



REQUEST FOR BIDS

RFB NUMBER : SHRA/RFB/SDT/05/202122

CLOSING DATE : Friday 10 December 2021

TIME : 11h00

DESCRIPTION : APPOINTMENT OF A SERVICE PROVIDER TO DEVELOP A FIVE (5) YEAR SOCIAL HOUSING RENTAL STRATEGY AND IMPLEMENTATION PLAN FOR THE MADIBENG LOCAL MUNICIPALITY

BRIEFING:

Yes

No

DOCUMENTS IN THIS BID DOCUMENT PACK

Bidders are to ensure that they have received all pages of this document, which consist of the following documents:

SECTION A

1. Background
2. RFB Submission Conditions and Instructions
3. Terms of Reference
4. Evaluation Process
5. Evaluation Criteria

SECTION B

1. Special Conditions of Bid and Contract
2. General Conditions of Contract (Annexure A)
3. Invitation to Quote (SBD 1)
4. Pricing Schedule (SBD 3.3)
5. Declaration of Interest (SBD 4)
6. Preference Points Claim form in terms of Preferential Procurement Regulations 2017 (SBD 6.1)
7. Declaration of bidder's Past SCM Practices (SDB 8)
8. Certificate of Independent Bid Determination (SBD 9)
9. Submission Checklist
10. Map to SHRA offices (Annexure B)

SECTION A

1. BACKGROUND

The Social Housing Regulatory Authority ("SHRA") was established in August 2010 by the Minister of Human Settlements in terms of the Social Housing Act, No. 16 of 2008. The SHRA is classified as a public entity in terms of Schedule 3A of the Public Finance Management Act.

1.1 MISSION

The SHRA will regulate and invest to deliver affordable rental homes and renew communities.

1.2 VISION

Affordable rental homes in integrated urban environments through sustainable institutions.

1.3 FUNCTIONS

- Promote the development and awareness of social housing by providing an enabling environment for the growth and development of the social housing sector.
- Provide advice and support to the Department of Human Settlements in its development of policy for the social housing sector and facilitate national social housing programmes
- Provide best practice information and research on the status of the social housing sector
- Support provincial governments with the approval of project applications by social housing institutions
- Provide assistance, when requested, with the process of the designation of restructuring zones
- Enter into agreements with provincial governments and the National Housing Finance Corporation to ensure the co-ordinated exercise of power.

2. RFB SUBMISSION CONDITIONS AND INSTRUCTIONS

2.1 FRAUD AND CORRUPTION

2.1.1 All Providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act, Act No 12 of 2004 and any other Act applicable.

2.2 COMPULSORY BRIEFING SESSION

2.2.1 There will be **NO compulsory briefing session** for this Request for Bids.

2.3 CLARIFICATIONS/QUERIES

2.3.1 Any clarification required by a bidder regarding the meaning or interpretation of the Terms of Reference, or any other aspect concerning the bid, is to be requested in writing (e-mail) from **Ms. Nontobeko Xulu** at NontobekoX@shra.org.za by **Tuesday 7th December 2021 at 16h00.** The bid **number** should be mentioned in all correspondence. **Telephonic requests for clarification will not be accepted.** If appropriate, the clarifying information will be made available to all bidders by e-mail only.

2.4 SUBMITTING BIDS

2.4.1 An **original plus three (3) copies** of the bid, i.e., four (4) documents in total should be handed in/delivered to:

Ms. Nontobeko Xulu
Supply Chain Management
SHRA
Sunnyside Office Park
Sentinel House
3rd Floor
32 Princess of Wales Terrace
Parktown

Faxed or e-mailed bids will not be accepted

Bids should be submitted in a sealed envelope, marked with:

- RFB number: SHRA/RFB/SDT/05/202122
- Closing date and time: Friday 10th December 2021 at 11h00
- The name and address of the bidder

Documents submitted on time by bidders shall not be returned.

2.5 LATE BIDS

2.5.1 Bids received late shall not be considered. A bid will be considered late if it arrived only one second after 11h00 or any time thereafter. Bids arriving late will not be considered under any circumstances. Bids received late shall be returned unopened to the bidder.

Bidders are therefore strongly advised to ensure that bids be despatched allowing enough time for any unforeseen events that may delay the delivery of the bid.

2.5.2 The official Telkom time (dial 1026) will be used to verify the exact closing time (11h00)

2.5.3 Bids sent to SHRA via normal post or any other mechanism shall be deemed to be received at the date and time of arrival at the SHRA premises (tender/bid box or reception). Bids received at the physical address after the closing date and time of the bid, shall therefore be deemed to be received late.

2.6 DIRECTIONS TO SHRA OFFICE FOR DELIVERY OF BIDS

2.6.1 Directions to SHRA offices are attached as **Annexure B** to this document.

2.6.2 **Bidders should allow time to access the premises due to security arrangements that need to be observed.**

2.7 FORMAT OF BIDS

2.7.1 Bidders must complete all the necessary bid documents and undertakings required in this bid document. Bidders are advised that their bid should be concise, written in plain English and simply presented.

2.7.2 Bidders are to set out their bid in the following format:

Part 1: Invitation to Bid

Bidders must complete and submit the Invitation to Bid document.

Part 2: Pricing Schedule

Bidders must complete and submit the pricing schedule document.

The appointed Service Provider will:

- Claim travel costs applicable to this contract as per the AA rates
- Book only economy class flight and preferably Group A hire cars, otherwise Group B are to be used for Service Providers outside of Gauteng.
- Book only hotels, or other equivalent accommodation up to a Rand value of R1 400 per night per person (including dinner, breakfast and parking).

The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable

Part 3: Declaration of Interest

Each party to the bid must complete and submit the Declaration of Interest.

Part 4: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2017

Bidders must complete and submit the Preference Points Claim Form.

