



**public works &
infrastructure**

Department of
Public Works & Infrastructure
FREE STATE PROVINCE

HEAD OF DEPARTMENT

MR. MOTSAMAI. E. MOHLAHLO

DEPARTMENT PUBLIC WORKS & INFRASTRUCTURE

**REQUEST FOR EXPRESSION OF INTEREST FOR LEASING OF PREFAB
BUILDING SITUATED AT ERF 19549 BEHIND NATIONAL HOSPITAL IN
BLOEMFONTEIN FOR A MAXIMUM PERIOD OF NINE (09) YEARS
ELEVEN (11) MONTHS.**

BID NUMBER: DPWFS EOI 005/2021

ADVERT DATE:

13 SEPTEMBER 2021

CLOSING DATE AND TIME:

11 OCTOBER 2021

COMPULSORY CLARIFICATION MEETING:

**A COMPULSORY CLARIFICATION MEETING WILL TAKE PLACE AT NATIONAL HOSPITAL
(BEHIND NATIONAL HOSPITAL) ON 21 SEPTEMBER 2021, STARTING TIME AT 10H00**

VALIDITY PERIOD OF THE PROPOSAL:

90 DAYS

ENQUIRIES:

BIDDING PROCESS: MR. MOLEBATSI PHASUMANE - Email: phasumanem@fsworks.gov.za OR 051 492 3862

TECHNICAL: MR. M.RUBEN THIBINYAN - Email: thibinyaner@fsworks.gov.za OR CONTACTS: 051- 410 7539

TENDER NUMBER: DPWFS (EOI) 007/2021
DESCRIPTION: LEASING OF PREFAB BUILDING



PUBLIC NOTICE

INVITATION TO TENDER

BID NUMBER: DPWFS EOI 005/2021

REQUEST FOR EXPRESSION OF INTEREST FOR LEASING OF PREFAB BUILDING SITUATED AT ERF 1954 BEHIND NATIONAL HOSPITAL IN BLOEMFONTEIN FOR A MAXIMUM PERIOD OF NINE (09) YEARS ELEVEN (11) MONTHS.

Tenders must be deposited in the tender box situated on the Ground floor (**Main Entrance Foyer**), **O.R Tambo House (Old Lebohang Building)**; **Cnr. St Andrew and Markgraaf Street; Bloemfontein**. Tender document(s) must be **submitted** by no later than **11h00 am on 11 October 2021**.

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

Clarification Meeting:

A compulsory clarification meeting will take place as follows:

Day and Date: 13 September, 2021f
Time: 10h00
Venue: Building behind National Hospital

Failure to attend this clarification meeting will lead to disqualification.

NOTE:

- ❖ Bid documents are obtainable **free of charge** from the e-tender portal at www.etenders.gov.za from 13 September 2021.
- ❖ Documents will be available at the Department of Public Works and Infrastructure, Cnr Markgraaf and St. Andrews street, OR Tambo House, 1st Floor, Room 101B. However, a non-refundable tender / bid deposit of **R342.00**-per set payable in cash is required on collection of the bid document. [Payments to be made at the O.R Tambo House, 1st floor, Room 102]

The Department is not bound to appoint any tender who submits a response to this EOI. The Department further reserves the right to accept any tender in whole or in part.

TENDER NUMBER: DPWFS (EOI) 007/2021

DESCRIPTION: LEASING OF PREFAB BUILDING



CONTENTS

SECTION 1:	RETURNABLE DOCUMENTS
SECTION 2:	TERMS OF REFERENCE
SECTION 3:	BID OFFER

TENDER NUMBER: DPWFS (EOI) 007/2021

DESCRIPTION: LEASING OF PREFAB BUILDING



SECTION 1: RETURNABLE DOCUMENTS

TENDER NUMBER: DPWFS (EOI) 007/2021

DESCRIPTION: LEASING OF PREFAB BUILDING



Returnable Documents

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

1. Resolution of Board of Directors
2. Resolution of Board of Directors to enter into Consortia Or Joint Ventures (in case of Joint Venture or Consortia)
3. Special Resolution of Consortia or Joint Ventures.
4. Certified B-BBEE Certificate issued by a South African National Accreditation System (SANAS) or Auditors approved and registered by the Independent Regulatory Board of Auditors (IRBA), where Consortium / Joint Venture are involved Bidders are to hand in their consolidated B-BBEE certificates.
5. Standard Bidding Document 1 (SBD 1) – Invitation to Bid
6. Standard Bidding a Document 6.1 (SBD 6.1) – Preference points claim form in terms of the Preferential Procurement Regulations 2017.
7. Annexure A: Record of Addenda to tender documents
8. Annexure B: Proposed amendments and qualifications
9. Annexure C: Preferencing schedule: Broad Based Black Economic Empowerment Status
10. Annexure D: Compulsory Declaration
11. Annexure E: Any other documents.....

