



**INVITATION TO BID**

**APPOINTMENT OF THE SERVICE PROVIDER TO UNDERTAKE ROOFING REMEDIAL TO TILED PORTION OF THE ROOF OF THE CITY HALL BUILDING FOR GAUTENG PROVINCIAL LEGISLATURE FOR A PERIOD OF 6 (SIX) MONTHS**

**BID NO: GPL 016/2023**

**NON-COMPULSORY VIRTUAL BRIEFING SESSION: 12 DECEMBER 2022 @ 12:00PM**

**CLOSING DATE: 20 JANUARY 2023**

**TIME: 11:00 AM**

## INTRODUCTION

**The Gauteng Provincial Legislature (Gauteng Legislature, GPL) is one of nine provincial legislatures in South Africa**, which are a product of extensive negotiations that gave shape to the 1996 Constitution. The Constitution empowers the Legislature to make laws for Gauteng, oversee that the Gauteng government works efficiently and honestly, and ensure that the people of Gauteng participate in the running of their province.

**The Legislature moved from Pretoria to Johannesburg in 1994** after the first democratic elections in 1994 and following a decision to move the Government of the Gauteng Province. The Johannesburg City Hall opened as the Gauteng Legislature's new home on 21 October of 1995.

## HOW THE GAUTENG LEGISLATURE IS COMPOSED

**The Legislature is a House comprising the speaker (who heads up the organisation) and Members of the Provincial Legislature (MPLs) from various political parties**, allocated per the vote of the Gauteng Province. Political parties get seats in the Legislature through a system of proportional representation – meaning, the party with most votes gets the majority of MPLs in the House.

**The Constitution empowers each of the nine provincial legislatures to make laws that apply uniquely to each of their provinces.** MPLs divided into portfolio committees conduct the business of the House. Each committee is attached to a provincial government department (or cluster of departments) in the Provincial Government and enhances the department's ability to deliver services through advisory, monitoring and oversight.

**Standing committees deal with diverse issues** (other than government departments). These committees consider Bills and other matters referred to them either by the Speaker or the House.

**Ad hoc committees work with various experts to matters that need specialised expertise. The Legislature's administration staff complement gives operational support to the committees.** The administrative wing of the Legislature is headed by the provincial secretary (or secretary to the legislature).

## LEGISLATURE OVERSIGHT'S ROLE

MPLs consider Bills placed before them by the provincial executive, comprised of the Premier of Gauteng and the Members of the Executive Council (MECs). MPLs debate Bills, budgets, statements and speeches by MECs in committee meetings or in plenary sessions of the Legislature. Committees have the power to summon MECs and Department officials to answer questions relating to service delivery in the Province. The MECs must be prepared to answer hard questions on how they are delivering a better life to the people of Gauteng. Committees can also undertake investigations into activities by government departments and such investigations are often open to public scrutiny.

The Legislature allows the people of Gauteng to participate in law-making and oversight processes. **It is a Constitutional requirement that the Provincial Legislature affords Citizens an opportunity to partake in legislative processes – and this is an obligation that the Gauteng Provincial Legislature has vigorously embraced.**

## LAW MAKING

**New legislation starts out as a Bill**, which is carefully discussed to ensure that it is relevant to the needs of the Province, clear, practical and in line with the Constitution. MPLs also receive submissions from the people of Gauteng on matters of concern to the Province, which may require specific legislation to be instituted. MPLs can also initiate legislation individually, as can any of the Legislature's standing committees.

 <b>GAUTENG</b> LEGISLATURE <small>Your View — Our Vision</small>	<b>ADMINISTRATIVE BASIC COMPLIANCE REQUIREMENTS</b>	<b>Section 1</b>
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These are documents required for this bidding. Should the bidder fail to submit the following documents, the bid may be disqualified:

Item	Description	Mandatory	Submitted	
			Yes	No
1	Technical Proposal	Yes		
2	Invitation to bid (SBD1): completed and signed	Yes		
3	Pricing Schedule (Firm Pricing) SBD 3.1	Yes		
4	Bidders Disclosure (SBD 4) Original completed and signed.	Yes		
5	Did you submit copies of full Company Registration documents?	Yes		
6	Did you submit copies of South African IDs' for Directors?	Yes		
7	Did you submit your company profile?	Yes		
8	Did you submit a detailed CSD report and SARS Issued PIN?	Yes		
9	Did you submit one (1) hard copy bid proposal	Yes		
10	Did you submit one (1) USB with information replica of the bid proposal	Non-mandatory Basic compliance		
11	Valid proof of CIDB Grading: Grade 5 SN; or Grade 5 GB; or Grade 5 CE	Yes		
12	Valid proof of COIDA letter of good standing	Yes		
13	Safety Practices	Yes		
14	Joint Venture / Consortium agreement / Trust Deed (if applicable): <ul style="list-style-type: none"> <li>Did you submit all documents for all parties of the Joint Venture/Consortium/Trust Deed? All documents listed below</li> <li>✓ Certified copies of shareholders certificates</li> <li>✓ Certified copy of Company Registration documents</li> <li>✓ Certified copy of ID documents of the Directors or Members</li> </ul>	Yes		

**Service Provider's Name:**.....  
**Completed by:**.....  
**Signature:**.....

 <b>GAUTENG</b> LEGISLATURE Your View — Our Vision	<b>INVITATION TO BID (SBD1)</b>	<b>Section 2</b>
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**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE GAUTENG PROVINCIAL LEGISLATURE (GPL)**

