



SBD1

**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (THE HOUSING DEVELOPMENT AGENCY (HDA))</b>					
BID NUMBER:	HDA/CPT/2022/002	CLOSING DATE:	22 JUNE 2022	CLOSING TIME:	11H00
DESCRIPTION	<b>APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE SUITABLE OFFICE PREMISES FOR THE HOUSING DEVELOPMENT AGENCY: WESTERN CAPE</b>				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b>					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX  
SITUATED AT (STREET ADDRESS)

<b>THE HOUSING DEVELOPMENT AGENCY (HDA)</b>
<b>6<sup>TH</sup> FLOOR, PIER PLACE</b>
<b>31 HEERENGRACHT STREET</b>
<b>CAPE TOWN, 8001</b>

**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					

	TCS PIN:		OR	CSD No:	
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B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes
	<input type="checkbox"/> No		<input type="checkbox"/> No

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)
	<input type="checkbox"/>	A REGISTERED AUDITOR
		NAME:

**[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	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	[IF YES ENCLOSE PROOF]		[IF YES ANSWER PART B:3 BELOW]

SIGNATURE OF BIDDER	DATE
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CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)

TOTAL NUMBER OF ITEMS OFFERED	TOTAL BID PRICE (ALL INCLUSIVE)
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<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
DEPARTMENT/ PUBLIC ENTITY	Supply Chain Management	CONTACT PERSON	Jane Mahlangu
CONTACT PERSON	Jane Mahlangu	TELEPHONE NUMBER	011 544 1000
TELEPHONE NUMBER	011 544 1000	FACSIMILE NUMBER	None



**SBD1**

FACSIMILE NUMBER	None	E-MAIL ADDRESS	Jane.Mahlangu@thehda.co.za
E-MAIL ADDRESS	Jane.Mahlangu@thehda.co.za		



**PART B  
TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>	
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. THE BID BOX IS GENERALLY OPEN DURING OFFICE HOURS, MONDAY TO FRIDAY, FROM 08H00 TO 16H00.	
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED—(NOT TO BE RE-TYPED) OR ONLINE	
1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: ( BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.	
1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.	
1.5. 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 LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.	
<b>2. TAX COMPLIANCE REQUIREMENTS</b>	
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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.	
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.	
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.	
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / 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.	
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>	
3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<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 OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.	

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

P.O. Box 3209,  
Houghton, 2041  
Block B, 2<sup>nd</sup>  
Floor  
1 Maxwell Drive  
Megawatt Drive  
Sunninghill  
Gauteng  
2157



**TERMS OF REFERENCE**

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**FOR THE APPOINTMENT OF A SERVICE PROVIDER TO  
PROVIDE SUITABLE PREMISES FOR THE HOUSING  
DEVELOPMENT AGENCY: WESTERN CAPE**

**HDA/CPT/2022/002**

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**APPLICATIONS TO BE SUBMITTED BY**

**NOT LATER THAN**

**11H00 ON 22 JUNE 2022**

## 1. Introduction

The Housing Development Agency (HDA) is a national public development agency established by an Act of Parliament (Act 23 of 2008). The HDA promotes sustainable communities by making well-located land and buildings available for the development of housing and human settlements. As an organ of state, the HDA is accountable through its Board to the Minister of Human Settlements.

## 2. Purpose

The purpose of this process is to invite and find a suitably qualified service provider to submit proposals for the provision of leased office space (1000 to 1200 m<sup>2</sup>) and parking facilities for the HDA for a period of five (5) years with the option to extend the floor area.

## 3. Scope

The proposal submitted by bidders must include the following HDA requirements and the HDA will not incur any fit-out costs:

### 3.1 Specification for office space

3.1.1 The office space must be within the areas of: Cape Town CBD or Cape Town Foreshore.

3.1.2 Close proximity to public transport (Cape Town Station) and freeways.

3.1.3 The actual building size proposed (not the total size of the property) must be within a range of 1200 m<sup>2</sup>.

