



TERMS OF REFERENCE

SCMU11-26/27-004: THE APPOINTMENT OF PANEL OF CONVEYANCERS TO CONDUCT REGISTRATION OF TRANSFER OF TITLE DEEDS ON TRANSFER OF PRE 1994 AND POST 1994 HOUSES TO QUALIFYING BENEFICIARIES IN THE EASTERN CAPE MUNICIPALITIES.

COMPILED FOR:

Eastern Cape Department of
Human Settlements
Steve Tshwete House
31-33 Phillip Frame Road,
Waverly Park, Chiselhurst
East London

COMPILED BY:

Human Settlements Properties and
Assets Management.
Eastern Cape Department of
Human Settlements
31-33 Phillip Frame Road
East London

AUGUST 2026

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1. OBJECTIVE

The Department of Human Settlements (DOHS) seeks the services of well experienced panel of Conveyancers to conduct registration of transfer of title deeds to qualifying beneficiaries throughout the Eastern Cape Province. The successful Conveyancers need to demonstrate an understanding of Human Settlements Development processes and policies. This Panel will work together with the Eastern Cape Provincial Department of Human Settlements and with affected municipalities.

2. INTRODUCTION AND BACKGROUND

The Eastern Cape Department of Human Settlements aims to strengthen the process of creating sustainable human settlements in Eastern Cape.

A need has been identified to build and strengthen the capacity of the Department to fulfil its mandate of issuing Title Deeds to qualifying RDP Housing beneficiaries.

The Department has recognized that there is insufficient internal professional capacity to perform these services, and this situation has resulted in this approach. The Conveyancers will be appointed by the Department to conduct registration of transfer of title deeds of RDP houses to qualifying beneficiaries and other related services, where applicable, depending on the scope and needs of specific projects.

The Department herewith, aims to establish a Panel of experienced registered Conveyancers that may be utilized on an ad-hoc basis.

3. PURPOSE OF THE DATABASE

- 3.1** The database that will be compiled will enable the Department of Human Settlements to access specific expertise (Conveyancing, Township registration, Beneficiary verification, Application of Lost Mother Title Deeds and Extending the Validity of Laps General Plans) and liaise with relevant stakeholders in a meaningful manner in terms of sharing of information.
- 3.2** Individual Conveyancing companies may be sourced from the Panel to perform a specific transfer on a specific project.

4. UTILIZATION OF THE PANEL

The Department of Human Settlements shall appoint conveyancers from the established panel on a rotational basis in accordance with the following provisions:

- 4.1** The selection of conveyancers for project allocation shall be determined by a ranking system, whereby candidates are listed in descending order based on their functionality scores. In the event of equal functionality scores, a drawing of lots shall be conducted to resolve the tie. The unselected conveyancer will not lose its position in the list for the next round.
- 4.2** Successful conveyancers shall be ranked from highest to lowest in accordance with their evaluation points. The highest-ranking conveyancer shall be the first to receive work allocation, with subsequent allocations proceeding sequentially down the ranked list.
- 4.3** To the extent feasible, appointed conveyancers shall be allocated 500 transfers across various regional municipalities within the Eastern Cape irrespective of locality in order to achieve the overall allocation targets.

4.4 As a prerequisite for eligibility for subsequent allocation, a conveyancer must have completed or attained a minimum of 80% completion of all previously allocated work.

4.5 In the event that a conveyancer fails to commence or complete allocated work, the Employer reserves the right to cancel such appointment and reallocate the work to the next conveyancer in sequence on the panel.

5. SCOPE OF WORK

The Conveyancers will be requested to perform conveyancing work for the Department of Human Settlements throughout the Province, which covers the following main activities:

5.1 PRE-1994 TITLE DEEDS

- 5.1.1** Receive a verified and endorsed Municipal list of beneficiaries for pre 1994 title deeds to be transferred.
- 5.1.2** Receive Deeds of Sale working with the municipalities.
- 5.1.3** Liaise with the Department and/or municipalities for any clarity seeking issues.
- 5.1.4** Lodge for registration of transfers at deeds office.
- 5.1.5** Submit a claim accompanied by a conveyancer's certificate and a list of registrations with details of the beneficiaries i.e. erf no, township, title deed numbers and proof of registration.
- 5.1.6** Submit a monthly progress report using a template provided by the Department as a requirement.

