



**THE FINANCIAL AND ACCOUNTING SERVICES SECTOR EDUCATION AND TRAINING
AUTHORITY**

**INVITATION TO TENDER: APPOINTMENT OF A PROPERTY BROKERAGE ADVISORY
FIRM TO SOURCE FASSET'S NEW HEAD OFFICE BUILDING FOR THE OUTRIGHT
PURCHASE**

TENDER NO: FAS/BM/OPS/OFFICESPACE/CON3445

Closing Date: **08 November 2024**

TIME: 11H00

Bidder Name:.....

THE DETAILS AND CONTENTS OF THIS DOCUMENT ARE CONFIDENTIAL AND FOR
CONSIDERATION AND RESPONSE BY THE RECORDED RECIPIENTS ONLY.

BID SUBMISSION

A compulsory briefing session will be held on the 25th of October 2024 at 10:00. The session will be conducted via online platform (Ms Teams). The link to be posted on FASSET website: www.fasset.org.za

Completed tender submissions must be hand delivered / deposited into the Tender Box at the reception area of FASSET offices, located at 296 Kent Avenue, 1st Floor, Ferndale, Randburg for the attention of: “Specialist: Supply Chain Management”, by no later than **11:00 am** (eleven o'clock) on the **08 November 2024**.

No submissions sent by e-mail or facsimile will be accepted, and no late submissions will be accepted.

Bidders are requested to submit five (5) submissions marked “Functionality or/and Financial” one (1) original, three (3) hard copies and one (1) electronic copy (memory stick, USB etc)

All enquiries are to be directed to Supply Chain Management Office at: (011) 476 8570 or Email: tenders@fasset.org.za or queen.maphoto@fasset.org.za

Closing date and time for submission of tenders **08 November 2024 at 11:00 am**

PROPOSAL GUIDELINE

Bidders are advised that their proposal should be comprehensive, concise, written in plain English, legible and simply presented. The proposal should include:

Technical/Functional Proposal – one (1) original, three (3) hard copies and one (1) electronic copy (memory stick, USB etc)

- Profile of the bidder.
- Photos of the building. FASSET reserves the right to confirm existence of the building
- Mandatory requirements document completed as instructed
- Bid documents must be completed in full and signed.
- **Bidders must initial all pages of SBD forms.**
- **Bidders must submit 3 contactable, precise references letters. FASSET will verify the references provided.**
- **Latest Central Supplier Database (CSD) Report**
- **Company registration documents.**

- **Original or certified BBBEE certificate or Sworn affidavit.**

[https://etenders.treasury.gov.za/sites/default/files/tenders/Sworn%20Affidavit 20.pdf](https://etenders.treasury.gov.za/sites/default/files/tenders/Sworn%20Affidavit%20.pdf)

Price/Financial Proposal – one (1) original, three (3) hard copies and one (1) electronic copy (memory stick, USB etc)

- Proposed total costing including VAT in the provided format;
- A trust, Consortium/Joint Ventures must submit their consolidated BBBEE Certificate and a joint venture agreement. Each Bidder in a trust, joint venture must also submit all its supporting documents (SBD forms, Tax certificate, CSD.)

SECTION ONE - TERMS OF REFERENCE

• INTRODUCTION

The Finance and Accounting Services Sector Education and Training Authority (FASSET) is a Schedule 3A Public Entity in terms of the Public Finance Management Act, 1999 (Act 1 of 1999)(PFMA). FASSET has been established in terms of Section 9 of the Skills Development Act 97 of 1998, as amended.

• SCOPE OF WORK

FASSET would like to appoint a property brokerage company to utilise their services to source a building to purchase for its offices in Gauteng. The building must be within a 15km radius from its current offices in Ferndale, Randburg. The required office space should be between 4000 and 5000 sqm. The proposed premises should provide 100 covered staff parking bays and 20 visitors parking bays. The office space must be existing and available for viewing.

The bidders must provide the following:

1. The proposal from the brokerage company must also advise and assess available property opportunities in line with FASSET's minimum requirements. The bidder is expected to submit a portfolio of potential buildings as mandated by the landlords to demonstrate ability to deliver FASSET's request. The bidder must provide an implementation plan or process to be followed when purchasing a building and demonstrate that the team allocated to the project is qualified and has the necessary experience.

