



SCM /Tender Ref #:	DPME 13/2018-2019
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Request for proposals for:	EVALUATION OF THE PROVISION OF ACCOMODATION BY THE NATIONAL DEPARTMENT OF PUBLIC WORKS AS GUIDED BY GIAMA ACT 19 OF 2007
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Bid closing date and time as well as the date and time of briefing session (if any) are indicated on the attached SBD1. Quotations / proposals received after the closing date and time indicated on SBD 1 will not be accepted.

Bidders must provide one original and 5 (five) copies of proposals submitted.

Only 1 (one) original price proposal and SBDs are required.

Estimated project start date:	Expected project duration (Months)
01 April 2019	30 March 2020

1. BID INFORMATION

Information and guidelines on the format and delivery of bids are contained in the attached bid documents. Please take note of the closing date and date of compulsory briefing session (if any).

2. PROPOSAL FORMAT

A detailed proposal in response to this ToR must be submitted. The proposal should contain all the information required to evaluate the bid against the requirements stipulated in this terms of reference. The following must be attached to the proposal as annexures:

- **Annexure B1:** Proposed team (Must use attached Excel template)
- **Annexure B2:** Summary of past experience of team members (Must use attached Excel template)
- **Annexure B3:** Deliverables and allocation of time to team members (Must use attached Excel template).
- **Annexure B4:** Pricing information. Price proposals must include VAT and should be fully inclusive to deliver the all outputs indicated in the terms of reference (Must use attached Excel template).
- The published terms of reference (this document, including Annexure A to this document).
- All other forms / certificates required (see bid documents).

3. CONDITIONS OF BID

Detailed conditions applicable to all bids are contained in the bid documents accompanying this Terms of Reference. Only suppliers that meet all the requirements stipulated in the terms of reference and bid documents will be considered.

No late bids will be accepted. Only bids from service providers that attended the compulsory briefing session (if specified above) will be considered. Bids must be valid for a minimum period of 120 days after the closing date.

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BACKGROUND

The Evaluation background has been included in Annexure A.

1. EXPERIENCE / SKILLS / TEAM COMPOSITION / PAST PERFORMANCE

The attached spreadsheet annexure B2 must be used to summarise qualifications, skills and experience and to cost the proposal.

1.1. Team composition

The implementation evaluation project requires a reliable and effective service provider with the following competencies:

- Experience in conducting evaluation one of which have been an evaluation of South African government policies/ programmes;
- Expertise in development and testing of survey questionnaires/ data collection techniques;
- Expertise in production of quantitative and qualitative reports
- Proven track record in delivering professional results

1.1.1. Empowerment requirements

The proposed team must meet the following empowerment requirements:

- **Black PDI%:** At least 50% of the person-days required to complete this project must be allocated to Previously Disadvantaged Individuals (PDIs)¹;
- **Gender%:** At least 40% of the person-days required to complete this project must be allocated to women;
- **Youth%:** At least 30% of the person-days required to complete this project must be allocated to youth (persons aged 35 or younger); and
- **Empowerment spend:** At least 50% of the fully inclusive resource cost for all deliverables must be allocated to Black PDIs.

Annexure B1 must be completed and the required details of each team member must be provided. Team members indicated in the proposal must be available for the duration of the project and must play a meaningful role in the project. Replacement of team members may only be done in consultation with DPME and replacement team members must have the same PDI profile as well as qualifications / experience as those they are replacing.

1.1.2. Qualifications and Experience required

Bidders will demonstrate adequate experience through the number, types and geographical spread of projects/assignments undertaken. The attached template ANNEXURE B2 must be used to summarise experience and the proposal must contain details about projects worked on including roles, cost and duration as well as names and contact persons at contracting party.

Roles*	Qualifications	Experience
1.2 Evaluation specialist/Project Manager	Minimum: Masters degree in Social Sciences with a focus on either Public Management/Administration or Evaluation or Project Management Added Advantage: Doctorate in related area	Minimum: Has worked on at least 5 evaluations of any value and played a lead evaluator role in at least one evaluation of over R500, 000. At least one evaluation should be on government policies/programmes.
1.3 Sector expert(s)**: Real Estate Management, Property/Real Estate	Minimum: Masters degree in Real Estate Management, Property/Real Estate	Minimum: 10 years of total work experience in the indicated sector. (Real Estate Management,

¹ By Black PDIs we mean South African citizens who are Black, Indian, or Coloured.

Economics, Property Management and Development	Economics, Property Management and Development/Facilities Management Added Advantage: Doctorate	Economics, Property Management and Development)
1.4 Other expert(s) **: Built in Environment and Construction expertise/Engineering/Property Management/Business Analyst/ Policy Analyst	Minimum: Masters degree in related areas Added Advantage: Doctorate	Minimum: At least 5 years work experience related to the indicated sector in South Africa.

* One team member cannot have more than one role as indicated above.

** Score will be combined for all experts – All experts must meet minimum criteria stipulated above to receive a score of 3.

1.2. Confirmation of experience, qualification and availability

The following must be submitted for each of the proposed team members:

- Written confirmation of availability (signed by the proposed team member) for the expected duration of the project of to produce the deliverable(s)
- Detailed CV indicating qualifications, previous experience as well as letters of reference (references must be contactable).
- Certified copies of qualifications.

DPME reserves the right to verify all qualifications through the South African Qualifications Authority and to verify experience indicated on CVs with third parties.