TENDER NUMBER: DPWFS (EOI) 007/2021

DESCRIPTION: LEASING OF PREFAB BUILDING



LIST OF RETURNABLE DOCUMENTS

1. THE BIDDER MUST COMPLETE THE FOLLOWING RETURNABLE DOCUMENTS:

Bid Document Name:	Number of Pages:	Returnable document:
Resolution of Board of Directors	1 Pages	☐
Resolution of Board of Directors to enter into Consortia or JV	2 Pages	☐
Special Resolution of Consortia or Joint Venture	3 Pages	☐
SBD 1: Invitation to Bid	1Pages	☐
Standard Bidding a Document 6.1 (SBD 6.1) – Preference points claim form in terms of the Preferential Procurement Regulations 2017.		
Annexure A: Record of Addenda to tender documents	4 Pages	☐
Annexure B: Proposed amendments and qualifications	6 Pages	☐
Annexure C: Preferencing schedule: Broad Based Black Economic Empowerment Status	2 Pages	☐
Annexure D: Compulsory Declaration	4 Pages	☐
Annexure E: Space Need Analysis		
Annual Declaration		
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐
	Pages	☐

Name of Bidder	Signature	Date

TENDER NUMBER: DPWFS (EOI) 007/2021

DESCRIPTION: LEASING OF PREFAB BUILDING



RESOLUTION OF BOARD OF DIRECTORS

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

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

Held at _____ (place)

on _____ (date)

RESOLVED that:

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

(project description as per Tender Document)

Tender Number: _____ (Tender Number as per Tender Document)

- 2 *Mr/Mrs/Ms: _____

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

and who will sign as follows: _____

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

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			

Note:

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

ENTERPRISE STAMP

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

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

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

held at _____ (place) on

(date) **RESOLVED that:**

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

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

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

(Project description as per Tender Document)

Tender Number: _____ (Tender Number as per Tender Document)

2 *Mr/Mrs/Ms: _____

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

and who will sign as follows: _____

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

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

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

Physical address:

_____ (code)

Postal Address: _____

_____ (code)

Telephone number: _____code)

Fax number: _____
(code)

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

Note:

1. * Delete which is not applicable.

2. **NB.** This resolution must be signed by all the Directors / Members / Partners of the Tendering Enterprise.

3. Should the number of Directors / Members / Partners exceed the space available above, additional names, capacity and signatures must be supplied on a separate page.

ENTERPRISE STAMP

SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

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

1

2

3

4

5

6

7

8

Held at _____ *(place)*

on _____ *(date)*

RESOLVED that:

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

(Project description as per Tender Document)

Tender Number: _____ *(Tender Number as per Tender Document)*

B. Mr/Mrs/Ms: _____

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

and who will sign as follows: _____

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

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

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

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

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

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

Physical address: _____

_____ (code)

Postal Address: _____

_____ (code)

Telephone number: _____ (code)

Annexure: Record of Addenda to tender documents

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

Attach additional pages if more space is required.

Signed.....

Date.....

Name.....

Position.....

Tenderer.....

Annexure: Proposed amendments and qualifications

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

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

Page	Clause or item	Proposal

Signed..... Date.....

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

Tenderer.....

Annexure: Preferencing schedule: Broad-Based Black Economic Empowerment status

Preamble

Section 10(b) of the Broad-Based Black Economic Empowerment Act of 2003 (Act No. 53 of 2003) states that “Every organ of state and public entity must take into account and, as far as is reasonably possible, apply any **relevant code of good practice** issued in terms of this Act in developing and implementing a preferential procurement policy.”

A number of codes of good practice have been issued in terms of Section 9(1) of the B-BBEE Act of 2003, including a generic code of good practice and various sector codes. The sector codes vary the metrics, weightings and targets used in the generic code of good practice to establish the overall performance of an entity and its B-BBEE status.

The B-BBEE status needs to be assessed in accordance with the applicable code.

1 Conditions associated with the granting of preferences

Tenderers who claim a preference shall provide sufficient evidence of their B-BBEE status in accordance with the requirements of section 2 in respect of the applicable code as at the closing time for submissions, failing which their claims for preferences will be rejected.

2 Sufficient evidence of qualification

2.1 Exempted micro-enterprises

Sufficient evidence of qualification as an Exempted Micro-Enterprise is:

- a) a registered auditor's certificate or similar certificate issued by an accounting officer as contemplated in the Close Corporations Act of 1984 in respect of the entity's last financial year, or a 12-month period which overlaps with its current financial year; or
- b) A certificate issued by a verification agency and which is valid as at the closing date for submissions.