5.2 POST 1994 TITLE DEEDS

- 5.2.1** Receive a verified and endorsed list of beneficiaries from the Housing Subsidy Systems (HSS) report.
- 5.2.2** Draft Deeds of Sale working with the municipalities considering required clauses in the Housing Act 107 of 1997 and 2001 as amended.
- 5.2.3** Liaise with municipal officials for endorsements of Deeds of Sale.

- 5.2.4 Lodge for registration of transfers at deeds office.
- 5.2.5 Submit a claim accompanied by a conveyancer's certificate and a list of registrations with details of the beneficiaries i.e. erf no, township, title deed numbers and proof of registration.
- 5.2.6 Submit monthly progress reports highlighting any challenges experienced that may hinder the transfers process for intervention by the Department.

5.3 PRE PLANNING ACTIVITIES

- 5.3.1 Conveyancers will be required to seek written permission from the Department to perform the activities listed herein below as and when necessary:
 - 5.3.1.1 **Open Township Register** – Registration of the General Plan at the Deeds Office
 - 5.3.1.2 **Mother title deeds** – Apply in terms of Regulation 68 (1) of Deeds Registration Act 47 of 1937.
 - 5.3.1.3 **Lapsed general plans** – Apply for extension of validity of general plans from relevant authority.

5.4 BENEFICIARY VERIFICATION

- 5.4.1 The conveyancers will be required to conduct door to door beneficiary verification as and when necessary and instructed by the department.

5.5 THE ROLE OF THE APPOINTED CONVEYANCERS WILL ALSO INCLUDE THE FOLLOWING:

- 5.5.1 Taking instructions and attending to consultations with the Department and relevant local municipality.
- 5.5.2 Attending to receipts of and consideration of documents.
- 5.5.3 Attending to receipts of and consideration of any plans, diagrams, and/or other material documents.
- 5.5.4 Attending to drafting and drawing of Deeds of Transfers.

- 5.5.5** Attending to the lodgement and registration of transfers.
- 5.5.6** Attending to queries raised by the Registrar and Execution of Deeds of Transfers.
- 5.5.7** Providing monthly progress report of transfers to the Department.
- 5.5.8** To assist with rectification/amendment of some of the title deeds with errors which were transferred by previous Service Providers.

6. KEY COMPETENCIES OF THE BIDDER.

- 6.1.** Knowledge of the National Housing Code processes and gaps to address the issues.
- 6.2.** Process of transfers of Pre 1994 houses to beneficiaries.
- 6.3.** Process of transfer of Post 1994 houses to beneficiaries.
- 6.4.** A sound understanding and experience in similar work.
- 6.5.** A track record of satisfactory performance in similar work.

7. DURATION OF THE PANEL.

The duration of the panel is thirty-six (36) months, and it may be renewed and extended by the Department of Human Settlement, for further periods as the Department deems it necessary.

8. DURATION OF THE CONTRACTS.

- 8.1** The conveyancer will sign a contract with a duration of 24 months to perform the allocated conveyancing work.

9. PRICING AND PAYMENT INSTRUCTIONS

9.2PRICING

The Department offers a uniform price of R1350,00 per transaction for registration of transfer of one Unit / House as illustrated in Table 1 below. Where this system has not been used a sum of R1350,00 per registration will apply.

An additional amount of R311,00 will be paid per registration of transfer conducted through the Lexis Nexis System registration of transfer. All appointed conveyancers need to be registered with the Lexis Nexis System. Proof of having used the Lexis Nexis System should be accompanied by a Lexis Nexis System.

Table 1: Transfer of Title Deeds

NO	MAIN ACTIVITY	SCOPE/ DESCRIPTION	COST ESTIMATE
1	Registration of transfer of Title Deed	Transfer of Title Deed to approved beneficiaries	R1350,00
2	Registration through the Lexis Nexis Electronic system	Proof of registration of title deed using Lexis Nexis System.	R311,00
3	Total		R1 661.00

Bidders must note the following:

The Conveyancers may be required to undertake other pre-conveyancing activities and/or other services that are incidental to the transfer of Title Deed by applying to the Department to be allowed to perform those activity (ies).