A trust, consortium or joint venture:

- will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate OR a Letter from a registered Accounting Officer/ Auditor OR a sworn affidavit in terms of the Amended B-BBEE Codes from Exempted Micro Enterprises (EMEs) of R10 000 000 annual turnover.
- will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

Part 5: Declaration of bidders past supply chain management practices

Each party to the bid must complete and submit the Declaration of past supply chain management practices

Part 6: Certificate of Independent Bid Determination

Bidders must complete and submit the "Certificate of Independent Bid Determination" document.

Part 7: Broad Based Black Economic Empowerment Certificate

Bidders are to submit an Original/Certified copy of a valid BBEE Certificate.

- A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid. or a letter from an Accounting Officer/ Auditor or a sworn affidavit in terms of the Amended B-BBEE Codes from Exempted Micro Enterprises (EMEs) of R10 000 000 annual turnover.

Part 8: General Conditions of Contract

Bidders must initial each page of the General Conditions of Contract and submit with their bid document.

Part 9: Technical approach

Bidder must at least:

Describe, in detail, exactly how they propose to carry out the activities to achieve the outcomes identified in the terms of reference. Bidders are required to have the basic office equipment and the resource/s (which must include, laptop, 3G connection, landline, own office with the basic office equipment) will be located within the region where the work will be done. They should identify any possible problems that might hinder delivery and indicate how they will avoid, or overcome such problems.

Describe how the work will be managed. Provide an organisation chart clearly indicating:

- The lines of reporting and supervision within the bidder's team.
- The lines of reporting between the bidder and SHRA.

Identify the position(s) involved in the direct delivery of the service to be provided and in the overall management of the work and name the people who will fill these positions.

Describe the tasks, duties or functions to be performed by staff in these positions.

Indicate the number of hours required to complete each task and the number of hours to be provided by each team member. The bidder must be able to work within strict time lines and have the capacity to do so.

Provide information on any additional value-added services for consideration by SHRA, and which will form part of the overall proposed solution. Please note that the additional value ads must be priced separately in the space provided for in the pricing schedule.

Bidders are to present such information in a matrix. The following is provided merely as guidance. Bidders are free to elaborate as they see fit.

Outcome/output	Activity	Team member(s) involved (name and position)	Person days for each team member	Total person days

Provide a work plan of activities. In addition to providing details of the estimated number of workdays for each activity, bidders are to supply a detailed timetable that identifies when certain activities will be undertaken and over what period they will be spread. The timing

of activities, the time needed to complete them, and the order in which they will be undertaken must be explained and justified.

Please note that part 9 should be no longer than 10 single-sided A4 pages in Arial 11 (font size).

Part 10: Team Details

The bidder must provide:

A comprehensive curricula vita (relevant to this bid and limited to two pages). In particular, the CV must highlight the team member(s) experience and qualifications to carry out the work

Part 11: Experience in this field

It is essential the service provider displays:

- Experience as set out in the terms of reference
- The Bidder must provide at least three (3) reference letters on company letterheads of previous clients where the Bidder provided similar services.

Part 12: Bidders National Treasury Central Supplier Database (CSD) forms indicating the validity of the bidder's registration

2.8 PRESENTATIONS

2.8.1 SHRA reserves the right to invite Bidders for presentations before the award of this Bid. Only Bidders who have met the minimum functionality criteria will be invited to presentation.

2.9 NEGOTIATION

2.9.1 SHRA has the right to enter into negotiation with a prospective service provider regarding any terms and conditions, including price(s), of a proposed contract.

2.9.2 SHRA shall not be obliged to accept the lowest of any quotation, offer or bid.

2.9.3 SHRA issues this bids invitation in good faith; however, it reserves the right to:

- Cancel or delay the selection process at any time, without explanation,
- Not to select any of the respondents to this bid invitation, without explanation,
- Exclude certain services, without explanation.

2.9.4 All bidders will be informed whether they have been successful or not. A contract will only be deemed to be concluded when reduced to writing in a contract form signed by the designated responsible

person of both parties. The designated responsible person of SHRA is the Chief Executive Officer or his/her written authorised delegate.

2.10 REASONS FOR REJECTION

- 2.10.1 SHRA shall reject a bid for the award of a contract if the recommended bidder has committed a proven corrupt or fraudulent act in competing for the particular contract.
- 2.10.2 SHRA may disregard the bid of any bidder if that bidder, or any of its directors:
 - 2.10.2.1 have abused the Supply Chain Management systems of SHRA.
 - 2.10.2.2 have committed proven fraud or any other improper conduct in relation to such systems.
 - 2.10.2.3 have failed to perform on any previous contract and the proof exists.
 - 2.10.2.4 Such actions shall be communicated to the National Treasury.

3. TERMS OF REFERENCE

3.1 INTRODUCTION

The North West Spatial Development Framework implies that a strong focus resides on the primary, secondary, tertiary and fourth-order nodes of the province, coupled with strong development corridors. The drive towards the developmental focus in the primary nodes, coupled with strong urbanisation trends would place significant strain and focus on primary urban localities to supply residential opportunities to new and/or prospective residents. Social housing thus becomes an important tool in achieving the supply of residential options whereby, affordable rental options may be limited due to the depressing nature of the provincial and local economy, as well as the faltering nature of the mining industry.

Inclusive and restructured towns and settlements are a key focus for the provincial SDF. Social housing functions as another tool that can assist in the restructuring of urban areas through inclusionary housing options in well-located land parcels close to employment opportunities, economic centres and social facilities.

