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**THE FREE STATE DEPARTMENT OF PUBLIC WORKS AND  
INFRASTRUCTURE HEREBY INVITES EXPRESSION OF  
INTERESTS FROM PROSPECTIVE SERVICE PROVIDERS/FIRMS  
TO REGISTER ON A PANEL OF PROFESSIONAL  
CONVEYANCERS FOR A PERIOD OF THREE (3) YEARS.**

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**BID NUMBER : DPWFS EOI 002/2022**

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**ADVERT DATE:**

29 July 2022

**CLOSING DATE AND TIME:**

29 August 2022 AT 11:00 AM

**COMPULSORY CLARIFICATION MEETING:**

**NO COMPULSORY BRIEFING SESSION**

**VALIDITY PERIOD OF THE PROPOSAL:**

120 DAYS

**ENQUIRIES**

**BIDDING PROCESS:** Ms Seipati Seleso 051 492 3883 / or [selesos@fsworks.gov.za](mailto:selesos@fsworks.gov.za)

**TECHNICAL:** Mr. M. Mosia @ 051 410 7547 / 066 307 4346 or [mosiamj@fsworks.gov.za](mailto:mosiamj@fsworks.gov.za)

**NB:** All enquiries should preferably be made in writing to the officials mentioned above.

# **PUBLIC NOTICE**

## **INVITATION TO TENDER**

**BID NUMBER: DPWFS EOI 002/2022**

**THE FREE STATE DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE HEREBY INVITES EXPRESSION OF INTERESTS FROM PROSPECTIVE SERVICE PROVIDERS/FIRMS TO REGISTER ON A PANEL OF PROFESSIONAL CONYEYANCERS FOR A PERIOD OF THREE (3) YEARS.**

### **COLLECTION OF TENDER DOCUMENTS**

- Bid documents will be available from 29 July 2022 from 08h00 to 15h30 at the Department of Public Works and Infrastructure SCM Offices, Room 101B, First Floor, OR Tambo House Cnr Markgraaf and St Andrews Street, Bloemfontein. However, a non-refundable tender / bid deposit of R342.00 is payable in cash (please bring the exact amount) on collection of the bid documents. [Payments to be made at Room 102, 01st Floor, OR Tambo House].
- Payments may also be made through the bank:  
Bank: Standard Bank  
Account Name: FSPG – Department of Public Works and Infrastructure  
Account number: 240322371  
Branch Name: Brandwag Branch  
Branch Code: 05553400  
Reference number: 00092551 (Tender number in brackets)  
**NB:** Please bring the proof of payment or deposit slip when collecting the document.
- Bids are to be completed in accordance with the conditions and bid rules contained in the bid documents. Bid documents must be properly indexed and neatly bound.

Tenders must be deposited in the tender box situated on the Ground floor, OR Tambo Building, No. St' Andrews Street, tender document(s) must be **submitted** by no later than **11:00 am on 29 August 2022**.

**Each tender must be submitted in a separate, clearly marked sealed envelope, addressed to: Supply Chain Management, OR Tambo Building, Ground Floor, and 101 B Room.**

Please note that tenders, which are not submitted in a properly sealed and marked envelope and / or are not deposited in the relevant tender box and / or are deposited after the closing date and time, will not be considered. **Faxed tenders will not be considered.**

The Department is not bound to accept any tender and reserves the right to accept any tender in whole or in part.

## INDEX

### SECTION CONTENTS

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| SECTION 1: | _____ | RETURNABLE DOCUMENTS |
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| SECTION 3: | _____ | CONTRACT DATA (GCC)  |

## **SECTION 1: RETURNABLE DOCUMENTS**

## **EVALUATION CRITERIA**

| Phase:  | Details:                                                                                                                                                                                                                             |
|---------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Stage 1 | <b>Mandatory requirement</b> - evaluation of bid submission - compliance with the set mandatory requirements and technical specification.                                                                                            |
| Stage 2 | <b>Functionality Evaluation - evaluation of functionality-</b> bidders who fail to obtain a minimum <b>70</b> points out of <b>100</b> points for functionality as set out below will not be considered for appointment on the panel |
| Stage 3 | <b>Evaluation on price and preference</b> - The 80/20 preference point system applicable to price quotations (all applicable taxes included), will be used for evaluation this bid.                                                  |

### **1.1. Stage 1(a) – Compliance with mandatory requirements**

- 1.1.1 The service provider must be registered tax with SARS and they provide the Department with unique security Personal Identification Number (PIN) issued by the South African Revenue Services.
- 1.1.2 A valid proof of registration on the National Treasury's Central Supplier's Database must be accompany this bid. Where Consortium / Joint Venture / Sub-contractors are involved, each party to the association must submit a separate CSD Master Registration Number.
- 1.1.3 Only a company / companies who have individuals that are registered as a Conveyancer with the Legal Practice Council for with a valid registration certificate and number will be considered. Expressions submitted by independent Conveyancers registered with CIPC will also be considered.
- 1.1.4 Only bids from bidders who B-BBEE Level one (01) to two (02) of contribution certificate will be considered, i.e. B-BBEE Certificate Level three (03) to eight (08) contribution will not be considered. (Where trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification Certificate for every separate tender. An original or certified copy of the original must be attached.
- 1.1.5 Duly Signed and Completed SBD 1 – Invitation to Tender.
- 1.1.6 Duly Signed and Completed SBD 4 – Bidder's Disclosure.
- 1.1.7 Duly sign and completed SBD documents (SBD 1 and SBD 4)
- 1.1.8 Duly sign and completed Annexure A - Record of Addenda to tender documents.
- 1.1.9 Duly sign and completed Annexure B - Propose amendments and qualifications.
- 1.1.10 Duly sign and completed Annexure D - Compulsory Declaration.
- 1.1.11 Completed and sign the Annual Financial Statements Declaration (Attach income statement and the balance sheet as support for the declaration) attached to the RFP document.
- 1.1.12 All bid documents must be completed in writing using black ink.

### **1.2. Stage 1(b) Non mandatory Requirement:**

- 1.2.1 A valid Tax Compliance Status which will be verified by a unique security Personal Identification Number (PIN) issued by the South African Revenue Services and/or CSD report showing a compliant tax status (where Consortium / Joint Venture / Sub-contractors are involved, each party to the association must have a compliant tax status) which will be confirmed at the time of award.
- 1.2.2 Duly Signed and Completed SBD 6.1 – Preference points claim form in terms of the Preferential Procurement Regulations 2017.
- 1.2.3 A contract may be awarded to a tenderer that did not score the highest points in such a tender is from a rural area or township within the Free State Province as per the provision section 2(1)(f) of the PPPFA Act.
- 1.2.4 Duly completed and signed Resource Information Sheet.
- 1.2.5 Duly completed and signed Schedule of Tenderer's Experience.
- 1.2.6 Duly completed and signed – Annual Financial Statements Declaration.

**1.2.7** A copy(s) of valid and current certificates from the professional organizations / bodies that the bidder is affiliated to or a member of, must be included in the bid response.

**1.2.8** Bidders appointed on the panel will be required to comply with the Department of Labour.

### **1.3. Stage 2 – Evaluation on Functionality**

**1.3.1** Any bidder who fails to score a minimum of 70 points out of 100 points for functionality will not be evaluated further.