2.1 OFFICE SPACE SPECIFICATION

The minimum requirements for the office space are:

- 2.1.1 The space must be between 4000 and 5000 sqm.
- 2.1.2 Parking space must accommodate a minimum of 100 parking bays for staff and 20 parking spots for visitors.
- 2.1.3 The office space must be in a corporate environment (the number of tenants on the premises and nature of business conducted must be taken into consideration).
- 2.1.4 A radius of no more than 15km in distance from FASSET's current offices in Ferndale, Randburg is preferred.
- 2.1.5 The office must be easily accessible to freeways, highways and public transport (such as Gautrain, its buses, general buses and taxis).
- 2.1.6 The building must be a GRADE P, A+ or A.
- 2.1.7 If the building has multiple floors, it should be equipped with elevators.
- 2.1.8 The building must be disability friendly (lifts, ramps, bathrooms).
- 2.1.9 FASSET will consider proposals for stand-alone buildings or those in an office park. The building must be secure with perimeter fencing and/or electrical fencing, access control and in a generally safe location.
- 2.1.10 The building must meet all compliance and regulatory requirements. FASSET is working with a team of experts including officials from the Department of Public Works to ensure that the building/s presented meet these requirements.

BID EVALUATION PROCESS

- **BID EVALUATION PROCESS**

This bid will be evaluated in three phases outlined below:

Phase 1: Pre-Qualification

- Bidders will be evaluated in terms of the minimum requirements. Bidders who do not meet all the minimum requirements or do not submit the required documents will be disqualified.

Phase 2: Paper-based evaluation (100)

- The Bid Evaluation Committee (BEC) will evaluate the bid proposals submitted by the bidders.

- Each panel member shall award values for each individual criterion on a score sheet. The value scored for each criterion shall be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for the various criteria. These marks should be added to obtain the total score for functionality for this phase.
- The score of each panel member shall be added together and divided by the number of panel members to establish the average score obtained by each individual bidder for functionality for this phase.

Paper-based Evaluation Criteria

FUNCTIONALITY	REQUIREMENT	SCORE QUALIFICATION	A	C		D
			Weighted Points	Ye s	No	Score
Experience of the bidder	The potential bidder must demonstrate company experience in the field.	Minimum of 15 years of company existence and a minimum of 5 years dealing in commercial properties = 10pts Less than 15 years of company existence and/or less than 5 years dealing in commercial properties= 0pts	10 pts			
	Employees of the potential bidder must demonstrate professional experience in the field	One or more employees with at least 10 years dealing in commercial properties = 15pts No employees with at least 10 years experience = 0pts	15 pts			
Reference letters	The potential bidder must provide and attach three formal testimonials/ reference letters with a logo, letterhead, contact details and a list of commercial buildings sold. The letter must be signed by a company representative/ Senior Official.	Attach (3) three or more written testimonials letters not older than five (5) years. - Three (3) testimonial = 15pts - Two (2) testimonial = 10pts - One (1) testimonial = 5pts - No written testimonial= 0pts	15pts			

Capability to deliver as per FASSET's mandate	Portfolio of potential building as mandated by the landlords	Proposed buildings meeting the FASSET requirements. Bidders to demonstrate that all requirements have been met. - Sourced 5 or more> buildings of 4000m2 or more = 40pts - Sourced 3 - 4 buildings of 4000m2 or more = 20pts - Sourced 1 - 2 buildings of 4000m2 or more = 10pts - Sourced 0 buildings of 4000m2 or more = 0pts	40pts			
Project Approach	Project Plan detailing the process from sourcing to registration and handover	A project plan to meet the set deadline, including, but not limited to the following requirements: - Plan of action from appointment date - Submission of all certifications before registration - Registration and - Handover A proposal to demonstrate lead times in sourcing the building and completing all the above by 28 February 2025.	10pts			