The Social Housing Regulatory Authority (“SHRA”) was established by the National Department of Human Settlements (“NDoHS”) as prescribed by the Social Housing Act (Act 16 of 2008). The SHRA’s mandate is to invest in and regulate the Social Housing industry with the primary intention of the Social Housing Act being to deliver affordable rental housing for low-to-moderate incomes groups, through spatial, economic and social integration of urban environments in South Africa. The core aim of this programme is to ensure integration, access to economic opportunities and spatial restructuring and densification. Page 257 of the National Development Plan refers to the “Small Town Development Strategy” which notes that “A Strategy should be developed to enhance the developmental role of small towns in rural economies with a focus on economic viability, sustaining public services, skills development, the green agenda and connecting infrastructure.”

The Social Housing Programme is an important human settlement programme. The social housing programme is restricted by the fact that social housing units may only be delivered in **gazetted Restructuring Zones (RZ)**.

In 2019 the SHRA at the request of the Department of Human Settlements in the North West Province commissioned a rental housing market and demand study in the following Municipalities with gazetted RZs:

- Rustenburg;
- Potchefstroom;
- Greater Taung;
- Ditsobotla;
- Moses Kotane;
- Madibeng;

- Mafikeng;
- Klerksdorp;
- Wolmaransstad;
- Ventersdorp;
- Vryburg;
- Schweizer Reneke;
- Leeudoringstad; and
- Makwassie

3.2 BACKGROUND

Furthermore, the National Department of Human Settlements has further through the Government Gazette No. 43316 (Volume 659) published on the 15th of May 2020. 136 Priority Human Settlements and Housing Development Areas (“PHSHDA”) across the entire country. The intention is to ensure redress regarding the pre-1994 spatial plan, revitalising towns and cities and strengthening the livelihoods of households.

At the centre of these PHSHDAs is to enable residents to live closer to areas with economic activities and social amenities such as schools, health facilities and job opportunities as well as access to adequate accommodation.

The implementation of these PHSHDAs will be in line with the national housing programmes namely, Enhanced People’s Housing Process (Zenzeleni), Informal Settlements Upgrading, Integrated Residential Development Programme and Social Housing Programme. These zones are intended to provide the geographic focus for accommodation opportunities for low to middle-income earners that are close to facilities, amenities and income-generating opportunities. This ensures that social housing developments protect low to middle-income earners from displacement and bring them into areas of economic opportunities;

Besides being a restructuring instrument, Madibeng has a high economic potential of the mining as well as industrial sector together with tourism. A key strategic priority for the Madibeng Local Municipality is to provide affordable subsidised Social Housing which is a response to intervene in a market catering for the low- to- middle-income households **earning between R1 500 – R15000**, however.

In terms of the “Breaking New Ground” policy framework, the emphasis on housing for the subsidized market is to move away from the predominance of ownership as a form of tenure to create a range of housing products to suit people’s needs.

National policies and programmes on the provision of rental housing opportunities to people on low to medium income levels have been developed. These include the following two key programmes:

- Social Housing
- Community Residential Units (CRU)

The programmes and initiatives are directly supported by the Social Housing legislation and policy; the CRU policy framework, the Institutional Subsidy funding had been incorporated with Social Housing in 2017.

The Constitution identifies housing as a concurrent function and is further articulated in the Housing Act and Social Housing Act and SPLUMA where each sphere of government has its roles and responsibilities. Municipal specific roles are thus central in so far as it relates to:

- Spatial targeting through the demarcation of Restructuring Zones and 136 (PHSHDAs)
- Land identification, allocation, release and packaging
- Bulk Infrastructure provision
- Special dispensation for utilities and rates
- Partnership arrangements for delivery of rental housing;
- Direct management of some of the rental stock (CRU);
- Provision of indigent grant services that help make parts of programme sustainable; and
- The provision of social amenities.

In terms of the Medium-Term Strategic Framework MTSF of the National Department of Human Settlement, 18 000 social housing units and 5000 Community Residential Units (CRU) provided via the private sector need to be delivered and constructed over a five (5) year period

It is for these reasons that the Madibeng Local Municipality (herein thereafter referred to as the Municipality) requires the development of a Municipal Social Housing Rental Strategy and Implementation Plan that aligns to its Spatial Development Framework and would guide practical implementation as part of the Municipality's IDP and specifically its housing chapter and yearly budget aligned to the MTEF 2022-2025 targets.

The above-mentioned factors provide a clear indication that the Municipality needs to play a leading role in creating a range of housing products and tenure options to suit the demand for housing. Affordable rental housing is an option to expand the range of products in the Municipality.

Other applicable National Policies and Legislative Frameworks which the developed rental housing strategy needs to align to includes but not limited to the following:

Primary:

- Constitution of the Republic of South Africa (1996)
- Social Housing Act (2008)
- Community Residential Units Programme (2008-2012)
- Institutional Subsidy Programme

- National/Provincial/Municipal Spatial Development Framework
- Rental Housing Act (1999)
- Breaking New Ground

Secondary:

- Rental Housing Act as amended in 2007
- The Prevention of Illegal Eviction and Occupation of Land Act (1998)
- Municipal Finance Management Act (2003)
- Municipal Systems Act (2000)
- Municipal Property Rates Act (2004)
- Housing Development Agency Act (2008)
- Consumer Protection Act (2010)
- Housing Development Act *as amended in 2005*
- Housing Consumer's Protection Measures Act (NHBRC)
- Relevant sections of the Housing Code (2009)
- Public Finance Management Act (1999)

Madibeng Local Municipality has requested support from the SHRA through its Institutional Investment Grant for the development of a Social Housing Strategy and Implementation Plan.

3.3 PURPOSE OF THE CONTRACT

The purpose of this work is to appoint a service provider to develop a detailed 5-year Municipal Social Housing Rental Strategy and short-medium and long-term implementation plan and associated budget.

The ultimate outcome of this assignment is to have a rental housing strategy, aligned to the Municipal SDF, that will address the current and future direction of the Social Housing Programme for the Madibeng Local Municipality.