**1.3.2** The functionality criteria will be assessed as follows:

| <b>FUNCTIONALITY ELEMENTS</b>                         | <b>DESCRIPTIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>POINTS</b> |
|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <b>COMPANY EXPERIENCE</b>                             | <p>Experience as Professional Conveyancer. Each service provider must submit a minimum of one letter of reference from an institutional client (e.g. registered business or organ of state) where similar work was done in the last five (5) years. <i>(Each Professional Conveyancer must have a separate letter of reference)</i></p> <ul style="list-style-type: none"> <li>• 0 letter of reference = 0 points</li> <li>• 1 letters of reference = 5 points</li> <li>• 2 letters of reference = 10 points</li> <li>• 3 letters of reference = 15 points</li> <li>• 4 letters of reference = 20 points</li> <li>• 5 or more letters of reference = 25 points.</li> </ul> <p>The reference letters must be on the letterhead of the employer and this information must be recorded on the schedule of the tenderer's experience attached to this bid document.</p> | 25            |
| <b>QUALIFICATIONS AND EXPERIENCE OF KEY PERSONNEL</b> | <p>Expertise (in terms of skills and qualifications of key personnel in the conveyance profession; (Copies of the qualifications key personnel should be attached to the proposal):</p> <ul style="list-style-type: none"> <li>• 1 Conveyancer with up to 1 years' experience= 5 points</li> <li>• 1 Conveyancer with up to 2 years' experience= 10 points.</li> <li>• 1 Conveyancer with up to 3 years' experience= 15 points.</li> <li>• 1 Conveyancer with up to 4 years' experience= 20 points</li> <li>• 1 Conveyancer with 5 or more years' experience = 25 points</li> </ul> <p><b>Notes:</b></p> <p><i>Failure to complete this form (Resource Information Sheet) and provide certified and valid supporting documents will result in the bidder forfeiting these points.</i></p>                                                                           | 25            |
| <b>METHODOLOGY AND APPROACH</b>                       | <p>Proposals should address the following matters on relation to conveyancing:</p> <ul style="list-style-type: none"> <li>• Project Approach = 10 points</li> <li>• Project deliverables = 10 points</li> <li>• Time frames for completion of project = 10 points</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 30            |

|                        |                                                                                                                                                                                                                                                                                                                                                                                                               |            |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| <b>SKILLS TRANSFER</b> | <b>Skills Transfer</b> <ul style="list-style-type: none"> <li>Plan on how Conveyancing skills and knowledge will be transferred to the officials of the Department: <ul style="list-style-type: none"> <li>No plan at all = 0</li> <li>Plan with no details as above = 5</li> <li>Detailed plan with clear timeframes divided into measurable milestones and targets and outcomes = 10</li> </ul> </li> </ul> | 10         |
| <b>LOCALITY</b>        | <ul style="list-style-type: none"> <li>Free State Based Service Providers = 10 points</li> <li>Non-Free State Based Service Providers = 0 points</li> </ul> <p><i>Each bidder is expected to submit a municipal bill statement or lease agreement with the name of the company and a Physical Address.</i></p>                                                                                                | 10         |
| <b>TOTAL</b>           |                                                                                                                                                                                                                                                                                                                                                                                                               | <b>100</b> |

#### 1.4. Stage three (03) – Preference Point System

1.4.1 Bidders will be evaluated on price once bidders are shortlisted on a panel.

1.4.2 The Department will request quotations on “as and when” the service is needed by the Department once they are appointed on the panel. The service providers will be expected to respond in writing on all issued quotations to confirm their prices before the service can be rendered.

1.4.3 The applicable preference point system will be evaluated when projects are implemented on “as and when bases” based on the estimates of each project.

- Bidders will be evaluated according to the 80/20 points system depending on the estimated value of the project.
- The evaluation on price and preference will be undertaken for each task order and will be based on quotations which will be sourced from bidders on “as and when” needed. This process will be done on an “as and when” needed basis.

**Table 1:**

|                                      |     |
|--------------------------------------|-----|
| Price                                | 80  |
| Level of contribution towards B-BBEE | 20  |
| Total                                | 100 |

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

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

1.4.5 Allocation of points in terms of the 80/20 preference point system.

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

Points awarded for B-BBEE status level of contributor

- 1.4.6** In terms of Regulation 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

**Table 2:**

| <b>B-BBEE Status Level of Contributor</b> | <b>Number of points (90/10 system)</b> | <b>Number of points (80/20 system)</b> |
|-------------------------------------------|----------------------------------------|----------------------------------------|
| 1                                         | 10                                     | 20                                     |
| 2                                         | 9                                      | 18                                     |
| 3                                         | 6                                      | 14                                     |
| 4                                         | 5                                      | 12                                     |
| 5                                         | 4                                      | 8                                      |
| 6                                         | 3                                      | 6                                      |
| 7                                         | 2                                      | 4                                      |
| 8                                         | 1                                      | 2                                      |
| Non-compliant contributor                 | 0                                      | 0                                      |

**1.4.7** Claiming of preference points for B-BBEE level:

- i) Bidders will be required to complete the preference claim form (SBD 6.1) and submit their sworn affidavit (only for EME and QSE), valid original or certified copy of B-BBEE status level verification certificate or a certified copy thereof at the closing date and time of the bid in order to claim the B-BBEE status level points.
- ii) The points scored by a bidder in respect of the level of B-BBEE contribution will be added to the points scored for price.
- iii) Only bidders who have completed and signed the declaration part of the preference claim form and who have submitted a sworn affidavit (only for EME and QSE) or B-BBEE status level certificate issued by a SANAS accredited verification agency will be considered for preference points.
- iv) Tenderers who qualify as EMEs may submit a sworn affidavit signed by the EME representative and attested by a Commissioner of oaths for purposes of claiming preference points.
- v) Failure on the part of the bidder to comply with the requirements above will be deemed that preference points for B-BBEE status level of contribution are not claimed and will therefore be allocated a zero (0).
- vi) The department may, before a bid is adjudicated or at any time, require a bidder to substantiate claims it has made with regard to preference.
- vii) The total points scored will be rounded off to the nearest 2 decimals.
- viii) In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of preference points for B-BBEE.
- ix) Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.
- x) A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points in line with the PPPFA regulations, regulation 11 on Objective Criteria

## **Returnable Documents**

Returnable Documents will be used for tender evaluation purposes and be incorporated into the contract  
The tenderer must return the following returnable documents legibly completed and signed in **FULL**.

- 1.1. Resolution of Board of Directors
- 1.2. Resolution of Board of Directors to enter into Consortia Or Joint Ventures (in case of Joint Venture or Consortia)
- 1.3. Special Resolution of Consortia or Joint Ventures.
- 1.4. B-BBEE Certificate issued by accreditation agency registered with South African National Accreditation System (SANAS) where Consortium / Joint Venture are involved Bidders are to hand in their consolidated B-BBEE certificates.
- 1.5. Standard Bidding Document 1 (SBD 1) – Invitation to Bid
- 1.6. Standard Bidding Document 4 (SBD 4) – Bidder's Disclosure
- 1.7. Standard Bidding a Document 6.1 (SBD 6.1) – Preference points claim form in terms of the Preferential Procurement Regulations 2017.
- 1.8. Annual Financial Statements Declaration

## LIST OF RETURNABLE DOCUMENTS

### 1. THE BIDDER MUST COMPLETE THE FOLLOWING RETURNABLE DOCUMENTS:

| <b>Bid Document Name:</b>                                                 | <b>Number of Pages:</b> | <b>Returnable document:</b> |
|---------------------------------------------------------------------------|-------------------------|-----------------------------|
| Resolution of Board of Directors                                          | 1 Page                  | <input type="checkbox"/>    |
| Resolution of Board of Directors to enter into Consortia or JV            | 3 Pages                 | <input type="checkbox"/>    |
| Special Resolution of Consortia or Joint Venture                          | 2 Pages                 | <input type="checkbox"/>    |
| SBD 1: Invitation to Bid                                                  | 2 Pages                 | <input type="checkbox"/>    |
| SBD 4: Bidder's Disclosure                                                | 3 Pages                 | <input type="checkbox"/>    |
| SBD 6.1: Preference Points Claim Form in terms of the PPR 2011            | 4 Pages                 | <input type="checkbox"/>    |
| Annexure A: Record of Addenda to tender documents                         | 1 Page                  | <input type="checkbox"/>    |
| Annexure B: Proposed amendments and qualifications                        | 1 Page                  | <input type="checkbox"/>    |
| Annexure C: Compulsory Declaration                                        | 5 Pages                 | <input type="checkbox"/>    |
| Annual Financial Statements Declaration                                   | 1 Page                  | <input type="checkbox"/>    |
| Schedule of the Tenderer's Experience (Particulars of Tenderers Projects) | 4 Pages                 | <input type="checkbox"/>    |
| Resource Information Sheet                                                | 3 Pages                 | <input type="checkbox"/>    |

|                |           |      |
|----------------|-----------|------|
|                |           |      |
| Name of Bidder | Signature | Date |