2.2 Enterprises other than micro-exempted enterprises

Sufficient evidence of B-BBEE status is a n original or certified copy of the certificate issued by a verification agency accredited by the South African National Accreditation System (SANAS) or registered auditors approved by the Independent Regulatory Board for Auditors (IRBA) and which is valid as at the closing date for submissions.

3 Tender preferences claimed

The scoring shall be as follows:

B-BBEE status determined in accordance with the preferencing schedule for Broad-Based Black Economic Empowerment	% Maximum points for preference
Form not completed or non-compliant contributor	0
Level 8 contributor	10
Level 7 contributor	20
Level 6 contributor	30
Level 5 contributor	40
Level 4 contributor	50
Level 3 contributor	80
Level 2 contributor	90
Level 1 contributor	100

4 Declaration

The tenderer declares that

- a) the tendering entity is a level contributor as stated in the submitted evidence of qualification as at the closing date for submissions
- b) the tendering entity has been measured in terms of the following code (tick applicable box):

☐ Generic code of good practice

☐ Other – specify

-
-
- c) the contents of the declarations made in terms of a) and b) above are within my personal knowledge and are to the best of my belief both true and correct

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the tenderer, confirms that he/she understands the conditions under which such preferences are granted and confirms that the tenderer satisfies the conditions pertaining to the granting of tender preferences.

Signature:.....

Name:.....

Duly authorized to sign on behalf of:.....

Telephone:.....

Fax:..... Date:.....

Name of witness:..... Signature of witness:.....

- Note:
- 1) Failure to complete the declaration will lead to the rejection of a claim for a preference.
 - 2) Supporting documentation of the above-mentioned claim for a preference must be submitted with the tender submission to be eligible for a preference.

Annexure: Compulsory Declaration

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

Section 1: Enterprise details

Name of enterprise	
Contact person	
Email	
Telephone	
Cell	
Fax	
Physical address	
Postal address	

Section 2: Particulars of companies and close corporations

Company / Closed Corporation registration number	
--	--

Section 3: SARS information

Tax reference number	
VAT registration number	(state Not Registered if not registered for VAT)

Section 4: CIDB registration number

CIDB Registration number (if applicable)	
--	--

Section 5: Particulars of principals

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

Full name of principal	Identity number	Personal tax reference number

--	--	--

Attach separate page if necessary

Section 6: Record in the service of the state

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

- | | |
|---|--|
| ☐ a member of any municipal council | ☐ an employee of any department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act of 1999 (Act No. 1 of 1999) |
| ☐ a member of any provincial legislature | |
| ☐ a member of the National Assembly or the National Council of Provinces | |
| ☐ a member of the board of directors of any Municipal entity | ☐ a member of an accounting authority of any national or provincial public entity |
| ☐ an official of any municipality or municipal entity | ☐ an employee of Parliament of a provincial legislature |

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

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

Attach separate page if necessary

Section 7: Record of family member in the service of the state

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

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

- | | |
|---|--|
| ☐ a member of any municipal council | ☐ an employee of any department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act of 1999 (Act No. 1 of 1999) |
| ☐ a member of any provincial legislature | |
| ☐ a member of the National Assembly or the National Council of Provinces | |
| ☐ a member of the board of directors of any Municipal entity | ☐ a member of an accounting authority of any national or provincial public entity |
| ☐ an official of any municipality or municipal entity | ☐ an employee of Parliament of a provincial legislature |

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

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

Attach separate page if necessary

Section 8: Record of termination of previous contracts with an organ of state

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

☐ Yes ☐ No (tick appropriate box)

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

Section 9: Declaration

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

- i) neither the name of the tendering entity, nor any of its principals, appears on:
 - a) the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004 (Act No. 12 of 2004); or
 - b) National Treasury's Database of Restricted Suppliers (see www.treasury.gov.za)
- ii) the tendering entity or any of its principals has not been convicted of fraud or corruption by a court of law (including a court outside of the Republic of South Africa) within the last five years;
- iii) any principal who is presently employed by the state has the necessary permission to undertake remunerative work outside such employment (attach permission to this declaration);
- iv) the tendering entity is not associated, linked or involved with any other tendering entities submitting tender offers;
- v) the tendering entity has not engaged in any prohibited restrictive horizontal practices, including consultation, communication, agreement, or arrangement with any competing or potential tendering entity regarding prices, geographical areas in which goods and services will be rendered, approaches to determining prices or pricing parameters, intentions to submit a tender or not, the content of the submission (specification, timing, conditions of contract, etc.) or intention to not win a tender;
- vi) the tendering entity has no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- vii) neither the tenderer nor any of its principals owes municipal rates and taxes or municipal service charges to any municipality or a municipal entity, and are not in arrears for more than three months;
- viii) SARS may, on an on-going basis during the term of the contract, disclose the tenderer's tax compliance status to the Employer and, when called upon to do so, obtain the written consent of any subcontractors who are subcontracted to execute a portion of the contract that is entered into in excess of the threshold prescribed by National Treasury, for SARS to do likewise.