3.4 SCOPE OF WORK

3.4.1. In developing the Rental strategy, the document would concentrate on a five (5) year time span. It also needs to cover all four key programme thrusts:

- CRU
- Social Housing

3.4.2. It should clearly define the interaction between these programmes and linkage and interaction with other key housing delivery processes for low-income households in the area. It must use existing national and provincial policies and procedures as its reference and draw on national and international best practices.

3.4.3. Consult with key stakeholders: Undertake consultations with key stakeholders that would include the local municipality and those involved in the planning and delivery of human settlements. Review documentation such as human settlements policy, spatial development frameworks and municipal IDP.

3.4.4. Development of a rental housing strategy and integrated implementation plan integrated into the housing chapter of the IDP that covers a (5) year time span and outlines the rental interventions to be undertaken by the municipality.

3.4.5. The appointed service provider will need to ensure that the Municipal Rental Housing Strategy is approved by the relevant municipality and is linked to their practical budget plans and institutional arrangements for implementation. The Municipality should be provided with the necessary technical support to help the municipality ensure that it has the necessary institutional arrangements and capacity in place to permit it to implement the strategy. A detailed implementation plan for the first three years of the roll-out strategy linked to municipal budgets and MTEF must also be provided.

3.5 DURATON OF CONTRACT

The duration of this assignment will be six (6) months from the start date which will be indicated on the project initiation document (PID).

3.6 ACCOUNTABILITY AND REPORTING

The service provider will report administratively to the Sector Development and Transformation Specialist and the Municipality who serves as a project manager for this project of the SHRA and be accountable to the SD&T Executive.

A Project Initiation Document will be developed and signed upon the appointment which will outline the deliverables, timeframes, milestones, and disbursement schedule.

The service providers will be required to compile the intermediary project progress report on the project giving an outline of the work and progress thus far achieved in the project. The service provider will also be required to compile all minutes of the meetings held on the project and associated action registers and submit them to the SHRA within 48 hours of that meeting.

3.7 REQUIRED LEVEL OF EXPERIENCE AND EXPERTISE

The service provider is a team consisting of various professionals working together as a multi-disciplinary team with following requirements:

3.7.1 The Bidder or Team leader must have a minimum of eight (8) years' experience with thorough knowledge in the business of rental housing policies of the government, procedural and financing approaches of a different programme, institutional analysis, and working of provincial and municipal government.

3.7.2 The Team Leader must have five (5) years' management experience in research, strategy development and implementation planning within the Housing Sector, must have produced at least 3 Strategic Plans within provincial and municipal government. Relevant Qualifications and detailed CV attached.

3.7.3 The Team members must have a minimum of five (5) years of proven experience in strategic planning with government, budget planning, land identification, use and zoning and town planning. Relevant qualifications in the fields.

3.7.4 Bidder and or team leader has done three comprehensive similar assignments/projects successfully in the past. Service Providers are required to submit at least three (3) reference letters of similar assignments (research on rental housing programme) done previously as set out in the Terms of Reference indicating the scope, scale and date of the assignments; track record of successful implementation; demonstrate technical expertise; suitability to the

assignment. **The letters must be signed and dated by the relevant client bodies.**

3.8 CONSTRAINTS AND ASSUMPTIONS

- 3.8.1 The Service Provider will have to use relevant and up to date statistics.
- 3.8.2 The service provider should have unlimited access to all relevant statistics and documentation/information relating to this assignment.
- 3.8.3 The service provider will have to produce monthly progress reports.
- 3.8.4 The service provider must be available to undertake field visits and physical interactions to execute not all but some part of this contract.
- 3.8.5 As part of this contract, the service provider must be prepared to work with the various stakeholders (SHRA, Province, SHIs, ODAs and Municipality) who will give input and/or feedback to the process. It is therefore the responsibility of the service provider to ensure that parties are informed and are available for inputs and or participation in the various pieces of work that pertains to elements of this contract.
- 3.8.6 The service provider will prepare a budget outline as part of the proposal showing anticipated expenditure for this project implementation.
- 3.8.7 The service provider will also be required to document and keep a record of engagements with the various parties and build up evidence throughout this project and this will be part of the evidence submitted to the SHRA.

3.9 INTELLECTUAL PROPERTY OF THE SHRA

The service provider will be contracting with the SHRA, however, the work to be done will be for the Municipality. All records and data produced through this project in whatever format will be the confidential information and property of both the SHRA and the Municipality

All information, documents and records received from the Municipality and any of the related bodies, are to be kept confidential and may not be used or distributed in any format. All data, products including but not limited to standard forms information summary outcomes, presentations and reports will remain the confidential property of the Municipality and may not be used or distributed in any format without the written approval of the Municipality. To this end, the service provider will be required to sign a confidentiality agreement.

3.10 DELIVERABLES

The successful bidder must submit a comprehensive project schedule that clearly indicates the deliverable milestones, costs, time frames, delivery dates and progress reports. The scope of work should thus consist of the following deliverables:

Phase 1: Inception Report:

Based on desktop research of relevant documents and providing for a PESTEL and SWOT analysis, stakeholder mapping and analysis. This reporting milestone could include a consultation so the document provides meaningful a baseline.

Phase 2: key strategic directions, Targets and Indices.

From the analysis above, define key product outputs to come from the implementation of the strategy and, with it define targets and indicators that will permit measurement of progress. This should include:

- Municipal policy or system changes;
- Land parcels targeted for development and present status and potential projects that are or could be earmarked for social housing rental programmes/interventions.
- potential yield of each land parcel, quality and size of the product
- financing required and sources of funding;
- organisational arrangement to achieve this both internal and external;
- identification of key projects for the next 10 years.
- Incentive from the municipality
- Include municipality's plan on Smart Partnerships with SHIs or ODAs
- Necessary capacity development to ensure the programme roll-out;
- Programme monitoring form and general content; and
- The linkage between rental programmes and other housing programmes.

