



DEPARTMENT OF WATER AND SANITATION

REPUBLIC OF SOUTH AFRICA

DUE AT 11:00 ON

26 APRIL 2024

DWS26-0324WTE

APPOINTMENT OF A PANEL OF REGISTERED PROFESSIONAL VALUERS TO VALUE AND DETERMINE MARKET RELATED RENTAL DUE TO THE DEPARTMENT IN RELATION TO THE ACCESS AND USE OF STATE LAND, BUILDINGS AND ASSOCIATED IMMOVABLE INFRASTRUCTURE, LAND AND SERVITUDES

SUBMIT BID DOCUMENTS TO:

POSTAL ADDRESS:
DIRECTOR-GENERAL:
WATER AND SANITATION
PRIVATE BAG X313
PRETORIA, 0001

OR

TO BE DEPOSITED IN:
THE BID BOX AT THE ENTRANCE
OF ZWAMADAKA BUILDING
157 FRANCIS BAARD STREET
PRETORIA, 0001

Compulsory Briefing Session

Date: 10 April 2024

Time: 10h00

Venue: Emanzini G18, 173 FRANCIS BAARD STREET, PRETORIA

BIDDER: (Company Address or Stamp)

PART A

SBD1

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	DWS26-0324WTE	CLOSING DATE:	26 APRIL 2024	CLOSING TIME:	11H00
DESCRIPTION	APPOINTMENT OF A PANEL OF REGISTERED PROFESSIONAL VALUERS TO VALUE AND DETERMINE MARKET RELATED RENTAL DUE TO THE DEPARTMENT IN RELATION TO THE ACCESS AND USE OF STATE LAND, BUILDINGS AND ASSOCIATED IMMOVABLE INFRASTRUCTURE, LAND AND SERVITUDES				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
THE BID BOX. AT THE ENTRANCE OF ZWAMADAKA BUILDING					
157 FRANCIS BAARD STREET, PRETORIA 0001					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Bid Office		CONTACT PERSON	Joey Van Rooyen	
TELEPHONE NUMBER			TELEPHONE NUMBER		
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	bidenquirieswte@dws.gov.za		E-MAIL ADDRESS	VanRooyenJC@dws.gov.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		☐ Yes ☐ No [IF YES, ANSWER PART B:3]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO					
DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO					

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO

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

SBD1

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:

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

2. TAX COMPLIANCE REQUIREMENTS

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

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

SIGNATURE OF BIDDER:

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

DATE:



TERMS OF REFERENCES - PSPs

THE APPOINTMENT OF PANEL OF THE REGISTERED PROFESSIONAL VALUERS TO VALUE AND DETERMINE MARKET RELATED RENTAL DUE TO THE DEPARTMENT IN RELATION TO THE ACCESS AND USE OF STATE LAND, BUILDINGS AND ASSOCIATED IMMOVABLE INFRASTRUCTURE, LAND AND SERVITUDES REQUIRED BY THE DEPARTMENT OF WATER AND SANITATION