1.3. Past performance

The past performance of bidders in executing similar projects will be evaluated using the references supplied by bidders as well as any other information available to the panel. Below satisfactory performance on a particular project may only be considered if such performance was communicated to the bidder by the contracting party and the bidder was given a reasonable opportunity to correct any deficiencies highlighted by the contracting party. The Department reserves the right to reject a bid if the service provider failed to perform satisfactorily on similar projects.

1.4. Project management

The bid proposal submitted by the bidder must include a detailed project plan. As summary of deliverable dates must be included in Annexure B3. The start of the project will depend on the DPME procurement process. The total duration of the project as indicated in the bidder's proposal is binding (except for delays due to circumstance beyond the bidder's control).

2. Expression of Interests and Costing

The Service provider shall submit a proposal including:

- A brief description of the project in terms of Background Purpose and objectives
- Methodology/ approach to be applied in execution of the project;
- On how implementation will be carried out and how they will organise their task;
- Indication of capacity and ability to perform the project;
- A preliminary project plan outlining key activities, milestones, time frames
- List of similar project undertaken by the service provider in the past including (list of references and their contact details);
- List of project team and their experiences / expertise; and
- Breakdown of cost

3. COSTING METHODOLOGY

Prices must be inclusive of VAT (if VAT registered) and must include all costs to fully execute all deliverables indicated in this ToR. No variation in contract price will be permitted. Annexure B4 must be used to summarise costing

4. EVALUATION OF BIDS

4.1. Administrative requirements

Annexures B1 to B4 **must** be completed using Microsoft Excel or compatible software. Annexures completed by hand (in writing) will not be accepted and such bids will be regarded as administratively non-compliant.

Only bids / quotes that comply with all administrative requirements and that submitted all required bid documents (acceptable bids) will be considered during the functional evaluation phase. Only acceptable bids / quotes will be scored by the Bid Evaluation Committee against the functional criteria indicated in this Terms of Reference.

4.2. Scoring of bids (functional criteria)

The following weighting and scoring system will be applied to the evaluation of all functional criteria:

Weight allocation	Scoring system
1 – Value adding requirement (minimum score of 2)	1 – Does not comply with the requirements
3 – Important requirement (minimum score of 6 or 9)	2 – Partial compliance with requirements
5 – Essential requirement / integral part of project (minimum score of 15)	3 – Full compliance with requirements
	4 – Exceeds requirements

Score per criteria: The final score obtained by a bidder for each criteria will be calculated by multiplying the weight and the score indicated by each Bid Evaluation Panel member and then by averaging the scores of all panel members. The average score per criteria is expressed as a number.

The **overall score** obtained by a bidder (expressed as a percentage) will be calculated as follows:

$$\text{Overall Score (\%)} = \frac{\text{Sum of average scores for all criteria}}{\text{Sum of weights} \times 4} \times 100$$

4.3. Functional evaluation Part 1 – Quantitative criteria

Part 1: Minimum functional requirements: Only bids that scored at least the minimum score for each criteria will proceed to functional evaluation part 2. In cases where bidders submitted insufficient evidence or where evidence is ambiguous, bidders may be requested to provide additional evidence and may be re-scored based on this information. Additional information submitted may only be used as evidence to substantiate what is already contained in the proposal. The costing and content of proposals may not be amended.

Functional Evaluation Criteria		Weight	Min. Score
1.1	Team composition (par 1.1 of ToR and Annexures B and B1): 1= Proposed team does not meet the empowerment criteria. 3= Proposed team meets the empowerment criteria. 4= Proposed team meets the empowerment criteria and achieved 50% or more in at least 2 criteria.	3	9

Functional Evaluation Criteria		Weight	Min. Score
1.2	<p>Evaluation specialist/Project Manager (par 1.1.2 of ToR):</p> <p>1= The evaluation specialist(s) does/do not meet the minimum requirements for either experience or qualifications, or did not submit verifiable references, or did not submit written confirmation of availability for project.</p> <p>3= The evaluation specialist(s) meet(s) all the minimum experience and qualifications requirements.</p> <p>4= The evaluation specialist(s) exceed(s) the minimum experience or qualifications requirements.</p>	3	9
1.3	<p>Sector expert(s) ** (par 1.1.2 of ToR):</p> <p>1= The sector expert(s) do/does not meet the minimum requirements for either experience or qualifications, or did not submit verifiable references, or did not submit written confirmation of availability for project.</p> <p>3= The sector expert(s) meet(s) all the minimum experience and qualifications requirements.</p> <p>4= The sector expert(s) exceed(s) the minimum experience or qualifications requirements</p>	3	9
1.4	<p>Other expert(s) ** (par 1.1.2 of ToR):</p> <p>1= The expert(s) do/does not meet the minimum requirements for either experience or qualifications, or did not submit verifiable references, or did not submit written confirmation of availability for project.</p> <p>3= The expert(s) meet(s) all the minimum experience and qualifications requirements.</p> <p>4= The expert(s) exceed(s) the minimum experience or qualifications requirements.</p>	3	9

*** Combines score for all experts – All experts must meet minimum criteria stipulated above to receive a score of 3.*

4.4. Functional evaluation Part 2 – Qualitative criteria

The functional evaluation criteria indicated below will be applied during Part 2 of functional evaluation to all bids that met the minimum requirements stipulated under Functional evaluation Part 1. During part 2 the Bid Evaluation Committee may:

- Evaluate and score bids based on the bid documents and proposals submitted; or
- Provisionally evaluate and score bidders based on proposals submitted and then invite bidders that met all requirements under Part 1 and a provisional overall score of at least 60% for both functional evaluation parts 1 and 2, to present their bids.

The final evaluation and scoring of bids will be based on the proposals submitted, as well as on information provided by bidders during bid presentations (if applicable). Presentations can be used to summarise and clarify bids and may not substantially depart from the proposals submitted.

