



BID NO: RFP OSPE 02/24

**APPOINTMENT OF A CONTRACTOR WITH 7GB OR HIGHER CIDB GRADING FOR THE
RECONSTRUCTION OF SUNDUMBILI SHOPING CENTRE**

CLOSING DATE: 24 MAY 2024 AT 11:00

Issued by:

Ithala Development Finance Corporation Limited
29 Canal Quay Road (for GPS 29 Signal Road),
Point Waterfront
Durban

Procurement Enquires:

Supply Chain Management Unit
Email: tenders@ithala.co.za
Tel: 031 907 8911

Name of Bidder:

For any complaints regarding our supply chain management abuses please contact Larissa Warren at 031 907 8610 or email Complaints@ithala.co.za alternatively you can lodge an anonymous complaint at our toll-free hotline number 0800 0048 23

REQUEST FOR PROPOSAL

**ITHALA DEVELOPMENT FINANCE CORPORATION LIMITED, 29 CANAL QUAY ROAD,
POINT, DURBAN (FOR GPRS 29 SIGNAL ROAD)** (Hereinafter referred to as (“Ithala”))

BID NUMBER:	RFP 02/24				
CLOSING DATE:	24 May 2024				
TIME:	11:00am				
DESCRIPTION:	APPOINTMENT OF A CONTRACTOR FOR THE RECONSTRCTION OF SUNDUMBILI SHOPPING CENTRE: SHOP 4,5,6,20 AND 24, MANDENI				
COMPULSORY	Yes	x	No		

Date – 16 May 2024 Time: 08:30	SUNDUMBILI SHOPPING CENTRE: SHOP 4,5,6,20 AND 24, MANDENI
---------------------------------------	--

TABLE OF CONTENTS

C.1	Tender Notice And Invitation To Tender	4
C.2	Introduction	8
C.3	Conditions Of Bid And Contract	9
C.4	Certificate Of Authority To Sign A Bid	16
C.5	Certificate Of Attendance At Compulsory Briefing Session	20
C.6	Procurement Timelines	21
C.7	Terms Of Reference	Error! Bookmark not defined.
C.8	Price schedule	50
C.9	Evaluation Process & Criteria	52
C.10	Tax Clearance Requirements	57
C.11	Declaration Of Interest SBD4	58
C.12	Preference Points Claim form in terms of the Preferential Procurement Regulations 2022	61
C.13	Deviations From The Request For Proposal	66
C.14	Bid Summary And Details	67

C.1 TENDER NOTICE AND INVITATION TO TENDER

- **APPOINTMENT OF A CONTRACTOR FOR THE RECONSTRUCTION OF SUNDUMBILI SHOPPING CENTRE: SHOP 4,5,6,20 AND 24, MANDENI**

Obtainable of tender documents

Bid documents will be obtained from **Ithala website.**

Submission of Bids:

One original and one soft (USB) copy of the bid document must be submitted,

The proposals shall be submitted in sealed envelopes delivered at Ithala Trade Centre, 29 Canal Quay Road (for GPS use 29 Signal Road), Point, Durban and should be deposited in the box located at the reception. The closing time for receipt of tenders is on **24 May 2024 @11h00.**

Telegraphic, telephonic, telex, facsimile, e-mail, and late tenders will not be accepted. It is important to note that all bids lodged will be examined to determine compliance with the bidding requirements and conditions. Bids with obvious deviation from the requirements, will be eliminated.

Technical and administrative queries relating to these documents may be addressed in writing only quoting the Bid No. for attention: Supply Chain Management Unit by email to tenders@ithala.co.za

Tenders may only be submitted on the original tender documentation that is issued by Ithala written in black ink.

Ithala does not bind itself to accept the lowest or any bid and consider any bid for appointment.

All bidders must furnish the following particulars and include it in their submission (returnable documents)

Name of bidder:

.....

Trading name

.....

Company registration number

VAT registration number

.....

Workman's compensation number

Tax Clearance Certificate
/CSD Report submitted

.....

Postal address:

.....

Street address:

.....

Telephone number:

Code

Number

.....

.....

Cellular number:

.....

Facsimile number:

Code

Number

.....

.....

e-Mail address:

.....

In case of a consortium/joint venture, full details on consortium/joint venture members:

Entity name	VAT registration number	Tax Clearance Certificate submitted	YES / NO
-----	-----	-----	-----
Entity name	VAT registration number	Tax Clearance Certificate submitted	YES / NO
-----	-----	-----	-----
Entity name	VAT registration number	Tax Clearance Certificate submitted	YES / NO
-----	-----	-----	-----

Name of contracting entity in case of a consortium/joint venture

Entity name: -----

Postal address: -----

Street address: -----

Contact details of responsible person who will act on behalf of the entity/consortium/joint venture for this bid

Name and Surname -----

Telephone number: Code ----- Number -----

Cellular number: -----

Facsimile number: Code ----- Number -----

e-Mail address: -----

Contact details of alternative responsible person who will act on behalf of the person above should he/she not be available

Name and Surname

.....