BID NUMBER:	<b>GPL 016/2023</b>	CLOSING DATE:	<b>20 JANUARY 2023</b>	CLOSING TIME:	<b>11H00 AM</b>
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DESCRIPTION	<b>APPOINTMENT OF THE SERVICE PROVIDER TO UNDERTAKE ROOFING REMEDIAL TO TILED PORTION OF THE ROOF OF THE CITY HALL BUILDING FOR GAUTENG PROVINCIAL LEGISLATURE FOR A PERIOD OF 6 (SIX) MONTHS</b>
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**BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)**

**NO. 10 FRASER STREET, SAGE BUILDING (CORNER HELEN JOSEPH & FRASER STREET), 1<sup>ST</sup> FLOOR, SAGE CENTRE, JOHANNESBURG**

**BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO**

CONTACT PERSON	Ms AMUKELANI MALULEKE	CONTACT PERSON	Mr LESEBELELE SETENO
TELEPHONE NUMBER	(011) 498-5859	TELEPHONE NUMBER	(011) 498-5959
FACSIMILE NUMBER	<b>N/A</b>	FACSIMILE NUMBER	<b>N/A</b>
E-MAIL ADDRESS	<a href="mailto:amaluleke@gpl.gov.za">amaluleke@gpl.gov.za</a>	E-MAIL ADDRESS	<a href="mailto:lseteno@gpl.gov.za">lseteno@gpl.gov.za</a>

**PLEASE NOTE THAT ALL ENQUIRIES SHOULD BE IN WRITING. NO TELEPHONIC ENQUIRIES WILL BE ATTENDED TO. E-MAILS SHOULD BE FORWARDED TO BOTH Ms MALULEKE AND Mr SETENO FOR WRITTEN RESPONSES**

**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]  <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		TICK APPLICABLE BOX]  <input type="checkbox"/> Yes <input type="checkbox"/> 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	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW ]
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FOR THE GOODS /SERVICES /WORKS OFFERED?			
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>			
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>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.</b>			

## PART B

### TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b> 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. 1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED – (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b> 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. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>
<b>2. TAX COMPLIANCE REQUIREMENTS</b> 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: .....

**BID NUMBER:** GPL016/2023

**BID DESCRIPTION:** APPOINTMENT OF THE SERVICE PROVIDER TO UNDERTAKE ROOFING REMEDIAL TO TILED PORTION OF THE ROOF OF THE CITY HALL BUILDING FOR GAUTENG PROVINCIAL LEGISLATURE FOR A PERIOD OF 6 (SIX) MONTHS

**BID CLOSING DATE:** 20 JANUARY 2023 **CLOSING TIME:** 11H00am

**NON-COMPULSORY BRIEFING SESSION:** YES

**Applicable:** NO

**Compulsory:** NO

**Venue:** Microsoft Teams

**Date:** 12 DECEMBER 2022

**Time:** 12h00pm

I/We hereby declare that I/we attended the compulsory briefing session to understand the requirements of the GPL to supply all or any of the supplies and/or to render all or any of the services described in the attached bid documents, on the terms and conditions and in accordance with the specifications stipulated in the bid documents.

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED AT THE NON-COMPULSORY BRIEFING SESSION WAS UNDERSTOOD.

**SIGNATURE OF BIDDER OR ASSIGNEE(S)**

.....

**DATE:** .....

Position .....

Name Bidder .....

Name of Company.....

SIGNATURE OF GPL OFFICIAL

DATE:

 <p><b>GAUTENG</b> LEGISLATURE <small>Your View — Our Vision</small></p>	<b>Notice &amp; Instructions to Bidders</b>	<b>Section 4</b>
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### 3.1 DOCUMENTS

- 3.1.1. Specify name, position, address and other contact details (e-mail, telephone, and fax) of the person within the service provider organisation responsible for leading the bid process and to whom all correspondence should be directed.
- 3.1.2. The bid shall be signed by a relevant company representative who has the relevant authority to sign legal and binding contracts on behalf of the company.
- 3.1.3. If any part of this bid is not duly filled in and signed in ink it may invalidate the bid.
- 3.1.4. Where alterations have been made to any part of the bid, the bidder must sign next to (Correction ink/Tippex is not allowed).
- 3.1.5. All bids must be submitted on the official forms (not to be re- typed or altered). The bidder must initial all the pages of this bid to acknowledge acceptance of understanding. The signed bid must be returned with the proposal.
- 3.1.6. The company, its Directorship and personnel assigned will be subject to vetting by GPL's Security Services. A register will be requested of the successful company.
- 3.1.7. The bidder must certify that the personnel identified in its response to this bid will be the persons assigned to GPL. Any changes in the personnel from those identified in the response to the Bid must be approved by GPL. GPL may, at its discretion, require the removal and replacement of any of the bidder's personnel who do not perform adequately.

### 3.2 SUBMISSION OF BID PROPOSAL

- 3.2.1 This bid must be submitted in accordance with the format, times and place as prescribed in the bid document.
- 3.2.2 All responses must conform to instructions. Failure to provide relevant information, signatures or any other requirements of this bid will be considered appropriate cause for rejection of the response and will result in disqualification.
- 3.2.3 Proposals must be submitted with the sections and/or subsections clearly marked. All pages must be numbered consecutively.
- 3.2.4 No faxed or e-mailed bid proposals will be accepted.

