

ANNEXURE A



THE APPOINTMENT OF TURNKEY SERVICE PROVIDER FOR THE CONCEPTUALISATION, PRODUCTION OF 3D DESIGN AND MANAGEMENT OF CONSTRUCTION RELATED ACTIVITIES AT LEGAL AID SA HEAD OFFICE BRAAMFONTEIN.

A NON-COMPULSORY BRIEFING MEETING WILL BE HELD ON 23 MARCH 2023 AT 10:00 AM TO 12:00 PM - AT LEGAL AID SOUTH AFRICA'S HEAD OFFICE, 29 DE BEER STREET, BRAAMFONTEIN, JOHANNESBURG.

CLOSING DATE: 12 APRIL 2023 AT 11:00 PM

NB: NO LATE BIDS WILL BE ACCEPTED

1. Purpose

Request for submission of proposals for the Conceptualisation, 3D Workspace Design, Implementation and Management Services of construction related activities at Legal Aid House, 29 De Beer Street, Braamfontein, Johannesburg.

2. Overview

Legal Aid South Africa is an independent statutory body established by the Legal Aid Act, 1969 (Act 22 of 1969), replaced by the Legal Aid South Africa Act 39 of 2014. Its aim is to render legal aid to indigent persons as widely as possible within its financial means, including providing legal representation and advice at state expense as contemplated in the Constitution. Legal Aid South Africa is a high-performance organisation delivering its constitutional mandate to provide legal assistance to the indigent and vulnerable.

Legal Aid SA hereby invites suitably qualified and reputable service providers to submit proposals for Conceptualisation, Space Planning and 3D Workplace Design, Implementation and Management Services of construction related activities.

3. Legal Aid SA National Office Building Structure

- The offices of Legal Aid SA Head Office are situated at: 29 De Beer Street, Braamfontein, Johannesburg
- The building is occupied by an approximate total of 206 occupants at any one time, with the provision for 20 additional temporary staff.
- The building consists of 10 floors (including ground floor), with east and west wings.
- Existing floor layout plans as attachment Annexure A

Floor or Description	Size in m ² (Approximately)
Ground floor	610
1 st Floor	610
2 nd Floor	610
3 rd Floor	610
4 th Floor	610
5 th Floor	610
6 th Floor	610
7 th Floor	610
8 th Floor	610
9 th Floor	610

4. Scope of Work

The professional service provider is to provide cost effective, professional design services for the refurbishment and space allocation to Legal- Aid SA House in Braamfontein. Re-positioning of departments to promote better workflow and interactions between various departments / teams in line with the new organizational structure and this should be done in consultation with the relevant Executives and Senior Management.

In this regard prospective service providers need to be acquainted with current trends in workspace design and space optimization, Department of Public Works Space norm allocation. The prospective service provider must have practical experience in workspace conceptualization and design, interior design, project management, contractor management, health & safety management and co-ordination of installation of electrical and Heating Ventilation Air-conditioning & Cooling systems.

Consultants to take cognizance of the following requirements and objectives:

1. The services are for Stage 1 - 6 of the project lifecycle which includes Inception Report, Concept & Viability, Design Development, Documentation & Procurement, Contract Administration & Inspection, Construction, Administration & Inspection and Project Closeout.
2. The project consists of the refurbishment of the office accommodation and will include building elements such as stair wells, ablutions, kitchens, lighting and Heating Ventilation Air-conditioning and Cooling (HVAC) services.
3. Service providers are required to have at a minimum, a professionally registered architect, interior designer, quantity surveyor, electrical / mechanical engineer, civil/structural engineer, Occupational Health & Safety consultant.
4. The professional service provider will be required to liaise with the Legal Aid SA Programme and Project Manager to obtain clarity for the specifications and details for the duration of the project.
5. A detailed project implementation plan agreed upon with Legal Aid SA will have to be provided to within 14 days after appointment as part of the Service Level Agreement (SLA).

The successful service provider will be required to provide a turnkey service solution as following:

DESIGN PARAMETERS

Firstly, the design work will involve reconfiguration of departmental sitting arrangements to improve effective workflow in line with the proposed organizational structure. The reconfiguration shall involve the planning, studies, investigations and assessments in consultation with the Legal Aid SA Departmental Executives.