Telephone number:

Code

Number

.....

.....

Cellular number:

.....

Facsimile number:

Code

Number

.....

.....

e-Mail address:

.....

Confirmation

Are you the accredited representative in South Africa for the services offered by you:

YES /NO

Declaration

I/We have examined the information provided in this bid documents and offer to undertake the work prescribed in accordance with the requirements as set out in the bid document. The prices quoted in this bid are valid for the stipulated period. I/We confirm the availability of the proposed team members. We confirm that this bid will remain binding upon us and may be accepted by you at any time before the expiry date.

Are you duly authorised to commit the bidder:

YES / NO

SIGNATURE:of person authorised to sign the tender)

C.2 INTRODUCTION

Ithala is a Development Finance Corporation operating within the confines of the KZN Ithala Development Finance Corporation Act, No 5 of 2013.

Our VISION is “To be the catalyst for growth, economic development and empowerment” and our MISSION is “To drive economic development and empowerment whilst remaining financially sustainable”.

We enable, develop, promote and implement innovative investment and transformation solutions to advance sustainable Black Economic Empowerment.

The objectives of Ithala are to promote, support and facilitate social and economic development in the Province of Kwa-Zulu Natal (KZN) by:

1. Mobilising financial resources and providing financial and supportive services to persons domiciled, ordinary resident, or carrying on business within the KZN Province
2. Planning, executing, financing and monitoring the implementation of development projects and programmes in the province of KZN
3. Promoting, assisting and encouraging the development of the Province’s human resources and its social, economic, financial and physical infrastructure
4. Promoting, encouraging and facilitating private sector investment in the Province and the participation of the private sector and community organisations in development projects and programmes and in contributing to economic growth and development generally
5. Acting as the Government’s agent for performing any development related tasks and responsibilities that the government considers may be more effectively performed by a corporate entity

Our primary mandate is implemented by our two operating divisions and a subsidiary with an external market focus, namely:

1. Properties
2. Business Finance
3. Ithala SOC Limited

The quality, price and service that we provide our customers can only be as good as what we receive from our service providers.

We strive for continuous improvement in our critical business areas and seek to establish relationships with suppliers that are equally passionate in their quest for better quality, price and service. By exceeding our requirements and expectations, you will not only ensure that you maintain the current business; you will be positioning yourself for future business within Ithala.

PROCUREMENT PHILOSOPHY

It is the policy of Ithala, when purchasing goods and obtaining services, to follow a course of optimum value and efficiency by adopting best purchasing practices in supply chain management, ensuring that open and fair competition has prevailed, with due regard being had to the importance of:

- a) The promotion, development and support of businesses from disadvantaged communities (small, medium, micro enterprises, as well as established businesses within those communities) in terms of its BBBEE Policy.
- b) The promotion of national and regional local suppliers and agents before considering overseas suppliers; and

- c) The development, promotion and support for the moral values that underpin the above, in terms of Ithala's Business Ethics and Guidelines which requires that all commercial conduct be based on ethical and moral values and sound business practice. This value system governs all commercial behaviour within Ithala.

C3 CONDITIONS OF BID AND CONTRACT

	Conditions	Confirmation			
		Yes	No	Noted	If no, indicate deviation
1.	GUIDELINE ON COMPLETION				
1.1	Bidders must indicate compliance or non-compliance on a paragraph-by-paragraph basis. Indicate compliance with the relevant bid requirements by marking the YES box and non-compliance by marking the NO box. If the contents of the paragraph only need to be noted, please mark the NOTED box. The bidder must clearly state if a deviation from these requirements are offered and the reason, therefore. If an explanatory note is provided, the paragraph reference must be attached as an appendix to the bid submission. Bids not completed in the manner prescribed may be considered incomplete and rejected. Should bidders fail to indicate agreement/compliance or otherwise, Ithala will assume that the bidder is not in compliance or agreement with the statement(s) as specified in this bid.				
2.	CONTRACT AGREEMENT				
2.1	The Ithala Service Level Agreement will be the only contract signed by both parties and will form the basis of this contract. Ithala's standard terms and conditions will not be negotiated.				
3.	ADDITIONAL INFORMATION REQUIREMENTS				
3.1	During evaluation of the bids, additional information may be requested in writing from bidders. Replies to such request must be submitted, within 5 (five) working days or as otherwise indicated. Failure to comply, may lead to the bid being disregarded.				
4.	CONFIDENTIALITY				
4.1	The bid and all information in connection therewith shall be held in strict confidence by bidders and usage of such information shall be limited to the preparation of the bid.				
4.2	All bidders are bound by a confidentially agreement preventing the unauthorised disclosure of any information regarding Ithala or of its activities to any other organisation				