3.1.4 The requirements for site accessibility include:

3.1.4.1 The building should allow for comfortable entrance / exit to and from the building by staff, visitors and service providers.

3.1.4.2 The building must make provision for access control which must be accessible to both staff and visitors with security.

3.1.4.3 The building should have access for people with special needs / disability (e.g. Wheelchair ramp) and should fully comply with the OHS act.

3.1.4.4 The landlord must supply 2 full time cleaning personnel to be included in the monthly rent.

3.1.5 Office requirements:

- 8 Enclosed offices – for the :
  - Regional Manager Region A,

- Regional Manager Region C,
- Provincial Manager,
- Development Manager,
- Support Services Manager and
- Subsidies and Stakeholder (IGR) Manager).
- These spaces are currently around 19 m<sup>2</sup> and 25 m<sup>2</sup> (for the RMs).
- 4 Boardrooms – Main and three other smaller meeting areas.
  - Main Boardroom 104 m<sup>2</sup>
  - RM Boardroom – 28 m<sup>2</sup>
  - Boystown Boardroom – 32 m<sup>2</sup>
  - Joe Slovo Boardroom – 24 m<sup>2</sup>
- Server room (3 x 3 m<sup>2</sup>)
- 6 Open office areas, made up of:
  - Development Planning and land – 100 m<sup>2</sup>
  - Project Team office – 100 m<sup>2</sup>
  - Project Facilitators office 73 m<sup>2</sup>
  - Reception with cubicles to receive the public 80m<sup>2</sup>
  - Kitchen and staff canteen – 26 m<sup>2</sup>
- Fire proof safe – for the safekeeping of confidential documents (10 x 10 m<sup>2</sup>)
- 2 x storerooms with shelves:
  - Cleaning equipment and chemicals
  - PPE and other valuable equipment
- Male and Female ablution facilities 5 x toilets in both bathrooms, 3 urinals in men's bathroom.
- Guest ablution facilities at the reception area and public use. 3 toilets and 1 special needs toilet

### **3.2 Building – General Requirements**

- 3.2.1 The building must be an existing building (complete built structure);
- 3.2.2 A or B grade office accommodation;
- 3.2.3 Approximately 1200 m<sup>2</sup> gross lettable area (GLA) with the option to extend/renovate the floor space;
- 3.2.4 Exterior signage must be allowed;
- 3.2.5 Full building insurance is the responsibility of the landlord;
- 3.2.6 A building with a green rating would be advantageous;
- 3.2.7 Existing wheelchair access to the building;
- 3.2.8 Thirty Four (34) secure onsite parking of which 2 will cater for physically disabled people, must be available in accordance with municipal by-laws. 22 Parking Bays within the building and 12 off-site parking bays

within walking distance. Confirmation of which should be included in the proposal.

### **3.3 Building Services**

- 3.3.1 Ablution facilities accommodating approximately ± 40 employees and visitors, including facilities for the physically disabled must be available;
- 3.3.2 The accommodation must provide lighting as per building regulation;
- 3.3.3 The office accommodation must be fully air-conditioned and ventilated;
- 3.3.4 Uninterrupted power supply (UPS) and back up generator power supply must be available in the event of power failure for the entire office space;
- 3.3.5 The spaces on offer must have its own electric distribution board(s);
- 3.3.6 The accommodation must have existing fire detection and prevention Services;
- 3.3.7 The accommodation must have double tier cable trays in ceiling voids or make allowance for these;
- 3.3.8 The lease offered must provide for air-conditioning service and maintenance as part of the lease as the Landlord's responsibility.
- 3.3.9 A floor plan of the building drawn to scale required.
- 3.3.9 A provision of 1 strong room (fire proof for confidential documents storage) with a maximum size of 10mx10m.
- 3.3.10 A provision of 2 storerooms with a maximum size of 5mx5m. Both storerooms must have sufficient shelves.
- 3.3.11 The lease offered must be for five year option.
- 3.3.12 The proposal lease offered must indicate the tenant installation allowance;
- 3.3.13 The proposal lease offered must provide an option for building maintenance by the lessor / landlord as part of the lease;
- 3.3.14 The lease contract should be signed with the owner and/or required delegate authority of the building / landlord not an agency or third party;
- 3.3.15 The building must be IT & Telecon ready;