### 3.3 BID RESPONSES

- 3.3.1 Bidders' responses must be laid out in the format prescribed in this section.
- 3.3.2 Sections must be clearly labelled as follows:

#### 3.3.2.1 Service Provider Contact Details

- Specify name, position, address and other contact details (e-mail, telephone, and fax) of the person within the bidding organisation responsible for leading the bid process and to whom all correspondence should be directed.
- Who, within the service provider's organisation, will be authorised to conduct the contract negotiations and sign the eventual contract.

#### 3.3.2.2 Service Provider Profile

- Bidder's name and address
- Company / organisation structure
- Commencement date of business
- Certificate of Incorporation



### 3.3.2.3 **Pricing Structure**

- Prices must be quoted in South African currency and must be inclusive of Value Added Tax (VAT) for VAT registered bidders.
- Bidders are further requested to indicate their price in all elements listed on the pricing schedule below.
- Pricing on the pricing schedule is for comparative purposes.
- Prices must remain fixed for the duration of the contract. The pricing schedule must be completed. (SBD 3.3 pricing schedule)
- The total costs must be inclusive of all costs such as delivery, labour rates, Transfer of skills etc.

### 3.3.3 **Quantity of Bids to be Submitted**

- 3.3.3.1 Every prospective bidder must submit one (1) Bid proposal and (1) USB.
- 3.3.3.2 This Bid document, proposal and all other relevant documentation requested must be submitted in one sealed envelope or sealed box. (except for Financial proposal and all references where bidders' costs are displayed in this document, please put this in a separate envelope)
- 3.3.3.3 Bids must be clearly marked on the front as follows: Bid No: GPL015/2023
- 3.3.3.4 Bids must be clearly marked **on the back** as follows:
  - **Bidders Name & Bidders Address**
  - **Bidders Contact Numbers**
- 3.3.3.5 Bid documents may be couriered by registered mail or deposited in the tender box situated at:  
**No 10 FRASER STREET, SAGE BUILDING  
(CORNER HELEN JOSEPH & FRASER STREET)  
1<sup>ST</sup> FLOOR, JOHANNESBURG**

### 3.4 **ACCESSIBILITY OF THE TENDER/BID BOX**

- 3.4.1 The Bid box can be accessed from eight to five (08:00am to 17:00pm). Monday to Friday (including Week-ends and Public Holidays), at, **No 10 FRASER STREET, SAGE BUILDING (CORNER HELEN JOSEPH & FRASER STREET) 1<sup>ST</sup> FLOOR, JOHANNESBURG**
- 3.4.2 Bidders must ensure that bids are delivered in a timely manner and to the correct address. If the bid is late, it will not be accepted for consideration. Bidders must allow sufficient time to access the tender box in the GPL through the visitor's entrance and other security checkpoints.

### 3.5 **OWNERSHIP OF PROPOSALS**

- 3.5.1 All proposals in response to this bid, whether successful or unsuccessful, will become the property of GPL.
- 3.5.2 Any costs incurred by the service providers in preparing and submitting their response will be the sole responsibility of the service provider.

### 3.6 **BID VALIDITY PERIOD**

- 3.6.1 This bid and all proposals (costs included) shall remain binding and valid for a period of 120 days calculated from the closing date of the Bid. Gauteng Provincial Legislature (GPL) reserves the right to notify bidders in writing to extend the above validity period if deemed necessary and in the interest of Gauteng Provincial Legislature (GPL). Any additional extension after the above days, Gauteng Provincial Legislature (GPL) will request approval from bidders.

### 3.7 **JOINT VENTURES OR CONSORTIUM**

- 3.7.1 A Copy of the Trust, Consortium or Joint Venture agreement duly signed must be attached.

- 3.7.2 Ensure one responsible lead Bidder in the case of a consortium or joint venture.
- 3.7.3 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their consolidated B-BBEE status level certificate.

### **3.8 DISCOUNTS**

- 3.8.1 When calculating comparative prices, GPL will consider any discounts which have been offered unconditionally.
- 3.8.2 A discount which has been offered conditionally will be implemented when payment is effected despite not being considered for evaluation purposes.

### **3.9 GENERAL REQUIREMENTS**

- 3.9.1 Prospective bidders may submit their questions to [Amaluleke@gpl.gov.za](mailto:Amaluleke@gpl.gov.za) or contact the person assigned to deal with enquiries on the advertisement for this bid.
- 3.9.2 Any costs incurred by the bidders in preparing and submitting their response to the Request for Bids (RFB) will be the sole responsibility of the bidder.
- 3.9.3 GPL may request bidders to provide additional pricing information to be utilised for comparative purposes during evaluations and content information.
- 3.9.4 GPL reserves the right to invite short-listed bidders to make a presentation to GPL's bids evaluation committee to further clarify or substantiate their submissions.
- 3.9.5 GPL reserves the right not to award this bid in total, or part thereof if minimum requirements is not met.
- 3.9.6 GPL reserves the right, for purposes of promoting the values of competitiveness and fairness, not to award the bid to the highest scoring bidder if such bidder has been awarded a bid by GPL or has performed services for GPL during the last 12 months prior to the closing date of the bid.
- 3.9.7 GPL reserves the right to re-appoint or extend the service of the service provider where there is a natural continuation of assignments.
- 3.9.8 The successful bidder/s will enter into a stipulated contract with GPL for the provision of the required service.
- 3.9.9 The successful bidders, their employees and their sub-contractors must comply with GPL security clearance.
- 3.9.10 The successful bidders must be willing to sign confidentiality or non-disclosure agreement.
- 3.9.11 All items supplied by the successful bidder/s must meet the minimum approved requirements of the South African National Standards.
- 3.9.12 All items supplied by the successful bidder/s must be manufacturer guaranteed.
- 3.9.13 All relevant clearances and/or memberships must be submitted to GPL upon the renewal throughout the duration of the contract.
- 3.9.14 In the event where the order was wrongly printed, the service provider must be able to exchange goods or cancel the order as per the GPL's request.