	or individual. The bidders may not disclose any information, documentation, or products to other clients without written approval of the accounting authority or the delegate.				
5.	INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT	Yes	No	Noted	If no, indicate deviation
5.1	Copyright of all documentation relating to this assignment belongs to Ithala. The successful bidders may not disclose any information, documentation, or products to other clients without the written approval of the accounting authority or the delegate.				
5.2	All the intellectual property rights arising from the execution of this Agreement shall vest in Ithala and the service provider undertakes to honour such intellectual property rights and all future rights by keeping the know-how and all published and unpublished material confidential.				
5.3	In the event that the service provider would like to use any information or data generated in terms of the Services, the prior written permission must be obtained from Ithala.				
5.4	Ithala shall own all materials produced by the service provider during the course of, or as part of the Services including without limitation, deliverables, computer programmes (source code and object code), programming aids and tools, documentation, reports, data, designs, concepts, know-how and other information whether capable of being copyrighted or not ("IP") which IP Ithala shall be entitled to freely cede and assign to parties nominated by Ithala.				
6	PAYMENTS				
6.1	Ithala will pay the service provider for the actual services rendered in line with the contract.				
6.2	The service provider shall from time to time during the duration of the contract, invoice Ithala for the services rendered. No payment will be made to the service provider unless an invoice complying with section 20 of VAT Act No 89 of 1991 has been submitted to Ithala.				
6.3	Payment shall be made into the bidder's bank account or per cheque payment normally 30 days after receipt of an acceptable, valid invoice. (Banking details must be submitted as soon as this bid is awarded).				
7	NON-COMPLIANCE WITH DELIVERY TERMS				
7.1	As soon as it becomes known to the service provider that he will not be able to deliver the goods/services within the				

	delivery period and/or against the quoted price and/or as specified, Ithala must be given immediate written notice to this effect. Ithala reserves the right to implement remedies as provided for in the service level agreement to be entered into with service provider.				
8	WARRANTIES	Yes	No	Noted	If no, indicate deviation
8.1	The service provider warranties that: It is able to conclude this Agreement to the satisfaction of Ithala.				
8.2	Although the service provider will be entitled to provide services to persons other than Ithala, the service provider shall not without the prior written consent of Ithala, be involved in any manner whatsoever, directly or indirectly, in any business or venture which competes or conflicts with the obligations of the contractor to provide the Services.				
9.	PARTIES NOT AFFECTED BY WAIVER OR BREACHES				
9.1	The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this Agreement by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof				
9.2	No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this Agreement shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this Agreement.				
10	SUBMITTING BIDS				
10.1	Supply Chain Management (SCM)				
10.2	An original and soft (usb) copy must be delivered to: ITHALA TRADE CENTRE 29 Canal Quay Road Point Waterfront, Durban At foyer in the Bid box Closing date: 24 May 2024 at 11h00am				
11	LATE BIDS				

11.1	Late submissions will not be accepted. A submission will be considered late if it arrived one second after 11:00 or any time thereafter. The bid (tender) box shall be locked at exactly 11:00 and bids arriving late will not be accepted under any circumstances. Bidders are therefore strongly advised to ensure that bids be dispatched allowing enough time for any unforeseen events that may delay the delivery of the bid.				
12.	SITE INSPECTION AND BID CLARIFICATIONS				
12.1	A compulsory site inspection and virtual briefing will be held at the following venues: SUNDUMBILI SHOPPING CENTRE: SHOP 4,5,6,20 AND 24, MANDENI Date: 16 May 2024 at 08:30am				
13.	FORMAT OF BIDS	Yes	No	Noted	If no, indicate deviation
13.1	Bidders must complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their proposal should be concise, written in plain English and simply presented.				
14.1	PART 1: INVITATION TO BID (FORM C1)				
14.2	PART 2: RFP SUMMARY AND DETAILS (FORM C5 & C16)				
14.3	PART 3: COMPLIANCE TO SPECIAL CONDITIONS OF BID AND NOTING OF EVALUATION CRITERIA (FORM C3)				
	Bidders must complete C3. Indicating compliance/non-compliance or noted. In case of non-compliance details and referencing to the specific paragraph is required.				
14.4	PART 4: SARS TAX CLEARANCE CERTIFICATE (FORM C10)				
	The bidder must be compliance with SARS and such information will be verified with Central Supplier Database (CSD). In case of a consortium/ joint venture, or where sub-contractors are utilised, each consortium/ joint venture member and/or sub-contractor (individual) <u>must</u> be in compliance with SARS and the information will be verified on Central Supplier Database (CSD).				
14.5	<u>PART 5: (FORM C4, C11, C12 AND C13)</u> Certificate of Authority to Sign a Bid Declaration of Interest				