1. INTRODUCTION

- 1.1 The purpose is to appoint more than one Registered Professional Valuers to determine market value for the Departmental buildings and associated immovable infrastructures, leases in relation to commercial and recreational activities; grazing, hydro and solar plants under the ownership of the Minister of Water and Sanitation nationwide as-and-when required for a period of five (5) years. The appointed Registered Professional Valuers must have a proven experienced, to render valuation including the land acquisition and servitudes that will be required by the Department for the implementation of the Departmental infrastructure projects. The Valuers will be registered in the Departmental database wherein the services required by the Department will be sourced from.
- 1.2 The Infrastructure Management Branch (IM) is responsible for the development, operations, maintenance and rehabilitation of National Water Resources Infrastructure Assets for the Department of Water and Sanitation. It distributes bulk (untreated/raw) water in terms of the National Water Act, 1998 (Act No. 36 of 1998) to authorized users. The IM's responsibility is to design, develop, construct and maintain infrastructure assets comprising of dams, tunnels, pipelines, canals, pump stations, Wastewater Treatment Plants (WWTP's), Water Treatment Plants (WTP's), Buildings and associated infrastructure that is positioned across the Republic of South Africa.
- 1.2 The Minister of Water and Sanitation is the custodian of State Land resorting within the dam boundary line of a Government Waterwork. In terms of Section 113 read together with sections 114 and 115(1) of the National Water Act, 1998 (Act No. 36 of 1998) as amended, the Minister may use the land under their custodianship as they seem fit. Due to lack of capacity to manage all the land around the Government Waterworks (dams) the Minister decided to enter into lease agreements with the interested parties.
- 1.3 The land under the ownership of the Minister is currently being used by members of the public for different purposes, for example boat clubs, angling clubs, yacht clubs, other recreational uses, grazing and as accommodation for the Departmental officials and the private tenants. In most cases lease agreements are in place but are outdated and the rental amounts are not market related. In other cases, vacant land is not utilized which attract illegal uses which contradicts the provisions of the National Water Act, 1998 in terms of compliance and the protection of the resource. There are interested parties that submitted applications to lease land for different activities. Furthermore, the Department has houses that are leased out to the private tenants who are required to pay market related rental value to the Department. To have a market related value in terms of the valuation of assets under the ownership of the Minister of Water and Sanitation, it is required that the Department appoints a panel of Registered Professional Valuers to

determine market related value. It should be noted that the Department will also source the valuation services from the Office of the Valuer General as well.

- 1.4 The appointed Valuers will be supplied with the relevant documentation at the time of appointment in order to execute services required by the Department. The Valuers should expect to value properties which have permanent structures such as orchards, irrigation, grazing land, registered and unregistered rights, water rights, mining rights, borehole and buildings.

2. SCOPE OF SERVICES

The appointed Valuers will determine the value of the market related rental value of the properties or portions of the properties to be leased taking into consideration, the National Water Act, 1998 (Act No.36 of 1998) as amended and the Public Finance Management Act, 1999 (Act No. 1 of 1999) as amended and assist the Department in the determination of market related value in line with the Department's responsibility to acquire land and servitudes by means of Expropriation Act, 1975 (Act No. 63 of 1975). The Registered Valuer should also take into consideration the following,

- The Hectares/extent of the affected properties/portions
- The current use of the properties
- The current zoning of the properties
- The Resource Management Plan (if applicable)
- The Valuer to determine the monthly and annual market related rental amount payable
- The Valuer to determine a 09 year and 11 months annual escalation applicable thereof
- Taking into consideration the lease period
- Taking into consideration the risks for the applicant as well as the Department
- The Valuer to verify current properties descriptions
- The Valuer must contact the applicant in advance to make the necessary arrangements in order to inspect and determine the application site, improvements and the activity/activities or the proposed activities
- To confirm that there is legal access to the application site (without crossing private owned property)
- To make recommendations with regards to leasing period in line with the activities and the investments to be made

2.1. Different Types of Lease Agreements

a) *Grazing Agreement*

- This agreement is strictly for grazing of livestock and game purposes.

b) *Recreational/ Commercial Leases*

- For undeveloped land and State Land utilised for this purpose.
- For Resorts (Existing of sport activities, chalets, camping and related uses)
- For Angling, Yacht, Boat Clubs and related uses
- For other recreational uses for example bird watching or shooting Range

2.2. Land Acquisition and Servitudes Registrations

- To determine the compensation in respect of the registered rights in land using the relevant Acts, namely, Deeds Registry Act, 1937 (Act No. 47 of 1937); Sectional Titles Act, 1986 (Act No. 95 of 1986). The Valuer must ensure that all relevant information/acts are used when determining the registered and on unregistered rights.
- To determine the compensation in respect of the unregistered rights in land using the relevant Acts, namely; Extension of Security of Tenure Act, 1997 (Act No. 62 of 1997; Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998 (Act No. 19 of 1998); Land Reform (Labour Tenant) Act, 1996 (Act No. 3 of 1996); Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997); Restitution of Land Rights Act, 1994 (Act No. 22 of 1994); Rental Housing Act, 1999 (Act No. 50 of 1999); Housing Development Schemes for Retired Persons Act, 1988 (Act No. 65 of 1988); Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000); Mineral and Petroleum Resource Development Act, 2002 (Act No. 28 of 2002) and Development Trust and Land Act, 1936 (Act No. 18 of 1936). The Valuer must ensure that all relevant information/acts are used when determining the compensation in respect of the unregistered rights.
- To be able to value market related rental due to the Department in relation to lease agreements concluded with private individuals and entities. The leases will be in relation to recreational, commercial, grazing, departmental houses, hydro and solar plants.

