The Playhouse Company

an agency of the
Department of Sport, Arts & Culture

BID FOR:
SUPPLY & INSTALL A NEW FRONT OF HOUSE CANOPY AT THE PLAYHOUSE COMPANY, DURBAN.

BID NUMBER: PHC 88/2024

The Playhouse Company The KwaZulu-Natal Performing Arts Company Contact: Mr. Siya Manqele Email: accountingassistant@playhousecompany.com Tel: (031) 369 9507 Fax: (031) 306 2166	**The Playhouse Company** The KwaZulu-Natal Performing Arts Company Contact: Mrs. Kay Khan Tel: (031) 369 9425 Fax: (031) 306 2166
Name of bidder: . . . . **Tender amount (VAT Inclusive): R**	

Closing date : 12 July 2024

Time : 11:00 am

Validity period: 90 days from closing date

BIDDERS ARE RESPONSIBLE TO ENSURE THAT THE BID DOCUMENTS ARE COMPLETE AND ALL PAGES ARE SECURELY ATTACHED.

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PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (*NAME OF DEPARTMENT/ PUBLIC ENTITY*)					
BID NUMBER:	PHC 88/2024	CLOSING DATE:	12 July 2024	CLOSING TIME:	11:00am
DESCRIPTION	SUPPLY & INSTALL A NEW FRONT OF HOUSE CANOPY AT THE PLAYHOUSE COMPANY, DURBAN.				

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)*

The Playhouse Company

29 Acutt Street

Durban central

4001

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:	
CONTACT PERSON	Siya Manqele	CONTACT PERSON	
TELEPHONE NUMBER	031-369 9507	TELEPHONE NUMBER	
E-MAIL ADDRESS	accountingassistant@playhousecompany.com	E-MAIL ADDRESS	

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
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	☐Yes ☐No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?	☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO

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

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER: ……

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

DATE: …….

SECTION 2: SPECIAL INSTRUCTIONS TO BIDDERS

1. RESPONSIVENESS CRITERIA

The Playhouse Company will consider no BID unless it meets the following responsiveness criteria. If a NO response is indicated for any one of the items below, the BID WILL BE DISQUALIFIED:

Mark with an "X"				Failure to complete this section will result to a disqualification
YES		NO		Bids must be submitted electronically on eTender portal or to accountingassistant@playhousecompany.com via email or a secure link for download on or before the deadline, clearly indicating the description of the service and the Bid number for which the BID is submitted.
YES		NO		Central Supplier Database (CSD) registration report not older than 2 weeks from the date the tender closes and must reflect a compliant tax status.
YES		NO		SARS Issued pin or Valid Tax Clearance Certificate.
YES		NO		Recent financial statements for the past 3 years, signed by the Accounting Officer and accompanied by a signed Audit Reports or Independent Reviewers' Report. Compilation reports will not be considered.
YES		NO		CIDB Grading 3GB or higher.
YES		NO		Complete BOQ inclusive of VAT which agrees to the price stipulated in the bid document.
YES		NO		List of intended site staff and CVs of key personnel.
YES		NO		Programme timeline showing sequence of construction and duration.
YES		NO		Profile with only 5 written reference letters relating to structural steel fabrication and erection as well as building works similar in nature (not older than ten (10) years).
YES		NO		Letter of Good standing from the Workmen's Compensation Fund (COID).
YES		NO		Public Liability.
YES		NO		Complete SBD documentation.

2. BID PROCEDURES AND INSTRUCTIONS

In the procedures described below, kindly interpret the singular to include the plural. (A list of contact telephone numbers appear at the end of this section and on the cover).

Bidders are asked to:

Yes No Review all the documentation as listed above.

Yes No Complete the bid documents as indicated. (Use black ball point pen). Any alterations made must be initialed.

Yes No Send the completed bid electronically on eTender portal or to accountingassistant@playhousecompany.com via email or secure link for download, **on or before bid closing date and time**.

No bids will be accepted after the cut-off time.

Bids submitted will be reviewed in accordance with our SCM Policy, National Treasury Regulations and the PFMA and the PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC)

Acceptance of contract of Agreement shall be simultaneous with the award of the bid to the successful bidder.