	Declaration of Bidder's Past SCM Practices & Certificate Of Independent Bid Determination				
14.5.1	Bidders must complete and submit the Declaration forms. A bidder must complete the relevant part of the document and it must indicate who is delegated to communicate or deal with Ithala. Any other irrelevant sections to the tendering entity must be marked 'N/A'.				
14.5.2	Bidders must submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA)				
14.5.3	For a consortium or joint venture: A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity , provided that the entity submits their B-BBEE status level certificate. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity , provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid				
14.6	PART 6: JOINT VENTURE/CONSORTIUM AGREEMENT (FORM C4)	Yes	No	Noted	If no, indicate deviation
14.6.1	A copy of the joint venture/consortium agreement must be included.				
14.7	PART 7: TECHNICAL PROPOSAL/FUNCTIONALITY PROPOSAL (FORM C9)				
14.7.1	Bidders must, at least:				
14.7.1.1	Describe, in detail, exactly how they propose to carry out the activities to achieve the outcomes identified in the terms of reference. They should identify any possible problems that might hinder delivery and indicate how they will avoid or overcome such problems.				
14.7.2	The bidder must confirm, by providing letters of reference including contact details, for the previous, current or ongoing projects of similar nature. This will be verified by Ithala.				
14.7.3	The proposal of the bidders should be detailed to the bidders understanding of the scope of work and outline the proposed methodology approach and plan.				

14.8	PART 8: DEVIATIONS FROM REQUEST FOR BID (FORM C15)				
14.8.1	Please indicate deviations or modifications to this Request for Bid on form C15				
14.8.2	If no deviations are required, please mark the form “Nil” and sign				
14.9	PART 9: PRICING SCHEDULE (FORM C8)				
14.9.1	Any budget amount that may be indicated in this document shall be deemed to be a guide only and bidders are expected to submit a costing that is fair and reasonable.				
14.9.2	A proposed pricing schedule with one of the specified elements (fees and reimbursable costs) omitted from the costing, may be considered non-responsive.				
14.10	PART 10: PROCUREMENT TIMELINES (FORM C6)	Yes	No	Noted	If no, indicate deviation
14.10.1	This part of a bid documents informs bidders when the bid process is expected to be finalised. It may not necessarily be followed.				
14.10.2	Terms of reference (TOR) are the requirements by Ithala. When a proposal is submitted, a bidder must be certain that TOR are understood and has the capacity to offer a specified service.				
14.11	PART 11: ANNEXURES				
14.11.1	Bidder must insert all their additional annexures in part 11. This can include professional registrations, insurances etc.				
14.12	VAT				
14.12.1	Ithala is a VAT Vendor. Prices quoted must include VAT (where applicable).				
14.12.2	Ithala reserves the right to request the preferred bidder to register for VAT if the award is anticipated to be more than R1m for 12 consecutive months as the VAT Act requires. Kindly ensure the percentage/amount for VAT is included in your bid pricing at the bidding stage should you not be registered for VAT and your bid price equals to or exceeds R1m for 12 consecutive months				
15	NEGOTIATION				
15.1	Ithala has the right to enter negotiation with a prospective contractor regarding any terms and conditions, including price(s), of a proposed contract.				

15.2	Ithala shall not be obliged to accept the lowest or any financial offer or proposal. Furthermore, Ithala reserve the right not to award the tender to highest ranking bidder in terms of PPPFA.				
15.3	All bidders will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible person of both parties.				
16	DOMICILIUM				
16.1	The parties hereto choose <i>domicilium citandi et executandi</i> for all purposes of and in connection with the final contract as follows:				
	Ithala Development Finance Corporation Limited Ithala Trade Centre 29 Canal Quay Road (for GPS 29 Signal Road) Point Waterfront Durban				
17	COST OF BID PREPARATION	Yes	No	Noted	If no, indicate deviation
17.1	Bidders shall prepare and submit a bid at their own expense.				
18.	SITE INSPECTIONS				
18.1	Ithala reserves the right to do site inspections of bidders to establish suitability of properties, vehicles, etc. to perform services effectively and efficiently				
19	BID VALIDITY PERIOD				
19.1	Bid will be valid for a period of 90 days				
19.2	Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the tender data after the closing time stated in the tender data.				
19.3	If requested by the employer, consider extending the validity period stated in the tender data for an agreed additional period.				
20	ISSUE ADDENDA				
20.1	If necessary, issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until seven days before the tender closing time stated in the Tender Data. If, as a result a tenderer applies for an extension to the closing time stated in the Tender Data,				