# RESOLUTION OF BOARD OF DIRECTORS

RESOLUTION of a meeting of the Board of \*Directors / Members / Partners of:

\_\_\_\_\_  
(legally correct full name and registration number, if applicable, of the Enterprise)

Held at \_\_\_\_\_ (place)

on \_\_\_\_\_ (date)

## RESOLVED that:

- 1 The Enterprise submits a Tender to the Department of Public Works and Infrastructure, Free State Province in respect of the following project:

\_\_\_\_\_  
(project description as per Tender Document)

Tender Number: \_\_\_\_\_ (Tender Number as per Tender Document)

- 2 \*Mr/Mrs/Ms: \_\_\_\_\_

in \*his/her Capacity as: \_\_\_\_\_ (Position in the Enterprise)

and who will sign as follows: \_\_\_\_\_

be, and is hereby, authorised to sign the Tender, and any and all other documents and/or correspondence in connection with and relating to the Tender, as well as to sign any Contract, and any and all documentation, resulting from the award of the Tender to the Enterprise mentioned above.

|   | Name | Capacity | Signature |
|---|------|----------|-----------|
| 1 |      |          |           |
| 2 |      |          |           |
| 3 |      |          |           |
| 4 |      |          |           |
| 5 |      |          |           |
| 6 |      |          |           |
| 7 |      |          |           |
| 8 |      |          |           |

### Note:

- \* Delete which is not applicable.
- NB.** This resolution must be signed by all the Directors / Members / Partners of the Tendering Enterprise.

### ENTERPRISE STAMP

# RESOLUTION OF BOARD OF DIRECTORS TO ENTER INTO CONSORTIA OR JOINT VENTURES

RESOLUTION of a meeting of the Board of \*Directors / Members / Partners of:

\_\_\_\_\_  
(Legally correct full name and registration number, if applicable, of the Enterprise)

held at \_\_\_\_\_ (place) on

(date) **RESOLVED that:**

1 The Enterprise submits a Tender, in consortium/joint venture with the following Enterprises:

\_\_\_\_\_  
(List all the legally correct full names and registration numbers, if applicable, of the Enterprises forming the consortium/joint venture)

to the Department of Public Works and Infrastructure, Free State Province in respect of the following project:

\_\_\_\_\_  
(Project description as per Tender Document)

Tender Number: \_\_\_\_\_ (Tender Number as per Tender Document)

2 \*Mr/Mrs/Ms: \_\_\_\_\_

in \*his/her Capacity as: \_\_\_\_\_ (Position in the Enterprise)

and who will sign as follows: \_\_\_\_\_

be, and is hereby, authorised to sign a consortium/joint venture agreement with the parties listed under item 1 above, and any and all other documents and/or correspondence in connection with and relating to the consortium/joint venture, in respect of the project described under item 1 above.

3 The Enterprise accept joint and several liability with the parties listed under item 1 above for the due fulfilment of the obligations of the joint venture deriving from, and in any way connected with, the Contract to be entered into with the Department in respect of the project described under item 1 above.

4 The Enterprise choose as its *domicilium citandi et executandi* for all purposes arising from this joint venture agreement and the Contract with the Department in respect of the project under item 1 above:

Physical address:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(code)

Postal address:

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---

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(code)

Telephone number: (code)

Fax number: (code)

|    | Name | Capacity | Signature |
|----|------|----------|-----------|
| 1  |      |          |           |
| 2  |      |          |           |
| 3  |      |          |           |
| 4  |      |          |           |
| 5  |      |          |           |
| 6  |      |          |           |
| 7  |      |          |           |
| 8  |      |          |           |
| 9  |      |          |           |
| 10 |      |          |           |
| 11 |      |          |           |
| 12 |      |          |           |
| 13 |      |          |           |
| 14 |      |          |           |
| 15 |      |          |           |

**Note:**

1. \* Delete which is not applicable.
2. **NB.** This resolution must be signed by all the Directors / Members / Partners of the Tendering Enterprise.
3. Should the number of Directors / Members / Partners exceed the space available above, additional names, capacity and signatures must be supplied on a separate page.

**ENTERPRISE STAMP**

## SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

**RESOLUTION** of a meeting of the duly authorised representatives of the following legal entities who have entered into a consortium/joint venture to jointly tender for the project mentioned below: *(legally correct full names and registration numbers, if applicable, of the Enterprises forming a consortium/joint venture)*

1

\_\_\_\_\_

2

\_\_\_\_\_

\_\_\_\_\_

3

\_\_\_\_\_

\_\_\_\_\_

4

\_\_\_\_\_

\_\_\_\_\_

5

\_\_\_\_\_

\_\_\_\_\_

6

\_\_\_\_\_

\_\_\_\_\_

7

\_\_\_\_\_

\_\_\_\_\_

8

\_\_\_\_\_

\_\_\_\_\_

Held at \_\_\_\_\_ *(place)*

on \_\_\_\_\_ *(date)*

### RESOLVED that:

A. The above-mentioned Enterprises submit a tender in consortium/joint venture to the Department of Public and Infrastructure Works, Free State Province in respect of the following project:

\_\_\_\_\_

*(Project description as per Tender Document)*

Tender Number: \_\_\_\_\_ *(Tender Number as per Tender Document)*

B. Mr/Mrs/Ms: \_\_\_\_\_

in \*his/her Capacity as: \_\_\_\_\_ *(Position in the Enterprise)*

and who will sign as follows: \_\_\_\_\_

be, and is hereby, authorised to sign the tender, and any and all other documents and/or correspondence in connection with and relating to the tender, as well as to sign any Contract, and any and all documentation, resulting from the award of the tender to the Enterprises in consortium/joint venture mentioned above.

C. The Enterprises constituting the consortium/joint venture, notwithstanding its composition, shall conduct all business under the name and style of:

---

D. The Enterprises to the consortium/joint venture accept joint and several liability for the due fulfilment of the obligations of the consortium/joint venture deriving from, and in any way connected with, the Contract entered into with the Department in respect of the project described under item A above.

E. Any of the Enterprises to the consortium/joint venture intending to terminate the consortium/joint venture agreement, for whatever reason, shall give the Department 30 days written notice of such intention. Notwithstanding such decision to terminate, the Enterprises shall remain jointly and severally liable to the Department for the due fulfilment of the obligations of the consortium/joint venture as mentioned under item D above.

F. No Enterprise to the consortium/joint venture shall, without the prior written consent of the other Enterprises to the consortium/joint venture and of the Department, cede any of its rights or assign any of its obligations under the consortium/joint venture agreement in relation to the Contract with the Department referred to herein.