Signed.....

Date.....

Name.....

Position.....

Enterprise name.....

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

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

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

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

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

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

Annual Financial Statements Declaration

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

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

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

Signed

Date

.....
Name

.....
Position

.....
Tenderer

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	DPWFS EOI 005/2021	CLOSING DATE:	11 OCTOBER 2021	CLOSING TIME:	11:00
DESCRIPTION	REQUEST FOR EXPRESSION OF INTEREST FOR LEASING OF PREFAB BUILDING SITUATED AT ERF 19549 BEHIND NATIONAL HOSPITAL IN BLOEMFONTEIN FOR A MAXIMUM PERIOD OF NINE (09) YEARS ELEVEN (11) MONTHS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Ground Floor (Main Entrance Foyer)					
O.R Tambo House (Lebohang Building);					
Cnr. Markgraaff and St Andrews Street,					
Bloemfontein, 9301					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mr. M. Phasumane		CONTACT PERSON	Mr. Reuben Thibinyane	
TELEPHONE NUMBER	051 492 3861 / 066 307 2629		TELEPHONE NUMBER	051- 410 7539	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	phasumanem@fsworks.gov.za		E-MAIL ADDRESS	thibinyaner@fsworks.gov.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) 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 ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?					☐ YES
☐ NO					
DOES THE ENTITY HAVE A BRANCH IN THE RSA?					☐ YES
☐ NO					

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

☐ YES

☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

☐

YES ☐ NO

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

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

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

DATE:

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

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

(a)

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

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

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

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

1.3 Points for this bid shall be awarded for:

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

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

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

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

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

2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic

empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

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

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

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

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

5. BID DECLARATION

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

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

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

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

7. SUB-CONTRACTING

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

(*Tick applicable box*)

YES		NO	
-----	--	----	--

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(*Tick applicable box*)

YES		NO	
-----	--	----	--

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

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

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

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

WITNESSES

1.

2.

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

DATE:

ADDRESS

.....

.....

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
.....	
.....	
.....	
.....	

3. Does any portion of the goods or services offered have any imported content?
(***Tick applicable box***)

YES		NO	
-----	--	----	--

- 3..1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):
.....

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thdti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing

any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

SECTION 2

TERMS OF REFERENCE

SECTION 2: TERMS OF REFERENCE

1. TERMS OF REFERENCE

1.1. PURPOSE OF THE EOI

1.1.1. To request approved of leasing of land parcel of 19549 in Bloemfontein Rd for a period of up to nine(09) and eleven (11) as it is. The extent of the site is 5040m² and site has existing foundation.

1.2. CONDITION OF THE RENOVATION AND UPGRADES

1.2.1 The Department is of leasing the property as it is and any cost for improvements will be the responsibility of the lessee. All improvement must be comply with the applicable laws, municipality by – laws and the building regulations.

1.2.2 The appointed lesses will be expected to remove existing prefab asbestos structure in line with the applicable OHS regulation for Asbestos at their own cost.

1.2.3 An accredited entity with valid license to handle asbestos should be utilised. The said entity should be able to remove, store, transport and dispose asbestos according to the ASBESTOES ABATEMENT REGULATIONS, 2020. The minister of Employment, Thulas Nxesi, has published the Asbestos Abatement Regulations 2020(the new regulation) which repeal the asbestos ,2001(the old regulation). Disposal of asbestos: Regulation 21 requires all employers and contractor employed by employers to dispose of asbestos waste to ensure contractor employer to dispose of asbestos waste to ensure that, all asbestos waste is placed in containers as to prevent exposure.

1.2.4 The site may be utilised only for the follow purpose, place of instruction places of assembly, institution and special building such Education purpose as per Department of Education prescript and as aligned to the current zoning.

1.2.5 The lesses will be expected to construct an alternative access to the site in order to ensure movement to and from the site will not interfere access to hospital

1.3. DEFINITION

Bid Period	Means the period from the Bid date to the date that the Bid expires.
Good working environment	The working environment must be comply 100% with South African Schools Act No. 84 Of 1996, Occupational, Health and Safety Act, Labour Relations Act.
Premises	Situated in Bloemfontein ERF 19549, James Dick Street, behind National Hospital, Bloemfontein.
Zoning and Permissible uses for ERF 19549	In term of the approved Bloemfontein Town Planning Scheme (B.T.P.S), the premises can only be used for the following purposes, dwelling houses, town houses, places of instruction, places of assembly, institutions and special building (Municipal purposes).
Service	The proposal should be for education and specifically foundation phase purpose