Phase 3: Draft Social Housing Rental Strategy & Implementation plan

5-year Implementation Programme including a pipeline of projects and estimates for an operational plan and associated budget

Phase 4: Final Social Housing Rental Strategy and Implementation plan

Phase 5: Close-out report

Including policy recommendations for local and national consideration to enhance the delivery and implementation of the devised strategy.

3.11 IMPLEMENTATION PLAN

A detailed and realistic five (5) year implementation plan taking into account existing and realisable resources on the following:

- Projects – internal Programme and External Delivery
- Time frames;
- Key activities;
- Responsibilities; and
- Budgets – capital and operational with sources.

3.12 SUBMISSION REQUIREMENTS AND FORMAT OF THE PROPOSAL

The format of the proposal the bidder submits is required to consist of and demonstrate the following:

Section 1

Understanding of the required scope of work

Methodology and approach

Value-added

Section 2

Profile of the bidder

Team composition, roles and responsibilities

Experience of the bidder's team and outputs matrix

Detailed CVs of all team members

At least 3 Reference letters with contactable references confirming service provider successful completion of similar projects

Section 3

Bidders are expected to provide an all-inclusive cost of this project with the following indicated:

- Anticipated travel and disbursements
- Total cost for the duration of the assignment, costing per phase and hours to be included.

Bidders are reminded that the SHRA will award the bid based on a bidders' total project cost and not hourly or daily rates. The bidders must ensure that the delivery of this project is within the required timeframes as stipulated in the Terms of Reference

4. EVALUATION PROCESS

4.1 COMPLIANCE WITH MINIMUM REQUIREMENTS

4.1.1 All bids duly lodged will be examined to determine compliance with bidding requirements and conditions. Bids with obvious deviations from the requirements/conditions, will be eliminated from further adjudication.

4.2 PRE-QUALIFICATION CRITERIA FOR PREFERENTIAL PROCUREMENT

4.2.1 As per the preferential Procurement Regulations (PPR) 2017, the SHRA is applying Pre-Qualification Criteria this bid in an effort to advance certain designated groups.

4.3 FUNCTIONALITY, PRICE AND PREFERENCE POINTS

4.3.1 All remaining bids will be evaluated as follows:

4.3.2 The functionality calculation will be done based on the defined criteria and weighting thereof. Functionality will be scored out of a 100. If it is deemed necessary, presentations may be held with Bidders who have met the minimum functionality criteria. If presentations are held, the functionality score will be adjusted whereby 80 percent will be awarded to during the bid evaluation and 20 percent will be for presentation score. **If a bidder fails to score a minimum of 70% out of 100% for functionality, the bid will be disregarded from further consideration.**

4.3.3 The second part will then be done on the 80/20 split whereby (80) points will be awarded for price and 20 points will be awarded for B-BBEE Status Level Contribution.

4.4 ELIMINATION OF BIDS ON GROUNDS OF FUNCTIONALITY

4.4.1 Bids that score less than 70% of the 100% available for functionality will be eliminated from further consideration. Points will therefore not be awarded for their cost bids or for B-BBEE Status Level of Contribution

4.4.2 The percentage scored for functionality should be calculated as follows:

4.4.3 Each panel member shall award values for each individual criterion on a score sheet. The value scored for each criterion shall be multiplied with the specified weighting for the relevant criterion to obtain the marks scored for the various criteria. These marks should be added to obtain the total score. The following formula should then be used to convert the total score to a percentage for functionality:

$$Ps = \frac{So}{Ms} X Ap$$

where

Ps = percentage scored for functionality by bid/bid under consideration

So = total score of bid/bid under consideration

Ms = maximum possible score

Ap = percentage allocated for functionality

The percentages of each panel member shall be added together and divided by the number of panel members to establish the average percentage obtained by each individual bidder for functionality.

After calculation of the percentage for functionality, the prices of all bids that obtained the minimum score for functionality should be taken into consideration.

4.5 PRESENTATIONS

4.5.1 SHRA may decide to have compulsory presentations made by Bidders who met the minimum functionality criteria once the functionality score has been calculated.

4.5.2 Presentations shall only affect the marks awarded for functionality. If SHRA wishes to use presentations as an additional selection criterion between bidders, the evaluation criteria to be affected shall be determined in advance and due allowance made in the mark scheme.

4.5.3 If the date of the presentation meeting is not indicated in the bid document, at least three days' notice will be given to bidders required to attend a presentation.

4.5.4 Presentations will be made to the full Evaluation Committee.

4.5.5 Points determined by the presentation will be awarded to each bidder by each member of the Evaluation Committee and then an average calculated.

4.6 AWARDING OF PREFERENCES POINTS

4.6.1 Points for B-BBEE Status Level of Contribution will be awarded according to the table indicated in the preference points claim form(s).

4.7 COMBINING PRICE AND PREFERENCE POINTS

4.7.1 The B-BBEE Status Level of Contribution marks for each bid will now be added to the price points for that bid

4.7.2 The Evaluation Committee may recommend that the contract be awarded to the bidder obtaining the highest aggregate mark as determined by 4.5.1 or to a lower scoring bid based on firm, verifiable and justifiable grounds.

4.8 ADJUDICATION OF BID

- 4.8.1 The Adjudication Committee will consider the recommendations and make the final award. The successful bidder will usually be the service provider scoring the highest number of points or it may be a lower scoring bid based on firm, verifiable and justifiable grounds or no award at all.

5. EVALUATION CRITERIA

Functionality Evaluation

All proposals will be evaluated on the criteria provided in the table below. The proposals of all training providers will be rated on a scale of 1 to 5.

- 1: Unacceptable, does not meet set criteria
- 2: Weak, less than acceptable. Insufficient for performance requirements
- 3: Satisfactory should be adequate for stated element
- 4: Very good, above average compliance to the requirement
- 5: Exceptional mastery of the requirement should ensure extremely effective performance.