Table 2: Pre Conveyancing activities

NO	MAIN ACTIVITY	SCOPE/	DESCRIPTION	COST ESTIMATE
1	Opening of Township Register		Opening and proclamations	R416-33
2	Beneficiary Administration		Physically Verify Name, ID to the correct Erf and HSS.	R400-00
3	Transfer of Title Deed		Transfer of Title Deed to approved beneficiaries	R1 661-00
4	Mother Tittle Deeds		Apply in terms of Regulation 68 (1) of Deeds Registration Act 47 of 1937.	R3 160 - R10 200

9.3 PAYMENT

9.3.1 Payment will be affected within 30 days on submission of invoice and on conditions set out in the Service Level agreement.

9.3.2 Each invoice must be accompanied by a Conveyancer's Certificate and a Deeds Report detailing the particulars of beneficiaries of transferred houses. Conveyancers are required to submit claims on a regular basis and not wait until several registrations have been accumulated before submitting

9.3.3 The contract price shall not be determined by the price offered by bidders, as the Department applies a uniform price per unit or house transferred.

9.3.4 The 80/20 points system will be applied in the allocation of projects.

10.EVALUATION CRITERIA

10.1 BID PROCESS: PRE-QUALIFICATION

A two-stage evaluation process will be employed. In Stage one (Pre-qualification), all bids received will be evaluated for compliance with bid requirements. Only Service Providers who meet all the requirements for compliance with bid requirements will proceed to Stage 2 for functionality. Service providers who meet the minimum threshold of 30 points out of 35 points on functionality, will be recommended for the appointment to the panel.

10.2 STAGE 1: COMPLIANCE WITH THE BID MINIMUM REQUIREMENTS ADMINISTRATIVE COMPLIANCE

10.2.1 In this stage, all bids received will be verified for compliance and completeness of the submitted proposal per the below set of mandatory requirements. Bidders who fail to comply with the below requirements will be eliminated and bidders who comply with the below requirements progresses to the next stage of technical evaluation.

10.2.2 Without limiting the generality of ECDHS's other critical requirements for this Bid, bidders must submit the documents listed in the Table 3 below. All documents must be completed and signed by the duly authorized representative of the prospective bidder. During this phase, bidders' response will be evaluated based on compliance with the listed administration and mandatory bid requirements. In case of a Joint Venture/Consortium all parties are expected to submit individual documentation:

Table 3: Administrative compliance

No	Document that must be submitted	Explanatory Information
1	SBD1: Invitation to tender	Complete and sign the supplied proforma document
2	SBD2: Tax clearance certificate	Complete and sign the supplied proforma document
3	SBD4: Declaration of interest	Complete and sign the supplied proforma document
4	SBD6.1: Preference points claim form;	Complete and sign the supplied proforma document
5	Central supplier Database (CSD) registration	Service Providers must be registered as a service provider on the Central Supplier Database (CSD). If not registered, prior to submitting bidder must Visit https://secure.csd.gov.za/ to obtain vendor number. Submit CSD printout as proof of registration.
6	Joint venture consortium agreement	The joint venture and/or consortium agreements must clearly set out the shareholding and roles and responsibilities of the Lead Partner and the joint venture and/or consortium party. The agreement must also clearly identify the Lead Partner, who shall be given the power of attorney to bind the other party/parties in respect of matters pertaining to the joint venture and/or consortium arrangement. A signed agreement will be expected to be submitted prior award of contract.

NB: Failure to comply with any of the above requirements will result in immediate rejection of the Bid. Bidders who comply with all the above requirements of stage 1 will proceed to stage 2 where they will be evaluated on Functionality.

10.3 STAGE 2: FUNCTIONALITY EVALUATION

COMPETENCY	REQUIREMENT	WEIGHT	POINTS
QUALIFICATIONS OF KEY PERSONNEL TO BE USED FOR THE ASSIGNMENT.			20
Admitted as attorney and conveyancer	Proof of admission as a attorney and conveyancer	20	
	None	0	
EXPERIENCE IN TRANSFERS			15
Experience in Conveyancing	10 years and above	15	
	5 to 9 years	10	
	Below 5 years	5	
	No property transfer Experience.	0	
		35	

10.4 DESCRIPTION OF EVALUATION CRITERIA

10.4.1 QUALIFICATIONS: A certified copy as qualifications as a admitted attorney and Conveyancer not older than three months from the date of advert should be submitted as proof of attaining such a qualification.