G. The Enterprises choose as the *domicilium citandi et executandi* of the consortium/joint venture for all purposes arising from the consortium/joint venture agreement and the Contract with the Department in respect of the project under item A above:

Physical address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (code) \_\_\_\_\_

Postal Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (code) \_\_\_\_\_

Telephone number (code): \_\_\_\_\_

**PART A**  
**INVITATION TO BID**

|                                                                                                                                                                                                                     |                                                                                                                                                                                                                                   |               |                                                                          |                                                                    |                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------------------|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| <b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>                                                                                                                    |                                                                                                                                                                                                                                   |               |                                                                          |                                                                    |                                                                                                      |
| BID NUMBER:                                                                                                                                                                                                         | DPWFS EOI 002/2022                                                                                                                                                                                                                | CLOSING DATE: | 29 AUGUST 2022                                                           | CLOSING TIME:                                                      | 11:00                                                                                                |
| DESCRIPTION                                                                                                                                                                                                         | THE FREE STATE DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE HEREBY INVITES EXPRESSION OF INTERESTS FROM PROSPECTIVE SERVICE PROVIDERS/FIRMS TO REGISTER ON A PANEL OF PROFESSIONAL CONYEYANCERS FOR A PERIOD OF THREE (3) YEARS. |               |                                                                          |                                                                    |                                                                                                      |
| <b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>                                                                                                                          |                                                                                                                                                                                                                                   |               |                                                                          |                                                                    |                                                                                                      |
| Ground Floor (Main Entrance Foyer)                                                                                                                                                                                  |                                                                                                                                                                                                                                   |               |                                                                          |                                                                    |                                                                                                      |
| O.R Tambo House (Lebohang Building);                                                                                                                                                                                |                                                                                                                                                                                                                                   |               |                                                                          |                                                                    |                                                                                                      |
| Cnr. Markgraaff and St Andrews Street,                                                                                                                                                                              |                                                                                                                                                                                                                                   |               |                                                                          |                                                                    |                                                                                                      |
| Bloemfontein, 9301                                                                                                                                                                                                  |                                                                                                                                                                                                                                   |               |                                                                          |                                                                    |                                                                                                      |
| <b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>                                                                                                                                                               |                                                                                                                                                                                                                                   |               | <b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>                           |                                                                    |                                                                                                      |
| CONTACT PERSON                                                                                                                                                                                                      | Ms. Seipati Seleso                                                                                                                                                                                                                |               | CONTACT PERSON                                                           | Mr. Molefe Mosia                                                   |                                                                                                      |
| TELEPHONE NUMBER                                                                                                                                                                                                    | 051 492 3883                                                                                                                                                                                                                      |               | TELEPHONE NUMBER                                                         | 051 410 7547 / 066 307 4346                                        |                                                                                                      |
| FACSIMILE NUMBER                                                                                                                                                                                                    |                                                                                                                                                                                                                                   |               | FACSIMILE NUMBER                                                         |                                                                    |                                                                                                      |
| E-MAIL ADDRESS                                                                                                                                                                                                      | <a href="mailto:selesos@fsworks.gov.za">selesos@fsworks.gov.za</a>                                                                                                                                                                |               | E-MAIL ADDRESS                                                           | <a href="mailto:mosiami@fsworks.gov.za">mosiami@fsworks.gov.za</a> |                                                                                                      |
| <b>SUPPLIER INFORMATION</b>                                                                                                                                                                                         |                                                                                                                                                                                                                                   |               |                                                                          |                                                                    |                                                                                                      |
| 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]<br><input type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                  |               | B-BBEE STATUS LEVEL SWORN AFFIDAVIT                                      |                                                                    | [TICK APPLICABLE BOX]<br><input type="checkbox"/> Yes <input type="checkbox"/> No                    |
| <b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>                                               |                                                                                                                                                                                                                                   |               |                                                                          |                                                                    |                                                                                                      |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?                                                                                                                       | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES ENCLOSE PROOF]                                                                                                                                                |               | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? |                                                                    | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES, ANSWER THE QUESTIONNAIRE BELOW] |
| <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                                             |
| 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**

|                                                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <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."                        |

SIGNATURE OF BIDDER: .....

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

DATE: .....

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

## 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 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**

---

<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 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

---

<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.

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

## PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

### 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 R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated is to be between R30 000 and R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

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

|                                                          | POINTS     |
|----------------------------------------------------------|------------|
| PRICE                                                    | 80         |
| B-BBEE STATUS LEVEL OF CONTRIBUTOR                       | 20         |
| <b>Total points for Price and B-BBEE must not exceed</b> | <b>100</b> |

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

### 2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

### 3. POINTS AWARDED FOR PRICE

#### 3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

80/20                      or                      90/10

Where

$P_s$  = Points scored for price of bid under consideration  
 $P_t$  = Price of bid under consideration  
 $P_{\min}$  = Price of lowest acceptable bid

### 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

| B-BBEE Status Level of Contributor | Number of points (90/10 system) | Number of points (80/20 system) |
|------------------------------------|---------------------------------|---------------------------------|
| 1                                  | 10                              | 20                              |
| 2                                  | 9                               | 18                              |
| 3                                  | 6                               | 14                              |
| 4                                  | 5                               | 12                              |
| 5                                  | 4                               | 8                               |
| 6                                  | 3                               | 6                               |
| 7                                  | 2                               | 4                               |
| 8                                  | 1                               | 2                               |
| Non-compliant contributor          | 0                               | 0                               |

**5. BID DECLARATION**

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

**6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

6.1 B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

7.1 Will any portion of the contract be sub-contracted?

(*Tick applicable box*)

|     |  |    |  |
|-----|--|----|--|
| YES |  | NO |  |
|-----|--|----|--|

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....%

ii) The name of the sub-contractor.....

iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

(*Tick applicable box*)

|     |  |    |  |
|-----|--|----|--|
| YES |  | NO |  |
|-----|--|----|--|

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

| Designated Group: An EME or QSE which is at last 51% owned by:    | EME<br>√ | QSE<br>√ |
|-------------------------------------------------------------------|----------|----------|
| Black people                                                      |          |          |
| Black people who are youth                                        |          |          |
| Black people who are women                                        |          |          |
| Black people with disabilities                                    |          |          |
| Black people living in rural or underdeveloped areas or townships |          |          |
| Cooperative owned by black people                                 |          |          |
| Black people who are military veterans                            |          |          |
| OR                                                                |          |          |
| Any EME                                                           |          |          |
| Any QSE                                                           |          |          |

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer  
☐ Supplier  
☐ Professional service provider  
☐ Other service providers, e.g. transporter, etc.  
[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

WITNESSES

1. ....  
2. ....

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

DATE: .....  
ADDRESS .....  
.....  
.....

**Annexure A - Record of Addenda to tender documents**

|                                                                                                                                                                                                       |             |                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------|
| We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer: |             |                         |
|                                                                                                                                                                                                       | <b>Date</b> | <b>Title or Details</b> |
| 1.                                                                                                                                                                                                    |             |                         |
| 2.                                                                                                                                                                                                    |             |                         |
| 3.                                                                                                                                                                                                    |             |                         |
| 4.                                                                                                                                                                                                    |             |                         |
| 5.                                                                                                                                                                                                    |             |                         |
| 6.                                                                                                                                                                                                    |             |                         |
| 7.                                                                                                                                                                                                    |             |                         |
| 8.                                                                                                                                                                                                    |             |                         |
| 9.                                                                                                                                                                                                    |             |                         |
| 10.                                                                                                                                                                                                   |             |                         |

Attach additional pages if more space is required.

Signature .....

Date .....

Name .....

Position .....

Tenderer .....

## Annexure B: Proposed amendments and qualifications

The Tenderer should record any deviations or qualifications he may wish to make to the tender documents in this Returnable Schedule. Alternatively, a tenderer may state such deviations and qualifications in a covering letter to his tender and reference such letter in this schedule.

The Tenderer's attention is drawn to clause 5.8 of SANS 10845-3 regarding the employer's handling of material deviations and qualifications.

| Page | Clause or item | Proposal |  |
|------|----------------|----------|--|
|      |                |          |  |

Signature ..... Date .....