1.4. QUESTIONS REGARDING THE EOI

The Department is the sole point of contact regarding all procurement and contractual matters relating to the requirements described in this EOI. All questions, enquiries, and requests for clarification of information concerning this EOI should be addressed in writing to the following contact persons:

Technical enquiries:

Name: Mr Rueben Thibinyane
Tel: 051- 410 7539
E-Mail: mthibinyane@fsworks.gov.za

Procurement enquiries:

Name: Mr. Molebatsi Phasumane
Tel: 051 492 3861/78
E-Mail: phasumanem@fsworks.gov.za

A list of Bidder enquiries (without identifying the source of the enquiry) and our responses thereto will be distributed to all Bidders. Whenever a response to an enquiry would constitute a modification or addition to the original EOI, the reply will be made in the form of an Amendment Notice to the EOI. All enquiries must include:

- The company's name, address and phone number.
- A clear and concise question.
- Relevant paragraph within this EOI to which question relates.

NB: No meetings or telephonic enquiries with bidders will be entertained.

1.5. AMENDMENTS TO THE EOI

The Department may at its sole discretion amend, revise or add to the EOI prior to the deadline for submission of Bids and, at its own discretion, may extend the deadline for the submission of Bids.

Any changes to the EOI will be in the form of written amendment issued by the Department. Such amendments will be sent by email with receipt acknowledgement requested to all Bidders. Amendments will be clearly marked as such. Each amendment will be numbered consecutively and will become part of this EOI. Any Bidder who fails to receive such amendments shall not be relieved of any obligation under its proposal as submitted.

The Department reserves the right to withdraw or cancel this EOI at any stage.

1.6. BRIEFING SESSION

A compulsory clarification meeting will take place at **Behind National Hospital** on Day **Friday** date **13 September 2021** starting time **10:00am**.

Failure to attend this clarification meeting will lead to disqualification.

1.7. BID SUBMISSIONS

A one (1) envelope bid submission process will be followed by this EOI. The following documentation will be included in the envelope

Title on Envelope:	REQUEST FOR EXPRESSION OF INTEREST FOR LEASING OF PREFAB BUILDING SITUATED AT ERF 19549 BEHIND NATIONAL HOSPITAL IN BLOEMFONTEIN FOR A MAXIMUM PERIOD OF NINE (09) YEARS ELEVEN (11) MONTHS
Documentation to be included in the envelope:	• All returnable documents correctly provided in terms of section two (2) of this EOI. • Technical Proposal addressing all the technical specifications in terms of section three (3) of this EOI. • Financial proposal in the format as required.

All bidders must comply with the above outlined bid submission format. Failure by any bidder to comply with this bid submission format will automatically result in their bid submissions being disqualified.

1.8. BID SUBMISSION CLOSING DATE

All bids must be submitted in hard copy and by no later than (date)19 July 2021 and (time)11:00 at the following address:

Bid Box

Ground Floor, Main Entrance Foyer,
OR Tambo House;
St Andrew Street;
Bloemfontein

1.9. EVALUATION OF BID SUBMISSIONS

- 1.8.1. The contract resulting from this EOI, if any, will be awarded to the most technically responsive Bidder offering the best value for money to the Department.
- 1.8.2. Proposals will be evaluated by a Bid Evaluation Committee. The main objective of the Bid Evaluation Committee will be the examination of each bid proposal to determine how effectively it satisfies the Department requirements. The evaluation of bid submissions will be conducted in three (3) phases:

Phase:	Details:
Stage 1	Mandatory requirement - evaluation of bid submission - compliance with the set mandatory requirements and technical specification.
Stage 2	Evaluation on Functionality criteria
Stage 3	Price and preference - evaluation of preferred bids in accordance to the Preferential Procurement Regulations of 2017 using 90/10 Preference points system

1.8.3. Three stages of evaluation:

Each proposal will be evaluated in three stages following the criteria outlined below:

a. Stage one (a) – Compliance with mandatory requirements

- i) Provide unique security personal identification number (PIN) issued by the South African Revenue Services and/or Central Supplier Database's MAAA number which will be used to verify valid tax compliance status of the bidding entity. (Where Consortium / Joint Venture / Sub-contractors are involved, each party to the association must have a compliant tax status which will be confirmed at the time of award).
- ii) A valid proof of registration on the National Treasury's Central Supplier's Database must be accompany this bid (where Consortium / Joint Venture / Sub-contractors are involved, each party to the association must submit a separate or a unique security personal Identification number):
 - If a tender is a JV or partnership, they are expected to register the joint venture or partnership on the CSD before award of this bid. The joint venture or partnership must therefore ensure they are issued with a valid Tax registration number and their preferred joint venture or partnership bank account has been validated on the CSD.