2.4. Applicable regulations, polices and legislation.

- Below list of items and legislation, as amended are brought to the attention of the Valuer to ensure that these are taken into consideration when dealing with valuation of properties, servitudes and market related rental.

Items to be addressed	Legislations to be used
Bond Farm houses/dwelling Labour housing/tenant Sheds/outbuildings Units/ freehold property Undivided rights Leases Petrol station/garage Vineyard Vegetables Residential estate Guest houses/Motel Roads Grazing/veld Dry land Orchards Borehole Lifestyle properties Servitude Registered rights Registered mineral rights Unregistered rights Water rights Access to the State land Commercial Rights Hydro and Solar Approval	Extension of the Security Tenure Act, no: 62 of 1997; Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, no:19 of 1998 (PIE); Land Reform (Labour Tenant) Act, no: 3 of 1996; Basic Conditions of Employment Act, no: 75 of 1997; Restitution of Land Rights Act no: 22 of 1994; Rental Housing Act, no: 50 of 1999; Housing Development Schemes for Retired Persons Act, no: 65 of 1988; Promotion of Administrative Justice Act (PAJA) no: 3 of 2000; Mineral and Petroleum Resource Development Act no: 28 of 2002 and Development Trust and Land Act no: 18 of 1936. NB: All relevant legislation and other relevant documentation will have to be used to determine the required portions and rights. Also, proof of information received to be attached on the valuation report.

Recreational Grazing Rental in terms of Departmental Houses NB: All items to be discovered by the Valuer during meetings must be included when determining the compensation payable to the property owners or to determine market related rental due to the Department	
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4. OUTPUT REQUIRED / DELIVERABLES.

The Professional Valuer to make use of the abovementioned Acts; when determining the monthly market related rental payable on the required portions of land to be leased. The Valuer should feel free to use the format that he/she is most comfortable with in the compilation of the report. The Professional Valuer to make use of the Expropriation Act and relevant Acts, when determining the compensation of the required portions of land and servitudes in terms of registered rights to be expropriated for Government Waterworks. In terms of unregistered rights and communal land the following Acts must be used the Constitution, Interim Protection of Informal Land Rights Act 31 of 1996 and the Communal Land Rights Act no 11 of 2004. Rental must be market related in terms of the Department's Lease Policy. The Valuer should feel free to use the format that he/she is most comfortable with in the compilation of the report and the following aspects may be covered in the report depending on the properties to be evaluated.

However, the following aspects must be covered in the report:

General Report (Part A)

- (i) Contents
- (ii) Introduction
- (iii) Neighboring area and subject properties
- (iv) Purpose of the valuation
- (v) Characteristics of the research area
- (vi) Market conditions and behaviour of lessees
- (vii) Infrastructure and available services in the area
- (viii) Field and soil types of the research area
- (ix) Water supply and other services in the research area
- (x) Accessibility to the application site
- (xi) Comparable lease agreements in the area
- (xii) Valuation Methodology, approach and market research

Valuation Report on each application site. This report should be case specific and not a general report (Part B)

- (i) Purpose of the valuation
- (ii) Date of valuation
- (iii) Registered owners addresses and contact details
- (iv) Location of the properties
- (v) Description of properties, extent, water rights and Title Deed numbers
- (vi) Servitude's
- (vii) Services available

- (viii) Carrying capacity
- (ix) Summary of the valuation report, lease value, monthly market related rental due to the Department recommendations
- (x) In the case of a grazing lease determine the grazing capacity of the application site

Annexures:

- (i) Photos
- (ii) Maps and aerial photos

NB: The appointed Professional Valuer will be paid after the Department has received the final valuation report. Queries that may arise from the applicants regarding the market related rental amount as determined by the valuer must be addressed for a further 30 days without compensation due to the valuer after the applicant received notification of the market related rental payable.