If a bidder is unable to attend a bid presentation on the date requested by the Bid Evaluation Committee, then the bidder must be afforded another opportunity within 5 working days. If a bidder is for a second time unable to attend a bid presentation then the bid must be evaluated based on the bid documents and proposals submitted only.

Part 2: Minimum functional requirements: Only bids that obtained the minimum score for each criteria as well as an overall score of at least 75% for both functional evaluation parts 1 and 2, will proceed to Price/PPFA evaluation.

Functional Evaluation Criteria		Weight	Min. Score
2.1	<p>Understanding the brief. The proposal and / or presentation by the service provider:</p> <p>1= Did not address the purpose and objectives of the project.</p> <p>2= Proposal shows minimal understanding of the sector and partially addresses the purpose and objectives of the project .</p> <p>3= Proposal shows good understanding of the sector and fully addresses the purpose and objectives of the project.</p> <p>4= Proposal shows exceptional understanding of the sector and policy issues, the purpose and objectives of the project responded innovatively and proposal offered added value to the project.</p>	5	15
2.2	<p>Proposed approach</p> <p>1= Proposed methodology is not aligned to the purpose and key questions.</p> <p>2= Proposed methodology is partially aligned to the purpose and key questions.</p> <p>3= Project design, sample, data collection tools and analytical framework proposed is fully aligned to the purpose and key evaluation questions.</p> <p>4= In addition to 3, the methodology is innovative and will add value beyond the originally intended purpose and objectives of the project.</p>	5	15
2.3	<p>Knowledge of and exposure to international good practice, particularly in middle-income and African countries.</p> <p>1= No international experience available</p> <p>2= Proposal makes mention of international experience but not convincing in how this will benefit the project</p> <p>3= Organisation has undertaken relevant international work and shows in the proposal how it will draw in international experience and insight</p> <p>4= Recognised relevant international expertise included in the team (either sector or evaluation)</p>	3	6
2.4	<p>Extent to which the costing methodology is realistic given the scope and time frames of the project</p> <p>1= Costing of the project is not aligned to the scope and times frames of the project.</p> <p>2= Costing of the project not entirely aligned to scope and time frames and may negatively impact delivery.</p> <p>3= The costing methodology is realistic given the scope and time frames of the project.</p> <p>4= The costing methodology provides innovative solutions to reduce costs associated with the project.</p>	3	6
2.5	<p>Project plan (par 2.4 of ToR and Annexure B3):</p> <p>1= No project plan included in bid.</p> <p>2= Project plan does not fully address all deliverables or does not indicate completion within the required time frames.</p> <p>3= Project plan addresses all deliverables and indicates completion of the project within the required time frames.</p> <p>4= Project plan addresses all deliverables and indicates completion of the project in significantly less that the envisaged time frames.</p>	3	6
2.6	<p>Capacity development plan (par 2.4 of ToR and Annexure B3):</p> <p>1= No capacity development plan included in bid.</p> <p>2= Capacity development plan does not fully address the requirement.</p> <p>3= Capacity development plan is satisfactory and will be completed within the required time frames.</p> <p>4= Capacity development plan is innovative and will provide significant benefits to government.</p>	3	6

4.5. Price / BBBEE / PPPFA

Only bids that meet the minimum administrative and functional requirements / specifications indicated in the ToR (qualifying bids) will be evaluated in terms of the Preferential Procurement Framework Act and related

Initials of specification committee members: _____
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regulations – see attached bid documents. The evaluation method (80/20 or 90/10) and preference points allocation applicable to this bid are indicated in the attached SBD 6.1.

5. CONTRACT MANAGEMENT

The successful bidder will be required to enter into a service level agreement (SLA) with the Department of Planning, Monitoring and Evaluation. The National Treasury General Conditions of Contract (GCC) will form part of the SLA to be concluded between DPME, DPW and the successful bidder. A copy of the standard DPME SLA is available on the DPME tenders website. Bidders should familiarise themselves with the content of the standard template.

Bidders should note that:

- All information related to this bid, or information provided to the service provider subsequent to the award of this bid, must be treated as confidential and may not be disclosed in any way to third parties without the explicit written consent of DPME.
- All right, title and ownership of any Intellectual Property developed by or for the Service Provider or DPME independently and outside of execution/production of the Deliverables related to this bid, and provided during the course of this project (“Background IP”) shall remain the sole property of the DPME.
- To the extent that the Service Provider utilises any of its Background IP in connection with the Deliverables, such Background IP shall remain the property of the Service Provider and DPME shall acquire no right or interest therein, save that, upon payment of the applicable consideration, the Service Provider shall grant DPME a non-exclusive, royalty-free, non-transferable licence to use such Background IP strictly for purposes of making beneficial use of the Deliverables into which such Background IP has been incorporated.
- All Intellectual Property rights in Bespoke Deliverables are or will be vested in and owned by DPME unless specifically agreed otherwise in writing. The Service Provider agrees that it shall not, under any circumstances, question or dispute the rights and ownership of DPME in and to the Bespoke Deliverables. DPME shall grant the Service Provider a non-exclusive, royalty free, non-transferable licence to use the Bespoke Deliverables for the purpose of performing its obligations under this project.
- The Service Provider may not publish or sell, in whole or in part, any Bespoke Deliverables emanating from this project without the explicit written consent of DPME.
- The Copyright of any Bespoke Deliverables shall vest in DPME.