iii) **Pre-qualification criteria for preferential procurement:**

- Only bidder who have B-BBEE level one (1) of contribution certificate or higher, i.e. B-BBEE Certificate Level two (2) to eight (8) contribution will not be considered. (Where trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification Certificate for every separate tender. An original or certified copy of the original must be attached.
 - Only suitably qualifying EMEs and QSEs may attach a sworn affidavit signed by the EME / QSE representative and attested by a Commissioner of oaths.
- iv) Attach a valid municipal services (water, sanitation, rates and electricity) clearance certificate or a current bill of account not owing more than ninety (90) days or a valid lease agreement with a current statement from the lessor not owing more than ninety days.
- v) Duly signed and completed – SBD documents (SBD 1, SBD 4, SBD 8, and SBD 9).
- vi) Duly signed and completed – Annual Financial Declaration.
- vii) Attendance of the mandatory clarification meeting the details of which are listed in the tender notice and invitation.

b. **Non – Mandatory requirements required for evaluation purposes:**

- i) Completed and signed schedule of equipment offered. This should include life stock if the bidder intends to operate a life stock enterprise. (Refer to the relevant section in the specification).
- ii) Completed and signed schedule of tender's schedule of experience.
- iii) Duly completed and signed SBD 6.1 – Preference points claim form in terms of the Preferential Procurement Regulations 2017.
- iv) A valid letter of good standing issued by the department of labour:
- Each bidder must provide proof of compliance to Compensation for Occupational Injuries and Diseases Act (COIDA)
- v) Letter of intent from Financial Institution/Bank or a Funder if you are not going to fund the development on your own.
- vi) Original and Valid Bank Rating Certificate, in case of a Trust, JV or Consortium, Original and Valid Bank Rating Certificate of all partners of the Trust, JV or Consortium are to be attached (with an annexure attached clearly describing the financial position of each bidder).

c. **Stage two – Evaluation on functionality criteria**

- i) Each bidder must comply with all the mandatory requirements as stipulated in stage one (a) above in order to be considered for evaluation on price and preference.
- ii) Each bidder is expected to score a minimum of 120 points out of 140 points for functionality in order to be considered for evaluation on price and preference.
- iii) The functionality criteria will be as follows:

CRITERION	GUIDELINE FOR CRITERION	WEIGHT
DETAILED BUSINESS PLAN WITH CLEAR TIMEFRAMES	Provide detailed business plan with financial projection for the period of 1 year. focusing on the following criterion: Detailed business plan with clear timeframes which the bidder intends to operate from the facility	100

	• Operational Industry. • Unique Advantage. • Products / Services Analyses. • Environmental Impact Analysis. • Marketing Strategy. • Operations Strategy including costs(Capital and Operational). • Brief Industry Analysis. • Brief Market Analysis. • Competitive Advantage. • SWOT Analysis.	0 to 10 points 0 to 10 points 0 to 10 points 0 to 10 points 0 to 10 points 0 to 10 points 0 to 10 points 0 to 10 points 0 to 10 points 0 to 10 points	
FINANCIAL GUARANTEE WHICH WILL ENSURE SUCCESSFUL IMPLEMENTATION OF THE BUSINESS PLAN	A valid financial guarantee which will ensure the proposal is successfully implemented. This should take into consideration the monthly rental cost the bidder will be making to the department. <i>Note: The bidder must produce verifiable proof of such financial proof, either from as a guarantee financial institution or own funds. The guarantee must cover the proposed business plan in full.</i> • Attached – 10 points • Not attached – 0 points		10
GEOGRAPHICAL AREA OF BIDDER	Free State based bidder - fully functional operational office in the free state • Locally = 30 points • Not locally based = 0 points		30
TOTAL POINTS			140

iv) **Evaluation Schedule – Methodology and approach**

- The approach paper must respond to the scope of work and outline the proposed approach / methodology including that relating to health and safety. The approach paper should articulate what value add the tenderer will provide in achieving the stated objectives for the project.
- The tenderer must as such explain his / her understanding of the objectives of the assignment and the Employer's stated and implied requirements, highlight the issues of importance, and explain the technical approach they would adopt to address them. The approach paper should explain the methodologies which are to be adopted, demonstrate the compatibility of those methodologies with the proposed approach. The approach should also include a quality plan which outlines processes, procedures and associated resources, applied by whom and when, to meet the requirements and indicate how risks will be managed and what contribution can be made regarding value management.
- The tenderer must attach his / her approach paper to this page.
- The scoring of the approach paper will be as follows:

No	Score	Technical approach and methodology
1	Poor	The technical approach and / or methodology is poor / is very unlikely to satisfy project objectives or requirements. The tenderer has completely misunderstood all aspects of the scope of work and does not deal with any critical aspects of the project.
2	Average	The technical approach and / or methodology is not good / is unlikely to satisfy project objectives or requirements. The tenderer has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project.