	the Employer may grant such extension and, shall then notify those tendering entities appearing on the attendance list				
20.2	Tenderers must sign the attendance list in the name of the tendering entity. Addenda will be issued to and tenders will be received only from those tendering entities appearing on the attendance list				
20.3	Acknowledge receipt of addenda to the tender documents, which the employer may issue.				
21	SUBMITTING OF FRAUDULENT DOCUMENTS				
21.1	Ithala will disregard the bid of any bidder if that bidder or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.				
21.2	Ithala will list bidders/ directors in the list of restricted suppliers and they will not conduct any business with an organ of state.				

C.4 CERTIFICATE OF AUTHORITY TO SIGN A BID

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category.

(I) COMPANY	(II) CLOSE CORPORATION	(III) PARTNERSHIP	(V) SOLE PROPRIETOR	(VI) JOINT VENTURES

i. CERTIFICATE FOR COMPANY

I,, chairperson of the Board of Directors of, hereby confirm that by resolution of the Board (copy attached) taken on 20....., Mr/Ms, acting in the capacity of, was authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of the company.

Chairman:

As Witnesses:

Date:

ii. CERTIFICATE FOR CLOSE CORPORATION

We, the undersigned, being the key members in the business trading as.....

..... Hereby authorise Mr/Ms.....

acting in the capacity of

....., to sign all documents in connection with the tender for

Contract No: and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

Note: This certificate is to be completed and signed by all of the key members upon whom rests the direction of the affairs of the Close Corporation as a whole.

iii. CERTIFICATE FOR PARTNERSHIP

We, the undersigned, being the key partners in the business trading as,

..... hereby authorize Mr/Ms.

acting in the capacity of, to sign all documents in connection with the tender for Contract No and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

Note: This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole.

iv. CERTIFICATE FOR SOLE PROPRIETOR

I,, hereby confirm that I am the sole owner of the
business trading

as.....

Signature of Sole owner:

As Witnesses:

1.....

2.....

Date:

v. CERTIFICATE OF AUTHORITY FOR JOINT VENTURES

This Returnable Schedule is to be completed by **EACH member** of a joint venture submitting a tender.

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms....., authorised signatory of the Company.....acting in the capacity of lead JV partner, to sign all documents in connection with the tender offer and any contract resulting from it on our behalf as a joint venture.

NAME OF JV ORGANIZATION.....

ADDRESS:

.....

.....

DULY AUTHORISED SIGNATORY NAME

DESIGNATION:

SIGNATURE

DATE:.....

C.5 CERTIFICATE OF ATTENDANCE AT COMPULSORY BRIEFING SESSION

This is to certify that (Company Name)

.....

of (address)

.....

..... was represented by the
person(s)

named below at the compulsory meeting held for all bidders at: -

Date	Time	Site
16 May 2024	08:30	• SUNDUMBILI SHOPPING CENTRE: SHOP 4,5,6,20 AND 24, MANDENI

I / We acknowledge that the purpose of the meeting was to acquaint myself / ourselves with the requirements and / or matters incidental to doing the work specified in the tender documents for me / us to take account of everything necessary when compiling our rates and prices included in the tender.

Bidder's representative attending the meeting:

Name: Signature:

Capacity:

Confirmed by the Ithala's representative:

Name: Signature:

Capacity:

C.6 PROCUREMENT TIMELINES

PROCUREMENT TIMELINE	DATE	TIME
RFP Release Date	14 May 2024	09h00
Compulsory briefing session	16 May 2024	10:00
Written questions of clarification – closing date	20 May 2024	16h00
Written response to all clarifications	21 May 2024	16h00
Service Provider Proposals Due	24 May 2024	11h00
Completion of Bid Evaluations	31 May 2024	16h00
Anticipated letter of Award	03 June 2024	16h00
Commencement Date	17 June 2024	09h00

***Indicative dates**

C.7 TERMS OF REFERENCE:

1. Definitions of Acronyms/Glossary

CV	Curriculum Vitae
IDFC	Ithala Development Finance Corporation
SCM	Supply Chain Management
TOR	Terms of Reference

2. Departmental and Programme Overview

- 2.1 One of IDFC's mandate is to plan, execute, finance and monitor the implementation of development projects and programs in KZN. This includes moving towards tighter financial management, procurement and implementing the project or programme, within agreed timelines with the project or programme sponsor.
- 2.2 The IDFC has re-established the implementing agent function, which aims to give effect to the legislative requirements, which provides for the implementing agent of the Provincial Government for performing any development-related functions and responsibilities which, in the opinion of the Provincial Government, may be more efficiently or effectively performed by a corporate entity.