6. SPECIAL CONDITIONS APPLICABLE TO THIS BID

6.1. None.

TERMS OF REFERENCE: ANNEXURE A

SCM /Tender Ref #:	DPME 13/2018-2019
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Request for proposals for:	EVALUATION OF THE PROVISION OF ACCOMMODATION BY THE NATIONAL DEPARTMENT OF PUBLIC WORKS AS GUIDED BY GIAMA ACT 19 OF 2007
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1. BACKGROUND

The Department of Public works (DPW) is mandated to provide accommodation efficiently, effectively, sustainably to the different arms of the state and to the vast majority of beneficiaries. According to the Government outcomes (2014-2017), the mandate of the Department of Public Works is derived from outcomes 4 and 12. Outcome 4 provides for public employment schemes to provide short term relief for the unemployed and build community solidarity and agency whilst outcome 12 champions the development of an efficient and development oriented public service. The provision of the accommodation is an enabler to the different arms of the state and spheres of government for optimal achievement of service delivery mandates assigned to them. The department optimally utilizes freehold properties for user departments for national strategic priorities and administers unallocated land to ensure that optimal value is derived.

In 2006, DPW was tasked to drive the Property Management Trading Entity (PMTE) and thus act as a real estate manager for the country. It is worth noting that the Department is currently in the process of institutionalising the Property Management Trading Entity (PMTE) that will manage the Real Estate portfolio of government from planning to the provision of various accommodation. Such a process is envisaged to allow for the separation of its policy management responsibilities from its real estate management responsibilities. Therefore, an evaluation on the policy or implementation of GIAMA and the delivery mechanism of state accommodation is essential to ensure the realisation of the broader government objectives and outcome 12 - An efficient, effective and development-oriented public service.

The year 2007, saw the ushering of the Government Immovable Asset Management Act 9 (GIAMA) coming into law. DPW Accommodation provision to the state is governed by GIAMA, cliental needs and resourced by movable and immovable asset register. GIAMA, Act 19 (2007) serves as a uniform framework for the management of immovable assets used by both national and provincial departments. This Act also seeks to ensure coordination and alignment in the usage of immovable asset with the service delivery objectives. GIAMA also provides for the issuing of minimum standards in respect of immovable asset management by national and provincial departments.

The Department has substantially completed the Immovable Asset Register (IAR) enhancement initiative. This initiative required that the State's property holdings be determined and confirmed given a number of custodians at national, provincial and local spheres of government. This was done in line with the functions assigned to the various spheres of government, the relevant entities in terms of the Constitution and a defined custodian framework. This entailed significant research into property holdings (in terms of the Immovable Assets Sector Specific Guide), followed by confirmation of ownership (various devolution processes as well as vesting), physical assessment of properties to confirm the information required in terms of GRAP and eventually the application of a deemed cost model to the entire portfolio. This initiative resulted in a total count of 92 593 buildings and improvements.

Evidently the portfolio of assets under the custodianship of the Department (PMTE) consists of a significant quantum of assets with the potential to significantly impact on the macro-economic, socio-political and physical landscape of the country. This is notwithstanding total land under the custodianship of the PMTE stated at 5.5 million hectares of the total country's geographic land area of 122.1 million hectares. This is equivalent to 4.5% of the total country's geographic land area. Accommodation type by purpose are categorized into 3 areas namely Specialized facilities (54% as a proportion of the total count of 92 593 as of 16/17 financial year, Residential (39%) and Offices (7%). Of these properties. The conditions of the buildings vary across the portfolio ranging from very poor to very good. Just over 84% of building range between very poor and fair condition. The remaining 16% is between good and very good.

2. PROBLEM STATEMENT

The provision of state accommodation by the Department has experienced enormous challenges ranging from high levels of unsatisfactory service provision to negative client feedback. Some government departments have opted to

TERMS OF REFERENCE: ANNEXURE A

look for other alternatives to their accommodation solution putting a strain on the Department in terms of managing such decisions. Be it construction of a new buildings or maintenance thereof, leasing, such deviations by users affect the management of immovable Assets by the custodians. As the Act stipulates in section 6(1) (i) (ii) about the role of the custodian and section 6 (1) b about the role of the user. The interaction between the Custodian and User is important. Users have often expressed their dissatisfaction with the manner that the Department manages its facilities. More importantly is also the role played by National Treasury on the basis of advice by the custodians and stipulated in section (13) (1) (c) of the Act. Seemingly the challenges revolve around the strategic decisions and the inter-play between the Custodian, user and relevant treasury on immovable asset management plans.

There generally seems to be a challenge from strategic decisions from various stakeholders (Custodian, Users and National Treasury) and the delivery mechanism within the Department that affect the provision of state accommodation. This calls for a design and implementation evaluation and investigating the entire Departmental value chain in the provision of state accommodation.

This has resulted in the mandate of the Department of Public Works being executed by the user departments.

2.1 PURPOSE

The **purpose** of the evaluation is to assess implementation of the DPW/AP Programme, with specific reference to current patterns of operational performance, results (delivery), and immediate outcomes, and propose how it can be strengthened.

The **focus** of the evaluation will be on current models of accommodation provision. Performance is to be assessed relative to the original programme goal(s), objectives and intended outcomes. How can we improve performance of the Accommodation Provision Programme, and its use of resources? A key factor to consider is state-owned vs. private leases.