There shall be a **public opening** of the Bids received, with the **names of the bidders announced only** and a list of the bids received will be published on The Playhouse Company website. There shall be no discussions with any enterprise until evaluation of the bid has been complete. Any subsequent discussions shall be at the discretion of The Playhouse Company. Unless specifically provided for in the bid document, bids submitted by means of telegram, telex, facsimile or similar means shall not be considered.

SECTION 3: TAX CLEARANCE REQUIREMENTS **SBD 2**

It is a condition of bid that the taxes of the successful bidder **must** be in order, or that satisfactory arrangements have been made with South African Revenue Services (SARS) to meet the bidder's tax obligations.

1. In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to Foreign bidders/individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Clearance Certificate or SARS Issued pin that will be valid for a period of 1 (one) year from the date of approval.
3. The original tax clearance certificate or SARS Issued pin must be submitted together with the bid. Failure to submit a compliant tax status will result in invalidation of the bid.
4. In bids where Consortia/Joint Ventures/Sub-contractors are involved, each party must submit a separate tax clearance certificate.
5. Copies of the TCC 001 "Application for a tax clearance certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za
6. Applications for the tax clearance certificate may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za

~~**Section 4: APPLICATION FOR TAX CLEARANCE CERTIFICATE**~~
~~**Refer to Annexure A**~~

SECTION 5: INFORMATION FOR SERVICE PROVIDERS

1. BACKGROUND

The Playhouse Company comprises prime live theatre venues in the Province of KwaZulu Natal (KZN). The Playhouse Company is situated in the heart of Durban Central Business District. It is a multi venue complex housed within Tudor and Moorish style buildings. The theatres were restored to their former glory and were combined to form KwaZulu Natal's live entertainment complex known as The Playhouse Company which re-opened in 1986. The Playhouse Company employs its resources and facilities for a variety of artistic programs. The objectives of The Playhouse Company are to:

- Empower talented, gifted and previously disadvantage people of the Province of KwaZulu Natal
- To provide artistic skills through projects and programs.
- To create an environment that will nurture growth, innovation and excellence in all performance art forms and
- Ultimately to contribute towards a vibrant culture in the leisure and entertainment industry that will provide employment to cultural practitioners in the region as well as make a significant contribution to KwaZulu Natal.

The KwaZulu-Natal Performing Arts Company trading as The Playhouse Company was declared a Cultural Institution by the Minister of Arts Culture, Science & Technology in March 2003, in terms of Section 3 (1) of the Cultural Institutions Act 1998 (Act No 119 of 1998)

The Playhouse Company is a Schedule 3 Public Entity classified in terms of the Public Financial Management Act. The Playhouse Company was de-registered for VAT by SARS effective 31/03/2005 as for all such Public Entities.

2. REQUIREMENT OF THE BID

The requirement of this bid is for the provision of services/goods as stated on the cover page.

2.1 TERMS OF ENGAGEMENT

The bid will be for the duration of the services/goods as stated on the cover page. The timelines are as follows:

1. Placing of advert	19 June 2024
2. Compulsory site briefing	26 June 2024 @ 11:00am
3. Closing of tender	12 July 2024 @11:00am
4. Tender award to successful bidder	31 July 2024
5. Contractor commencement	01 August 2024

We do not guarantee that the award date and contract commencement date will materialise as indicated, we reserve the right to change them as and when required.

2.2 CANCELLATION OF TENDER

The Playhouse Company's Accounting Officer (AO) or Accounting Authority (AA) may, before the award of a tender, cancel a tender invitation if:

1. Due to changed circumstances, there is no longer a need for the goods or services specified in the invitation;
2. Funds are no longer available to cover the total envisaged expenditure;
3. No acceptable tender is received;
4. There is a material irregularity in the tender process; or
5. Negotiating a fair market price has failed.

2.3 SCOPE OF WORK

Refer to SECTION 17 for detailed documentation and instructions.

3. REQUIRED BIDDING FORMAT AND CONTENT

The bid should include at least the following information:

1. First / Front page listing clearly:

1. Service Provider's registered name of company and company registration number.

2. Contact details for tender clarifications purposes (person/s name, telephone, cell phone and fax numbers, e-mail address, physical and postal addresses)

2. Description of business:

1. The bidder's business outline (focus area, turnover, profit, structure, shareholding, information technology, staff training etc.)