5. Transfer of skills (if feasible)

The appointed service provide is expected to prepare Skill Transfer Plan to be implemented during the course of the activity. This should include amongst:

- Process followed in property valuation
- Applicable legislations and/or acts etc.

Moreover, the service provider will be expected to take the relevant Operations Official onsite so both parties are in a position to transfer information to DWS

6. Special Conditions of Contract

- Monthly Progress Report to be submitted to the Department of Water and Sanitation.
- Appointed professional Valuer must avail adequate experience and expertise. The Valuer must be registered with the Board of Valuers and comply with the regulations and Policies of the Valuers Board.
- The Valuer to also determine the rate per hectare for vacant land within the Government Waterworks
- The successful appointed Valuer must provide adequate proof of previous experience of relevant projects.
- Resources with costing or cost estimating expertise.
- A readily available development cash-flow is often crucial to the success of a project of this nature.
- Bidders with limited resources will only be considered for one dam
- The draft Valuation Report to be submitted to DWS: Project Manager for review,
- The department reserves the right of appointing more than one service provider.
- be available at the request of the Department of Water and Sanitation and remain within the set timeframe which may be sort notice or at an urgent basis.
- submit a certified copy of the South African Council for the Property Valuers Profession membership.
- Provide progress reports or valuation reports in a short period of time.
- Respond also to any counterclaim which may be forthcoming as a result of the valuation.
- Defend his/her valuation report in Court in the event of the department being taken to court as a result of the compensation payable
- This tender is for a period of 3 years only, but the Valuers must be available even after 5 years to defend his/her valuation report should the department be taken to court as a result of compensation payable

- Take into account Section 12 of the Expropriation Act, with the intention of determining the compensation payable.
- Contact and identify the landowners and unregistered right holders as well as their contact details to make the necessary arrangements in order to inspect the properties.
- Take cognizance of Section 25(3)(a) to (e) of the Constitution Act, 1996 (Act no 108 of 1996) which provides as follows:
 - The amount, timing and manner of payment, of compensation must be just and equitable, reflecting an equitable balance between the public interests and interests of those affected having regard all relevant factors, including-
 - the current use of the property.
 - the history of acquisition and use of the property.
 - the market value of the property.
 - the extent of direct State investment and subsidy in the acquisition and beneficial capital improvement.
 - the purpose of the expropriation

7. Evaluation Criteria

The Department of Water and Sanitation shall evaluate all proposals (bids) in accordance with the new Preferential Procurement Regulations, 2022, using 80/20 preference points system as prescribed in the Preferential Procurement Policy Framework Act (PPPFA, Act 5 of 2000).

A three-phase evaluation system will be followed in evaluating the bids. On receipt of the proposals, the evaluation criteria shown below will be used for the selection of the most suitable bidder to undertake the assignment.

- Phase 1: Mandatory Requirements
- Phase 2: Functionality compliance
- Phase 3: Administrative compliance

Phase 1: Mandatory Requirements

Failure to submit any of the documents listed below will render your bid non-responsive and will be disqualified.

No	Criteria	Yes	No
1	Proof of being a Professional Registered Valuer with the Board of Valuers (Certified Copy) in terms of Property Valuers Profession Act, 2000 to be received from the Team Leader		
2	Relevant Qualification in Property Valuation namely BCom (Hons) in Property Valuation and Management or an advanced Diploma in Property Valuation and Management or bridging course in Property Valuation and Management – full accreditation		
3	Attendance of compulsory briefing session		

Phase 2: Functionality Compliance

Bidders must score at least **54 out of 90** in respect of functionality in order to qualify for advancement to Phase 3. A bidder that scores less than **54 out of 90** will be regarded as submitting a non-responsive bid and will be disqualified.