Secondly, the design shall include the designing of new office layout in line with approved organizational structure and shall be done in the following stages:

STAGE 1 - INCEPTION REPORT:

The inception stage of this project will involve determining, with the input of the Legal Aid SA, the scope of the construction contract required to meet the level of services needed and to be within the budgetary constraints of this project. Any further investigations and/or for testing should be identified at this stage. The service provider shall be required to present three design concepts to choose from.

STAGE 2 - CONCEPT AND VIABILITY (PRELIMINARY DESIGNS):

The service provider shall collect all data relevant to the required improvements, identify and investigate options for effective performance and produce concept designs in keeping with this Scope of Work and the required level of services, standard and norms. A design report on the information collected, the preliminary design, cost estimates and an implementation programme must be presented for Legal Aid SA 's approval. The design must accommodate three design reviews.

STAGE 3 - DESIGN DEVELOPMENT (DETAIL DESIGN):

The professional Project Manager shall undertake detailed design of the Legal Aid SA House and associated requirements, plan the construction of the project, produce drawings, specifications and resolve issues for clarity and recommend project execution.

The contract documents shall be prepared in the Construction Industry Development Board's (CIDB) format. The Civil General Conditions of Contract shall be the General Conditions of Contract for Construction Works, 3rd Edition 2015 published by the South African Institution of Civil Engineering (or NEC equivalent). The Mechanical/Electrical document shall be prepared in the Construction Industry Development Board's (CIDB) format. The Mechanical/Electrical General Conditions of Contract shall be the FIDIC Conditions of Contract for Plant and Design-Build for Electrical and Mechanical Plant, and for Building and Engineering Works, designed by the Contractor, 1st Edition 1999. (JBCC or NEC equivalent). Note: Legal Aid SA shall make the final decision on the choice of appropriate contract on recommendation from the Project Manager.

The professional Project Manager shall liaise with the Legal Aid SA during the preparation of documents to determine any other specific requirements that the Legal Aid SA may have in this regard. A set of draft plans and draft contractual documents shall be submitted to the Legal Aid SA for comment and approval prior to finalization. All drafts must be thoroughly checked by the Project Manager prior to submission. The contractual documents shall be submitted to the Legal Aid SA for checking and approval at least one week prior to the deadline of the activity. The Project Manager shall supply Legal Aid SA with an electronic copy (on CD) of the contractual documents once approved. The Project Manager shall prepare detailed estimates of construction costs and submit such to Legal Aid SA.

The professional Project Manager shall be responsible for providing Legal Aid SA with the required number of (hard) copies of plans and contractual document.

The Professional Project Manager shall be responsible for all initial service enquiries; way leave applications and obtaining all conditions from the relevant Service Authorities that are necessary to carry out all work in terms of this project. All applications in this respect must be carried out timeously so that all wayleave conditions can be incorporated into the detail design.

On approval of the detail design drawings, three sets of paper prints must be submitted to Legal Aid SA for signature. Two sets will be kept by Legal Aid SA and the other returned to the Lead Partner. All other prints issued henceforth shall carry the word "Initial version signed on (date)" at the signature location in the title block.

STAGE 4 - DOCUMENTATION AND PROCUREMENT:

The key Project Personnel shall be invited to a meeting prior to the finalization of the contract documentation. All resolutions of the meeting shall be incorporated into the final contract documents.

Detailed design drawings, shall be finalized, incorporating any comments of Legal Aid SA. Once finalized, two sets of paper prints must be submitted to Legal Aid SA for signature. One set will be kept by Legal Aid SA and the other returned to the Lead Partner. All other prints issued henceforth shall carry the words "Initial version signed on (date)" at the signature location in the title block.

The professional Project Manager shall prepare any further plans, designs and drawings (over and above the construction drawings), which may be necessary for the execution of the works.

The professional Project Manager shall be responsible for providing Legal Aid SA with the required number of copies of plans and contractual documents for work execution purposes (both hard copy and on compact disc).

The professional Project Manager shall, during the tender period bring to the attention of Legal Aid SA all queries and clarifications sort during this period.

STAGE 5 - CONTRACT ADMINISTRATION AND INSPECTION:

Obtain offers for the execution of the works and advise the Legal Aid SA regarding the award of the building contract.

Prepare construction documentation and arrange for the signing thereof.