   1.1. Involvement of SMME/s

   1.2. Location of Business Base

3. Track Record

3.1 Yes No Similar contracts performed or currently being performed (experience within the industry). A minimum of five (5) current references for verification purposes.

Company Name	Contact Person	Contact Number	Contract Value
1.			
2.			
3.			
4.			
5.			

3.2 Yes No Client references to be submitted including individual names and contact telephone numbers. The bidder's permission is required by The Playhouse Company to pursue references on the Contractors performance

4. Financial bid should provide as much detail as possible.

4.1 See section 17 for financial proposal.

5. Proposed Contract Workers

5.1 Organogram of management and ownership.

1. Partner/s or Director/s with detailed CV/s.

2. Summary CV/s (experience, skills, qualifications) of senior supervisory individuals.

6. Commencement of contract

6.1. Yes No The successful service provider will be required to commence with the services as per the dates detailed under 2.1 Terms of Engagement above.

SECTION 6: CONTRACTUAL DOCUMENTATION

Contractual documentation required in respect of the tender are as follows:-

☐ Yes No Proof of insurance – Public Liability Insurance

SECTION 7: REGISTRATION OF SUPPLIERS ON THE PLAYHOUSE COMPANY DATABASE

Suppliers must be registered on the National Treasury's Central Supplier Database (CSD) on www.csd.gov.za.

A CSD Registration report must accompany this document on submission.

CSD Registration Report attached? Yes No

1. **OWNERSHIP**

1.1 Is there equity ownership by BEE? **YES / NO**

1.2 Is this a joint Venture Entity? **YES / NO**

1.3 If 1.1 or 1.2 is yes, provide names of Black partners hereunder and % shareholding/ holding company:

	%		%
	%		%

1.4 What is HDI ownership percentage? …….

2. **EXECUTIVE MANAGEMENT & BOARD MEMBERS' INVOLVEMENT**

2.1

Full Name	ID Number	SA Citizen before 27/4/94 Yes/No	Capacity: Member/ Partner/ Shareholder/ Trustee/ Beneficiary	% Owner ship/Part nership/ Trust/ Interest	M/F	Disabled Yes/No	HDI Yes/ No	(*) Race W/B/ I/C/ Other	%of Time devoted to the Business

(*) NB: The request for the Race of a person herein is required for STATISTICAL PURPOSES ONLY and is not intended to prejudice any Service Provider in any manner whatsoever.

LEGEND

(M) – Male (F) – Female (W) – White (B) – Black (I) – Indian (C) – Coloured

2.2 What percentage comprises Black Senior Management? ……..

3. **HUMAN RESOURCES**

3.1 Is there an Employment Equity plan in your organisation **YES / NO**

3.1.1 If yes, indicate the DOL (Dept of Labour) status with regard to the plan and attach relevant certificate:

3.2 Please complete the following Employment Equity Statistics:

Occupational Levels	**MALE**				**FEMALE**				**TOTAL**
	B	W	C	I	B	W	C	I	
Top Management									
Senior Management									
Professionally qualified experienced specialists and mid management									
Skilled technical and academically qualified workers, junior management, supervisors, superintendents									
Semi-skilled and discretionary decision making									
Unskilled and defined decision making									
TOTAL									

Key: B – Black, W – White, C – Coloured, I – Indian

3.3 Skills development expenditure as a proportion of total payroll:

3.3.1 What is the total payroll per annum **R**

3.3.2 What is the total training expenditure for the past financial year **R**

3.3.3 What percentage of training expenditure was allocated to HDI's _____**%**

4. **INDIRECT EMPOWERMENT**

4.1 Does your company have a Preferential Procurement Policy? **YES/NO**
And if so do you have a scorecard to measure that?

4.2 What percentage of goods/services were sourced from Black suppliers with a Dept of Trade and Industry weighted average of 20% and above in the past twelve months_____**%**

4.3 Have you invested or offered business and non-business related support to BEE companies **YES/NO**

If yes, state:

Company	**Total Assets**	**Nature of Investment/Support**

5. **SMME STATUS**

Total full-time paid employees	**Total annual turnover**	**Total gross asset value (fixed property excluded)**	**REMARKS (for office use)**

6. **TRADE REFERENCES**

Please provide at least three trade references:

Client	**Contact Person**	**Contact Number**	**Account Number**

I hereby declare the information provided above and contained in the CSD Report is true and correct.