3 Purpose of the TOR

To appoint a qualified contractor for the reconstruction of Sundumbili Shopping Centre to undertake construction work on behalf of IDFC. The construction will be for a duration of 12 months.

4 Objectives

The objective is to rebuild and or rehabilitate Sundumbili Shopping Centre which was damaged during the July 2021 unrest and streamline the procurement of construction services from the open market in order to full fill IDFC strategic objectives of economic development and poverty alleviation among others, while maintaining transparency, fairness and equitability in the procurement process.

5 Scope of Work

The scope of work is for the reconstruction of Sundumbili Shopping Centre due to fire damage and other damages identified as per the designs and bill of quantities provided in the document.

6 Duration and Phasing

The duration of the contract will be 12 months from date of appointment.

IDFC reserves the right to review the contractor performance from time to time during the 12 months period.

7 Deliverables

A functional commercial space ready for tenant occupation

8 Team Composition

The nature of the assignment requires the bidder to assemble a well-qualified and experienced team of experts covering all disciplines required for construction works. The project team should be composed of individuals with the relevant qualifications, skill and experience in similar projects.

9 Enterprise Experience

Contractors will be required to provide a list of projects undertaken by the company. To validate experience indicated hereunder, bidders must attach the required documentation listed on functionality criteria. For the purpose of functionality evaluation for JV's / Consortiums points for experience will be allocated in accordance with the lead partners experience.

C.8 PROPOSED FEES

Pricing Schedule Final Summary

6.1 PRICING SCHEDULE

Item No	Description	Quantity	Rates	TOTAL
	BOQ is attached separately as annexure A1			
	SUB-TOTAL			
	VAT @ 15%			
	TOTAL INCL			

C.9 EVALUATION PROCESS & CRITERIA

This phase consists of Mandatory administrative compliance evaluation of all proposals.

		Compliance			
		Yes	No	Noted	If no, indicate deviation
1.	EVALUATION PROCESS				
1.1	STAGE ONE: ADMINISTRATION COMPLIANCE				
1.1.1	All bids duly lodged will be examined to determine compliance with bidding requirements and conditions. Bids with obvious deviations from the requirements/conditions, will be eliminated from further adjudication. Mandatory Bids will only be compliant if bidder has submitted the following documents: - The bidder must register as a vendor on the National Treasury Central Supply Database (CSD), which can be found at https://secure.csd.gov.za/ in compliance with paragraph 4.2 of National Treasury instruction note 4a of 2016/2017 - The bidder must be in good standing with SARS and such information will be verified through Central Supply Database (CSD) or using SARS e-filing pin in National Treasury compliance with instruction note 9 of 2017/2018 prior to the award of the bid; - SBD 4- A completed and duly signed declaration of interest. Should a conflict of interest be declared or identified, the bid would be declared non-responsive. NB Bidder must ensure all pages are complete of all questions answered, you are indicating not applicable (N/A) where appropriate. - The proposing entities are bona fide entities, registered in accordance with the laws of SA. - The bidder must be registered with the Construction Industry Development Board in an appropriate contractor grading designation (8GB or higher) and the bidder or its partner must have an				

		Compliance			
		Yes	No	Noted	If no, indicate deviation
	active status at the time of submission of the bid - The Bidder must provide a valid letter of good standing for Workman's compensation in terms of the Compensation for Occupational Injuries and Diseases Act, 130 of 1993 (COIDA). - Bidders are requested to provide details of at least three construction project to the value of R55 million and above. Please provide the following details : - Name of the project - Location of the project - Value of the project - Client's contact person				
1.2	<u>STAGE TWO: FUNCTIONALITY REQUIREMENTS</u>				
1.2.1	Responsive bids will be evaluated according to the criteria indicated in C.9.				
1.3	<u>STAGE THREE: PRICE AND B-BBEE EVALUATION</u>				
1.3.1	Price and B-BBEE evaluation will perform on bidders who qualified for Stage 1 and 2 above.				
1.4	ADJUDICATION OF BID				
1.4.1	The Bid Adjudication Committee will consider the recommendations and make the final award.				
1.4.2	The bid shall be awarded at the sole and absolute discretion of Ithala. Ithala hereby represents that it is not obliged to award this bid to any bidder. Ithala is entitled to retract this bid at any time as from the date of issue. Ithala is not obliged to award this bid to the bidder that quotes the lowest.				