2.2 Evaluation questions

- 2.2.1 How is the system of state accommodation provision working at present?**
- 2.2.2** What is the composition of the portfolio and how is the value of the portfolio changing?
- 2.2.3** How does the level of compliance vary in meeting the minimum requirements to GIAMA, and why?
- 2.2.4** What monitoring is happening of compliance at present (Users, DPW, AGSA, and Accountant General)?
- 2.2.5 What are the measurable results of the implementation of the GIAMA Act and evidence of the emerging impact of the accommodation provision programme, if any on performance of departments?**
- 2.2.6 To what extent has the implementation of accommodation provision been effective in achieving its goals, objectives and intended outcomes?**
- 2.2.7 To what extent has GIAMA's implementation been efficient, with specific reference to administration, and management arrangements?**
- 2.2.8** Is GIAMA being implemented as per founding asset management policy goals and objectives?
- 2.2.9** Is the Department managing its immovable asset portfolio in line with the asset management lifecycle? If yes how? If not? How can it be improved?
- 2.2.10** How does Public Works in South Africa compare with other leading countries on provision of government accommodation?
- 2.2.11** Are we getting **value for money** in departments' accommodation provision?
- 2.2.12** Are user departments able to define their accommodation/infrastructure requirements in relation to their line functions in short/medium/long-term?
- 2.2.13** Are user departments getting appropriate accommodation for their needs at an appropriate cost?
- 2.2.14** Are feasibility/cost benefit approaches being used by the Department in deciding on the provision and maintenance of state accommodation on a life cycle basis, and how robust and valuable are they proving to be?
- 2.2.15** Do user departments derive value for money in the accommodation solutions provided by the Department of Public Works (i.e. state-owned or leased accommodation)? How does this compare with departments not using DPW and using leases or PPP models?

TERMS OF REFERENCE: ANNEXURE A

- 2.2.16** On the basis of the above findings, is the design of the accommodation provision relevant/appropriate and the most efficient model for the delivery of accommodation in the current socio-economic climate?
- 2.2.17** Is the accommodation and infrastructure budget appropriate to meet departments' needs and
- 2.2.18** Are departments budgeting sufficiently for maintenance?
- 2.2.19** Is the year on year capital and maintenance budget sufficient to meet the management of Immovable Asset as per User requirements?
- 2.2.20** How the capital budget is allocated by National Treasury (i.e. DPW and or User Departments) and how does this need to change?
- 2.2.21** On the basis of the answers to the preceding questions, what needs to be done to improve the implementation of the Accommodation Provision Programme
- 2.2.22** And as part of this, how do we strengthen advocacy of GIAMA as an Act and related tools and provided support to user departments to ensure implementation?
- 2.2.23** What should be DPW's balance between implementer and custodian of the sector including advocacy
- 2.3** Intended users and stakeholders of the evaluation

The key users of the evaluation and how they will use it are show in Table 1 below.

Table 1: Users of the evaluation

User	Potential Use of Evaluation results
Department of Public Works	<ul style="list-style-type: none"> - Understand compliance with GIAMA Act and the implications of this. - Improving efficiency in the provision of accommodation and utilization of state properties. - Inform decision making with regard to the allocation of resources. - Understand how to improve the service it provides to client departments
National Treasury	<ul style="list-style-type: none"> - Efficient allocation of funds for accommodation to user departments and custodian. - Enforce ring-fencing of infrastructure budget by user departments. - Enforce compliance with GIAMA.
User departments	<ul style="list-style-type: none"> - Understand how the provision of accommodation by DPW can be improved to better service their needs - Enforce compliance with procurement process (initiate process before the lease expires).
Cabinet	<ul style="list-style-type: none"> - Understand how this huge element of state expenditure can better serve the needs of departments and be more efficient
Private sector landlords	<ul style="list-style-type: none"> - Understanding how public sector accommodation may evolve and how to improve the working between the state and private sector providers

3 SCOPE OF PROJECT

The evaluation does not include GIAMA in its entirety but focuses on the parts of GIAMA that deal with accommodation provision, focusing in particular on sections 5, 6, 13 and 14 which deal with the roles of users and custodians as well as principles, and functions. The evaluation will include accommodation provision for the 5 years – 2013/14 – 2017/2018). This period covers the decision to implement PMTE, to separate the implementer and the policy-maker.

In scope	Out of scope
National Departments	Provincial Departments
Regional Office of Public Works	Municipalities
	Entities
	State owned Enterprises

TERMS OF REFERENCE: ANNEXURE A

3.2 Part of the life cycle

The asset management lifecycle will be considered in this evaluation as guided by the GIAMA. The final selection will be agreed with the Steering Committee.

4 PROPOSED METHODOLOGY / APPROACH

The prospective service provider should propose an appropriate methodology to respond to the evaluation questions in section 2 above. The evaluator is expected to use both qualitative and quantitative methods to respond to the evaluation questions. A theory of change for accommodation provision (not just the plan) should be developed, which should be used combined with the analytical framework below to derive the methodology. There is good data available (e.g. IAR, PMIS) on the Accommodation Provision and reports are available using this data. A survey is also needed of all national departments to provide an overview across all national departments of issues around accommodation provision. The quantitative analysis can focus on existing monitoring data. Case studies will be undertaken of specific national departments, both center of government and service departments. The case studies need to unpack how far accommodation provision has been delivered efficiently and effectively, and how it has contributed to service delivery of user departments.

The service provide will be expected to produce an evaluation matrix to indicate how the report structure and evaluation questions will be covered, and what methods will be used to address these. Amongst others, the approach should include the following:

4.1 Document and Literature Review and international benchmarking

Document review will include at least (1) Analysis of GIAMA and related policies and regulations, as well as plans, organisational reports, conventions, guidelines and protocols, moderation reports and other reports pertaining to GIAMA. (2) Review of both grey and published literature on GIAMA and its implementation. (3) Reports generated from its Database.