### **3.10 CENTRAL SUPPLIER DATABASE REQUIREMENTS**

- 3.10.1 Bidders should register on the Central Supplier Database (CSD) to upload information namely, (Business Registration/Directorship/Membership/Identity Numbers/Tax Compliance Status and Banking Information for verification purposes) B-BBEE Certificate or sworn affidavit for B-BBEE.
- 3.10.2 This bid is subject to the Preferential Procurement Policy Framework Act and the Preferential Procurement Regulations of 2017, Financial Management of Parliament and Provincial Legislatures Act of 2009 and the Financial Management of Parliament and Provincial Legislature Regulations of 2015, the General Conditions of Contract (GCC) and, if applicable, any other Special Conditions of Contract (SCC).
- 3.10.3 GPL cannot award contracts to provide goods and/or services to a Member of GPL or Cabinet, a Member of a Provincial Legislature or Member of a Provincial Executive Council, a municipal councillor, a person in the employ of the state/government whose participation in bidding for the contract may result in a conflict of interest, or organ of state in which any of the mentioned persons is a Director or has controlling or other substantial interest.

### **3.11 VISITS / MEETINGS / INSPECTION**

- 3.11.1 As part of the adjudication process, GPL may request certain providers to organise a visit to an existing facility under the management of the service provider to gain an understanding of the provider's service standards.

- 3.11.2 GPL may require presentations or meetings with bidders, at the cost of bidders, as part of the evaluation process to provide further information, submission of substantiating documentation or clarification to GPL as deemed necessary.

### **3.12 AWARD OF BID**

- 3.12.1 The award of this Bid by the Secretary to GPL shall constitute a binding contract, and such acceptance shall be by means of a letter.
- 3.12.2 GPL reserves the right not to award this contract.
- 3.12.3 Contract will be concluded with the successful service provider.

### **3.13 SUBCONTRACTING**

- 3.13.1 A bidder shall not be awarded the points claimed for B-BBEE status level of contribution if it is indicated in the bid documents that such a bidder intends subcontracting more than 25% of the contract value to any other enterprise that does not qualify for at least the same number of points that the bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 3.13.2 A contractor is not allowed to sub-contract more than 25% of the contract value to another enterprise that does not have equal or higher B-BBEE status level, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 3.13.3 In relation to a designated sector, a contractor must not be allowed to subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.

### **3.14 SUBCONTRACTING AFTER AWARD OF TENDER**

- 3.14.1 A person awarded a contract may only enter into a subcontracting arrangement with the approval of the organ of state.
- 3.14.2 A person awarded a contract in relation to a designated sector, may not subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 3.14.3 A person awarded a contract may not subcontract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level of contributor than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.

### **3.15 FRONTING**

- 3.15.1 The GPL supports the spirit of broad based black economic empowerment and recognizes that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent and legally compliant manner. Against this background the GPL condemns any form of fronting.
- 3.15.2 The GPL, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade, Industry and Competition (the dtic), be established during such enquiry / investigation, the onus will be on the bidder / contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the bid/contract and may also result in the restriction of the bidder /contractor to conduct business with the public sector for a period not exceeding ten years, in addition to any other remedies the GPL may have against the bidder / contractor concerned.

### **3.16 SECURITY AND OCCUPANCY**

- 3.16.1 Where applicable, All the areas covered by this contract fall within areas defined in the relevant Security and Access Acts as "Restricted Areas" and all of the provisions of these Acts will apply to this contract.

- 3.16.2 Where applicable, all buildings involved in this contract are subject to stringent access control for all personnel and for materials delivered to and removed from the site. In addition, all workmen and staff on site or in any way involved in this contract are subject to prior security clearance. Bidders will be required to submit a list of the minimum sufficient persons required affecting the work on site plus those directly involved on site with this contract. If any person is rejected for security reasons Bidders will be required to replace them on their list. If the Bidder is ultimately unable to offer personnel with satisfactory security clearance his Bid may be rejected on such grounds.
- 3.16.3 Any person rejected by the SAPS for failing to meet the security requirements, inclusive of security clearance, wandering away from an escort or from the immediate contract area, or any misconduct on the site will immediately, without any recourse by the Contractor, be removed from site and refused re-entry to site. This refusal to site shall be in addition to any legal action the SAPS may institute.
- 3.16.4 Signing of contract will be required to hand in to the GPL Security Unit within 48 hours after being requested, following formal acceptance of the Bid, the following information:
- Full names of each of the persons intended to be utilised on site, including supervisory staff.
  - Position in firm plus service to be performed.
  - Intended areas they will be working in.
  - A copy of Identification Document, certified as a true copy of the original by the SAPS. Such document shall be the original certified copy.
  - Home address.
- 3.16.5 Bidders are recommended to have such documentation, both for their own staff and for their Sub-contractors, if applicable, available prior to the closing date of Bids so as to minimise delays in security clearance of personnel once the Bid is awarded.
- 3.16.6 Any time lost due to delays in submitting the called for list of personnel required entering site, the rejection of personnel on the list, or the subsequent removal and banning from site of personnel will not be accepted as motivation for extension of the contract period.
- 3.16.7 Such clearance shall remain valid for a period not exceeding 12 months and shall only apply for one project at a time.