Management of construction work and all other related installation services shall be the responsibility of the Project Management Team.

Administer and perform the duties assigned to the professional in the building contract.

Provide Legal Aid SA with as-built drawings, certificates, relevant technical data and guarantees from suppliers on completion of the works.

STAGE 6 – CONSTRUCTION & CLOSE OUT:

The professional Project Manager shall submit As-built plans to Legal Aid SA in electronic format preferably, AutoCAD or equivalent computer aided design software and pdf format as well as two complete set of paper prints.

NB: As-built drawings are not available; identification and mapping of existing services should be taken into consideration when pricing.

Design must take consideration of all services such as HVAC, Electrical, Lighting, Fire equipment, IT Infrastructure and material used. These must be environmentally friendly. It must be noted that the LEGAL AID SA currently uses traditional air-conditioning units.

Note: LEGAL AID SA has approved service providers for the supply and maintenance of HVAC services, electrical and related services. The successful bidder will have to work with Legal Aid SA appointed bidders as nominated suppliers covering these services and supplies.

NORMS AND STANDARDS:

All material, equipment and furniture shall be of A class finish and the following standards in line with Legal Aid SA 's corporate identity (i.e. look and feel) and these would be shared with the successful bidder as part of the design briefing. (Annexure D)

PROJECT TIMELINES

The appointed service provider will be required to start immediately after appointment. The project is envisaged to be completed within six (6) months after award.

COMPETENCIES / EXPERIENCE REQUIRED

The successful bidder must provide the following professional expertise and services (but not limited to):

- Architectural
- Interior Design
- Quantity surveying
- Civil and Structural Engineering
- Electrical and Mechanical Engineering
- Occupational Health and Safety

5. Evaluation Criteria and References:

Bids shall be evaluated in terms of the 3-phase process:

Phase 1: Mandatory Admin Compliance: During this phase, bid responses will be reviewed for purposes of assessing compliance with the provision of mandatory requirements.

Failure to comply with the requirements assessed in Phase 1 (Admin compliance), will lead to disqualification of bids.

Phase 2: Technical/ Functionality Evaluation

Bid responses will be evaluated in accordance with the Functional criteria as follows: With regard to the other Functional Requirements, the following criteria (set out in more detail in section 3 of this RFP document) and the associated weightings will be applicable:

ELEMENT	WEIGHT
BIDDER'S EXPERIENCE	40%
QUALIFICATIONS AND SKILLS OF THE PROPOSED PROJECT TEAM, PROJECT MANAGER AND DESIGN TEAM LEADER (S)	30%
BIDDER'S PROPOSED METHODOLOGY AND PROJECT PLAN	30%
TOTAL	100%

All bids that fail to achieve the minimum overall qualifying score of 70% on functional/technical requirements, will not be considered for further for Price and BEE evaluation.

Phase 3: Preference Point System

All bids that achieve the minimum qualifying score for Functionality (acceptable bids) will be evaluated further in terms of the preference point system, as follows:

CRITERIA	POINTS
Price	80
B-BBEE	20
TOTAL	100 points

Mandatory Admin Compliance

All bid respondents must submit the following documents that comply with all pre-qualification requirements. Bids that do not fully comply with the requirements will be disqualified and will not be considered for further evaluation.

CIDB REGISTRATION	Comply	Not Comply
<p>The bidder or its building sub-contractors must have a valid CIDB grading designation of 6GB or higher. The bidder or its building subcontractors must maintain their applicable CIDB grading and active status with CIDB for the duration of the construction project.</p> <p>To substantiate, the bidder must submit/attach proof of valid CIDB Registration/application for grading for itself or its building sub-contractor or partner.</p> <p>NB: For applications, the status will be verified 21 working days after the closing of the tender.</p>		

6. Functionality Evaluation Adherence

All qualifying bids would be evaluated for functionality. The table below contains the weights for each functional requirement component.