_____ _____

SIGNATURE FOR AND ON BEHALF OF THE APPLICANT COMPANY **DATE**

_____

NAME OF SIGNATORY

_____

CAPACITY OF SIGNATORY (POSITION HELD IN COMPANY)

SECTION 8: PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED.

NAME OF BIDDER: …….. BID NO.: PHC 88/2024

CLOSING DATE: 12 July 2024 CLOSING TIME 11:00 AM

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

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)

Item No.	Item Description	Qty	Unit Price	Total Price (VAT exclusive)	Total Price (VAT inclusive)

- Require 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 _____

- Method of delivery _____

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

SECTION 9: DECLARATION OF INTEREST SBD 4

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 interest1 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 State institution**

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**

2.2.1 If so, furnish particulars:

……
……

1 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.

2.3 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 consortium2 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 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

2 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.

SECTION 10: SITE INSPECTION CERTIFICATE

NB: THIS FORM IS ONLY TO BE INCLUDED AND COMPLETED WHEN APPLICABLE TO THE BID.

Site/building/institution involved:…….

Bid no:……..

Service:……

THIS IS TO CERTIFY THAT (NAME)……

ON BEHALF OF……

VISITED AND INSPECTED THE SITE ON (DATE)..…….

AND IS THEREFORE FAMILIAR WITH THE CIRCUMSTANCES AND THE SCOPE OF THE SEVICE TO BE RENDERED.

……..
SIGNATURE OF SERVICE PROVIDER OR AUTHORISED REPRESENTATIVE
(PRINT NAME)

DATE:……..

…….
SIGNATURE OF DEPARTMENTAL REPRESENTATIVE
(PRINT NAME)

……
DEPARTMENTAL STAMP
(OPTIONAL)

DATE:……

SECTION 11: EVALUATION CRITERIA

Evaluation of the bid responses will be done in 3 phases (referred to as gate 0, gate I and gate II) and is based on predetermined weightings.

- **GATE 0: Prequalification gate**

1. Central Supplier Database (CSD) registration report not older than 2 weeks from the date the tender closes and must reflect a compliant tax status.
2. SARS Issued pin or Valid Tax Clearance Certificate.
3. Recent financial statements for the past 3 years, signed by the Accounting Officer and accompanied by a signed Audit Reports or Independent Reviewers' Report. Compilation reports will not be considered.
4. CIDB Grading 3GB or higher.
5. Complete BOQ inclusive of VAT which agrees to the price stipulated in the bid document.
6. List of intended site staff and CVs of key personnel.
7. Programme timeline showing sequence of construction and duration.
8. Profile with only 5 written reference letters relating to structural steel fabrication and erection as well as building works similar in nature (not older than ten (10) years).
9. Letter of Good standing from the Workmen's Compensation Fund (COID).
10. Public Liability.
11. Complete SBD documentation.

Please note: Failure to submit the mandatory documentation and information stated above will result to the bid failing the PPPFMA Evaluation

- **GATE I:** Technical Evaluation

1. Only bids with all information supplied in SECTION 12 as requested will be evaluated in Gate I (Technical).
2. A minimum of **75%** on the Gate I Technical Evaluation is required for bids to be considered for Gate II evaluation.

Financial analysis:
Bids that pass through gate I will be evaluated for financial stability, capability and ability to execute the contract

- **GATE II:** PPPFMA 80/20 Evaluation

1. Only bids achieving the minimum GATE I technical evaluation pass rate will be considered for Gate II evaluation.
2. The Gate II evaluation will be conducted according to PPPFMA treasury act rules.
   - Price 80 points
   - Specific Goals 20 points

.

SECTION 12: FUNCTIONALITY EVALUATION CRITERIA

Functionality covers the bidder's technical competency, capability, experience and financial proposal.

Bidders scoring less than 75 out of 100 will be regarded as having submitted a non-responsive bid and will be disqualified. All bidders that score 75 points or more will be evaluated further on points for price and special goals in terms of the 80/20 system.

Please indicate next to each <u>Sub-criteria</u> where the relevant supporting documentation to score you points can be found in your submission.