3	Good	The approach is generic and not tailored to address the specific project objectives and methodology. The approach does not adequately deal with the critical characteristics of the project. The quality plan, manner in which risk is to be managed etc, is too generic.
4	Very Good	The approach is specifically tailored to address the specific project objectives and methodology and is sufficiently flexible to accommodate changes that may occur during execution. The quality plan and approach to managing risk etc, is specifically tailored to the critical characteristics of the project.
5	Excellent	Besides meeting the “good” rating, the important issues are approached in an innovative and efficient way, indicating that the tenderer has outstanding knowledge of state-of-the- art approaches. The approach paper details ways to improve the project outcomes and the quality of the outputs.

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed at: _____ Date: _____
Signed by: _____ Position: _____
Tenderer's Name: _____

d. Stage 3 – Evaluation on Price and Preference

- i. Only bidders who score a minimum of 120 out of 140 will qualify to be evaluated on price, using the 80/20 preferential procurement system.
- ii. Bidders must place their final monthly rental on a separate envelope clearly marked financial proposal. This envelope should only include the monthly rental amount bidders are offering to make to the department and the intended initial contract period which they operate the property for.
- iii. The department will consider awarding the proposal to the bidder who offers monthly rental in line with provisions of PFMA Act, 16A7.4 “The letting of immovable State property (excluding State housing for officials and political bearers) must be at market related tariffs, unless the relevant treasury approves otherwise. No State property may be let free of charge without the prior approval of the relevant treasury”.
- iv. Allocation of preferential points based on B-BBEE status level of contribution

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

1.9. CONTRACT MANAGEMENT

- 1.9.1. Any contract awarded pursuant to this EOI will incorporate the requirements, specifications, terms, and conditions contained in this EOI, as well as the contents of the bidder's proposal as accepted by the Department.
- 1.9.2. The Department reserves the right to negotiate the modification of proposed terms and conditions with the 1st preferred bidder in conjunction with the award criteria contained herein, prior to the execution of a contract to ensure a satisfactory end product or service.
- 1.9.3. **If the parties are unable to reach agreement, the Department may opt to go to the 2nd preferred bidder with the most responsive proposal to the requirements as stated in these EOI.**
- 1.9.4. The successful bidder will be required to sign the Standard Lease Agreement of the Department. No other lease agreement format will be considered by the Department.
- 1.9.5. Occupation of the building from the date of signing of the SLA.
- 1.9.6. Signing of the SLA – period after appointment.
- 1.9.7. When will the department pay the monthly rental for the property.

1.10. PROPOSAL PREPARATION COSTS

All costs incurred in the preparation and submission of proposals and related documentation, including bidder presentation to the Department, will be borne by each bidder.

1.11. CLARIFICATION OF BIDS

Prior to contract award, the Department may, at its sole discretion, seek clarification from any bidder regarding any proposal information and may do so without notification to any other bidder.

2. TECHNICAL PROPOSAL

SPECIFICATION FOR MINIMUM REQUIREMENTS AND FINISHES TO WHICH THE BUILDING MUST COMPLY:

2.1 GENERAL:

- a. This specification forms part of the written offer of the bidder and must be initialled and submitted with all other documents.
- b. Any requirements laid down in this specification shall be considered as supplementary to those set out in the written offer of the bidder and on the drawings. The fact that the Department checked the documentation and its acceptance thereof does not exempt the bidder from his responsibilities with regard to the fulfilment of the requirements of this specification.

2.2. CONSTRUCTION AND APPERANCE OF BUILDING:

The renovations and upgrade costs will be to the responsibility of lessee. The Department will inspect the final work for occupancy for school purposes.

The design, construction and appearance of the building, including the internal and external finishes shall be of a standard acceptable to the Department of Public works and Infrastructure, Free State Province.

The building must comply with the National Building Regulations as proclaimed by the National Building Regulations and Building Standards Act of 1977 (Act 103 of 1977) as well as the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as amended.

The building shall be fully accessible to the disabled and the facilities must be provided as required by the Occupational Health and Safety Act, 1993 (Act 85 of 1993), i.e. all the relevant certificate to this effect, e.g. the COC certificate, must be submitted before occupation of the building by the Department.

2.3. SECURITY:

The following security measures shall be complied with:

- a. All entrances to the building, which shall be limited to the minimum, must afford entry through one or more access points.

2.4. INSPECTION:

The Department of Public Works and Infrastructure considers it a condition of contract that in contracting with the lessor and with reasonable frequency during the process of refurbishment its inspector shall be given access to the building that they may wishes to inspect. The inspector's approval of any part of the building does not exempt the owner from complying with any of these minimum standard requirements. A deviation from the minimum requirements may only be allowed with written permission from the Department of Public Works and Infrastructure.