Name ..... Position .....

Tenderer .....

## Annexure C: Compulsory Declaration

The following particulars must be furnished. In the case of a joint venture, separate declaration in respect of each partner must be completed and submitted.

### Section 1: Enterprise Details

|                     |  |
|---------------------|--|
| Name of enterprise: |  |
| Contact person:     |  |
| Email:              |  |
| Telephone:          |  |
| Cell no             |  |
| Fax:                |  |
| Physical address    |  |
| Postal address      |  |

### Section 2: Particulars of companies and close corporations

|                                                 |  |
|-------------------------------------------------|--|
| Company / Close Corporation registration number |  |
|-------------------------------------------------|--|

### Section 3: SARS Information

|                                  |                                                       |
|----------------------------------|-------------------------------------------------------|
| Tax reference number             |                                                       |
| Tax compliance status pin number |                                                       |
| VAT registration number:         | <i>State Not Registered if not registered for VAT</i> |

### Section 4: CIDB registration number

|                                             |  |
|---------------------------------------------|--|
| CIDB Registration number<br>(if applicable) |  |
|---------------------------------------------|--|

### Section 5: National Treasury Central Supplier Database

|                                                                  |  |
|------------------------------------------------------------------|--|
| CSD Master Registration Number<br>Attach CSD registration report |  |
|------------------------------------------------------------------|--|

**Section 6: Particulars of principals**

**principal:** means a natural person who is a partner in a partnership, a sole proprietor, a director of a company established in terms of the Companies Act of 2008 (Act No. 71 of 2008) or a member of a close corporation registered in terms of the Close Corporation Act, 1984, (Act No. 69 of 1984).

| Full name of principal | Identity number | Personal tax reference number |
|------------------------|-----------------|-------------------------------|
|                        |                 |                               |
|                        |                 |                               |
|                        |                 |                               |
|                        |                 |                               |
|                        |                 |                               |
|                        |                 |                               |

Attach separate page if necessary

**Section 7: Record in the service of the state**

Indicate by marking the relevant boxes with a cross, if any principal is currently or has been within the last 12 months in the service of any of the following:

- |                                                                                                |                                                                                                                                                                                                                |
|------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> a member of any municipal council                                     | <input type="checkbox"/> an employee of any department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act of 1999 (Act No. 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature                                |                                                                                                                                                                                                                |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity                                                                                                       |
| <input type="checkbox"/> a member of the board of directors of any municipal entity            | <input type="checkbox"/> an employee of Parliament or a provincial legislature                                                                                                                                 |
| <input type="checkbox"/> an official of any municipality or municipal entity                   |                                                                                                                                                                                                                |

If any of the above boxes are marked, disclose the following:

| Name of principal | Name of institution, public office, board or organ of state and position held | Status of service<br>(tick appropriate column) |                       |
|-------------------|-------------------------------------------------------------------------------|------------------------------------------------|-----------------------|
|                   |                                                                               | Current                                        | Within last 12 months |
|                   |                                                                               |                                                |                       |
|                   |                                                                               |                                                |                       |
|                   |                                                                               |                                                |                       |
|                   |                                                                               |                                                |                       |
|                   |                                                                               |                                                |                       |

\*insert separate page if necessary

**Section 8: Record of family member in the service of the state**

**family member:** a person's spouse, whether in a marriage or in a customary union according to indigenous law, domestic partner in a civil union, or child, parent, brother, sister, whether such a relationship results from birth, marriage or adoption

Indicate by marking the relevant boxes with a cross, if any family member of a principal as defined in section 5 is currently or has been within the last 12 months been in the service of any of the following:

- |                                                                                                |                                                                                                                                                                                                                     |
|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> a member of any municipal council                                     | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature                                |                                                                                                                                                                                                                     |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity                                                                                                            |
| <input type="checkbox"/> a member of the board of directors of any municipal entity            | <input type="checkbox"/> an employee of Parliament or a provincial legislature                                                                                                                                      |
| <input type="checkbox"/> an official of any municipality or municipal entity                   |                                                                                                                                                                                                                     |

| Name of family member | Name of institution, public office, board or organ of state and position held | Status of service (tick appropriate column) |                       |
|-----------------------|-------------------------------------------------------------------------------|---------------------------------------------|-----------------------|
|                       |                                                                               | Current                                     | Within last 12 months |
|                       |                                                                               |                                             |                       |
|                       |                                                                               |                                             |                       |
|                       |                                                                               |                                             |                       |
|                       |                                                                               |                                             |                       |
|                       |                                                                               |                                             |                       |

\*insert separate page if necessary

**Section 9: Record of termination of previous contracts with an organ of state**

Was any contract between the tendering entity including any of its joint venture partners terminated during the past 5 years for reasons other than the employer no longer requiring such works or the employer failing to make payment in terms of the contract.

☐ Yes      ☐ No (Tick appropriate box)

If yes, provide particulars (insert separate page if necessary)

## Section 10: Declaration

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the tendering entity confirms that the contents of this Declaration are within my personal knowledge, and save where stated otherwise in an attachment hereto, are to the best of my belief both true and correct, and:

- i) neither the name of the tendering entity or any of its principals appears on:
  - a) the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004 (Act No. 12 of 2004)
  - b) National Treasury's Database of Restricted Suppliers (see [www.treasury.gov.za](http://www.treasury.gov.za))
- ii) neither the tendering entity or any of its principals has within the last five years been convicted of fraud or corruption by a court of law (including a court outside of the Republic of South Africa);
- iii) any principal who is presently employed by the state has the necessary permission to undertake remunerative work outside such employment (attach permission to this declaration);
- iv) the tendering entity is not associated, linked or involved with any other tendering entities submitting tender offers
- v) has not engaged in any prohibited restrictive horizontal practices including consultation, communication, agreement, or arrangement with any competing or potential tendering entity regarding prices, geographical areas in which goods and services will be rendered, approaches to determining prices or pricing parameters, intentions to submit a tender or not, the content of the submission (specification, timing, conditions of contract etc) or intention to not win a tender;
- vi) has no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- vii) neither the tenderer or any of its principals owes municipal rates and taxes or municipal service charges to any municipality or a municipal entity and are not in arrears for more than 3 months;
- viii) SARS may, on an on-going basis during the term of the contract, disclose the tenderer's tax compliance status to the Employer and when called upon to do so, obtain the written consent of any subcontractors who are subcontracted to execute a portion of the contract that is entered into in excess of the threshold prescribed by the National Treasury, for SARS to do likewise.

Signature .....

Date .....

Name .....

Position .....

Enterprise name .....

NOTE 1 The Standard Conditions of Tender contained in SANS 10845-3 prohibits anticompetitive practices (clause 3.1) and requires that tenderers avoid conflicts of interest, only submit a tender offer if the tenderer or any of his principals is not under any restriction to do business with employer (4.1.1) and submit only one tender either as a single tendering entity or as a member in a joint venture (clause 4.13.1). Clause 5.7 also empowers the Employer to disqualify any tenderer who engages in fraudulent and corrupt practice. Clause 3.1 also requires tenderers to comply with all legal obligations.

NOTE 2: Section 30(1) of the Public Service Act, 1994, prohibits an employee (person who is employed in posts on the establishment of departments) from performing or engaging remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department. When in operation, Section 8(2) of the Public Administration Management Act, 2014, will prohibit an employee of the public administration (i.e. organs of state and all national departments, national government components listed in Part A of Schedule 3 to the Public Service Act, provincial departments including the office of the premier listed in Schedule 1 of the Public Service Act and provincial departments listed in schedule 2 of the Public Service Act, and provincial government components listed in Part B of schedule 3 of the Public Service Act) or persons contracted to executive authorities in accordance with the provisions of section 12A of the Public Service Act of 1994 or persons performing similar functions in organs of state from conducting business with the State or to be a director of a public or private company conducting business with the State. The offence for doing so is a fine or imprisonment for a period not exceeding 5 years or both. It is also a serious misconduct which may result in the termination of employment by the employer.