**Note: A signed and endorsed draft lease proposal is to be included for each building submitted for consideration in this bid.**

**4. Technical mandatory & technical functional criteria**

**4.1 Technical Mandatory Requirements**

Bidders must indicate compliance with this requirement as follows – By ticking the relevant box “Comply” or “Not comply” in the event that no tick is made it will be accepted that the bidder does “not comply” and will be disqualified.

**Note: The following specific requirements must be met by the bidders and it will be expected of bidders to supply proof or confirm their commitment where applicable.**

Mandatory	Comply	Not Comply
<p>The bidder must confirm that they have read and understood the terms and conditions set out in the special conditions of contract and mandatory clauses to be incorporated into the lease agreement which terms and conditions the bidder accepts, in the event that the HDA awards the contract to the bidder pursuant to this bid. The bidder must submit with the bid:</p> <p><b>IF ONE OF THE MANDATORY REQUIREMENTS ARE NOT MET, THE BIDDER IS DISQUALIFIED</b></p> <p>A. A proposed Lease Agreement for <b>five (5) years</b> with the option to extend the floor area.            B. Parking Lease Agreement for 34 vehicles.            C. Complete the attached Pricing Schedule (In a separate envelope)            D. Special Conditions of Contract            E. Floor Plans            F. <b>Public Liability</b> - The successful bidder shall at its own cost maintain public liability insurance for its own personnel against accidents, injury or death. Proof of which must be submitted with bid before closing time.            G. <b>Acts &amp; Regulations</b> - The bidder must at all times comply with the provisions of the Occupational Safety and Health Act, 1993 with regards to safety equipment and maintenance of equipment used.</p>		
<p>The Bidder confirms that the building offered is:  <input type="checkbox"/> A complete built structure</p>		
<p>The Bidder confirms that the building offered is:            Grade A or B.</p>		
<p>The Bidder confirms that the building offered is one of</p>		



<p>the following preferred areas :</p> <p>Cape Town CBD or Cape Town Foreshore with close proximity to public transport (Cape Town Station) and freeways.</p> <p>Indicate under "Substantiate / Comments" below whether the bidder is the owner/landlord or an agent/broker and, where the bidder is an agent or broker, the bidder must provide proof of mandate if acting on behalf of the owner/landlord. Please provide for each building offered. The HDA does not pay commission on agent fees.</p>		
<p>Indicate under "Substantiate / Comments" below whether the bidder is the owner/landlord or an agent/broker and, where the bidder is an agent or broker, the bidder must confirm that they are registered with the Estate Agencies Affairs Board and are in possession of a valid Fidelity Fund certificate and provide a certified copy of the EAAB registration and a certified copy of the valid Fidelity Fund certificate.</p>		
<p>The building should have access for people with special needs/ disability (e.g. wheelchair ramp).</p>		
<p>The bidder confirms that the gross Lettable area offered is 1200 m<sup>2</sup>.</p>		
<p>The bidder confirms that they are in possession of the following certificate, Certificate of Occupancy, Electrical compliance and other mandatory compliances of the Building concerned, issued by the Municipality Please attach a certified copy of the Certificate.</p>		
<p>The bidder confirms that exterior signage will be allowable.</p>		
<p>The bidder confirms that Uninterrupted power supply (UPS) and back-up generator power supply is available.</p>		

<p><b>Substantiate/Comments:</b></p> <p><b>PREMISES WILL BE VISITED IF THE 70% CRITERIA HAS BEEN MET AFTER THE EVALUATION PROCESS BEFORE THE BID WILL BE ALLOCATED.</b></p>		
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Note: failure to comply with all of the mandatory requirements will lead to disqualification.