Quality criteria	Sub-criteria	Weight
1. Technical competence	1. The bidder submitted a comprehensive line-item budget (BOQ) inclusive of VAT. **(5 points)** 2. Project timelines from installation to completion, indicating the different phases of the project: a) Design approval & Sourcing **(2 points).** b) Fabrication **(2 points).** c) Installation **(2 points).** d) Commissioning & Hand-over **(2 points).** e) Project completion period of less than 10 weeks **(1 point).** 3. Methodology for the site installation **(10 points)** a) Outline of how you would carry out the works. This must tie up with the activities listed in the program above. 4. Workshop facilities and workforce size / skill a) ISO accredited or SAIW accredited **(5 points)** 5. QA / QC process in place **(5 points)** a) a site specific quality control plan that ties up with the method statement. 6. HSE and Compliance a) Demonstrate HSE capability (Certification in OSHAS18001 or ISO45001 or ISO14001) **(5 points)**. b) Submit contents page of the most recent HSE file **(5 points)**. c) Submit a copy of the latest HSE policy including **(5 points)**: – Appointments – Medicals – Training records, i.e. First-aid training, Working-at-heights training, etc. – Qualification personnel (trade tested, technical training). – Risk Assessments – PPE register – Toolbox / Safety talks – Inspection lists *Points will be awarded based on the point scale below.*	49

<table>
<tr>
<td>2. Capability</td>
<td>
1. Resumé of the site Project Manager with continuous relevant experience between 3 and 5 years in structural steel fabrication and erection as well as building works:
a) 5 years and more **= 10 points**
b) 4 years **= 8 points**
c) 3 years **= 6 points**
d) Less than 3 years **= 0 points**

2. Resumé of the site Foreman with continuous relevant experience between 3 and 5 years in structural steel fabrication and erection as well as building works:
a) 5 years and more **= 5 points**
b) 4 years **= 4 points**
c) 3 years **= 3 points**
d) Less than 3 years **= 0 points**

3. Project specific organogram **(5 points)**

4. List of intended staff (site specific) showing area of expertise and years of experience **(5 points)**

Points will be awarded based on the point scale below.
</td>
<td>25</td>
</tr>
<tr>
<td>3. Track record and previous experience</td>
<td>
The bidder must provide **only** five (5) written reference letters relating to structural steel fabrication and erection as well as building works similar in nature (not older than ten (10) years).

The reference letters must include the value of the projects completed, contact person, contact number, e-mail address, confirmation of service rendered; and must be duly signed.

Point will be awarded based on the number of relevant reference letters conducted within the last ten years as follows:
<table>
<tr><td></td><td colspan="3">Reference letters for engagement conducted in the:</td></tr>
<tr><td></td><td>Last 0-6 years</td><td>Last 6-8 years</td><td>Last 8-10 years</td></tr>
<tr><td>5 reference letters</td><td>20</td><td>15</td><td>10</td></tr>
<tr><td>4 reference letters</td><td>16</td><td>12</td><td>8</td></tr>
<tr><td>3 reference letters</td><td>12</td><td>9</td><td>6</td></tr>
<tr><td>2 reference letters</td><td>8</td><td>6</td><td>4</td></tr>
<tr><td>1 reference letter</td><td>4</td><td>3</td><td>2</td></tr>
<tr><td>0 reference letters</td><td>0</td><td>0</td><td>0</td></tr>
</table>

Points will be awarded based on the point scale below.

NB: Only 5 relevant reference letters should be submitted and will be considered.
</td>
<td>20</td>
</tr>
</table>

<table>
<tr><td>4. Financial capability</td><td>The bidder is financially stable and have the financial capability to execute the project. The bidder demonstrates the following.
<table>
<tr><td></td><td>Year 1</td><td>Year 2</td><td>Year 3</td><td>Total points</td></tr>
<tr><td>Positive cashflow in the balance sheet</td><td>1</td><td>1</td><td>1</td><td>3</td></tr>
<tr><td>Profitability in the income statement</td><td>1</td><td>1</td><td>1</td><td>3</td></tr>
</table></td><td>6</td></tr>
<tr><td>Total Score</td><td></td><td>100</td></tr>
</table>

Point scale:

(Score 0 - 1 point) Very Poor	Submission fails to meet minimum requirements.
(Score 2 points) Poor	Submission meets **some** minimum requirements but does not fulfill every aspect of the requirement.
(Score 3 points) Average	Submission meets minimum requirements but does not fulfill every aspect of the requirement.
(Score 4 points) Satisfactory	Submission meets minimum requirements and satisfies **most** aspect of the requirement.
(Score 5 points) Excellent	Submission meets requirements and fulfills **every** aspect of the requirement.