The Department and critical stakeholder institutions will provide access to relevant accommodation provision data to the appointed consulting team. The following documents are available from the Departmental website, the Department's liaison person or other relevant websites. Some of these include:

- 4.1.1 97 & 99 White Papers on Public Work
- 4.1.2 GIAMA
- 4.1.3 Immovable Asset Register & Policies
- 4.1.4 Turnaround Plan – 7 Year Turnaround plan
- 4.1.5 NIMS
- 4.1.6 UAMP & CAMP guidelines
- 4.1.7 42 UAMPs
- 4.1.8 CAMP
- 4.1.9 Other Government department policies that have property implications (e.g. Energy, Rural Development, Mineral Resources etc.)
- 4.1.10 Diagnostic Report by GTAC in 2012 on accommodation provision
- 4.1.11 Deloitte Report on leases of 2013/14

Other source documents and literature will be sourced by the Service Provider, with the support of the DPW liaison person.

The literature review should use a systematic searching process and the search strings should be included in the report for replicability. The lessons from these should be used to develop an analytical framework of what seems to be good practice in state accommodation provision.

A desktop review should also be undertaken of the approaches to state accommodation provision used in four countries (including Canada and leading middle-income countries, and key peer countries), to identify their approaches, and compare with the approach in South Africa. The specific countries will be proposed by the service provider and agreed with the Steering Committee. We would expect in the proposal that the service provider suggests and motivates for possible comparison countries to benchmark with and demonstrates their familiarity with international good practice.

TERMS OF REFERENCE: ANNEXURE A

4.2 Theory of change

A theory of change will be developed in a stakeholder workshop for Accommodation provision as currently envisaged. The evaluation should analyse how this theory of change is working and propose changes, with a final revised theory of change tested in the validation workshop and outlined in the final reports. The costs of the workshop will be covered by DPME.

4.3 Analysis of current Accommodation Provision and annual reports

Much basic monitoring data is available. The service provider should analyse current trends to look at quality, and annual reports to identify what has been implemented. This should provide quantitative analysis of the plans and their implementation. There should also be a survey to get a broad view across departments on their views of how accommodation provision can be improved.

4.4 Case Studies

Purposive Sampling will be used for case studies to select departments to evaluate that are utilising DPW accommodation provision and those that are not (see Table 2 for suggested list). It is proposed there would be 8 in-depth case studies, probably 5 users of DPW, and 3 that are considering or not using DPW.

These would be used to understand, amongst others a) How those using it perceive the service and those not to explain their reasons of preparing alternative b) To what degree accommodation provision has an effect on service delivery c) How the program can be improved

4.4.1 Possible case studies of national departments

The suggested sample is indicated below but includes the following, as major user departments (e.g. Defence), as well as some small ones (e.g. SASSA), some that work directly with the public (e.g. Home Affairs), with some representatives of different clusters, and some departments that are considering or no longer using Public Works (e.g. SAPs, BMA):

- 4.4.1.1 DPW (as a user of accommodation itself)
- 4.4.1.2 Defence
- 4.4.1.3 SAPS (part that still working with DPW, and part that is not)
- 4.4.1.4 Correctional Services
- 4.4.1.5 Justice & Constitutional Development
- 4.4.1.6 Home Affairs
- 4.4.1.7 National Treasury
- 4.4.1.8 SASSA
- 4.4.1.9 Department of Labor
- 4.4.1.10 Government Printing Works
- 4.4.1.11 DRDLR (as user and custodian)
- 4.4.1.12 Border Management Agency (considering moving away from DPW)
- 4.4.1.13 DEA – part using DPW, part not

4.5 Cost-benefit analysis and expenditure modelling

Cost-benefit or cost-effectiveness analysis or some similar approach is needed to compare the cost of different accommodation models. The applied financial models for providing accommodation to users should be identified and analysed. This should also be modelled to see if this approach was extended what would be the implications for cost going forward.

4.6 Workshops with stakeholders

Two workshops will be held with stakeholders – one to develop the theory of change and one to validate the draft report and the findings and recommendations. They need to include representatives of the stakeholders identified as users in Table 1 – DPW, NT, national departments of different types. The costs of the workshop will be covered by DPME .

5 DELIVERABLES AND TIME FRAMES

Typically, evaluations can take 12months to complete. The indicative schedule below runs from April 2019- March 2020.

Item	Deliverable	Milestone	% of payment
5.1	SLA signed	Month 1	10%
5.2	Indicative start date and inception meeting	Month 1	
5.3	Inception Report submission	Month 2	
5.4	Approval of Inception report	Month 2	
5.5	Submission of Literature review including international best practices comparative study and benchmarking	Month 3	25%
5.6	Submission of report structure, analytical framework (theory of change) final data collection instruments	Month 4	
5.7	Submission of fieldwork report	Month 5	
5.8	Stakeholder validation workshop to discuss the draft report and summary slides	Month 6	20%
5.9	Submission of First Draft Full Evaluation Report	Month 9	20%
5.10	Submission of Draft 2 Report full and Draft evaluation report Completed for review, full and in 1/5/25 summary format.	Month 10	
5.11	Submission of the Full Final Report and 1/5/25 report		
5.12	Presentation to DPW management	Month 11	25%
5.13	Approval of the Final report by Steering Committee	Month 12	
5.14	Power-point and audio visual presentation of the results and provision of all datasets, metadata and survey documentation (including interview transcripts)		
5.15	Participation in improvement plan workshop		

6. PROJECT MANAGEMENT

The bid proposal submitted by the bidder must include a detailed project plan. A summary of deliverable dates must be included in Annexure B3. The start of the project will depend on the DPME procurement process. The total duration of the project as indicated in the bidder's proposal is binding (except for delays due to circumstance beyond the bidder's control).