10.4.2 EXPERIENCE IN TRANSFERS: This refers to number of previously completed projects of similar works both RDP or any government housing property and or general property transfers. Starting from 2015 to date. Bidders are required to submit proof of previously completed registration of transfers they have finalized in order to score points in this section. Points will be allocated on submission of; 1. Proof of appointment for conveyancing work done and 2. copy of a conveyance certificate or Testimonial confirming work performed.

10.5 NOMINATED TEAM LEADER

These are names of nominated team members by the bidder whose CVs will be considered for evaluation. If no nomination is made no **points** will be allocated for evaluation.

Table 4: List of officials to be considered for evaluation.

NO.	NAME OF NOMINATED TEAM LEADER	EXPERIENCE OF TEAM LEADER	ADMITTED ATTORNEY	ADMITTED CONVEYANCER	HIGHEST QUALIFICATION OF NOMINATED TEAM LEADER
1					

10.6 PRICE AND PRICE AND SPECIFIC GOALS EVALUATION

10.6.1 Regulation 3 of the Preferential Procurement Policy Framework Act 2000: Preferential Procurement Regulations 2022, (the Regulations) stipulates that an organ of state must, prior to making an invitation for tenders, determine and stipulate the appropriate preference point system to be utilized in the evaluation and adjudication of tenders.

10.6.2 Regulation 5 and 6 stipulates that the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included);

THE 80/20 PREFERENCE POINT SYSTEMS

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

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

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

10.6.3 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 below as may be supported by proof/documentation stated in the conditions of this tender:

Table 5: Specific goals allocated points

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Women owned Organizations	8	
Youth	4	
People with Disability	2	
Locality: Eastern Cape	5	
Military Veterans	1	

10.6.4 CLAIMING OF PREFERENCE POINTS

- 10.6.4.1** Preference points allocated for women may be claimed if there is sufficient evidence that such woman has ownership of 51% or more of the enterprise shareholding. Bidders must submit proof in a form of valid Central Supplier Database (CSD) supplier profile that outlines the ownership of the organisation.
- 10.6.4.2** Preference points allocated for persons with disabilities may only be claimed if there is sufficient evidence that such person has ownership of 51% or more of the enterprise shareholding. Bidders must submit proof in form of a medical certificate / letter not older than 6 months from a registered medical practitioner (Practitioner number, contact details to be stated on correspondence) detailing the disability. The Medical certificate will only be used for evaluation purposes.
- 10.6.4.3** Preference points allocated for promotion of youth may only be claimed if there is sufficient evidence that such youth has ownership of 51% or more of the enterprise shareholding. Bidders must submit proof in a form of valid Central Supplier Database (CSD) supplier profile that outlines the ownership of the organisation.
- 10.6.4.4** Preference points for Locality may be allocated for promotion of enterprises located within the Eastern Cape Province may be claimed by submission of proof that the enterprise is located within the borders of Eastern Cape Province. This includes an enterprise whose head office may be situated in another province but has a fully-fledged branch within Eastern Cape Province. Enterprises located outside the borders of the Eastern Cape Province and who only appoints agents and or commission warehouses in this municipal area are expressly excluded from claiming points for this goal. Bidders must submit proof of the Company's Registered Offices. Proof of rate statement, lease agreement or confirmation of locality from local authority.

10.6.4.5 Preference points allocated for Military Veterans may only be claimed if there is sufficient evidence that such person has ownership of 51% or more of the enterprise shareholding. Bidders must submit proof in terms confirmation letters from the Department of Military Veterans.

NB: Bidders must provide sufficient proof and supporting documentation in respect of the above evaluation criteria and specific goals evaluation. Bidders who do not submit the required information shall not be scored for the respective/relevant evaluation criteria. In a case of a joint venture and/or consortium the agreements must clearly set out the shareholding and roles and responsibilities of the Lead Partner and the joint venture and/or consortium party. Failure to submit shareholding will result in non-allocation of points.

11.LEGALITIES OF THE CONTRACT.