Registration certificates	Proof of registration of the company to operate within the Real Estate environment.	Valid Certificate provided: 10pts - Certificate provided = 10pts - Not provided = 0pts Service providers are requested to provide any other registration certificates from Bodies/Authorities within the property sector.	10 pts			
Total points for paper-based evaluation		100				
Minimum qualifying score		70				

Phase 3 Price and Specific goals

- Bidders who make it through Phase 2 above will be evaluated as follows:
- Bidders who obtained a minimum score of 70% on functionality will be evaluated further on Price and specific goals. Evaluation will be conducted either by 80/20 or 90/10 preferential procurement principles.
- 80/90 Points will be allocated to price and 20/10 Points will be allocated to specific goals in terms of the Preferential Procurement Policy Framework Act Regulations of 2022 as follows:

ELIMINATION OF PROPOSALS ON GROUND OF FUNCTIONALITY

Specific Goals	Points Allocation for 80/20	Points Allocation for 90/10
1. Black People Ownership	• 100% Black People Ownership = 5 points • 51% Black People Ownership = 3 points • Less than 51% Black People Ownership = 0 points	• 100% Black People Ownership = 3 points • 51% Black People Ownership = 1 points • Less than 51% Black People Ownership = 0 points
2. Black Woman Ownership	• 100 - 50% Black Woman Ownership = 5 points • 49% and less Black Woman Ownership = 0 points	• 100 - 50% Black Woman Ownership = 3 points • 49% and less Black Woman Ownership = 0 points
3. Black Youth Ownership	• 100 - 50% Black Youth Ownership = 5 points • 49% and less Black Youth Ownership = 0 points	• 100 - 50% Black Youth Ownership = 3 points • 49% and less Black Youth Ownership = 0 points
4. People with Disability Ownership	• 1 or more disabled person/s = 5 points • No person/s with disability = 0 points	• 1 or more disabled person/s = 1 points • No person/s with disability = 0 points
Maximum total points allocation	20 points	10 points

PRICING SCHEDULE

Bidders to assume a purchase price of R50 million for the building, ensuring that all related costs and commission associated with the theoretical sale are made transparent to FASSET. Any potential commission to be earned from the owner must be disclosed. Any other costs should also be disclosed.

Please note: the theoretical R50m price mentioned above is not indicative of the FASSET budget. Transfer costs can be assumed to be paid by FASSET.

(Total Value equals to the property value plus commission)

Description	Property Value (incl. VAT)	% Commission (incl. VAT)	Transfer and conveyancers ' fees (incl. VAT)	Total Value (incl. VAT)
R50 Million (estimated property value)	R 50,000,000			

• ADJUDICATION OF BID

The Bid Adjudication Committee (BAC) will consider the recommendations and make the final award. The successful bidder will usually be the service provider scoring the highest number of points or it may be a lower scoring bid on justifiable grounds or no award at all.

Fasset reserves the right not to award to the bidder presenting the lowest bid price.

SECTION TWO

1. Terms of Engagement

- 1.1. The successful bidder shall not take more than one (1) month from date of the Bid being awarded to render the required service unless otherwise indicated and agreed between the successful Bidder and FASSET.
- 1.2. The successful Bidder shall be available for consultation with the FASSET representative.
- 1.3. The successful Bidder shall manage as confidential all data, information and insights gained in execution of work for the FASSET
- 1.4. FASSET retains the right to require the successful Bidder to obtain permission in writing from FASSET prior to replacement of individuals proposed for execution of this Bid.
- 1.5. All documentation and responses will be supplied and exchanged utilising standard Microsoft Office (Word, Excel and PowerPoint) products.