6.1 Steering Committee

This Evaluation will be managed through a Project Steering Committee comprised of key stakeholders. The Project Steering Committee will be convened by DPME in conjunction with DPW and its responsibility is to oversee the whole evaluation including approving the inception report and other main deliverables. The service provider must attend Steering Committee and Technical working group meetings as in when required at own cost. Refer to the DPME Guideline on TORs for Steering Committees on the DPME website for more detail.

6.2 Reporting Arrangements

The Service Provider will report to Senior Evaluation Specialist, Mr Manelisi Sogwagwa @012 336 0576 or Manelisi@dpme.gov.za.

7. Peer Review

National and /or international peer reviewers will be contracted to support the assignment.

TERMS AND CONDITIONS APPLICABLE TO ALL BIDS



**planning, monitoring
& evaluation**

Department:
Planning, Monitoring and Evaluation
REPUBLIC OF SOUTH AFRICA

**STANDARD DOCUMENTS TO BE SUBMITTED FOR ALL BIDS
(INCL. TENDERS) FROM R30,000 UP TO R50,000,000**

The term "Bid" Includes price quotations, advertised competitive bids, limited bids and proposals.

Required Documents	Check Bidder	Verified SCM Unit
Central Suppliers Database Registration Report Attached – Not older than 30 days NB: Only suppliers registered on CSD may bid. All required CSD information up to date.		
Invitation to bid (SBD 1)		
Declaration of interest (SBD 4)		
Preference Points Claim (SBD 6.1)		
Declaration of past supply chain management practices (SBD 8)		
Certificate of Independent Bid Determination (SBD 9)		
Valid B-BBEE Status Level Verification Certificate (Original or Certified Copy) bearing SANAS logo. QMEs/EMEs: Sworn affidavit / CIPC confirmation of turnover etc.		
Additional documentation required for certain types of bids. If applicable the additional documents will be distributed as part of the tender / bid documentation	Check Bidder	Verified SCM Unit
Declaration certificate for local production and content for designated sectors (SBD 6.2) and all applicable Annexures.		

Declaration			
<ul style="list-style-type: none"> • I have read and agree to the General Conditions of Contract related to Government procurement (Available on DPME tenders web page or from National Treasury). • I have studied, accurately completed and submitted all the documents indicated in the above checklist. • I have read and agree with the conditions applicable to all bids as contained in this document. • I have noted and will comply with the delivery time frames indicated in the specifications / terms of Reference. • I am the authorised signatory of the applicant. • I have noted that the Department may publish the names of bidders, total bid prices indicated in SBD 1 and B-BBEE points claimed, after the closing date of the bid. 			
Signature		Date	
Name of Signatory			
Designation of Signatory			
Name of bidder (if different)			

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Contact persons indicated on the bid documents; or

Head of Procurement Services: 330 Grosvenor Street, Hatfield, Pretoria. Tel 012 312 0000

TERMS AND CONDITIONS APPLICABLE TO ALL BIDS

ALL DPME BID DOCUMENTS ARE AVAILABLE FREE OF CHARGE FROM THE DPME WEBSITE OR DPME OFFICES AND ARE NEVER SOLD

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 WHO ARE PERSONS IN THE SERVICE OF THE STATE.

1. GENERAL

This request is issued in terms of all applicable legislation, including but not limited to: the Public Finance Management Act (Act 1 of 1999) as amended (PFMA), Treasury Regulations, the Preferential Procurement Policy Framework Act 5 of 2000 (PPFA), the Preferential Procurement Regulations, 2017 (PPR), Supply Chain Management instructions issued by the National Treasury, General Conditions of Contract published by National Treasury (GCC), the B-BBEE Act (Act 53 of 2003), applicable Departmental Policies and any other special conditions of contract indicated in bid documents.

- Lead times / delivery periods should be clearly indicated in the quotation / proposal where applicable. The Department reserves the right to cancel any order where the delivery period indicated in the quotation / proposal is extended.
- The Department reserves the right to require delivery of the goods as specified, at the price quoted, regardless of any differences in specifications contained in the quotation.
- The Department reserves the right to make public the names of all bidders as well as total bid prices and B-BBEE points claimed, after the closing date and time for the bid.
- The Department reserves the right NOT to appoint any Service Provider or to withdraw this request for bids/proposals.
- The Department reserves the right to split the award of the bid between two or more Service Providers or to award only a part of the bid.
- The Department reserves the right to call bidders that meet the minimum functional requirements to present their proposals. The Bid Evaluation Committee may decide to amend the scoring assigned to a particular bid based on the presentation made.

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 Department to verify the taxpayer's profile and tax status.
- 2.3. Applications for a tax compliance status (TCS) certificate or pin may be made via e-filing through the SARS website www.sars.gov.za. Bidders may also submit a printed TCS certificate with this bid.
- 2.4. Where no TCS pin is available but the bidder is registered on the central supplier database (CSD), a CSD number must be provided and the tax compliance status on CSD will be utilised by the Department.
- 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. The tax compliance requirements are not applicable to foreign bidders / individuals with no South African tax obligations or no history of doing business in South Africa. Foreign suppliers must complete a pre-award questionnaire from SARS on their tax obligation categorisation.
- 2.7. For the purposes of section 256 of the Tax Administration Act of 2011 the bidder / supplier authorises the South African Revenue Service to disclose "taxpayer information" as contemplated under the provisions of Chapter 6 of the Act in relation to the compliance status of tax registration, tax debt and filing requirements to the Department of Planning, Monitoring and Evaluation.