Functionality Evaluation Criteria

Item	Description	Points
6.1.	<p>The bidder must submit proof to demonstrate a minimum experience in the last seven (7) years in delivering projects of a similar nature supported by contactable three (3) previous and/or current clients. Information must be completed as per Annexure C, Table (a) supported by reference letters (reference letters without completed Table (a) will not be considered).</p> <p>The bidder is required to provide a portfolio of previous work done which should include the final office lay-out and design pictures of the three (3) references provided and this should be in full colour.</p> <ul style="list-style-type: none">• Three or more references = 40 points• Two references = 30 points• One references = 20 points• Zero references = 0 points	40

Item	Description	Points
6.2.	<p>The bidder's proposed team as per below must demonstrate a track record and proven experience in the provision of similar turnkey services in office design and renovations and space allocation.</p> <p>a) The bidder must submit a Curriculum Vitae (CV) of Project Manager to be deployed to the project. The manager must have a minimum of five (5) years track record and experience in managing of projects cycle and management of project teams and must have a minimum of NQF level 7 in Built Environment or related and provide copies thereof.</p> <p>Valid proof that the Project Manager (Principal Agent) is registered and in good standing with the SACPCMP (South African Council for the Projects and Construction Management Profession) as a Professional (Pr.CM/Pr CPM) (provide copies of certificates) = 10 points</p> <ul style="list-style-type: none"> Criteria for Project Manager not met = 0 points <p>b) Design Team Leader: CV of Design Team Leader with copies of qualifications and minimum experience of five (5) years relevant to space planning, analysis and workplace design.</p> <p>Copies of professional registrations must be in good standing with the South African Council for the Architectural Profession (SACAP) or professional membership with the African Institute of the Interior Design Professions (IID) to be included. = (14 points)</p> <ul style="list-style-type: none"> Criteria for Design Team Leader not met = 0 points <p>c) Team Members: (6 points)</p> <ul style="list-style-type: none"> The structure (organogram/proposed organogram) and composition of the proposed team and team leader, clearly outlining the main disciplines/specialties of this project and the key personnel responsible for each specialty is required. Table (b) and Table (c) Annexure A of this RFP must be completed. CVs of all key personnel; and the CVs must clearly highlight qualifications, valid and in good standing professional body registration, areas of experience/competence relevant to the tasks and objectives of this project as outlined above. Copies of relevant qualifications and professional registrations for Team Members, 	30

Item	Description	Points
	<ul style="list-style-type: none"> i) Engineering Council of South Africa (ECSA), (2 points) ii) Quantity Survey (SACQSP), (2 points) iii) South African Council for the Architectural Profession (SACAP) or similar. (2 points) <ul style="list-style-type: none"> • CVs without qualification of Team Members not attached = 0 points 	
6.3.	<p>The bidder is required to demonstrate their thorough understanding of the objectives and deliverables of this project as well as associated timelines.</p> <p>To substantiate, the bidder is required to submit a detailed program indicating the critical path activities, milestones, anticipated start and completion dates for the provision of the turnkey services for design, construction project and staff workstation movements within the Legal Aid SA building.</p> <p>The bidder must also provide a detailed proposal of the methodology/ approach to be used to carry out the scope of work outlined above and clearly demonstrating how the design, construction and relocation projects objectives will be achieved. The proposal must outline, the following:</p> <ul style="list-style-type: none"> ➤ Engagement with senior management ➤ Quality Plan ➤ Design Approach ➤ Timelines of project to be completed as follows: <ul style="list-style-type: none"> • Design engagements • Office design and build and allocation of office space to staff <p>NB: All of the project plan & methodology elements are not addressed = 0 points</p>	30
	Total	100 Points

Where bidders have not provided the required information or have not fully addressed the functionality evaluation criteria, they will not be allocated any points for the relevant item.

Bidders who score less than **70 points** of the 100 points for functionality will be disqualified and will not be evaluated further.

Note: bidders' years of experience will be counted up to the closing date of the tender. E.g. 2023 (TENDER CLOSING DATE counting backwards)

7. **Price Proposal:**

7.1. **NOTE: All prices must be VAT exclusive and must be quoted in South African Rand (ZAR).**

7.2. Are the rates quoted firm for the full period of the contract?

YES	NO
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7.3. All additional costs associated the bidder's offer must be clearly specified and included in the Total Bid Price.

7.4.

Is the proposed bid price linked to the exchange rate?	Yes	No
<i>If yes, the bidder must indicate CLEARLY which portion of the bid price is linked to the exchange rate:</i>		

7.5.