ELEMENT	FUNCTIONALITY EVALUATION		FUNCTIONALITY WEIGHT	TOTAL SCORE
Proposed Technical approach and methodology of the bidder:	Rating out of 5	Evaluation criteria	50%	
<ul style="list-style-type: none"> • Bidders understanding of the scope of work (20 points); 	1	Scope of work is referred to but is inaccurate	20	
	2	Copy and paste the terms of reference		
	3	Reference to the full scope of work, with additions to the original scope		
	4	Reference to the full scope of work but written in own words		
	5	Reference to the full scope of work, written in own words and provision of examples of similar type of projects the service provider has undertaken		
<ul style="list-style-type: none"> • Proposed Methodology and Project Work Plan shows how specific proposed actions will lead to the attainment of the various elements of this project deliverable (30 points); 	1	Short Project Work Plan that does not relate to the full scope of work	30	
	2	A methodology that includes the full scope of work, with own timeframes and deliverables		
	3	A methodology that includes the full scope of work, required timeframes and deliverables		
	4	A methodology that includes the full scope of work, required timeframes and deliverables. Inclusion of a project plan which indicates activities and timeframes that adhere to the terms of reference.		
	5	A methodology that includes the full scope of work, required timeframes and deliverables. Inclusion of a project plan which indicates activities and		

		timeframes that adhere to the terms of reference. The project plan also includes a matrix that shows how the activities will result in the attainment of the various elements/aspect of this project deliverables.		
Suitability of the proposed team:	Rating out of 5	Evaluation criteria	50%	
<ul style="list-style-type: none"> The Bidder or Team leader must have a minimum of eight (8) years' experience in developing Housing policies of the government, procedural and financing approaches of a different programme, institutional analysis, and working of provincial and municipal government. <p>(20 Points)</p>	1	0-4 years' experience in developing Housing policies of the government, procedural and financing approaches of a different programme, institutional analysis, and working of provincial and municipal government	20	
	2	5-7 years' experience in Housing policies of the government, procedural and financing approaches of a different programme, institutional analysis, and working of provincial and municipal government		
	3	8 years of experience in Housing policies of the government, procedural and financing approaches of a different programme, institutional analysis, and working of provincial and municipal government		
	4	9 years of experience in Housing policies of the government, procedural and financing approaches of a different programme, institutional analysis, and working of provincial and municipal government		
	5	10+ years' experience in developing government Housing policies strategies, implementation plans and financing approaches of different programme and working of provincial and municipal government		
<ul style="list-style-type: none"> The Team Leader must have five (5) years' management experience in research, strategy development and implementation planning within the Housing Sector, must have produced at least 3 Strategic Plans within provincial and municipal government. Attach Comprehensive CV's and qualifications) 15 Points) 	1	0-2 years' management experience in research, strategy development and implementation planning within Housing Sector.	15	
	2	3-4 years' management experience in research and strategy development and implementation planning within Housing Sector.		
	3	5 years' management experience in research, strategy development and implementation planning within Housing Sector.		
	4	6 years' management experience in research, strategy development and implementation planning within Housing Sector		
	5	7+ years of management experience in research, strategy development and implementation planning within Housing Sector		
<ul style="list-style-type: none"> The Team members must have a minimum of five (5) years of 	1	0-2 years' experience in research and strategy planning within government, budget planning, land identification, use and zoning and town planning.	10	
	2	3-4 years' experience in research and strategy planning with government,		

proven experience in strategic planning with government, budget planning, land identification, use and zoning and town planning. Detailed CV and relevant qualifications (10 points)		budget planning, land identification, use and zoning and town planning.		
	3	5 years' experience in research and strategy planning within government, budget planning, land identification, use and zoning and town planning.		
	4	6 years' experience in research and strategy planning within government, budget planning, land identification, use and zoning and town planning.		
	5	7+ years' experience in research and strategy planning within government, budget planning, land identification, use and zoning and town planning.		
<ul style="list-style-type: none"> • Bidder and or team leader has done five (5) comprehensive similar assignments/projects successfully in the past with a Municipality. Service Providers are required to submit at least three (3) reference letters of similar assignments. The letters must be signed and dated. (5 Points) 	1	The service provider has done 1 similar project	5	
	2	The service provider has done 2 similar projects in the past successfully		
	3	The service provider has completed 3 similar projects in the past successfully		
	4	The service provider has completed at least 4 to 5 similar projects in the past successfully		
	5	The service provider has completed more than five (5) similar projects in the past successfully		
TOTAL POINTS			100%	

SECTION B

1. SPECIAL CONDITIONS OF CONTRACT

1.1. GENERAL

1.1.1. Proper bids for the services specified must be submitted.

1.2. ADDITIONAL INFORMATION REQUIREMENTS

1.2.1. During evaluation of the bids, additional information may be requested in writing from Bidders. Replies to such request must be submitted in writing, within five (5) working days or as otherwise indicated. Failure to comply may lead to your bid being disregarded.

1.3. CONFIDENTIALITY

1.3.1. The bid and all information in connection therewith shall be held in strict confidence by bidders and usage of such information shall be limited to the preparation of the bid. Bidders shall undertake to limit the number of copies of this document.

1.3.2. All bidders are bound by a confidentiality agreement preventing the unauthorised disclosure of any information regarding the SHRA or of its activities to any other organisation or individual. The bidders may not disclose any information, documentation or products to other clients without written approval of the accounting authority or the delegate.

1.4. INTELLECTUAL PROPERTY, INVENTIONS AND COPYRIGHT

1.4.1. Copyright of all documentation relating to this contract belongs to the SHRA. The successful bidder may not disclose any information, documentation or products to other clients without the written approval of the accounting authority or the delegate.