NOTE 3: Regulation 44 of Supply Chain Management regulations issued in terms of the Municipal Finance Management Act of 2003 requires that organs of state and municipal entities not award a contract to a person who is the service of the state, a director, manager or principal shareholder in the service of the state or who has been in the service of the state in the previous twelve months.

NOTE: 4: Regulation 45 of Supply Chain Management regulations requires a municipality or municipal entity to disclose in the notes to the annual statements particulars of any award made to a close family member in the service of the state.

NOTE: 5 Corrupt activities which give rise to an offence in terms of the Prevention and Combating of Corrupt Activities Act of 2004) include improperly influencing in any way the procurement of any contract, the fixing of the price, consideration or other moneys stipulated or otherwise provided for in any contract and the manipulating by any means of the award of a tender.

NOTE: 6 Section 4 of the Competition Act of 1998 prohibits restrictive horizontal practice including agreements between parties in a horizontal relationship which have the effect of substantially preventing or lessening competition, directly or indirectly fixing prices or dividing markets or constitute collusive tendering. Section 5 also prohibits restrictive vertical practices. Any restrictive practices that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties.

### Annual Financial Statements Declaration

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the respondent, confirms that:

- 1) The enterprise's financial year end is .....
- 2) The enterprise's financial statements have been prepared in accordance with the provisions of the Companies Act of 2008 or the Close Corporation Act of 1984, as applicable
- 3) The enterprise has compiled its financial accounts [tick one box]:  
☐ internally ☐ independently
- 4) The following statement applies to the enterprise [tick one box and provide relevant information]  
☐ enterprise has had its financial statements audited;  
name of auditor .....  
☐ enterprise is required by law to have an independent review of its financial statements  
name of independent reviewer .....  
☐ enterprise has not had its financial statements audited and is not required by law to have an independent review or audit of such statements
- 5) The attached income statement and balance sheet is a true extract from the financial statements complying with applicable legislation for the preceding financial year within 12 months of the financial year end.  
*[Attach the income statement and the balance sheet contained in the financial statement]*
- 6) The annual turnover for the last financial year is R .....
- 7) The total assets as at the end of the last financial year is R .....
- 8) The total liabilities as at the end of the financial year is R .....

I hereby declare that the contents of this Declaration are within my personal knowledge, and save where stated otherwise are to the best of my belief both true and correct.

Signature .....

Date .....

Name .....

Position .....

Tenderer .....

**Schedule of the Tenderer's Experience (Particulars of Tenderers Projects)**

| FORM: PARTICULARS OF TENDERERS PROJECTS |                                                                                                                                                       |                  |                |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------|
| Project title:                          | EXPRESSION OF INTERESTS FROM PROSPECTIVE SERVICE PROVIDERS/FIRMS TO REGISTER ON A PANEL OF PROFESSIONAL CONYEYANCERS FOR A PERIOD OF THREE (3) YEARS. |                  |                |
| Contract no:                            | DPWFS (EOI) 002 /2022                                                                                                                                 | Closing date:    | 29 August 2022 |
| Advertising date:                       | 29 July 2022                                                                                                                                          | Validity period: | 120 days       |

**Note: The Tenderer is required to furnish the following particulars and to attach additional pages if more space is required. Failure to furnish the particulars will result in the tender offer being disqualified from further consideration.**

**2. PARTICULARS OF THE TENDERER'S CURRENT AND PREVIOUS COMMITMENTS**

**2.1. Current projects: Appointment letter(s) must be provided to buttress the information supplied below.**

| Projects currently engaged in | Name of Employer or Representative of Employer | Contact tel. no. | Contract sum | Contractual commencement date | Contractual completion date | Present progress |
|-------------------------------|------------------------------------------------|------------------|--------------|-------------------------------|-----------------------------|------------------|
| 1                             |                                                |                  |              |                               |                             |                  |
| 2                             |                                                |                  |              |                               |                             |                  |
| 3                             |                                                |                  |              |                               |                             |                  |
| 4                             |                                                |                  |              |                               |                             |                  |
| 5                             |                                                |                  |              |                               |                             |                  |

| Projects currently engaged in |  | Name of Employer<br>or Representative<br>of Employer | Contact tel. no. | Contract sum | Contractual<br>commencement<br>date | Contractual<br>completion<br>date | Present<br>progress |
|-------------------------------|--|------------------------------------------------------|------------------|--------------|-------------------------------------|-----------------------------------|---------------------|
| 6                             |  |                                                      |                  |              |                                     |                                   |                     |
| 7                             |  |                                                      |                  |              |                                     |                                   |                     |
| 8                             |  |                                                      |                  |              |                                     |                                   |                     |
| 9                             |  |                                                      |                  |              |                                     |                                   |                     |
| 10                            |  |                                                      |                  |              |                                     |                                   |                     |
| 11                            |  |                                                      |                  |              |                                     |                                   |                     |
| 12                            |  |                                                      |                  |              |                                     |                                   |                     |

|                  |           |      |
|------------------|-----------|------|
|                  |           |      |
| Name of Tenderer | Signature | Date |

- 2.2. Completed projects: Both appointment letter(s) and completion certificates linked to the project(s) listed below must be provided to buttress the information provided.

| Projects completed in the previous 5 (five) years |  | Name of Employer or Representative of Employer | Contact tel. no. | Contract sum | Contractual commencement date | Contractual completion date | Date of Certificate of Practical Completion |
|---------------------------------------------------|--|------------------------------------------------|------------------|--------------|-------------------------------|-----------------------------|---------------------------------------------|
| 1                                                 |  |                                                |                  |              |                               |                             |                                             |
| 2                                                 |  |                                                |                  |              |                               |                             |                                             |
| 3                                                 |  |                                                |                  |              |                               |                             |                                             |
| 4                                                 |  |                                                |                  |              |                               |                             |                                             |
| 5                                                 |  |                                                |                  |              |                               |                             |                                             |
| 6                                                 |  |                                                |                  |              |                               |                             |                                             |
| 7                                                 |  |                                                |                  |              |                               |                             |                                             |

| Projects completed in the previous 5 (five) years |  | Name of Employer or Representative of Employer | Contact tel. no. | Contract sum | Contractual commencement date | Contractual completion date | Date of Certificate of Practical Completion |
|---------------------------------------------------|--|------------------------------------------------|------------------|--------------|-------------------------------|-----------------------------|---------------------------------------------|
| 8                                                 |  |                                                |                  |              |                               |                             |                                             |
| 9                                                 |  |                                                |                  |              |                               |                             |                                             |
| 10                                                |  |                                                |                  |              |                               |                             |                                             |
| 11                                                |  |                                                |                  |              |                               |                             |                                             |
| 12                                                |  |                                                |                  |              |                               |                             |                                             |
| 13                                                |  |                                                |                  |              |                               |                             |                                             |

|                  |           |      |
|------------------|-----------|------|
|                  |           |      |
| Name of Tenderer | Signature | Date |

**Resource Information Sheet – Experience as Professional Conveyancer**

|                                                     |  |
|-----------------------------------------------------|--|
| <b>Professional<br/>Registration(s)</b>             |  |
| <b>Professional<br/>Registration<br/>Number(s):</b> |  |
| <b>Date of Birth:</b>                               |  |
| <b>ID number:</b>                                   |  |
| <b>Employed by:</b>                                 |  |
| <b>Number of years with<br/>current employer</b>    |  |
| <b>Position held with<br/>current employer</b>      |  |

SIGNATURE OF RESOURCE:

DATE:

| Key projects worked on (align to evaluation requirements) | Name of project | Role in Project | Project Value | Duration of Project | Project Start Date | Project End Date | Reference Name | Reference Contact number |
|-----------------------------------------------------------|-----------------|-----------------|---------------|---------------------|--------------------|------------------|----------------|--------------------------|
| 1                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 2                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 3                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 4                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 5                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 6                                                         |                 |                 |               |                     |                    |                  |                |                          |

| Key projects worked on (align to evaluation requirements) | Name of project | Role in Project | Project Value | Duration of Project | Project Start Date | Project End Date | Reference Name | Reference Contact number |
|-----------------------------------------------------------|-----------------|-----------------|---------------|---------------------|--------------------|------------------|----------------|--------------------------|
| 7                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 8                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 9                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 10                                                        |                 |                 |               |                     |                    |                  |                |                          |
| 11                                                        |                 |                 |               |                     |                    |                  |                |                          |
| 12                                                        |                 |                 |               |                     |                    |                  |                |                          |

| Key projects worked on (align to evaluation requirements)                                       | Name of project | Role in Project | Project Value | Duration of Project | Project Start Date | Project End Date | Reference Name | Reference Contact number |
|-------------------------------------------------------------------------------------------------|-----------------|-----------------|---------------|---------------------|--------------------|------------------|----------------|--------------------------|
| 13                                                                                              |                 |                 |               |                     |                    |                  |                |                          |
| 14                                                                                              |                 |                 |               |                     |                    |                  |                |                          |
| 15                                                                                              |                 |                 |               |                     |                    |                  |                |                          |
| In your opinion why you would be the right resource for this project, based on your experience? |                 |                 |               |                     |                    |                  |                |                          |
|                                                                                                 |                 |                 |               |                     |                    |                  |                |                          |
|                                                                                                 |                 |                 |               |                     |                    |                  |                |                          |
|                                                                                                 |                 |                 |               |                     |                    |                  |                |                          |
|                                                                                                 |                 |                 |               |                     |                    |                  |                |                          |

NAME:

SIGNATURE OF RESOURCE:

DATE

**Resource Information Sheet –**

|                                                     |  |
|-----------------------------------------------------|--|
| <b>Professional<br/>Registration(s)</b>             |  |
| <b>Professional<br/>Registration<br/>Number(s):</b> |  |
| <b>Date of Birth:</b>                               |  |
| <b>ID number:</b>                                   |  |
| <b>Employed by:</b>                                 |  |
| <b>Number of years with<br/>current employer</b>    |  |
| <b>Position held with<br/>current employer</b>      |  |

SIGNATURE OF RESOURCE:

DATE:

| Key projects worked on (align to evaluation requirements) | Name of project | Role in Project | Project Value | Duration of Project | Project Start Date | Project End Date | Reference Name | Reference Contact number |
|-----------------------------------------------------------|-----------------|-----------------|---------------|---------------------|--------------------|------------------|----------------|--------------------------|
| 1                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 2                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 3                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 4                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 5                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 6                                                         |                 |                 |               |                     |                    |                  |                |                          |

| Key projects worked on (align to evaluation requirements) | Name of project | Role in Project | Project Value | Duration of Project | Project Start Date | Project End Date | Reference Name | Reference Contact number |
|-----------------------------------------------------------|-----------------|-----------------|---------------|---------------------|--------------------|------------------|----------------|--------------------------|
| 7                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 8                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 9                                                         |                 |                 |               |                     |                    |                  |                |                          |
| 10                                                        |                 |                 |               |                     |                    |                  |                |                          |
| 11                                                        |                 |                 |               |                     |                    |                  |                |                          |
| 12                                                        |                 |                 |               |                     |                    |                  |                |                          |

| Key projects worked on (align to evaluation requirements)                                       | Name of project | Role in Project | Project Value | Duration of Project | Project Start Date | Project End Date | Reference Name | Reference Contact number |
|-------------------------------------------------------------------------------------------------|-----------------|-----------------|---------------|---------------------|--------------------|------------------|----------------|--------------------------|
| 13                                                                                              |                 |                 |               |                     |                    |                  |                |                          |
| 14                                                                                              |                 |                 |               |                     |                    |                  |                |                          |
| 15                                                                                              |                 |                 |               |                     |                    |                  |                |                          |
| In your opinion why you would be the right resource for this project, based on your experience? |                 |                 |               |                     |                    |                  |                |                          |
|                                                                                                 |                 |                 |               |                     |                    |                  |                |                          |
|                                                                                                 |                 |                 |               |                     |                    |                  |                |                          |
|                                                                                                 |                 |                 |               |                     |                    |                  |                |                          |
|                                                                                                 |                 |                 |               |                     |                    |                  |                |                          |

NAME:

SIGNATURE OF RESOURCE:

DATE:

## **SECTION 2: TERMS OF REFERENCE**

## **TERMS OF REFERENCE**

### **1. PURPOSE**

To request for proposals from prospective service providers to be included on the departmental Panel of Conveyancers for a period of three (3) years.

### **2. BACKGROUND**

- 2.1.** The Department of Public Works and Infrastructure is the Custodian of all properties that are registered in the name of the province, it is also the mandate of the Department to provide suitable accommodation for all 11 User Departments in the Province. For the Department to perform its mandate to provide suitable accommodation for the client Departments we first consider the properties in the Immovable Asset Register, if there is no suitable property in the Provincial Asset register request for donation from other spheres of government is considered or acquisition from the property owners.
- 2.2.** Donated and acquired properties needs to be registered in the name of the Province. The Department needs to carry out Conveyancing Services on these properties for purposes of providing accommodation to the client Departments Already the Department has accepted donations from different Municipalities. However, the Department does not have the required capacity internally to perform Conveyancing Services on such properties.
- 2.3.** In order to ensure credibility of information, only the company whose individuals are registered with Legal Practice Council will be utilized for this exercise.
- 2.4.** Upon completion of the property registration exercise, a title deed of the property registered in the name of the Province will be furnished to the Department by the service providers.

### **3. PROCUREMENT STRATEGY FOR THE PANEL OF PROFESSIONAL CONVEYANCERS**

The intention of the Department is to advertise a request for proposal from interested parties who are Conveyancers to be registered on the panel for a period of 36 months. The panel will be established upon evaluation and consideration of the received respondents.

#### **4. SPECIAL CONDITIONS**

4.1. The Department requires the Conveyancers to provide services as-and-when required within the time frames that will be determined by the Department.

4.1.1. A title deed will be expected from the appointed Conveyancers upon final registration process of the property.

4.1.2. Professional indemnity may be required by the Department.

4.1.3. The Department reserves the right to determine the frequency of utilization of Conveyancers within a prescribed period.

4.1.4. Appointment of Conveyancers on the Department's panel of Conveyancers does not constitute a binding or legal expectation of work.

4.1.5. Quotations will be sourced from the Conveyancers appointed on the panel of the Department.

4.1.6. The general conditions of contract (GCC) will apply for this Request for Proposal.

#### **5. EVALUATION CRITERIA**

The evaluation of the bid will be done in three (03) stages (Compliance with the Mandatory requirements, Evaluation on functionality and Price and Preference)

#### **6. BRIEFING SESSION**

There will be no compulsory briefing session held for this bid.

#### **7. BID VALIDITY PERIOD**

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

#### **8. INSTRUCTIONS ON SUBMISSION OF BIDS**

8.1. Bids should be submitted in one sealed envelope endorsed, **DPWFS EOI 002/2022 REQUEST FOR PROPOSAL FOR PROSPECTIVE SERVICE PROVIDERS TO BE ON A PANEL OF CONVEYANCERS FOR THE FREE STATE DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE**. The sealed envelope must be placed in the bid box at the Main Entrance area of the OR Tambo Building, by no later than **11:00am on, 29 August 2022**.