#### 4.2 Technical / functional requirements

The HDA needs to be satisfied, in all respects, that the organisation selected has the necessary resources, qualifications and abilities for this project, and that all submissions are regarded in a fair manner in terms of evaluation criteria and process.

The assessment and evaluation of submitted proposals will undergo an Evaluation Phase.

The general methodology of selection will be that proposals will first be evaluated on their technical ability to perform the task. Any proposals scoring below 70 points noted in the table below will be disqualified for the second evaluation. The second evaluation of technically competent proposals will be evaluated against Price and B-BBEE using 80/20 formula.

With regards to technical / functional requirements, the following criteria shall be applicable and the maximum points of each criterion are indicated in the tables below:

<b>Technical Requirements: Technical / Functional Criteria (Submission)</b> <b>NB: Each building proposed will be evaluated, based on the submitted documentation, on the following:</b>	<b>Comply</b>	<b>Not Comply</b>	<b>Weightings</b>
<b>Building – General Requirements</b>			<b>20</b>
34 Secure on-site parking of which 2 will cater for physically disabled people, must be available in accordance with municipal by-laws. Confirmation of which should be included in the proposal. The parking should			<b>20</b>

be in the building premises and not separate to the premises.			
<b>Building Services</b>			<b>50</b>
The building must make provision for goods and passengers lifts (if applicable)			5
Ablution facilities accommodating approximately 40 employees and visitors, including facilities for the physically disabled must be available			10
The accommodation must provide lighting as per building regulation			10
The office accommodation must be fully air-conditioned and ventilated			10
The space(s) on offer must have its own electric distribution board(s)			5
The accommodation must have existing fire detection and prevention services and comply with OHS regulations.			5
A floor plan of the building drawn to scale is required			5
<b>Site Accessibility</b>			<b>30</b>
The building must be an existing building (complete built structure) (Stand alone or multi-tenant building)			5
The building should allow for comfortable entrance / exit to and from the building by staff, clients and service providers			5
The building should provide cleaners (2) to clean the office daily during business hours. (8- 16:00).			2.5
The building must make provision of access control and security which must be accessible to both staff and suppliers			2.5
The building must comply with OHS, emergency evacuation process. The bidder must provide us with a certified copy of the certificate of compliance			5
The building must provide at least 2 storerooms and 1 fire proof strong room.			5
The building must be IT & Telecon ready.			5

### 4.3 Pricing schedule

Annexure A:  
Breakdown of total cost  
Pricing overview

Price component	Costs in Rands over six (6) months									
	2022 6 m									
Building										
Parking										
Operational costs										
Building insurance										
Others payable services										
Additional										
<b>Total cost:</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>R</b>

### 4.4 Annexure B

#### Building (example)

Solution components	Cost in Rands over 5 years
Rate per m <sup>2</sup> = 1200m <sup>2</sup>	
Indicate operating cost per m <sup>2</sup> (VAT inclusive)	
List operational cost components for which HDA will be responsible (i.e. electricity, sewage, water, refuse removal etc.)	
Indicate cost per under cover parking bay (Vat inclusive)	
Indicate Tenant Installation allowance per m <sup>2</sup>	
Indicate breakdown and information on deposit required	
Provide information on any other excluded cost:	
<b>Total cost:</b>	<b>R</b>

#### 4.5 Price Escalation

All prices must be VAT inclusive and quoted in South African Rand (ZAR). Any escalations per year (with 6%) must be clearly indicated without hidden costs

#### 4.6 Additional information to be submitted by the bidders

- Brief company profile, as relevant to the above-mentioned terms of reference.
- Experience in the relevant areas.
- Clientele.
- Certificate of incorporation / legal status.
- Financial proposal.
- Building rental
- Parking
- Operational expenses
- Building Insurance
- Any other payable services
- Certified BBEE certificate
- Tax clearance certificate
- Confirmation of registration with National Treasury CSD database