1.4.2. All the intellectual property (IP) rights arising from the execution of this Agreement shall vest in SHRA and the Service provider undertakes to honour such intellectual property rights and all future rights by keeping the know-how and all published and unpublished material confidential.

1.4.3. In the event that the service provider would like to use information or data generated by the service, the prior written permission must be obtained from SHRA.

1.4.4. SHRA shall own all materials produced by the Service provider during the course of this contract, or as part of the service including without limitation, deliverables, computer programmes (source code and object code), programming aids and tools, documentation, reports, data, designs, concepts and other information whether capable of being copyrighted or not ("IP").

- 1.4.5. The Service provider assigns all IP rights in respect of all materials referred to in clause 1.4.4 to SHRA. No other document needs to be executed to give effect to this cession, assignment or transfer.
- 1.4.6. The Service provider hereby irrevocably cedes, assigns and transfers to SHRA, as SHRA directs, all rights, title and interest in and to all IP (which includes, but is not limited to methodologies and products) connected with or applicable to the Services.
- 1.4.7. The Service provider acknowledges and agrees that:
- 1.4.7.1. Each provision of clause 1.3 is separate, severally and separately enforceable from any other provisions of this agreement.
- 1.4.7.2. The invalidity or non-enforceability of any one or more provision hereof, shall not prejudice or effect the enforceability and validity of the remaining provisions of this agreement; and
- 1.4.7.3. This clause 1.3 shall survive termination of this agreement.

1.5. NON-COMPLIANCE WITH DELIVERY TERMS

- 1.5.1. As soon as it becomes known to the Service provider that he will not be able to deliver the goods/services within the delivery period and/or against the bid price and/or as specified, the SHRA must be given immediate written notice to this effect. The SHRA serves the right to implement remedies as provided for in the GCC.

1.6. WARRANTIES

- 1.6.1 The Service provider warrants that it is able to conclude this Agreement to the satisfaction of the SHRA.
- 1.6.2 Although the Service provider will be entitled to provide services to persons other than SHRA, the Service provider shall not without the prior written consent of SHRA, be involved in any manner whatsoever, directly or indirectly, in any business or venture which competes or conflicts with the obligations of the Service provider to provide the Services.

1.7. PARTIES NOT AFFECTED BY WAIVER OR BREACHES

- 1.7.1 The waiver (whether express or implied) by any Party of any breach of the terms or conditions of this contract by the other Party shall not prejudice any remedy of the waiving party in respect of any continuing or other breach of the terms and conditions hereof.
- 1.7.2 No favour, delay, relaxation or indulgence on the part of any Party in exercising any power or right conferred on such Party in terms of this contract shall operate as a waiver of such power or right nor shall any single or partial exercise of any such power or right under this agreement.

1.8.RETENTION

- 1.8.1. On termination of this agreement, the Service provider shall on demand hand over all documentation, information, software, etc., relating to the provision of services as per this bid without the right of retention, to the SHRA.
- 1.8.2. No agreement to amend or vary a contract or order or the conditions, stipulations or provisions thereof shall be valid and of any force and effect unless such agreement to amend or vary is entered into in writing and signed by the contracting parties. Any waiver of the requirement that the agreement to amend or vary shall be in writing, shall

2. GENERAL CONDITIONS OF CONTRACT

- 2.1 The General Conditions of Contract must be accepted. The general conditions applicable to government entity bids, contracts and order are attached herein as **Annexure A** as they will apply to this bidding process.
- 2.2 Bidders are required to initial each page of the General Conditions of Contract as an indication of acceptance.

INVITATION TO SUBMIT BIDS

YOU ARE HEREBY INVITED TO PROPOSE FOR REQUIREMENTS OF THE SHRA

RFB NUMBER: SHRA/RFB/SDT/05/202122 **DATE:** 10th December 2021 **CLOSING TIME:** 11h00

DESCRIPTION: Appointment of a service provider to develop a five (5) year social housing rental strategy and implementation plan for the Madibeng Local Municipality

VALITY PERIOD: Offer to be valid for 90 days from the closing date of the bid

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

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

Ms Nontobeko Xulu
Supply Chain Management
SHRA
Sunnyside Office Park
Sentinel House
3rd Floor
32 Princess of Wales Terrace
Parktown

Faxed or e-mailed bids will not be accepted.

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

Bids can be delivered between 08h30 and 16h30, Mondays to Friday, prior to the closing date and between 08h30 and 11h00 on the closing date.

All bids must be submitted on the official forms (not to be re-typed).

This RFB is subject to the following:

- General Conditions of Contract (GCC) and, if applicable, any other Special Conditions of Contract.
- the Preferential Procurement Policy Framework Act, 2000
- the Preferential Policy Regulations, 2017
- Bids submitted that do not comply with the following will be disqualified**
 - A late Bid (a bid arriving one second after 11h00 or any time thereafter)

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	SHRA/RFB/SDT/05/202122	CLOSING DATE:	10 th December 2021	CLOSING TIME:	11h00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER TO DEVELOP A FIVE (5) YEAR SOCIAL HOUSING RENTAL STRATEGY AND IMPLEMENTATION PLAN FOR THE MADIBENG LOCAL MUNICIPALITY				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
SHRA, Sunnyside Office Park, Sentinel House, 3rd Floor, 32 Princess of Wales Terrace, Parktown					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ms Nontobeko Xulu		CONTACT PERSON	Ms Nontobeko Xulu	
TELEPHONE NUMBER			TELEPHONE NUMBER		
E-MAIL ADDRESS	Nontobeko@shra.org.za		E-MAIL ADDRESS	NontobekoX@shra.org.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
NAME OF REPRESENTATIVE					
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] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				<input type="checkbox"/> YES	<input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				<input type="checkbox"/> YES	<input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				<input type="checkbox"/> YES	<input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				<input type="checkbox"/> YES	<input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				<input type="checkbox"/> YES	<input type="checkbox"/> NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

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.