SECTION 3
BID OFFER

SECTION 3: BID OFFER

1. BID OFFER – PREFAB BUILDING SITUATED AT ERF 19549 BEHIND NATIONAL HOSPITAL

Bid no:	DPWFS EOI 005/2021	Closing date:	11 OCTOBER 2021
Advertising date:	13 SEPTEMBER 2021	Validity period:	90 days

2. ACCOMMODATION PARTICULARS

Name of building	
Address of building	
Market Value of building	
Municipal valuation of building	
Gross floor area of accommodation	m ²
Date accommodation may be occupied	
Commencement date of lease	
Lease period	
Option period	
Value Added Tax Number	

3. RENTALS (OFFICES, STORES AND PARKING)

	Offices	Stores	Parking
Lettable Area	m ²	m ²	
Parking bays			
Rental per month	R		R
VAT per month	R		R
Total per month	R		R

Tariffs	R /m ²	R /m ²	R each
VAT	R /m ²	R /m ²	R each
Total (1)	R /m ²	R /m ²	R each
Escalation Rate	%	%	%

Operating Costs <u>(Provide / Attach details on what costs entail)</u>	R /m ²	R /m ²	
VAT	R /m ²	R /m ²	
Total (2)	R /m ²	R /m ²	
Escalation Rate	%		
Total (1 + 2)	R /m ²	R /m ²	R each
Alteration Cost for Lessor:	R	R	

4. RESPONSIBILITIES

Note: The state is not prepared to accept responsibility for services or costs involved as per grey areas. (Indicate where applicable)

a. Services	State	Lessor	Estimated cost per month
i. Water consumption			
ii. Electricity consumption			
iii. Sanitary services			
iv. Refuse removal			
v. Domestic cleaning service			
vi. Consumable Supplies			

b. Maintenance	State	Lessor	Estimated cost per month
i. Internal maintenance			
ii. External			
iii. Garden (If applicable)			
iv. Air conditioning			
v. Lifts			
vi. Floor covering: normal wear			

c. Rates and Insurance	State	Lessor	Estimated cost per month
i. Municipal rates & Increases			
ii. Insurance & Increases			
iii. SASRIA insurance + Increase			

d. Other Responsibilities	a.State	Lessor	Estimated cost per month
i. Contract costs			
ii. Stamp duty			
iii. Fire fighting equipment			
iv. Cost of alterations			

Note: State is not prepared to accept responsibility for costs involved within grey coloured columns

Does the building comply with the National Building Regulations?	☐ Yes	☐ No
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5. NATIONAL BUILDING REGULATIONS:

Electricity Compliance Certificate	☐ Yes ☐ No
Fire Regulation	☐ Yes ☐ No
Accessibility Regulation	☐ Yes ☐ No
Health and Safety Regulation	☐ Yes ☐ No

PARTICULARS FOR PAYMENT OF RENTAL:

Person/Organisation to whom cheque must be issued	
Postal address	
Telephone no.	
Cell. No.	
e-mail address	

b.INCOME TAX REFERENCE NUMBER:

INCOME TAX REFERENCE NUMBER (in terms of Section 69 of the Income Tax Act, 1962 (Act 58 of 1962) as amended)		
Name of owner / Duly authorised representative	Signature	Date

2.4. COMPLIANCE WITH ALL THE ACTS, REGULATIONS AND BY- LAWS GOVERNING THE BUILT ENVIRONMENT CERTIFICATE

Bid no:	DPWFS EOI	Closing date:	
Advertising date:		Validity period:	120 DAYS

COMPLIANCE WITH ALL THE ACTS, REGULATIONS AND BY- LAWS GOVERNING THE BUILT ENVIRONMENT

I, _____ duly authorised to represent

_____ (the bidders name) acknowledge that I as

_____ shall ensure that _____ (description of the property in question) complies in every respect with the requirements of the following Acts, Regulations and By - Laws:

- (i) Occupational Health and Safety Act, 1993. (Act 85 of 1993)
 - (ii) The National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977)
 - (iii) The Municipal by-laws and any special requirements of the local supply authority.
 - (iv) The local fire regulations, to guarantee/ensure the health and safety of all (employees and pupils) occupying this/these premises and the public visiting the premises for business or other purposes.
- I furthermore agree to advise the Department of Public Works and Infrastructure immediately in writing of any reason I am unable to perform in terms of this agreement and to apply the necessary corrective measures.

Name owner / authorised representative	Signature	Date

1. WITNESS:

Name of witness	Signature	Date

2. WITNESS:

Name of witness	Signature	Date