**HDA prefers to sign the lease directly with the landlord, all submission documents must be in the name of the landlord even in cases where the Agent is compiling them on behalf of the landlord.**

#### 4.7 EVALUATION PROCESS

- The HDA needs to be satisfied, in all respects, that the organisation selected has the necessary resources, qualifications and abilities for this project, and that all submissions are regarded in a fair manner in terms of evaluation criteria and process
- The following criteria will be used for point's allocation for price and B-BBEE compliance on a 80/20 point system:-

**Table 1 – Price and B-BBEE**

CRITERIA	SUB-CRITERIA	WEIGHTING/ POINTS
Price	Detailed budget breakdown	80
B-BBEE (Status Level Verification Certificate)	B-BBEE Level Contributor	20
<b>TOTAL</b>		<b>100</b>

## **8. General**

### **8.1. Below are compulsory requirements for this service**

8.1.1. It is important to note that companies quote for the correct item listed on the attached schedule.

8.1.2. Kindly submit the following documents:

- CSD Documents.
- SBD Forms (SBD4, SBD6.1, SBD8 and SBD9) obtainable from HDA Website: [www.thehda.co.za/procurement](http://www.thehda.co.za/procurement). Under compliance checklist.
- **Valid and Original or Certified B-BBEE Status Level Verification Certificates issued by the following agencies SANAS, IRBA or CCA.**

**8.2. Further information regarding technical and SCM enquiries can be emailed to: [jane.mahlangu@thehda.co.za](mailto:jane.mahlangu@thehda.co.za) or at tell: 011 544 1000.**

## **9. Terms and Conditions.**

9.1. HDA undertakes to pay in full within thirty (30) days, all valid claims for work done to its satisfaction upon presentation of a substantiated claim/invoice.

9.2. No payment will be made where there is an outstanding information/work by the service provider/s.

## **10. Submission of Proposals**

10.1. Proposals should be submitted on or before the **22 June 2022**

By no later than **11h00** to:

**Attention: Supply Chain Management**  
**The Housing Development Agency (HDA),**  
**6<sup>th</sup> Floor, Pier Place.**  
**31 Heerengracht Steet,**  
**Cape Town, 8001**

10.2. The selection of the qualifying proposal will be at the HDA's sole discretion.

The HDA does not bind itself to accept any particular bid/proposal, and the HDA reserves the right not to appoint the service provider.

## 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](http://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](http://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		Company/Close Corp. registered no	
Income Tax ref no		PAYE ref no	7
VAT registration no	4	SDL ref no	L
Customs code		UIF ref no	U
Telephone no		Fax no	
E-mail address			
Physical address			
Postal address			

#### 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			





## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

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

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

### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of institution	State

2.2 Do you, or any person connected with the bidder, have a relationship

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

with any person who is employed by the procuring institution? YES/NO

2.2.1 If so, furnish particulars:

.....  
.....

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

2.3.1 If so, furnish particulars:

.....  
.....

**3 DECLARATION**

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

<sup>2</sup> 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.

**SBD4**

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

**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

1.2

a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the .....80/20..... preference 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
<b>PRICE</b>	
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	
<b>Total points for Price and B-BBEE must not exceed</b>	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:

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		
<b>OR</b>		
Any EME		
Any QSE		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

**8.4 TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....  
.....  
.....  
.....  
.....

**8.6 COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

(a) disqualify the person from the bidding process;



- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

<b>WITNESSES</b>
1. ....
2. ....

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

**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's supply chain management system;
  - b. committed fraud or any other improper conduct in relation to such system; or
  - c. failed 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?  <b>(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).</b></p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the 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)?  <b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></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 outside of 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	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?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

SBD 8

**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**

Js365bW

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> 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:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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

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 consortium<sup>3</sup> 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.

<sup>3</sup> 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.

10. 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

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