		Compliance			
		Yes	No	Noted	If no, indicate deviation
1.4.3	A bidder shall be disqualified from bidding if any attempt is made either directly to solicit and/or canvass any information from any employee or agent of Ithala regarding this bid from the date the offer is submitted until the date of award of the bid.				
1.5	Awarding of contract				
1.5.1	Ithala reserves the right to award this bid in full or part				

TECHNICAL CRITERIA	Description	Max Points	Score	Total
EXPERIENCE OF A TENDERER	<u>EXPERIENCE OF A TENDERER - 20 POINTS.</u> To score points bidders must submit appointment letters, practical completion certificates and final completion certificates. NB: Should the bidder not submit any of the required documents on a specific project, that specific project will not be considered. The documents must have a: • Full description of the project • Name of Employer / client and their representative contact details • Cost of the works • Date of practical completion and final completion • Duration of the project and start date • Only general building projects that will be considered. <u>Breakdown of Points:</u> <u>Grade 7</u> Number of relevant projects completed in the past 5 years = <u>Max 10 points</u> a) 0 project = 0 points b) 1 project = 3 points c) 2 projects = 7 points d) 3 or more projects = 10 points Highest value of project completed in Building Infrastructure in the past 5 years - Max 10 points a) below R20 000 000 = 0 points b) above R20 000 000 up to R40 000 000 = 4 points c) above R40 000 000 up to R50 000 000 = 8 points d) Above R50 000 000 = 10 points <u>Grade 8</u> Number of relevant projects completed in the past 5 years = <u>Max 10 points</u> e) 0 project = 0 points f) 1 project = 3 points g) 2 projects = 7 points h) 3 or more projects = 10 points Highest value of project completed in Building Infrastructure in the past 5 years - Max 10 points a) below R20 000 000 = 0 points b) above R20 000 000 up to R40 000 000 = 4 points	20		

	c) above R40 000 000 up to R50 000 000 = 8 points d) Above R50 000 000 =10 points			
EXPERTISE OF KEY PERSONNEL	<u>EXPERTISE (RELEVANT QUALIFICATION AND EXPERIENCE OF STAFF ALLOCATED TO THE PROJECT (55 POINTS))</u> All personnel submitted by the tenderer cannot be changed without prior written approval from the employer. The qualification and experience of key personnel allocated to the project responsible for various functions, on behalf of the Service Provider, will be evaluated in relation to her/ his academic and professional qualifications and experience on projects having scope of work relevant to this project as presented in the table below. For foreign qualifications, a SAQA certificate must be submitted. A CV of each of the key personnel of no more than 3 pages should be submitted along with the tender referring to this schedule. <u>The CV of individuals will be used for evaluation of the each of the personnel for this section.</u> EXPERTISE OF KEY PERSONNEL ALLOCATED TO PROJECT 55 POINTS. <u>Breakdown of Points:</u> The scoring of key personnel will be as below: Contracts manager = 15, Site Agent = 15 General Foreman/Supervisor = 10 Occupational Health and Safety Agent = 10 Total 55 points).			
	A. Contracts Manager (Total 20 points) Competency: Experience = 10 points Number of relevant years of experience post qualification a) below 5 years = 0 points b) above 5 up to 7 years = 5 points c) above 7 up to 10 years = 7 points d) above 10 years = 10 points	20		

	Qualifications = <u>10 points</u> a) Bachelor's Degree or equivalent in Construction Management or equivalent = 5 points b) Honours Degree or higher in Construction Management or equivalent = 10 points			
	B. Site Agent – (Total 15 points) Competency: Number of years of relevant experience post qualification. <u>Max 5 points</u> a) below 5 years = 0 points b) above 5 up to 6 years = 2 points c) above 6 up to 8 years = 3 points d) above 8 up to 10 years = 4 points e) above 10 years = 5 points Qualifications for Site Agent - Max 10 points a) N6 certificate in Building/Construction Management or equivalent = 7 points b) Diploma or higher qualification in Building/Construction Management or equivalent = 10 points	15		
	C. Foreman/Supervisor – (Total 10 points) Competency: Number of years of relevant experience post qualification. <u>Max 5 points</u> a) below 5 years = 0 points b) above 5 up to 6 years = 2 points c) above 6 up to 8 years = 3 points d) above 8 up to 10 years = 4 points e) above 10 years = 5 points Qualifications for Forman /supervisor. <u>Max 5 points</u> a) N6 certificate in Building/Construction Management or equivalent = 2 points b) Diploma or higher qualification in Building/Construction Management or equivalent = 5 points	10		