- 1.6. The successful bidder will be required to submit reports to FASSET on a weekly and on an ad hoc basis.
- 1.7. Any attempt to gain information in a manner deemed to be fraudulent or disadvantageous to other respondents or any attempt to influence the outcome of the response evaluation/adjudication will result in immediate disqualification from the bid process.
- 1.8. FASSET reserves the right **NOT** to appoint/award this bid.
- 1.9. FASSET reserves the right to appoint a professional expert to inspect any of the buildings presented to it by the winning bidder.
- 1.10. **FASSET is not obliged to procure a building from the winning bidder, if FASSET determines that the buildings on offer are not satisfactory, for any reason. FASSET will then afford the winning bidder one more opportunity to present an improved portfolio of buildings. If after this additional opportunity, FASSET is still not satisfied with the buildings provided, FASSET will terminate the engagement and the winning bidder will not be due any compensation relating to the appointment.**

CONDITIONS OF THE TENDER

2. Contents of Submission

- 2.1. Proposals shall include all relevant information about the Bidder, which is deemed appropriate to assist FASSET to assess the bidder's capabilities, capacity, outputs, value adding abilities, competitive advantage, etc.
- 2.2. The proposals presented should describe the methodology to be used in executing the required services. Bidders should also indicate value added services expected to be provided to FASSET.
- 2.3. The proposals presented are to be as comprehensive as possible and FASSET reserves the right to request the Bidder to provide more details.
- 2.4. Bidders shall adhere to the conditions stipulated in the General Conditions of Contract as prescribed by the National Treasury.
- 2.5. Bidders shall ensure that the complete bid document is submitted with all additional required information and any other documents that the bidder wishes to supply to substantiate or clarify specific aspects in the proposal.

3. Price and Pricing Structure

- 3.1.** Bidders must provide the basis on which the services will be charged. In this regard the following information shall be required:
- 3.2.** Where a Bidder lacks in-house expertise and may have to outsource certain services, the detail and basis of charges of any such service that may be required must be outlined.
- 3.3.** The Bidder shall reflect service discounts that they will offer throughout the contract duration.
- 3.4.** Bidders' submissions must reflect the detailed breakdown of the bid price as per the bill of quantities
- 3.5.** Prices must include VAT, if it is applicable and all other costs related to the execution of the required services.
- 3.6.** The bidder agrees not to change the price with VAT or any other Tax subsequent to submitting the tender. This includes subsequent VAT registration.

4. Compliance with General Conditions of Contract

- 4.1.** No alteration, variation or amendment of the Contract (of which this Bid represents the offer) shall be permitted unless otherwise agreed to in writing. Should the prospective provider, in the case of non-compliance, wish to make any amendments to the conditions stipulated by FASSET in this Bid, then such proposed amendments shall be clearly stipulated by the prospective Bidder and where possible stating the increase or decrease in the cost involved by such proposal. FASSET reserves the right to reject such submissions. Misrepresentation of facts will result in disqualification and cancellation of the Contract.

5. Acceptance of Submissions

- 5.1.** No submission shall be deemed to have been accepted, unless and until a formal appointment letter has been commissioned and executed. Submissions shall remain open for acceptance by FASSET for a period of **90 (ninety) days** from the date on which they are returnable in terms of this Bid. Bidders will be notified of the extension a few days before the 90-day deadline, informing them that the period will be extended by an additional 30 days.

6. FASSET Liability

6.1. FASSET does not bind itself to accept the lowest or any Bid proposal, nor shall it be responsible for or pay any expenses or losses that may be incurred by the prospective Bidders in the preparation and delivery of its submission.

7. Pricing

7.1. No change in the prices submitted shall be considered after receipt of response to the Bid submission within the 90 days' validity.

8. Amplification of Submissions

8.1. FASSET may, after the opening of submissions, call on the prospective Bidder to amplify in writing any matter which is not clear in the prospective Bidder's submission and such amplification shall form part of the original submission. In the event of the prospective Bidder failing to supply such information within a reasonably stipulated time, the submission will be liable to rejection.

9. Cost of Proposal

9.1.1. Bidders shall bear all costs associated with the preparation and submission of their proposals, FASSET will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the Bid

10. Bid Documents

10.1.1. This document in its entirety serves as the complete Bid document. Proposals offering only part of the requirements will be rejected. The Bidder is expected to examine all corresponding instructions, forms, terms and specifications contained in this document. Failure to comply with these documents will be at the Bidder's risk and may affect the evaluation of their proposal.