TOTAL BID PRICE (ALL INCLUSIVE)N/A.....

SIGNATURE OF BIDDER:

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

DATE:

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER:	BID NO.: SHRA/RFB/SDT/05/202122
CLOSING TIME 11:00	CLOSING DATE: 10 th November 2021

OFFER TO BE VALID FOR **90** DAYS FROM THE CLOSING DATE OF BID.

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
---------	-------------	--

1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project, (including VAT and all disbursements).
R.....

PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4.	PERSON AND POSITION	HOURLY RATE	DAILY RATE
	-----	R-----	-----
	-----	R-----	-----
	-----	R-----	-----
	-----	R-----	-----

5.	PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT	R-----
	-----	-----days
	-----	----- days
	-----	----- days
	-----	----- days

5.1 Travel expenses (specify, for example rate/km and total km, class of air travel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
-----	R.....
-----	R.....
-----	R.....
-----	R.....

TOTAL:

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

5.2 Other expenses, for example accommodation (specify, e.g. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
-----	R.....
-----	R.....
-----	R.....
-----	R.....

TOTAL: R.....

6. Period required for commencement with project after Acceptance of bid

7. Estimated man-days for completion of project

8. Are the rates quoted firm for the full period of contract? *YES/NO

9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.

.....

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a bid or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorized representatives declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/ a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Full Name of bidder or his or her representatives:

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder, member):

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

2.6.1 The names of all directors/trustees/shareholders/members, their individually Identity numbers, tax reference numbers and, if applicable, employee/PERSAL number must be indicated in paragraph 3 below.

1"state means-

- (a) any national or provincial department, national or provincial public entity or constitutional within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament

2"shareholder "means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? **YES/NO**

2.7.1 If so, furnish the following particulars:

Name of person /director /trustees /shareholder /member:

Name of state institution at which you or the person connected to the bidder is employed:

Position occupied in the state institution:

Any other particulars:

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES/NO

2.7.2.1 If yes, did you attach proof of such authority to the bid document? YES/NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.)

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

.....

2.8 Did you or your spouse, or any of the company's directors/ trustees/ shareholders / members or their spouse conduct business with the state in the previous twelve months? YES/NO

2.8.1 If so, furnish particulars:

.....

.....

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? YES/NO

2.9.1 If so, furnish particulars:

.....

.....

.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? YES/NO

2.10.1 If so, furnish particulars:

.....

.....

.....
 2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

YES/NO

2.11.1 If so, furnish particulars:

.....

3 Full details of directors /trustees / members /shareholders.

Full Name	Identity Number	Personal Income Tax Reference Number	State Number/ Peral Number	Employee Number

4 DECLARATION

I, THE UNDERSIGNED (NAME).....
 CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPH 2 and 3 ABOVE IS CORRECT.
 I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVES TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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

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

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

1. GENERAL CONDITIONS

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

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

1.2

a) The value of this RFB is estimated **not to exceed R50 000 000.00** (all applicable taxes included) and hence it is issued as a closed Request. **Therefore, the 80/20 reference point system shall be applicable.**

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
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 PREFERENCE POINT SYSTEMS

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

80/20

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

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

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 (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	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 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	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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

SBD 6.1

Designated Group: An EME or QSE which is at least 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. OUTCOMES AGAINST PREFERENTIAL PROCUREMENT CRITERIA

B-BBEE status level of contributor	
Percentage owned by black people	
Percentage owned by black people who are youth	
Percentage owned by black people who are women	
Percentage owned by black people with disabilities	
Percentage owned by black people who are military veteran	
Percentage owned by black people living in rural or underdeveloped areas	
Percentage owned by black people living in townships	

9. DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm:.....

9.2 VAT registration number:.....

9.3 Company registration number:.....

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

9.6 COMPANY CLASSIFICATION

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

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

9.8 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.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>
--

<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p>
<p>DATE:</p> <p>ADDRESS</p> <p>.....</p> <p>.....</p>

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by Institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution supply chain management system
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failure to perform on any previous contract.

- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link atthe bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars		
4.4	<p>Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and bids.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____

that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

SBD 9

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

10. BIDDERS ARE ENCOURAGED TO USE THE FOLLOWING CHECKLIST WHEN SUBMITTING THEIR BIDS:

NO.	DETAILS	TICK BY BIDDER
1.	Part 1: Completed and signed the invitation to bid document (SBD 1)	
2.	Part 3: Completed and signed the declaration of interest document (SBD 4). <i>(In case of a consortium/ joint venture, or where sub-Service providers are utilised, each party to the bid <u>must</u> complete and sign the declaration of interest document)</i>	
3.	Part 4: Completed and signed the Preference Points Claim form in terms of the Preferential Procurement Regulations 2017 (SBD 6.1)	
4.	Part 5: Completed and signed the Declaration of bidders past Supply Chain Management Practices document (SBD 8). <i>(In case of a consortium/ joint venture, or where sub-Service providers are utilised, each party to the bid <u>must</u> complete and sign the Declaration of bidders past Supply Chain Management Practices document)</i>	
5.	Part 6: Completed and signed the Certificate of Independent Bid Determination (SBD 9)	
6.	Part 7: Submitted an original/ certified copy of a valid BBEE Certificate. <i>(In case of a trust, consortium or joint venture, bidders will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity <u>submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.</u></i>	
7.	Part 8: Submitted the General Conditions of Contract (initialled each page)	
8.	Part 9: Submitted the Technical approach	
9.	Part 10: Submitted the Details of the team and included their CV	
10.	Part 11: Submitted Experience in the field document and 3 reference letters	
11.	Part 12: Bidders National Treasury Central Supplier Database (CSD) forms indicating the validity of the bidder's registration	