- 11.1** The selected conveyancer will sign a Service Level Agreement with the Department of Human Settlements for allocated projects/units.
- 11.2** The appointed conveyancer will be required to sign a Framework agreement form as part of the Panel of conveyancers.
- 11.3** The conveyancer will be liable for any rectification of transfers if the original transfers they did was done incorrectly.
- 11.4** The selected conveyancer will make sure that the process of transfers is conducted in a transparent and fair manner.
- 11.5** The conveyancer will be required to submit a Project Implementation Plan of the scope allocated.
- 11.6** Price of transfers are VAT zero rated and payment is effected within 30 days upon Receipt of an invoice as on conditions set out on the Service level Agreement.
- 11.7** Price Variations will not be accepted
- 11.8** Conveyancers are required to submit claims on regular basis instead of waiting until several registrations have been processed.
- 11.9** Upon registration the conveyancer will be required to submit the original title deed to the Department.
- 11.10** The processed documents by conveyancer firms remains the property of the Department of Human Settlements.

11.11 The appointed Conveyancer will at all material times be required to secure the integrity and confidentiality of personal information in its possession in terms of provisions Protection of Personal Information Act of 2013, Act No.4 of 2013 and the applicable Regulations not limited to the following:

11.11.1 Section 19: The service provider must ensure strict security measures to protect the integrity and confidentiality of information sourced from the Department and any other institution that has a legislative obligation towards the Department.

11.11.2 Section 20: The service provider must not divulge personal information sourced from the Department and any other institution that has a legislative obligation towards the Department without prior consent from the Department or institution that has a legislative obligation towards the Department.

11.11.3 Section 21: The service provider is hereby compelled to give a written report on how they will process personal information and ensure the protection of such information, this includes all information furnished to the service provider by the Department and any other institution that has a legislative obligation towards the Department of Humans Settlements.

11.12 The personal information sourced from the Department by the Service provider must be used only for the intended purpose and the Service Provider indemnifies the Department from any claims for any damages occasioned by the misuse of such personal information.

12. VALIDITY OF THE OFFER

This bid will be valid for one hundred and twenty (120) days after the closing date.

13. BRIEFING SESSION

Non Compulsory briefing sessions will be held at the Eastern Cape Department of Human Settlements, Ground Floor Boardroom, 31-33 Phillip Frame Road, Waverly park, Chislehurst, East London at 11:00 on the 28 August 2026.

14.SUBMISSION OF BID PROPOSALS

- 14.1.** Bid proposals must be deposited in a Bid Box (that is accessible 24 hours) situated at the Ground Floor, Department of Human Settlements, Steve Tshwete Houses, 31–33 Phillip Frame Road, Waverley Park, Chiselhurst, East London.
- 14.2.** It is the responsibility of the bidder and that of the courier in case of couriered bids to ensure that the bid is deposited in the bid box and not submitted to officials. The Department will not take any responsibility for bids not deposited in the bid box.
- 14.3.** The Department will not take any responsibility for the posted bids that are not in the bid box during the closing time and date it is therefore the responsibility of the bidder to ensure that the bid is delivered on the bid box on or before the closing date and time.
- 14.4.** Bid proposals must be submitted in one (1) envelope clearly marked with bidders details **as follows: SCMU11-26/27-004: THE APPOINTMENT OF PANEL OF CONVEYANCERS TO CONDUCT REGISTRATION OF TRANSFER OF TITLE DEEDS ON TRANSFER OF PRE 1994 AND POST 1994 HOUSES TO QUALIFYING BENEFICIARIES IN THE EASTERN CAPE MUNICIPALITIES**
- 14.5.** Faxed or emailed bid proposals will not be accepted. The Technical Proposal envelope may be opened in public on the closing day.

15.CLOSING DATE

- 15.1.** All bid proposals in response to this bid should reach the Department not later than the **14 September 2026** at 11H00. Bids received after 11H00 will not be accepted and considered.

16. CONTACT DETAILS ON TERMS OF REFERENCE

Mr. Loyiso Dukashe: – Demand Management; Department of Human Settlements,
EAST LONDON

Cell No: 0828383208

E-mail: LoyisoD@ecdhs.gov.za

All technical enquiries regarding this bid may be directed to:

Mr Zukile Nelson Mrwashu- Land Acquisition and Tenure Services.