SECTION 13: DECLARATION OF SERVICE PROVIDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES SBD 8

1. This Standard Bidding Document must form part of all bids invited.

2. It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3. The bid of any bidder may be disregarded if that bidder, or any of its directors have-

   a. abused the institution's supply chain management system;
   b. committed fraud or any other improper conduct in relation to such system; or
   c. failed to perform on any previous contract.

4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? **(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the *audi alteram partem* rule was applied)** The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes	No
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? **The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.**	Yes	No
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes	No
4.3.1	If so, furnish particulars:		

4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes	No
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)……

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

……...	**……..**
Signature	**Date**
…….	**……..**
Position	**Name of Bidder**

SECTION 14: CONTRACT FORM - RENDERING OF SERVICES PURCHASE OF GOODS/WORKS SBD7.2

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)……. in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number…….…….. at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid .

2. The following documents shall be deemed to form and be read and construed as part of this agreement:

   (i) Bidding documents, *viz*
   - Invitation to bid;
   - Proof of tax compliance status;
   - Pricing schedule(s);
   - Filled in task directive/proposal;
   - Preference claim form for Preferential Procurement in terms of the Preferential Procurement Regulations;
   - Bidder's Disclosure form;
   - Special Conditions of Contract;

   (ii) General Conditions of Contract; and

   (iii) Other (specify)

3. 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.

4. 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 fulfillment of this contract.

5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) …….

CAPACITY …….

SIGNATURE …….

NAME OF FIRM …….

DATE …….

WITNESSES

1 ……..…… …….

2 ……..……

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I……. in my capacity as……...…….. accept your bid under reference number ……dated……for the rendering of services indicated hereunder and/or further specified in the annexure(s).

2. An official order indicating service delivery instructions is forthcoming.

3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	TOTAL PREFERENCE POINTS CLAIMED	POINTS CLAIMED FOR EACH SPECIFIC GOAL

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT ……ON……..

NAME (PRINT) …….

SIGNATURE ……

OFFICIAL STAMP

WITNESSES

1 …….…….

2 …..……

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R 50 000 000 (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 is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/10 system shall be applicable.

1.3. Preference points for this bid shall be awarded for:
(a) Price; and
(b) Specific Goals.

1.4. The maximum points for this tender are allocated as follows:

	POINTS
PRICE	**80**
SPECIFIC GOALS	**20**
Total points for Price and SPECIFIC GOALS	**100**

1.5. Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6. The Playhouse Company reserves the right to request the tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

1.7. The Playhouse Company reserves the right to negotiate the price with the bidder scoring the highest points.

1.8. The Playhouse Company may in writing request clarification of the tender offer or additional information, after the tender had closed and during the evaluation of tenders. No change in the competitive position of the tenderer or substance of the tender offer is sought, offered, or permitted.

2. DEFINITIONS

(a) **"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;

(b) **"price"** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;

(c) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

(d) **"tender for income-generating contracts"** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **"the Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1. THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2) and 6(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. **Table 1: Specific goals for the tender and points claimed are indicated per the table below.**
Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by Playhouse)	Percentage owned (To be completed by the Tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer) *Number of points multiplied by Percentage owned
Owned by Black people	**4**		
Owned by Women	**4**		
Owned by Youth	**4**		
Owned by Disabled people	**4**		
Owned by SMME'S- QSE and EME	**4**		
Total Points	**20**		

*****Means of Verification is a valid B-BBEE Certificate or affidavit. Failure to submit such will result in zero points being awarded.***

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm…….

4.4. Company registration number: ……...

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;

iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

(a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

……..……

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME: ……...