Payments will be linked to specified deliverables after such deliverables have been approved by Legal Aid SA. Payments will be made within 30 days from receipt of the invoice.	Comply	Not Comply

7.6

Legal Aid SA reserves the right to consider the guidelines on consultancy rates as set out in the National Treasury Instruction 03 of 2017/2018: Cost Containment Measures par. 4 The bidder must indicate if their proposed rates are in line with the provisions of the referenced National Treasury Instruction: Cost Containment Measures. http://www.treasury.gov.za/legislation/pfma/treasuryinstruction/Treasury%20Instruction%20No%20%203%20of%202017-18%20-%20Revised%20Cost.pdf
Substantiate / Comments

8. **Pricing Schedule:**

Formal Written Quotation (clear & unambiguous; including VAT* where applicable) is to be submitted.

NB: Upon appointment, the service provider must develop drawings up to stage 4, prepare and submit Bills of Quantities with no changes to the tendered amount. All allowances which formed part of the cost-plus contract amount must form part of the Bills of Quantities. The Bills of Quantities to be drawn in accordance with the latest edition of the Standard System of Measuring Building Work (as amended) published and issued by the Association of South African Quantity Surveyors.

- The professional team fees pricing shall be in accordance with the gazetted professional fees and tariff scales and shall be based on the cost-plus contract amount.

All travelling, typing, printing, and copying disbursements to be charged at prevailing Department of Roads and Transport rates and catered for under the disbursements.

8.1. Professional Fees

The table below illustrates the pricing format for stages 1-6 based on the three (3) projected building costs scenarios. The professional team fees pricing shall be in accordance with the gazetted professional fees and tariff scales and shall be based on the cost-plus contract amount.

All bidders are required to quote as per the table below, failure to comply with this requirement will render the bid to be non-responsive.

	ACTIVITY/ DELIVERABLE	1 - BUILT COST ESTIMATE R10 000 000	2-BUILT COST ESTIMATE R20 000 000	3-BUILT COST ESTIMATE R30 000 000
A	STAGE 1- 6			
	Architect			
	Quantity Surveyor			
	Civil Engineer			
	Structural Engineer			
	Electrical Engineer			
	Mechanical Engineer			
	Occupational Health and Safety Professional			
B	Specialist Services			
	As Built drawings			
	Plans Approval			
C	Disbursements			
	Disbursements			
D	Sub-Total			
E	Overall Discount Offered			
F	Sub-Total (excluding VAT)			
G	VAT @ 15 %			
	GRAND-TOTAL AMOUNT			

Annexure C: Response Format for Section 6

Bidder's Experience and the proposed Team

Tender No _____

Name of Bidder: _____

Authorized signatory: _____

[Note to the Bidder: The bidder must complete the information set out below in response to the requirements stated in Section 6 of this bid document. If the bidder requires more space than is provided below it must prepare a document in substantially the same format setting out all the information referred to below and return it with this Returnable Schedule 6.]

The bidder must provide the following information:

Table (a) Details of the bidder's current and relevant experience in the provision of turnkey services relating to office space planning projects which includes and design and build work, which is of a similar nature to that of the Legal Aid SA's requirement as stated in this tender document. (Please refer to Section 6 of this RFP document which requires a minimum of three (3) corporate client references), this must be accompanied by reference letter from the Companies listed in the table below. For ongoing projects, kindly indicate as such.

Table (a)

Bidders experience- Section 6.1							
No.	Name of Client	Contact Person	Position Held	e-mail address	Portfolio of Design pictures provided (Y/N)	Project Start Date	Project End Date

Table (b) Details of the Project Manager and Design Team Leader (s): Section 6.2

Name	Position	Role / Duties in this Project	Relevant Project Experience on Turnkey Projects	
			Project description, Client, Project period	Number of years

Table (c) Details of the key personnel of the bidders' proposed project team: Section 6.2

Name	Position	Role / Duties in this Project	Relevant Project Experience on Turnkey Projects	
			Project description, Client, Project period	Number of years

9. GENERAL CONDITIONS OF BID

9.1 Enquiries

9.1.1 Supply Chain queries

Name: Buhle Sesiko
Telephone Number: +27 11 877 2000
Email address: FelicityZ@legal-aid.co.za

9.2 Bid Validity Period

Responses to this RFP received from bidders will be valid for a period of 120 days counted from the bid closing date.