8.2. Bids must be submitted in the prescribed bid document as issued out by the Department.

8.3. The bid closing date, bidder name and the return address must also be clearly endorsed on the envelope.

- 8.4. If a courier service company is being used for delivery of the bid response, the bid description must be endorsed on the delivery note/courier packaging and the courier must ensure that documents are placed / deposited into the bid box. **The DEPARTMENT will not be held responsible for any delays where bid documents are handed to DEPARTMENT to any of its officials.**
- 8.5. No bid response received by telegram, telex, email, facsimile or similar medium will be considered.
- 8.6. 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 DEPARTMENT policy not to consider late bids for tender evaluation.
- 8.7. Amended bids may be sent in an envelope marked "Amendment to the bid" and should be placed in the bid box before the closing time.

## 9. PREPARATION OF BID RESPONSE

- 9.1. All the documentation submitted in response to this EOI must be in English.
- 9.2. The bidder is responsible for all the costs that it shall incur in relation to the preparation and submission of the bid document.
- 9.3. Bids submitted by bidders which are, or are comprised of companies must be signed by a person or persons duly authorised thereto by a resolution of the applicable Board of Directors, a copy of which Resolution, duly certified, must be submitted with the bid.
- 9.4. The bidder should check the numbers of the pages of its bid to satisfy itself that none are missing or duplicated. No liability will be accepted by DEPARTMENT in regard to anything arising from the fact that pages of a bid are missing or duplicated.
- 9.5. A list of all references (minimum of 3, as per the Functional Evaluation Criteria set out in these EOI) must be included in the bid response.
- 9.6. A valid Tax Clearance Certificate, or a unique security Personal Identification number (PIN) issued by the South African Revenue Services (where Consortium / Joint Venture / Sub-contractors are involved, each party to the association must submit a separate Valid Tax Clearance Certificate or a unique security personal Identification number).
- 9.7. Valid Proof of Registration on the National Treasury's Central Supplier's Database must accompany this bid
- 9.8. Municipal services (water, sanitation, rates and electricity) clearance certificate or Lease Agreement with a Current Bill of Account not owing more than thirty (90) days.
- 9.9. A copy(s) of valid and current certificates from the professional organizations / bodies that the bidder is affiliated to or a member of, must be included in the bid response.

## 10. SUPPLIER PERFORMANCE MANAGEMENT

Supplier Performance Management is viewed by the department as a critical component in ensuring value for money acquisition and good supplier relations between the DEPARTMENT and all its suppliers.

The successful bidder shall upon receipt of written notification of an award, be required to conclude a Service Level Agreement (SLA) with the DEPARTMENT, which will form an integral part of the supply agreement. The SLA will serve as a tool to measure, monitor and assess the supplier's performance and ensure effective delivery of service, quality and value-add to DEPARTMENT mandate.

Successful bidders will be required to comply with the above condition, and also provide a scorecard on how their product / service offering will be measured to achieve the objectives of this condition.

The service bidders will be expected to deliver the services and complete all tasks related to conveyancing of each property within a period of one from the date a request for service is issued. Any deviation from this requirement will have to be approved by the Department, otherwise a service provider will be regarded as a non – performer and further action may be taken against them.

### RIGHTS OF THE DEPARTMENT

- 10.1. The DEPARTMENT is entitled to amend any bid conditions, bid validity period, EOI specifications, or extend the bid closing date, all before the bid closing date. All bidders, to whom the EOI documents have been issued and where the DEPARTMENT have record of such bidders, may be advised in writing of such amendments in good time and any such changes will also be posted on the DEPARTMENT on the Tender Bulletin website under the relevant tender information. All prospective bidders should therefore ensure that they visit the Tender Bulletin website regularly and before they submit their bid response to ensure that they are kept updated on any amendments in this regard.
- 10.2. The DEPARTMENT reserves the right not to accept the lowest priced bid or any bid in part or in whole. It normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose bid is functionally acceptable and/or financially advantageous to the DEPARTMENT.
- 10.3. The DEPARTMENT reserves the right to award this bid as a whole or in part.
- 10.4. The DEPARTMENT reserves the right to conduct site visits at bidder's corporate offices and / or at client sites if so required.
  - a. DEPARTMENT reserves the right to consider the guidelines and prescribed hourly remuneration rates for consultants as provided in the FS PROVINCIAL TREASURY Cost Containment Measures, where relevant and the FS PROVINCIAL TREASURY GUIDELINE ON THE APPOINTMENT OF CONSULTANTS.
  - b. This will also be in line with **Deeds Registries Act 47 of 1937, Local Government: Municipal Systems Act 32 of 2000 – SEC 118(4) for acquiring clearance certificates and HOUSING ACT (Act No 107 of 1997).**

- 10.5. The DEPARTMENT reserves the right to request all relevant information, agreements and other documents to verify information supplied in the bid response. The bidder hereby gives consent to the DEPARTMENT to conduct background checks on the bidding entity and any of its directors / trustees / shareholders / members.

## **11. UNDERTAKINGS BY THE BIDDER**

- 11.1. By submitting a bid in response to the EOI, the bidder will be taken to offer to render all or any of the services described in the bid response submitted by it to the DEPARTMENT on the terms and conditions and in accordance with the specifications stipulated in this EOI document.
- 11.2. The bidder shall prepare for a possible presentation should DEPARTMENT require such and the bidder shall be notified thereof in good time before the actual presentation date. Such presentation may include a practical demonstration of products or services as called for in this EOI.
- 11.3. The bidder agrees that the offer contained in its bid shall remain binding upon him/her and receptive for acceptance by the DEPARTMENT during the bid validity period indicated in the EOI and calculated from the bid closing hour and date such offer and its acceptance shall be subject to the terms and conditions contained in this EOI document read with the bid.
- 11.4. The bidder furthermore confirms that he/she has satisfied himself/herself as to the correctness and validity of his/her bid response; that the price(s) and rate(s) quoted cover all the work/item(s) specified in the bid response documents; and that the price(s) and rate(s) cover all his/her obligations under a resulting contract for the services contemplated in this EOI; and that he/she accepts that any mistakes regarding price(s) and calculations will be at his/her risk.
- 11.5. The successful bidder accepts full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under the supply agreement and SLA to be concluded with DEPARTMENT, as the principal(s) liable for the due fulfilment of such contract.
- 11.6. The bidder accepts that all costs incurred in the preparation, presentation and demonstration of the solution offered by it shall be for the account of the bidder. All supporting documentation and manuals submitted with its bid will become DEPARTMENT property unless otherwise stated by the bidder/s at the time of submission.
- 11.7. The bidder warrants that the goods proposed under this EOI are new, unused, of the most recent or current models; and that they incorporate all recent improvements in design and materials unless provided otherwise in this EOI. The supplier further warrants that all goods proposed under this EOI shall have no defect, arising from design, materials, or workmanship (except when the design and/or material is required by the EOI's specifications) or from any act or omission of the bidder, that may develop under normal use of the proposed goods in the conditions prevailing in South Africa.

## **12. REASONS FOR DISQUALIFICATION**

**12.1.** The DEPARTMENT reserves the right to disqualify any bidder which does any one or more of the following, and such disqualification may take place without prior notice to the offending bidder, however the bidder will be notified in writing of such disqualification:

**12.1.1.** bidders who do not submit a valid and original Tax Clearance Certificate or proof of application of such as endorsed by SARS on the closing date and time of the bid;

**12.1.2.** bidders who submit incomplete information and documentation according to the requirements of this EOI document;

**12.1.3.** bidders who receive information not available to other potential bidders through fraudulent means; and/or

**12.1.4.** bidders who do not comply with mandatory requirements as stipulated in the EOI document.

**SECTION 3: CONTRACT DATA**  
**(GCC)**