Cell No: 0768414749

Email: ZukileM@ecdhs.gov.za

**SCMU11-26/27-004: THE APPOINTMENT OF PANEL OF CONVEYANCERS TO
CONDUCT REGISTRATION OF TRANSFER OF TITLE DEEDS ON TRANSFER OF
PRE 1994 AND POST 1994 HOUSES TO QUALIFYING BENEFICIARIES IN THE
EASTERN CAPE MUNICIPALITIES**



MR ZN. MRWASHU

DIRECTOR: LAND ACQUISITION AND TENURE SERVICES

18/08/2026
DATE

RECOMMENDED/NOT RECOMMENDED



CHAIRPERSON

BID SPECIFICATION COMMITTEE

18.08.26.
DATE

APPROVE / NOT APPROVED

Approved



MR. EDQ. VENN

HEAD OF DEPARTMENT

19/08/2026

DATE

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE EASTERN CAPE DEPARTMENT OF HUMAN SETTLEMENTS					
BID NUMBER:	SCMU11-26/27-004	CLOSING DATE:	21 August 2026	CLOSING TIME:	11H00
DESCRIPTION	THE APPOINTMENT OF PANEL OF CONVEYANCERS TO CONDUCT REGISTRATION OF TRANSFER OF TITLE DEEDS ON TRANSFER OF PRE 1994 AND POST 1994 HOUSES TO QUALIFYING BENEFICIARIES IN THE EASTERN CAPE MUNICIPALITIES.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT					
DEPARTMENT OF HUMAN SETTLEMENTS					
31-33 PHILLIP FRAME ROAD, STEVE TSHWETE BUILDING, GROUND FLOOR					
WAVERLY PARK					
EAST LONDON					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	MR. L Dukashe		CONTACT PERSON	Mr Zukile Nelson Mrwash	
TELEPHONE NUMBER	082 8383 208		TELEPHONE NUMBER	Cell No: 0768414749	
FACSIMILE NUMBER	043 711 9796		FACSIMILE NUMBER	N/a	
E-MAIL ADDRESS	LoyisoDecdhs.gov.za		E-MAIL ADDRESS	ZukileM@ecdhs.gov.	
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 PART B:3]
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 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:

.....

TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

- 1 In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
- 2 SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
- 3 The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
- 4 In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
- 5 Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.
- 6 Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

**Application for a Tax Clearance Certificate****Purpose**Select the applicable option Tenders ☐ Good standing ☐

If "Good standing", please state the purpose of this application

Particulars of applicant

Name/Legal name (Initials & Surname or registered name)	
Trading name (if applicable)	
ID/Passport no	
Income Tax ref no	
VAT registration no	4
Customs code	
Telephone no	
E-mail address	
Physical address	
Postal address	
Company/Close Corp. registered no	
PAYE ref no	7
SDL ref no	L
UIF ref no	U
Fax no	

Particulars of representative (Public Officer/Trustee/Partner)

Surname	
First names	
ID/Passport no	
Income Tax ref no	
Telephone no	
Fax no	
E-mail address	
Physical address	

Particulars of tender (If applicable)

Tender number

Estimated Tender amount R ,

Expected duration of the tender year(s)

Particulars of the 3 largest contracts previously awarded

Date started	Date finalised	Principal	Contact person	Telephone number	Amount
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Audit

Are you currently aware of any Audit investigation against you/the company? YES NO

If "YES" provide details

Appointment of representative/agent (Power of Attorney)

I the undersigned confirm that I require a Tax Clearance Certificate in respect of or .

I hereby authorise and instruct to apply to and receive from SARS the applicable Tax Clearance Certificate on my/our behalf.

--

Signature of representative/agent Date

Name of representative/agent

Declaration

I declare that the information furnished in this application as well as any supporting documents is true and correct in every respect.

--

Signature of applicant/Public Officer Date

Name of applicant/Public Officer

Notes:

- It is a serious offence to make a false declaration.
- Section 75 of the Income Tax Act, 1962, states: Any person who
 - fails or neglects to furnish, file or submit any return or document as and when required by or under this Act; or
 - without just cause shown by him, refuses or neglects to-
 - furnish, produce or make available any information, documents or things;
 - reply to or answer truly and fully, any questions put to him ...

As and when required in terms of this Act ... shall be guilty of an offence ...
- SARS will, under no circumstances, issue a Tax Clearance Certificate unless this form is completed in full.**
- Your Tax Clearance Certificate will only be issued on presentation of your South African Identity Document or Passport (Foreigners only) as applicable.

**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

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 80/20 preference point system.

b) Either the 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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	80
SPECIFIC GOALS	20
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
$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$	or	$Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = 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:

80/20

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

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

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Woman owned Organization	8	
Youth	4	
People with Disability	2	
Locality:EC	5	
Military Veterans	1	
TOTAL	20	

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:

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