The weight that will be allocated to each functionality criteria is as follows

Criteria	Sub-Criteria	Weight of Criterion
Company Experience	- The bidder/company must have at least three (3) years' experience in providing valuation services to qualify. - Proof must be accompanied by table with a list of completed project/s. The following information must be listed on the table: - Name of institution where the service was rendered - Project description - Project amount - Period of contract - Name of the project manager and position - A contactable reference of the employer - Appointment letters and or certificate of work completion must be attached to confirm that such project was executed. Breakdown of points allocation according to number of projects: ✓ 1 project = 6 ✓ 2 to 3 projects = 12 ✓ 4 to 5 projects = 18 ✓ 6 to 7 projects = 24 ✓ 8 and above = 30	Max points 30
Team Leader Experience	Bidder's Resources – (Personnel) - Team Leader must have at least three (3) years' experience in asset valuations and research. The team leader is required to be registered with the Board of Registered Professional Valuers with the SACPVP and to provide a valid registration certificate. - The CV of the Team leader must demonstrate asset valuation and research work experience and the number of projects involved in it. Breakdown of points to be claimed will be allocated according to number of projects worked on: ✓ 1 to 2 projects = 4 ✓ 3 to 4 projects = 8 ✓ 5 to 6 projects = 12 ✓ 7 to 8 projects = 16 ✓ 9 and above = 20 No submission of CV = 0 points CV without confirmation of projects involved in =0	Max points 20

	points.	
Team Members Experience	Should the bidder have a team of support the CV's of the proposed team must be submitted and experience must be stated in the CV. Should it be a company then the team should be able to transfer skills to candidate valuers or in the case of an individual valuer the team member should have experience in the valuation field. All support team members should add confirmation of qualifications to their CV's Breakdown of points to be claimed will be allocated according to number of projects worked on: ✓ Personnel's CV and Matric without asset valuation and research work experience = 2 points. ✓ Personnel's CV and Matric with 1 to 6 months asset valuation and research work experience = 4 points. ✓ Personnel's CV and Matric with more than 6 months to 12 months asset valuation and research work experience = 6 points. ✓ Personnel's CV with more than 12 months asset valuation and research work experience with proof of registration as candidate Professional Registered Valuer with the SACVP = 8 points. ✓ Personnel's CV with more than 12 months of asset valuation and research work experience and with proof of registration as Professional Registered Valuer with the SACVP = 10 points. No submission of CV's = 0 points	Max points 10
Project Plan	Detailed Project program and Execution Plan should be attached. Points will be allocated according to the quality of the proposed plan.	Max points 30
Form 1:	The proposal must clearly indicate the following requirements: 1. Approach paper: Work plan, timeframes, and task description in compliance with legislations related to the scope of work must be shown in detail . Must cover the following: (10 points) a. Project inception b. Project management c. Authority consultation • Consultation meeting • Appeals 2. Specialist studies: List of specialists,	

	relevant registration requirements, relevant competent authorities, relevant permits, and relevant time frames (10 points) 3. Project team: including resources plan (team capabilities to fulfil the scope of services, attach CV's) (10 points)			
	Precision and relevant detail provided for all items, innovation and value demonstrated.	100	30	
	Comprehensive detail provided for all items, little gaps in requirements. Meets minimum standard. The approach is specifically tailored to address specific project objectives and methodology.	90	27	
	Acceptable level of detail, accuracy, and relevance for all items, however, fails in some areas. The approach paper does not adequately deal with the critical characteristics of the project.	70	21	
	Limited information provided and further information on all items required. • The tenderer has misunderstood certain aspects of the scope of work. The organisational chart is sketchy and there is no clarity in allocation of staff and responsibility.	40	12	
	Inadequate or no details provided on all items.	0	0	

Total

90

Phase 3: Administrative Compliance

Bidders are required to comply with the following listed below

No	Criteria	Yes	No
1	Companies must be registered with National Treasury's Central Supplier Database and must submit CSD report. Provide MAAA number on SBD1		
2	Tax compliant with SARS (to be verified through CSD or SARS). Attach Tax Compliance status PIN page		
3	Active registration with Company Intellectual Property Commission (to be verified through CSD and CIPC). Attach copy of CIPC / CIPRO certificate.		
4	A valid copy of B-BBEE Status Level Verification Certificate or a valid original sworn affidavit (failure to submit, the Bidder will forfeit the relevant points allocated for B-BBEE under specific goals)		