9.3 Instructions on submission of Bids

- 9.3.1 All bids must be submitted in both soft copy (USB) and hard copy. If there are any discrepancies between the two copies, the hard copy shall supersede.
 - 9.3.2 The bid document must be placed in the bid box at the Main Reception area of the Legal Aid SA House, 29 De Beer Street, Braamfontein, Johannesburg, 2017 by no later than 11:00 am on **12 April 2023**.
 - 9.3.3 Bids must be submitted in the prescribed response format, herein reflected as Response Format.
 - 9.3.4 No bid response received by telegram, telex, email, facsimile or similar medium will be considered.
 - 9.3.5 Where a bid response is not in the bid box at the time of the bid closing, such a bid document will be regarded as a late bid. **It is the Legal Aid SA's policy not to consider late bids for tender evaluation.**
 - 9.3.6 Should there be amended bids, these should be sent in an envelope marked "Amendment to bid" and should be placed in the bid box before the closing time **11:00 am on 12 April 2023**.
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9.4 BID CONDITIONS

The bidder must indicate its compliance / non-compliance to the requirements and should substantiate its response in the space provided below. These conditions must be met before award and contracting as part of due diligence.

9.6.1 LETTER OF GOODSTANDING	Comply	Not Comply
<p>The bidder and all the proposed sub-contractors are required to have a valid Compensation for Occupational Injuries and Diseases Act, no 130 of 1993 (COIDA) Letter of Good standing in relation to the service rendered throughout the duration of the project. This should be provided for the bidder and all its partners and/or sub-contractors that will be used as part of this turnkey project.</p> <p>To substantiate, the bidder is required to attach a copy of their valid COIDA Letter of Good Standing and that of all its proposed subcontractors and partners.</p>		
Substantiate / Comments		
9.6.2 PROFESSIONAL INDEMNITY INSURANCE	Comply	Not Comply
The bidder must commit to submitting adequate (based on the project value) and valid Professional Indemnity Insurance upon appointment.		
Substantiate / Comments		
9.6.3 CONTRACTORS ALL RISK AND PUBLIC LIABILITY INSURANCE	Comply	Not Comply
The bidder will be required to provide appropriate employers and public liability insurance of R 5 000 000 to cover the risk of injury to the contractor's staff and/or any third parties including any sub-contractors of the bidder who may be injured accidentally or cause any damages to property within project duration. The bidder is to also have contractors all risk insurance amounting to the value of the contract. This will only be required upon appointment and will be a condition before commencement of any work on-site.		
Substantiate / Comments		
9.6.4 PROFESSIONAL BODY REGISTRATION	Comply	Not Comply
The bidder is required to provide proof of registration with the relevant professional bodies. Architect must be registered at South African Council for The Architectural Profession (SACAP). Inter decorators must be registered with The Institution of the Interior Design (IID).		
Substantiate / Comments		

9.5 .5 HEALTH AND SAFETY	Comply	Not Comply
The successful bidder will be required to provide a full Health and Safety file as per the Occupational Health and Safety Regulation. This Health and Safety File will only be required upon appointment.		
Substantiate / Comments		

- 9.6.2 Bidders may be requested to attend a meeting where they will be given the opportunity to present their proposal to the bid evaluation committee.
- 9.6.3 Bids must be submitted in line with any attached annexures and detailed specifications. Failure to bid accordingly shall invalidate the bid.
- 9.6.4 Legal Aid SA reserves the right to award the bid to one or more service providers.
- 9.6.5 Legal Aid SA reserves the right to award the bid in whole or only partially.
- 9.6.6 The General Conditions of Contract as stipulated by the National Treasury will be applicable.
- 9.6.7 Bidders must ensure that forms SBD 1, SBD 3.1, SBD 4 and SBD 6.1 are fully completed and signed –
- 9.6.8 Bidders must provide proof of their registration on the National Treasury's Central Supplier Database, if not yet registered use the following link to register:
<https://secure.csd.gov.za>

LEGAL AID SOUTH AFRICA RESERVES THE RIGHT NOT TO MAKE ANY APPOINTMENT AND SHALL NOT ENTERTAIN ANY CLAIM FOR COSTS THAT MAY HAVE BEEN INCURRED IN THE PREPARATION AND THE SUBMISSION OF THE PROPOSALS.