### **3.17 SAFEGUARDING OF DOCUMENTS**

- 3.17.1 All documents will be individually numbered on issue and records kept as to what documents have been issued to whom.
- 3.17.2 All documents issued to sub-contractors or suppliers must be signed for, and such sub-contractors and suppliers must also accept responsibility for the safeguarding of such documents while they are in their possession.
- 3.17.3 All documentation shall be strictly handled as set out in the SSA Minimum Information Security Standards (MISS), a copy of which shall be provided to the successful contractor at the time of site hand over.
- 3.17.4 It will be the main contractor's responsibility to familiarise themselves with the MISS document and make sure his personnel and sub-contractors are advised accordingly.

### **3.18 BID CANCELLATION**

- 3.18.1 GPL may amend or cancel this Bid before the award should it deem it necessary.
- 3.18.2 GPL may before the award of a bid, cancel a bid if – but not limited to:
- due to changed circumstances there is no longer need for the goods and services specified in the invitation.
  - funds are no longer available to cover the total envisaged expenditure
  - no acceptable bid is received; or
  - there is a material irregularity in the bidding process
  - there is material change of scope after the tender has closed.

### **3.19 DELIVERY ADHERENCE**

- 3.19.1 Delivery of services must be made in accordance with the instructions appearing on the official Purchase Order issued by GPL.
- 3.19.2 All deliveries or dispatches must be accompanied by a delivery note stating the official order number against which the delivery/milestone has been affected.
- 3.19.3 Deliveries not complying with the order forms will be returned to the supplier or service provider's expense.

**1) IF THE BIDDER IS IN PARTNERSHIP / JOINT VENTURE / CONSORTIUM.**

We the undersigned partners / joint ventures / consortium, tendering as

.....  
.....

hereby authorize .....

to sign this Bid as well as any contract resulting from this Bid and any other documents correspondence in connection with this Bid and/or contract on our behalf.

FULL NAMES:..... CAPACITY .....

SIGNATURE .....

**2) IF THE BIDDER IS A ONE PERSON BUSINESS / SOLE TRADER.**

I, the undersigned .....

hereby confirm that I am the sole owner of the business trading as .....

.....

**3) IF THE BIDDER IS SUB-CONTRACTING.**

I, the undersigned .....

hereby confirm that I will be sub-contracting work to the following company/companies

.....

.....

If more than 25% of the contract/work you enter into GPL is to be subcontracted, indicate the following details:

Sub-contractor's name	Value of work to be sub-contracted	% of work to be sub-contracted	BBBEE Level of the sub-contractor

**I/WE, THE UNDERSIGNED, WHO WARRANTS THAT HE/SHE IS DULY AUTHORISED TO DO SO ON BEHALF OF THE FIRM ACKNOWLEDGE THAT:**

- 1) The information furnished is true and correct.
- 2) In the event of a contract being awarded as a result of points claimed, the contractor may be required to furnish documentary proof to the satisfaction of GPL that the claims are correct.
- 3) If the claims are found to be incorrect, GPL may, in addition to any other remedy it may have –:
  - a) recover all costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - b) 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;
- 4) Impose a financial penalty more severe than the theoretical financial preference associated with the claim which was made in the Bid.
- 5) I hereby undertake to render services described in the attached Bidding documents to GPL in

- 6) accordance with the requirements and task directives / proposals specifications stipulated in this Bid proposal at the price/s quoted. My offer/s remains binding upon me and open for acceptance by GPL during the validity period indicated and calculated from the closing date of the Bid.
- 7) I confirm that I have satisfied myself as to the correctness and validity of my Bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
- 8) I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
- 9) Declare that I have no participation in any collusive practices with any Bidder or any other person regarding this or any other Bid.
- 10) I confirm that I am duly authorised to sign this contract.

#### **DECLARATION**

I hereby agree that, in the event of false, incorrect or misleading information being provided in this declaration, the Secretary to GPL shall have the right to:

- recover any losses or damages sustained by GPL under such agreement
- restrict the supplier from further business with GPL depending on the materiality of the misrepresentation and the degree of prejudice suffered.

Name of Representative: \_\_\_\_\_

Identity number: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_


#### **COMMISSIONER OF OATHS**

*I certify that the above has acknowledged that he/she knows and understands the contents of this document, that he/she does not have any objection to taking the oath, and that he/she considers it to be binding on his/her conscience, and which was sworn to and signed before me at \_\_\_\_\_ on this the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, and that the administering oath complied with the regulations contained in Government Gazette No. R 1258 of 21 July 1972, as amended.*

\_\_\_\_\_ (Sign – SERVICE PROVIDER)

\_\_\_\_\_ (Name – SERVICE PROVIDER)

COMMISSIONER OF OATHS STAMP AND DETAILS OF PERSON
<b>STAMP</b>  NAME & SURNAME:  DESIGNATION/RANK:  PERSAL/EMPLOYEE NO/SERVICE NUMMBER:  PLACE/DATE:

 <p><b>GAUTENG</b> LEGISLATURE <small>Your View — Our Vision</small></p>	<p><b>Terms of Reference</b></p>	<p><b>Section 6</b></p>
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## TERMS OF REFERENCE