No	Criteria	Yes	No
5	valid letter of Good Standing with the Compensation Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act No 130 of 1993 and or third parties' insurance registered with Financial Service Board		
6	Letter of appointment of duly authorized person to sign bid. Proof of such authority must be submitted with the bid. If by an individual, must be signed by that individual or by someone on his behalf duly authorised thereto and proof of such authority must be produced. If the bid is by a Company, it must be signed by a person duly authorised thereto by a Resolution of a Board of Directors a copy of which Resolution, duly certified by the Chairman of the Company is to be submitted with the bid.		
7	Complete, sign, submit SBD1, SBD 4, SBD 6.1		

APPOINTMENT STRATEGY

The Department intends to appoint a panel of service providers and selection shall be based on the scores attained in the Functionality Criteria Phase. The quotations will be requested from successful bidders who formed part of the panel on rotation basis.

NOTE: The service providers on the panel will be engaged through competitive Request for Quotations based on the desired deliverables (as and when required) to confirm actual costs per brief or scope of work.

SBD 4

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state?

YES/NO

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

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

Full Name	Identity Number	Name of State institution

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

2.2.1 If so, furnish particulars:

.....
.....

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

YES/NO

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

3.1 I have read, and I understand the contents of this disclosure.

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect.

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

- 3.5 There have been no consultations, communications, agreements, or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

SBD 6.1

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT
REGULATIONS 2022**

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

1.2 **To be completed by the organ of state**

- a) The applicable preference point system for this tender is the 80/20 preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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

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

2. DEFINITIONS

- (a) **“tender”**
means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

80/20	or	90/10
$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$	or	$Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$

Where

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

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) & \text{or} & Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \end{array}$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Women Ownership	5	
Disability Ownership	5	
Youth Ownership (35 and below)	5	
Location of enterprise (local equals province)	2	
B-BBEE status level contribution from level 1 or 2 which are QSE or EME	3	
Total points for SPECIFIC GOALS	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;

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

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

PREFERENCING SCHEDULE IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

NB: BEFORE COMPLETING THIS FORMS, TENDERES MUST STUDY THE GENERAL CONDITIONS, BIDDERS MUST STUDY THE CONSITIONS: DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1 Preference

Preferences shall be granted in respect of the following:

1.1 Ownership by women, people with disabilities and youth

The percentage shareholding of an enterprise as at the closing time for submissions of natural persons who are women, people with disabilities or youth as evidenced by:

- a) voting rights that are not subject to any limitation; and
- b) economic interest.

where

people with disabilities are people who have a long-term or recurring physical or, mental, intellectual or sensory impairment which, in interaction with various barriers, may substantially limit their prospects of entry into, or advancement in, employment

youth are people aged between 14 and 35

1.2 Local enterprise

An enterprise which operates from a building together with its land and outbuildings located within the boundaries of the. or Province as at the closing time for submissions

1.2 B-BBEE status level contributors from level 1 or level 2 who are Exempted Micro Enterprises or Qualifying Small Enterprises

The status of an enterprise as measured in accordance with the provisions of **an applicable code of good practice** issued in terms of Section 9(1) of the B-BBEE Act of 2003 as at the closing time for submissions.

Note: The Construction Sector Code applies to the B-BBEE compliance measurement of all entities that fall within the Construction Sector i.e. all enterprises who derive more than 50% of their annual Revenue from Construction Related Activities.

2 Conditions associated with the granting of preferences

Tenderers who claim a preference shall provide in support of their claim the following in relation to their claim, failing which their claims for preferences will be rejected:

Preference applied for	Verification document
Ownership by women	Completed Percentage Ownership Affidavit (Annexure 1)
Ownership by people with disabilities	
Ownership by youth	
Location of enterprise	Completed Location of enterprise affidavit (Annexure 2) and proof of ownership of premises or a valid rental agreement with the owner of such premises
B-BBEE status level of contributor	B-BBEE Verification Certificates issued by a verification agency accredited by the South African National Accreditation System (SANAS) (see www.sanas.co.za/Pages/index.aspx) or, in the case of an Exempted Micro Enterprise or a Qualifying Small Enterprise, if permitted in terms of the relevant code, a duly completed sworn affidavit on the relevant and appropriate form obtained from one the following websites:

	○ www.thedtic.gov.za/wp-content/uploads/BEE_Affidavit-QSE-Gen.pdf ○ www.thedtic.gov.za/wp-content/uploads/BEE_Affidavit-EME-Gen.pdf ○ www.abp.org.za/wp-content/uploads/2018/03/Final-CSC-EME-Affidavit-March-2018-2.pdf
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3 Preferences points offered and claimed

The preference points offered by the Employer in accordance with the provisions of the Preferential Procurement Policy Framework Act of 2022 and claimed by the tenderer are as follows:

Preference claimed		Number of preference points allocation		Preference claimed (tick relevant block)
		90/10 preference points system	80/20 preference points system	
Ownership	by women	Up to 2	Up to 5	
	by people with disabilities	Up to 2	Up to 5	
	by youth	Up to 2	Up to 5	
Location of enterprise	<i>[insert provinces where project is located]</i>	1	2	
B-BBEE status	Level 1 or level 2 contributors who are Exempted Micro Enterprises or Qualifying Small Enterprises	3	3	

where points claimed for ownership are calculated separately for each type of ownership in terms of the following formula:

90 / 10 preference points system: $NO = 2 \times PS / 100$

80 / 20 preference points system: $NO = 5 \times PS / 100$

where

NO = number of points awarded to tenderer claiming a preference for ownership by women, people with disabilities or youth

PS = percentage shareholding by women, people with disabilities or youth as declared in the Percentage Ownership Affidavit

4 Declaration

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

Signature:.....

Name:.....

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

Telephone: Date:

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

Note: Failure to complete the declaration will lead to the rejection of a claim for a preference.

ANNEXURE 1: Percentage Ownership Affidavit

I, the undersigned,

full name and surname

identity number

hereby declare under oath that

1) I am a member / director / owner of the enterprise:

name :

trading name, if applicable

registration number:

physical address:

.

in which the following natural persons who are women, people with disabilities or youth at the time of the tender submission have

a) voting rights that are not subject to any limitation; and

b) economic interest.

as indicated below

Name	Economic interest (%)			Identity number
	Women	People with disabilities	Youth	

Where:

people with disabilities are people who have a long-term or recurring physical or, mental, intellectual or sensory impairment which, in interaction with various barriers, may substantially limit their prospects of entry into, or advancement in, employment

Note: The Code of Good Practice on Employment of Persons with Disabilities (2015) considers “substantially limit” as *“if in its nature, duration or effects it substantially limits the person’s ability to perform the essential functions of the job for which they are being considered”* and points out that *“some impairments”* are so easily controlled, corrected or lessened that they have no limiting effects.

youth are people aged between 14 and 35

- 2) the contents of this statement are to the best of my knowledge a true reflection of the facts;
- 3) I know and understand the contents of the affidavit and I have no objection to take the prescribed oath binding on my conscience and on the Owners of the Enterprise which I represent in this matter.

Deponent signature:

Date:

**Commissioner of oaths
Signature and stamp**

ANNEXURE 2: Location of enterprise affidavit

I, the undersigned, full name and surname

Identity number

hereby declare under oath that

- 1) I am a member / director / owner of the enterprise:

name :

trading name, if applicable

registration number:

physical address:

.....
which is an enterprise which operates from a building together with its land and outbuildings
located within the boundaries of the (*name*) Province as at the closing time for submissions

- 2) the contents of this statement are to the best of my knowledge a true reflection of the facts;

- 3) I know and understand the contents of the affidavit and I have no objection to take the
prescribed oath binding on my conscience and on the Owners of the Enterprise which I
represent in this matter.

Attach proof of ownership of premises or a valid rental agreement with the owner of such premises

Deponent signature:

Date:

**Commissioner of oaths
Signature and stamp**

7. Enquiries

For Technical enquiries or Bid enquiries
Contact Person: J van Rooyen Telephone: (012) 336 8635 or 082 850 4990 Email: VanRooyenJC@dws.gov.za Or Tel: 012 336 7780/ 6265/ 8151/ 8241/ 7596 bidenquirieswte@dws.gov.za