	D. OH&S Agent – (Total 10 points) Number of years of relevant years of experience post qualification <u>Max 5 points</u> a) below 5 years = 0 points b) above 5 up to 6 years = 2 points c) above 6 up to 8 years = 3 points d) above 8 up to 10 years = 4 points e) above 10 years = 5 points Qualifications for Health and Safety Agent <u>Max 5 points</u> a) SAMTRAC or equivalent and Professionally Registered with SACPCMP as a Health and Safety Agent = 2 points b) Diploma or higher in Health and Safety Management Professionally Registered with SACPCMP as a Health and Safety Agent = 5 points	10		
<u>PROGRAMME</u>	<u>PROGRAMME</u> 25 points A programme to be submitted that clearly shows the sequence of construction. The programme must show milestones and the critical path. The programme must be in line with the construction duration of 12 months including holidays and weekends (365 days) – <u>Max 25 points.</u> <u>Breakdown of Points:</u> a) Programme more than 365 days = 0 points b) Programme at 365 days showing milestones but no critical path = 8 points c) Programme at 365 days showing both milestones and critical path = 16 points d) Programme less than 365 days showing both milestones and critical path = 25 points	25		
Total		100		
Minimum qualifying score - A Tender scoring below <u>80 points</u> in Quality will be considered as DISQUALIFIED for evaluation and will be discarded from any further evaluation.				

C.10 TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT

- The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his/her tax obligations.
- In bids where Consortia/Joint Ventures/Sub-contractors/Partners are involved, each party must be in compliance with SARS and such information will be verified through central supplier database (CSD).

C.11 DECLARATION OF INTEREST

SBD4

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state?

YES/NO

1.1.1. 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

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

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

1.2.1. If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

3.1 I have read and I understand the contents of this disclosure.

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect.

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.5 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.

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

3.6 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.

3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

..... Signature	 Date
..... Position	 Name of bid der

C.12 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

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

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

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- 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 To be completed by the organ of state

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) The 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
- c) The 90/10 preference point system will be applicable in this tender if the lowest acceptable tender is above R50 million.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS	POINTS
PRICE	80	90
SPECIFIC GOALS	20	10
Total points for Price and SPECIFIC GOALS	100	100

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

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

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.
- (b) **“price”** means an amount of money tendered for goods or services and includes all applicable taxes less all unconditional discounts.
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

80/20	or	90/10	
$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	or	$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	

Where

P _s	=	Points scored for price of tender under consideration
P _t	=	Price of tender under consideration
P _{min}	=	Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)} \end{array}$$

Where

- P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system: or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)
≥51%Black Ownership	5		2.5	
≥51%Women Ownership	5		2.5	
≥51Youth Ownership	5		2.5	
≥51%People living with disability Ownership	5		2.5	
TOTAL POINTS	20		10	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the

company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct.
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct.
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process.
 - (b) recover costs, losses or damages it has incurred or suffered because of that person's conduct.
 - (c) cancel the contract and claim any damages which it has suffered because of having to make less favourable arrangements due to such cancellation.
 - (d) recommend that the tenderer or contractor, its shareholders, and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNA TURE(S) OF TENDERER(S)

SURNAME AND NAME:

DA TE:

ADDRESS:

.....

.....

.....

C.13 DEVIATIONS FROM THE REQUEST FOR PROPOSAL

Should the bidder desire to make any departures from, or modifications to this Request for Proposal or to qualify its bid in any way, it shall clearly set out its proposals hereunder or alternatively state them in a covering letter attached to its bid and referred to hereunder, failing which the bidder shall be deemed to be unqualified and conform exactly with the requirements of this Request for Proposal. If no departures or modifications are desired, the Schedule hereunder is to be marked “NIL” and signed by the bidder.

Unless otherwise specified specifically and stipulated in writing, the Contract constitutes the sole memorial of the Contract between the parties and any terms and conditions forming part of the bidder’s Bid or other documentation shall not form part of the Contract and shall be of no force or effect.

PAGE NUMBER	CLAUSE NUMBER	DEVIATION

SIGNATURE OF BIDDER

DATE

C.14 BID SUMMARY AND DETAILS

We the undersigned submit this bid in accordance with the conditions contained in the referenced RFP document and attach the documents required:

No.	Description in detail	Documents Attached
A. Commercial Documents		(Yes/ No/ N.A.)
1.	Deviations from Request for Proposal	
2.	Cover letter	
3.	Entire Bid Document	
4.	CC or Company Registration Documents or copy of ID if sole propriety	
5.	Registered as a vendor on CSD	
6.	In good standing with SARS and such information will be verified through Central Supply Database (CSD);	
7.	BBBEE Certificate/Affidavit	
8.	Declaration of Interest and Declaration of past SCM Practices	
9.	Joint Venture Agreement where applicable	
B. Technical Documents		
10.	ECSA registration for engineers	
11.	Project Plan	
12.	Client reference letters/ Project close out report/completion letter/testimonial	
13.	Bidder to produce proof of previous projects	
14.	CVs of project resources (including qualifications and certifications)	
15.	Evidence submitted of initiatives/programs that will be introduced in the development of SMME's	

Name

Date

Signature