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**APPOINTMENT OF THE SERVICE PROVIDER TO UNDERTAKE ROOFING REMEDIAL TO TILED PORTION OF THE ROOF OF THE CITY HALL BUILDING FOR GAUTENG PROVINCIAL LEGISLATURE FOR A PERIOD OF 6 (SIX) MONTHS**

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## **1. INTRODUCTION**

- 1.1. To provide prospective contractors with adequate information to understand and respond to GPL's requirements in respect of the required roofing remedial works required for the main building.
- 1.2. To provide prospective contractors with opportunity to present GPL with best suitable options to enable undertaking of the project, both in terms of price and quality.
- 1.3. The process to invite tender submissions emanates from the following process: -
  - a) Condition Assessment was conducted in 2015/16 Financial Year to indicate areas which required remedial works/upgrades to be undertaken.
  - b) Consulting Engineers were appointed to undertake scoping works required and prepare specifications for the works required.
  - c) Heritage consultant was appointed to ensure that the heritage requirements were complied with.
  - d) Approval of scope of works was undertaken internally by the directorate (Operational Support Services and included Building Manager and Safety Officer)
  - e) Heritage approval was granted by PHRA-G.

## **2. BACKGROUND**

- 2.1. Gauteng Provincial Legislature is housed in the City Hall Building, a heritage building which is more than 100 years old and situated at the CDB of Johannesburg. The Sittings of the House are undertaken within this building and the precinct has also been declared a National Key Point (NKP) Site.
- 2.2. AFMS Group (Pty) Ltd was appointed to render the condition assessment services on the Gauteng Provincial Legislature (GPL) building in the 2015-16 financial year. Based on the condition assessment findings, waterproofing and roofing remedial works were found to be an area requiring urgent attention. At the time of assessment, it was determined that the roof areas require urgent repairs and waterproofing to all defective and damaged areas including guttering, fascia boards, flashings, and full-bore outlets.
- 2.3. The project is expected to respond to the recommendations of the conditions assessment which was undertaken to:
  - 2.3.1. ensure effective and efficient asset management in compliance with the requirements of requisite legislation and regulations.
  - 2.3.2. improve stakeholder satisfaction in respect of GPL facilities.
  - 2.3.3. ensure that minimal damage is caused to GPL assets that may arise from leakages of the roof.
  - 2.3.4. ensure the building complies with requisite building, health and safety requirements thus contributing to a conducive working environment and stakeholder's satisfaction with the facility.
- 2.4. The project is envisaged to ensure compliance to amongst others, the following legislations, and regulations: -
  - a) National Building Regulation and Standards Act 103 of 1977 as amended
  - b) Occupational Health & Safety Act (OHASA)
  - c) Municipal Bylaws



- d) SANS 10400
- e) SANS 204
- f) Government Immovable Asset Management Act No. 19 of 2007
- g) Heritage Resources Act No. 25 of 1999
- h) National Department of Public works – Construction Works Specifications Edition 2.1 July 2014

### 3. OBJECTIVE

- 3.1. The objectives of this Project are to appoint a competent, qualified contractor to undertake the required scope of works as per specifications at the best quality and in compliance with requisite regulations and legislation for the rehabilitation of a heritage site.

### 4. THE ROLE OF CONTRACTOR FOR ROOFING REMEDIAL WORKS

- 4.1. To undertake all relevant works to ensure required remedial waterproofing and roofing works are completed as specified in the Bills of Quantities, Scope of Works and Specifications which form part of the tender documents.
- 4.2. The Contractor must ensure that the works to be undertaken is compliant with all requisite legislations and regulations.
- 4.3. The contractor must provide the require equipment and material for scaffolding access to the roof.
- 4.4. The Contractor must obtain Wayleaves from JRA for street level access, hoarding and barricading.
- 4.5. **Risk Assurance:** The Contractor must, at his own expense, take out sufficient insurance against any claims, costs, loss, and/or damage ensuing from its obligation and shall ensure that such insurance remains operative for the duration of this project.

4.5.1. The following table illustrate the cover required

<b>Risk Insurance Description Insurance</b>	<b>Cover</b>
Theft & Malicious Damage	R 1 000 000
Work Insurance	R 2 500 000
Public Liability Limit	R 5 000 000

4.5.2. A copy of all Risk Insurance Liability must be handed to GPL upon commencement of the project by the successful contractor.

- 6.4.1 **Occupational Health & Safety:** The Contractor must ensure compliance to Occupational, Health and Safety Act for the duration of contract. The following must be submitted:
- a) Safety practices must be submitted with the proposal
  - b) An OHS file must be prepared and handed in upon receipt of an appointment letter and acceptance of the appointment or offer thereof.

### 5. SCOPE OF WORK

#### 5.1. Pitched Tiled Roofs

5.1.1. The area of work which must meet heritage requirements and has the greatest potential for a negative impact on the buildings cultural and historic significance is the proposed replacement of the roof tiles. While this work is essential from a maintenance point of view if incorrectly carried out, it can be very damaging and detrimental to the building. For these reasons, the following scope of work is to be conducted

#### **5.1.1.1. Replacement of Tiles:**

5.1.1.1.1. Tiles are replaced with new, the structure waterproofed, and gutters replaced. This work will be comprised of the following:

- a) Carefully strip existing clay and concrete tiles to allow for potential storage and reuse.
- b) Remove and dispose of all gutters and selected downpipes to professional team's approval.
- c) Clean, inspect, repaint and seal existing metal sheeting underneath tiles
- d) Install new battens to metal sheeting for new tiles.
- e) Install new tiles, tile type must match the appearance of the old clay tiles as best as possible to the specification approved by professional team.
- f) Seal all valleys, hips, and ridges.
- g) Install new profile rolled aluminium gutters and downpipes with a profile to match the existing.
- h) Existing cast iron down pipes to be retained and reused/relined with new to match the existing.
- i) Reinstate lightning conductors in place.