11. Documents Comprising the Proposal

11.1.1. In preparing the technical and price components of the submissions all references to descriptive material and brochures should be included in the appropriate response paragraph, although material documents themselves may be provided as annexes to the proposal / response. Bidders are requested to focus on the provision of relevant information and to limit the amount of marketing and "boilerplate" material. The successful Bidder's proposal may be

incorporated in whole or in part in the final contract. Any information that the Bidder considers proprietary should be marked as such.

12. Information

- 12.1.1. Information that the Bidder considers proprietary, if any, should be clearly marked "proprietary" next to the relevant part of the text and it will be treated as such accordingly,

13. Period of Validity

- 13.1.1. Proposals shall remain valid for ninety (90) days after the date of proposal submission. A proposal valid for a shorter period may be rejected by FASSET on the grounds that it is non-responsive.
- 13.1.2. In exceptional circumstances, FASSET may solicit the Bidder's consent to an extension of the period of validity. The request and the responses thereto shall be made in writing.

14. Format and Signing of Proposals

- 14.1.1. Bidders are requested to make two (2) envelope submissions in hard copies. One (1) envelope marked "Functionality and the second (2) envelope marked Financial". In addition, both submissions must also be consolidated and submitted in one (1) electronic copy (memory stick, USB etc). In the event of any inconsistencies between them, the original shall prevail. The four proposals shall be signed by the Bidder, or a person or persons duly authorised to bind the Bidder to the contract.

15. Interlineations

- 15.1.1. A proposal shall contain no interlineations, erasures, or overwriting except, as necessary to correct errors made by the Bidder, in which case such corrections shall be initiated by the person or persons signing the proposal.

16. Performance Based Agreement

- 16.1.1. This is a performance-based agreement that shall run from awarding the tender to the successful bidder till the completion of the tender.

17. Payment

17.1.1. The successful Bidder shall be paid upon submission of an invoice for each transaction of satisfactory work detailed in the scope and submission of supporting documents

18. Due Diligence

18.1. FASSET reserves the right to exercise due diligence to submitted tenders.

19. Compliance to Legislations

19.1.1. The successful bidder shall comply with all relevant legislation that pertains to contracts of this nature.

20. Summary of Compliance & Elimination Reasons

20.1.1. The table below summarises the reasons for bid elimination which may be imposed in the pre-compliance checking process. Prior to the bid being evaluated for functionality the tabulated areas below are assessed, and where the bid does not meet the criteria, the bid will be eliminated and will not be submitted to the next phase for the assessment of functionality

Area	FASSET Requirement	
1	Bidders are requested to submit five (5) submissions marked "Functionality or/and Financial" one (1) original, three (3) hard copies and one (1) electronic copy (memory stick, USB etc)	Bid will be eliminated
2	Vendor acceptable with reference to National Treasury "Restricted List"	Bid will be eliminated if they appear on this list
3	Vendor acceptable with reference to National Treasury "Tender Defaulters List"	Bid will be eliminated if they appear on this list
4	POPIA Act Consent form completed and signed and each page initialled.	FASSET publishes tender information on public platforms, consent to share details about bidders is required

5	SBD 1: Invitation to Bid completed in full, signed and each page initialled.	Bid must initial each page and complete in full
6	SBD 3.1: Pricing Schedule – Firm prices (Purchases)	Bid must initial each page and complete in full
7	SBD 4: Bidders Disclosure completed in full and signed and each page initialled.	Bid must initial each page and complete in full
8	SBD 6.1: Preference Points Claim Form completed in full and signed and each page initialled.	Bid must initial each page and complete in full
9	SBD 7.2: Contract Form – Rendering of Service completed and signed in full and each page initialled	Will be completed by the successful bidder
10	Valid BBBEE certificate, or certified copy thereof, issued by a SANAS accredited verification agency, or a sworn affidavit for EMEs and QSEs or an affidavit issued by the CIPC. A trust, Consortium/Joint Ventures must submit their consolidated BBBEE Certificate and a joint venture agreement.	For a sworn affidavit, please obtain the correct template provided by National Treasury using the link below, https://etenders.treasury.gov.za/sites/default/files/tenders/Sworn%20Affidavit 20.pdf
11	Business Registration Certificates issued by CIPC	To be attached
12	VAT registration certificate (VAT103) must be submitted (where applicable)	VAT cannot be charged by bidders not registered for VAT