DATE: ……

ADDRESS: ……

……

……

……

SECTION 16: CERTIFICATE OF INDEPENDENT BID DETERMINATION SBD 9

1 This Standard Bidding Document (SBD) must form part of all bids[1] invited.

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).[2] Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:

a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.

b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

4. This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

5. In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

[1] Includes price quotations, advertised competitive bids, limited bids and proposals.

[2] Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____

(Bid Number and Description)

in response to the invitation for the bid made by:

_____

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

    (a) has been requested to submit a bid in response to this bid invitation;

    (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and

    (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. 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[3] will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

   (a) prices;

   (b) geographical area where product or service will be rendered (market allocation)

   (c) methods, factors or formulas used to calculate prices;

   (d) the intention or decision to submit or not to submit, a bid;

   (e) the submission of a bid which does not meet the specifications and conditions of the bid; or

   (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. 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] 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.

10. 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 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.

……	……
Signature	Date
……	……
Position	Name of Bidder

SECTION 17: SCOPE OF WORK

1. Establish site:
    a. Provided - Water and Electricity (230V – 400V)
    b. Supply – Containers (Storage and offices) and Ablutions

2. Preparation:
    a. Provision and safe access to the public as needed as per municipal by-laws and applicable legislation.
    b. Please note that the demolition of the existing concrete canopy and making good will be done by others.

3. New canopy:
    a. Provide relevant drawings and QA / QC procedures for the new structural steel canopy.
    b. Obtain relevant approvals from the Consulting Engineers at the relevant control / hold points.
    c. Construct and install the new canopy in accordance with the specifications and drawings from the Consulting Engineers.
    d. Reattach the cladding and signage that has been set aside.

4. Making good:
    a. Reattach the cladding and signage that has been set aside.
    b. Perform any remedial work in accordance with the specifications and approval of the Consulting Engineers.

5. HSE Compliance:
    a. Provision of an approved Safety file and full-time on-site supervision.
    b. Full compliance to OSH Act requirements such as Construction regulations
    c. Relevant Appointments and Notification of Construction work,
    d. Safety of public w.r.t cordoning off and debris containment, etc.

6. Appendices:

Photo 1:	Existing canopy with signage.
Photo 2:	Facia boards to be re-attached.
Photo 3:	Top of existing slab.
Photo 4:	Steel tie-rods.
BOQ:	20846-Playhouse-S-BOQ-001-00_Canopy.
Drawing:	20846-ST01-D.

Appendix

Photo 1: Existing canopy with signage

Photo 2: Facia boards to be re-attached

Photo 3: Top of existing slab

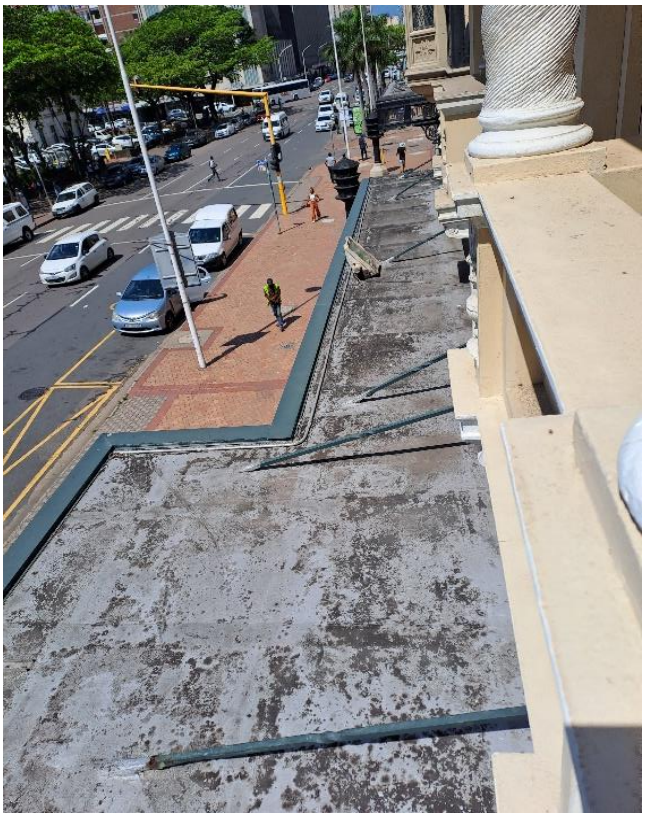

Photo 4: Steel tie-rods