#### **5.1.1.2. Detailed Scope of Works, Specifications and Bills of Quantity**

5.1.1.2.1. Detailed scope of works, specifications, and Bills of Quantity has been prepared and forms part of the tender documents (**Please refer to Annexures B and C for more information**).

### **6. REQUIRED COMPETENCIES**

- 6.1. The contractor must provide confirmation and details demonstrating relevant experience of working on historic buildings – minimum of 1 (one) site.
- 6.2. The contractor must provide confirmation and details demonstrating relevant experience of working with the specified or similar roof tile.
- 6.3. Valid proof of CIDB Grade: Grade 5 SN or Grade 5 GB or Grade 5 CE.
- 6.4. The Contractor must be registered for COIDA and a Letter of good standing must be submitted with the proposal.

### **7. KEY ASSUMPTIONS**

- 7.1. The Contractor has the requisite skills, capacity, and expertise to undertake the works as outlined in the scope of works provided.
- 7.2. The Contractor complies with all requirements in respect of safety and heritage requirements.

### **8. PERIOD OF THE ASSIGNMENT**

- 8.1 The service provider should commence and complete the assignment within a period of 6 months from the date of the award.

### **9. EVALUATION CRITERIA**

9.1. The GPL needs to be satisfied, in all respects, that the service provider selected has the necessary resources, qualifications, and abilities for this project, and that all submissions are regarded in a fair manner in terms of evaluation criteria and process.

### 9.2.1 Phase 1: Administrative Compliance (Preliminary Evaluation)

9.2.1.1 To be conducted by SCM to confirm compliance and completeness of documents, i.e., Tax compliance, completed standard bidding documents as per the tender document, and other documentation that might have been required for the tender (e.g.ID copies, samples, etc).

9.2.1.2 Only those proposals whose compliance is in order will move to **Phase 2 (Evaluation of Objective Criteria)**.

### 9.2.2 Phase 2: Objective Criteria

9.2.2.1 This phase requires the bidder to provide the following mandatory documents:

9.2.2.1 Valid proof of CIDB Grading: Grade 5 SN; or Grade 5 GB; or Grade 5 CE

9.2.2.2 Valid Letter of Good Standing (COIDA)

9.2.2.3 Safety Practices

9.2.2.2 Failure to submit the above-mentioned documents may result in disqualification. Only those proposal whose submission is in order will move on to **Phase 3 (Evaluation of Functionality)**.

### 9.2.3 Phase 3: Technical/Functionality Criteria (100)

This phase measures the capability and capacity of the service provider to deliver on the assignment. The below criterion will be applied to score the proposals from which a service provider must score a minimum of 70 points to be considered for **Phase 4 of the evaluation**.

Criteria	Scoring Guide	Max Points								
<b>Approach Paper – Method Statement</b>  A project execution plan indicating how the objectives will be achieved in 6 months should be included.  The contractor must allocate requisite resources to ensure completion within the stipulated period.	<b>Methodology</b> Due to the premises being occupied, bidders must provide brief articulation of layout, plans, and methods of how the work will be carried out with minimal business disruptions. NB: Bidder to submit detailed information with the below-listed items as a minimum which will be scored as follows: <table><tr><th>Description</th><th>Score</th></tr><tr><td>Rubble removal/ Mechanism for rubble removal</td><td>5</td></tr><tr><td>Dust management: the methodology used to contain dust and Noise management</td><td>10</td></tr><tr><td>Flexibility to work after hours and on weekends</td><td>5</td></tr></table>	Description	Score	Rubble removal/ Mechanism for rubble removal	5	Dust management: the methodology used to contain dust and Noise management	10	Flexibility to work after hours and on weekends	5	20
Description	Score									
Rubble removal/ Mechanism for rubble removal	5									
Dust management: the methodology used to contain dust and Noise management	10									
Flexibility to work after hours and on weekends	5									
<b>Risk Management Plan</b> A comprehensive Risk Management Plan must be submitted for the project as per <b>Annexure D</b>	<table><tr><th>Description</th><th>Score</th></tr><tr><td>Unrelated to construction or No Plan</td><td>0</td></tr><tr><td>Generic RM plan (Not addressing or specific to the GPL waterproofing project)</td><td>5</td></tr></table>	Description	Score	Unrelated to construction or No Plan	0	Generic RM plan (Not addressing or specific to the GPL waterproofing project)	5	10		
Description	Score									
Unrelated to construction or No Plan	0									
Generic RM plan (Not addressing or specific to the GPL waterproofing project)	5									