SBD 1 - INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE FASSET

BID NUMBER: **FAS/BM/OPS/OFFICESPACE/CON3445**

CLOSING DATE: **08 November 2024**

CLOSING TIME: **11:00**

DESCRIPTION: **APPOINTMENT OF A PROPERTY BROKERAGE ADVISORY FIRM TO SOURCE FASSET'S NEW HEAD OFFICE BUILDING FOR THE OUTRIGHT PURCHASE**

The successful bidder will be required to fill in and sign a written Contract Form (SBD 7).

BID DOCUMENTS MAY BE POSTED TO:

.....

OR:

.....

DEPOSITED IN THE BID BOX SITUATED AT (*STREET ADDRESS*)

.....

.....

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

The bid box is generally open 8 hours on weekdays from Monday to Friday 08h00 to 16h30.
ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED).

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK
ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL
CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL
CONDITIONS OF CONTRACT.

THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

TELEPHONE NUMBER.....

CELLPHONE NUMBER:.....

FACSIMILE NUMBER:.....

E-MAIL ADDRESS

VAT REGISTRATION NUMBER.....

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED?
(SBD 2)

YES or NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD
6.1)

YES or NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT

(CCA).....☐

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM

(SANAS); OR.....☐

A REGISTERED AUDITOR☐

[TICK APPLICABLE BOX]

(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)

ARE YOU THE ACCREDITED REPRESENTATIVE

IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED? YES or NO

[IF YES ENCLOSE PROOF]

SIGNATURE OF BIDDER

DATE

CAPACITY UNDER WHICH THIS BID IS SIGNED

TOTAL BID PRICE.....TOTAL NUMBER OF ITEMS OFFERED.....

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Department: Supply Chain Management

Contact Person: Queen Maphoto

Tel: 011 476 8570

E-mail address: tenders@fasset.org.za or queen.maphoto@fasset.org.za

SBD 3.1

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

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

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

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

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

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

*Delivery: Firm/not firm

- Delivery basis

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

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

SBD4 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 interest¹ in the enterprise, employed by the state? **YES/NO**

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

2.2

Full Name	Identity Number	Name of institution	State

Do
you,
or
any

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

2.2.1 If so, furnish particulars:

.....
.....

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

- 2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

YES/NO

- 2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.
I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3

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.

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

SBD 6.1

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**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 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.

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
--	---------------

PRICE	
SPECIFIC GOALS	
Total points for Price and SPECIFIC GOALS	100

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

Ps = Points scored for price of tender under consideration

Pt = 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:

$$P_S = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) \quad \text{or} \quad P_S = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = 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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

☐ State Owned Company
[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

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

	 SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME:	
DATE:	
ADDRESS:	
	
	
	

SBD 7.2 - CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I.....in my capacity as.....
accept your bid under reference numberdated.....for
the rendering of services indicated hereunder and/or further specified in the
annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms
and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

WITNESSES

1

2

DATE:

CONSENT AND ACKNOWLEDGMENTS IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 2013 (POPI)

This section sets out how personal information will be collected, used and protected by FASSET, as required by the Protection of Personal Information Act. The use of the words “the individual” for the purposes of this document shall be a reference to any individual communicating with FASSET and/or concluding any agreement, registration or application, with the inclusion of each of those individuals referred to or included in terms of such agreement, registration or application.

1. What is personal information?

The personal information that FASSET requires relate to names and surnames, birth dates, identity numbers, passport numbers, demographic information, education information, occupation information, health information, addresses, memberships, and personal and work email and contact details.

2. What is the purpose of the collection, use and disclosure (the processing) of personal information?

FASSET is legally obligated to collect, use and disclose personal information for the purposes of:

- reporting FASSET initiatives to the Department of Higher Education and Training;
- reporting to National Treasury all contracts awarded;
- obtaining information related to Tax Clearance Certificates from SARS;
- Verifying information on the National Treasury database of defaulters;
- evaluating and processing applications for registration on the database;
- compiling statistics and other research reports;
- providing personalised communications;
- complying with the law; and/or
- for a purpose that is ancillary to the above.

