tender”	means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
Youth”	means persons between the ages of 14 and 35 as the National Youth Development Agency Act 54 of 2008.

- (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 Quotations;
- (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 authorised 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:

$$\begin{array}{ccc}
 \text{80/20} & \text{or} & \text{90/10} \\
 \\
 \frac{Ps - Pt}{P_{min}} \times 80 & \text{or} & \frac{Ps - Pt}{P_{min}} \times 90
 \end{array}$$

Where-

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

4. POINTS AWARDED FOR SPECIFIC PREFERENTIAL GOALS

Specific goals	Number of points for preference
More than 30% black shareholding or owned enterprise.	10
More than 30% woman or women shareholding or owned enterprise.	2

More than 30% youth shareholding or owned enterprise.	2
More than 30% of people living with disability shareholding or owned enterprise.	1
RDP Goals	
SMMEs	5
TOTAL	100

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted? (*Tick applicable box*)

YE		NO	
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7.1.1. If yes, please 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*)

YE		NO	
----	--	----	--

- 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 name
firm.....

8.2 VAT registration

number.....

8.3 Company registration

number.....

8.4 TYPE OF COMPANY/ FIRM [TICK APPLICABLE BOX]

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

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION [TICK APPLICABLE BOX]

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

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 certificates, 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.

WITNESSES

1.....

2.....

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS:

Addendum A;

B-BBEE Level of Contribution certificate – original or certified copy.

Addendum B;
Valid Tax Clearance Certificate.