Criteria	Scoring Guide		Max Points														
	Specific to the project (see attached template, Annexure D)	10															
<b>Tenderer's Experience:</b> The experience of the tenderer or joint venture partners in the case of an unincorporated joint venture or Consortium, as opposed to the key staff members/experts in similar projects or similar areas and conditions about the scope of work over the last ten (10) years, will be evaluated (see Annexure A)	<b>Experience (Annexure A)</b> List of all projects based on similar (waterproofing/roofing), value, and size completed in the past ten (10) years. <table><tr><th>Description</th><th>Score</th></tr><tr><td>Details not submitted as per annexure A</td><td>0</td></tr><tr><td>Details submitted as per annexure A (Project List)</td><td>10</td></tr></table> <b>Signed References for projects above R500 000.00</b> Experience as a contractor for similar projects done in the past ten (10) years with a value above of R500 000.00 and above. <table><tr><th>Description</th><th>Score</th></tr><tr><td>Three (3) similar projects with relevant signed references or completion certificates per project provided</td><td>15</td></tr><tr><td>Two (2) similar projects with relevant signed references or completion certificates per project provided</td><td>10</td></tr><tr><td>One (1) similar project with relevant signed references or completion certificates per project provided</td><td>5</td></tr></table>		Description	Score	Details not submitted as per annexure A	0	Details submitted as per annexure A (Project List)	10	Description	Score	Three (3) similar projects with relevant signed references or completion certificates per project provided	15	Two (2) similar projects with relevant signed references or completion certificates per project provided	10	One (1) similar project with relevant signed references or completion certificates per project provided	5	25
Description	Score																
Details not submitted as per annexure A	0																
Details submitted as per annexure A (Project List)	10																
Description	Score																
Three (3) similar projects with relevant signed references or completion certificates per project provided	15																
Two (2) similar projects with relevant signed references or completion certificates per project provided	10																
One (1) similar project with relevant signed references or completion certificates per project provided	5																
<b>Capacity – Human Resources</b>	<b>Personnel</b> The number of staff allocated to this project, their roles/positions, qualifications, and competencies <table><tr><th>Description</th><th>Score</th></tr><tr><td>Organogram and role of all staff members on the project</td><td>10</td></tr></table> <b>Experience/capability Project Manager / Foreman</b> (CVs and certificates submitted, Proof of competency i.e., training/qualification certificates and proof of registration with relevant professional bodies). <table><tr><th>Description</th><th>Score</th></tr><tr><td>CV and certificates submitted for the Foreman/Project Manager</td><td>5</td></tr><tr><td>CV and certificates submitted for the Health and Safety Officer</td><td>5</td></tr></table>		Description	Score	Organogram and role of all staff members on the project	10	Description	Score	CV and certificates submitted for the Foreman/Project Manager	5	CV and certificates submitted for the Health and Safety Officer	5	20				
Description	Score																
Organogram and role of all staff members on the project	10																
Description	Score																
CV and certificates submitted for the Foreman/Project Manager	5																
CV and certificates submitted for the Health and Safety Officer	5																
<b>Project Schedule (Gantt Chart)</b> Detailed project schedule (Gantt Chart) which is	<table><tr><th>Description</th><th>Score</th></tr></table>		Description	Score	15												
Description	Score																

Criteria	Scoring Guide		Max Points				
specific to the project and covers the following aspects: <ul style="list-style-type: none"><li>• Key tasks,</li><li>• Sub-tasks,</li><li>• Key Milestones,</li><li>• Critical paths</li></ul>	The project schedule submitted indicates a construction program period of more than 6 months and not exceeding 7 months	5					
	Project schedule submitted indicating construction program period of 6 months or less	15					
<b>Professional Affiliation</b>  Submit valid proof of professional affiliation.	<table><tr><th>Description</th><th>Score</th></tr><tr><td>Waterproofing Association</td><td>10</td></tr></table>		Description	Score	Waterproofing Association	10	<b>10</b>
Description	Score						
Waterproofing Association	10						
<b>TOTAL POINTS</b>			<b>100</b>				
<b>CUT OFF POINTS</b>			<b>70</b>				

### 9.3 Phase 4: Price and BEE Status Level of Contributor (100)

9.3.1 Only bidders that score a minimum score of **70 points and above out of 100 points on Functionality** will qualify for this phase which will determine the bidder (s) to be recommended for approval by the delegated authority. The 80/20 Preference points system will be applied using the below formula to calculate price:

The following formula will be used to calculate the points for price: <b>Criteria</b>	Points
Price Evaluation $Ps \ 80 \left( 1 - \frac{Pt - P \min}{P \min} \right)$	80
<b>BEE Status Level of Contributor</b>	20
<b>TOTAL</b>	<b>100</b>

Where,

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

9.3.2 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table as set out in the Preference Points Claim Form (SBD 6.1)

B-BBEE Status Level of Contributor	Number of Points
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

**SBD 3.1**

**PRICING SCHEDULE – FIRM PRICES  
(PURCHASES)**

**NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

**IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT**

Name of bidder.....	Bid number.....
Closing Time 11:00	Closing date.....

OFFER TO BE VALID FOR.....DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
<hr/>			
-	Required by:	.....	
-	At:	.....	
		.....	
-	Brand and model	.....	
-	Country of origin	.....	
-	Does the offer comply with the specification(s)?		*YES/NO
-	If not to specification, indicate deviation(s)	.....	
-	Period required for delivery	.....	
			*Delivery: Firm/not firm
-	Delivery basis	.....	

**Note:** All delivery costs must be included in the bid price, for delivery at the prescribed destination.

\*\* "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

\*Delete if not applicable

## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

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

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

### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of institution	State

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

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



2.2.1 If so, furnish particulars:

.....  
.....

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

2.3.1 If so, furnish particulars:

.....  
.....

### 3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements, or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements, or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are

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<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

.....	.....
Signature	Date
.....	.....
Position	Name of bidder

**THE END**