Personal information will not be processed for a purpose other than what is identified (the purpose) above without obtaining consent beforehand.

3. How will FASSET process personal information?

FASSET will only collect personal information for the purpose as stated above. Information will be collected in the following manner:

- directly from the individual;
- from an agent, work colleague or other duly authorised representative;
- from service providers that were provided with services or goods by the individual; from service providers who provided with services or goods to FASSET;
- from FASSET's own records relating to previous supply of services or goods; and/or ☐ from a relevant public or equivalent entity.

4. To whom will personal information be disclosed?

The personal information may be disclosed to other relevant public or other entities on whose behalf we act as intermediaries, other third parties referred to above in relation to the purpose or who are sources of personal information, service providers such as professional bodies who operate across the borders of this country (transborder flow of information) where personal information must be sent in order to provide the information and/or services and/or benefits requested or applied for. In the event of another party/ies acquiring all of or a portion of FASSET's mandate or functions, personal information will be disclosed to that party but they will equally be obliged as we are, to protect personal information in terms of this policy and the law.

5. Consent and Permission to process personal information:

- I hereby agree with the policy and provide authorisation to FASSET to process the personal information provided for the purpose stated.

SECTION B: POPI ACT CONSENT FORM

- I understand that withholding of or failure to disclose personal information will result in FASSET being unable to perform its functions and/or any services or benefits I may require from FASSET.
- Where I shared personal information of individuals other than myself with FASSET I hereby provide consent on their behalf to the collection, use and disclosure of their

personal information in terms of this personal information policy and I warrant that I am authorised to give this consent on their behalf.

- To this end, I indemnify and hold FASSET not responsible in respect of any claims by any other person on whose behalf I have consented, against FASSET should they claim that I was not so authorised.
- I understand that in terms of POPI and other laws of the country, there are instances where my express consent is not necessary in order to permit the processing of personal information, which may be related to police investigations, litigation or when personal information is publicly available.
- I will not hold FASSET responsible for any improper or unauthorised use of personal information that is beyond its reasonable control.

6. Rights regarding the processing of personal information:

- The individual may withdraw consent to the processing of personal information at any time, and should they wish to do so, must provide FASSET with reasonable notice to this effect. Please note that withdrawal of consent is still subject to the terms and conditions of any contract that is in place. Should the withdrawal of consent result in the interference of legal obligations, then such withdrawal will only be effective if FASSET agrees to same in writing. FASSET specifically draws to the attention that the withdrawal of consent may result in it being unable to provide the requested information and/or services and/or financial or other benefits.
- In order to withdraw consent, please contact the Information Officer at popia@fasset.org.za.
- A copy of the full FASSET policy is available at our offices, situated at 296 Kent Avenue, Ferndale, Randburg, South Africa.
- Individuals are encouraged to ensure that where personal information has changed in any respect to notify FASSET so that our records may be updated. FASSET will largely rely on the individual to ensure that personal information is correct and accurate.
- The individual have the right to access their personal information that FASSET may have in its possession and are entitled to request the identity of which third parties have received and/or processed personal information for the purpose. Please note however, that any request in this regard may be declined if:
 - the information comes under legal privilege in the course of litigation,

- the disclosure of personal information in the form that it is processed may result in the disclosure of confidential or proprietary information,
- giving access may cause a third party to refuse to provide similar information to FASSET,
- the information was collected in furtherance of an investigation or legal dispute, instituted or being contemplated,
- the information as it is disclosed may result in the disclosure of another person's information,
- the information contains an opinion about another person and that person has not consented, and/or
- the disclosure is prohibited by law.

7. Requesting access and lodging of complaints:

- Please submit any requests for access to personal information in writing to FASSET's information officer at popia@fasset.org.za.
- With any request for access to personal information, FASSET will require the individual to provide personal information in order to verify identification and therefore the right to access the information.
- There may be a reasonable charge for providing copies of the information requested.
- If any request has not been addressed to satisfaction a complaint may be lodged at the office of the Information Regulator.

Signature:	Date:
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