3. ADMINISTRATIVE COMPLIANCE

Only proposals that comply with all administrative requirements (including tax compliance requirements) will be considered acceptable for further evaluation. Incomplete and late bids may be rejected. All documents indicated on page 1 must be submitted with each bid. Bidders must use the Standards Bid Documents (SBDs) included in this document (documents may not be re-typed)

TERMS AND CONDITIONS APPLICABLE TO ALL BIDS

All quoted prices must be **inclusive of VAT** and must be valid (firm) for at least 30 days for all bids excluding open tenders and for 90 days for open tenders, from the closing date indicated on SBD 1. Prices dependent on the **exchange rate** should include reference to the exchange rate used. Price escalations and the conditions of escalation should be clearly indicated. No variation of contract price or scope creep will be permitted unless specifically allowed in the ToR / specifications.

4. FUNCTIONAL EVALUATION

Functional criteria and/or specifications are contained in the specifications sheet or Terms of Reference distributed for this bid. Unless otherwise indicated in the ToR / specifications sheet, only service providers that submitted acceptable bids and that met all functional / specifications requirements will proceed to the PPPFA evaluation phase

5. PRICE EVALUATION: THE PPPFA

DPME applies the provisions of the PPPFA and Regulations to all bids with an estimated cost from R30,000. Bid amounts in the case of this particular RFQ/RFP/Tender are estimated to be R30,000 or more and the PPPFA preference points system will be applied, even if all bids received are below R30,000.

Only bids that meet all administrative requirements and meet the minimum functional requirements indicated in the ToR / specifications sheet will be evaluated in terms of the PPPFA and related regulations. Points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table contained in SBD 6.1. The applicable evaluation method is indicated in SBD 6.1.

Consortia or joint ventures must take note of SBD 6.1, paragraphs 5.4 and 5.5 regarding requirements for B-BBEE certificates.

If the 80/20 preference point system is specified on SBD 6.1 and all bids received exceed R50,000,000, the bid will be evaluated on the 90/10 preference point system.

6. REJECTION OF QUOTES / PROPOSALS

Any effort by a bidder to influence the bid evaluation, comparisons or award decisions in any manner, may result in rejection of the bid. DPME shall reject a bid if the bidder has committed a proven corrupt or fraudulent act in competing for a particular contract. DPME may disregard any bid if the bidder or any of its subcontractors:

- a) Is not tax compliant
- b) Have abused the Supply Chain Management (SCM) system of the Department or any other government department, agency or entity.
- c) Have committed proven fraud or any other improper conduct in relation to such system.
- d) Have failed to perform on any previous contract.
- e) Supplied incorrect information in the bid documentation.

7. VETTING

The Department reserves the right to approach the relevant authorities to verify the following for each bidder: Citizenship status (individuals); Company information; Criminal records (individuals); Previous tender and government contracts track records; Government employment status (individuals); Company / closed corporation ownership / membership status (individuals); Suitability to handle confidential government information; government employment status of bidders/staff/directors; Qualifications of bidders / contractors / team members; and any other information contained in bid documents

8. CENTRAL SUPPLIERS DATABASE

8.1. All suppliers must be registered on the Central Suppliers Database (CSD) managed by National Treasury (www.csd.gov.za).

8.2. The following information must be up to date on CSD:

- Tax compliance status
- B-BBEE Level (as indicated on B-BBEE certificate or sworn affidavit)

TERMS AND CONDITIONS APPLICABLE TO ALL BIDS

- Turnover (EME, QSE, etc.)
- Black ownership
- Women ownership
- Youth, Disabled and Military Veteran ownership
- Verified banking details
- Contact details

8.3. It is the responsibility a supplier to inform the DPME immediately in writing of any changes in details and to provide DPME with an updated CSD report. DPME shall have the right to, in addition to any other remedy that it may have in terms of applicable legislation, cancel the contract and to claim damages if a bid is awarded based on incorrect information contained in the CSD report.

9. COMMITMENTS BY PARTIES

9.1. The Service Provider undertakes to:

- 9.1.1. Conduct business in a courteous and professional manner.
- 9.1.2. Provide the necessary documentation as requested prior to the awarding of the contract.
- 9.1.3. Comply with all relevant employment legislation and applicable bargaining council agreements, including UIF, PAYE, etc. DPME may monitor compliance for the duration of the contract and implement penalties for non-compliance.
- 9.1.4. Manage internal disputes among his/her staff in such a way that DPME is not affected by those disputes.
- 9.1.5. Comply with the DPME security and emergency policies, procedures and regulations at DPME premises.
- 9.1.6. Ensure that all work performed and all equipment used at DPME facilities are in compliance with the Occupational Health and Safety Act, 1993 (Act no. 85 of 1993) and any regulations promulgated in terms of this Act and the standard instructions of DPME;
- 9.1.7. Ensure that all staff working on this project are adequately trained prior to the commencement of the project.
- 9.1.8. Ensure that DPME is informed of any changes in staff related to the execution of the project. For security reasons, DPME reserves the right to vet all persons working on this project.
- 9.1.9. Store and hand over all data generated by the project (if any) to DPME in an accessible and confidential manner.
- 9.1.10. Not proceed with any work and not to incur any expense for which DPME could be liable, until such time as an official written government purchase order has been issued by DPME.

9.2. DPME undertakes to:

- 9.2.1. Manage all contracts in a professional manner.
- 9.2.2. Provide appropriate information as and when required and only in situations where it is required by the service provider to fulfil their duties.
- 9.2.3. Not accept any responsibility for any damages suffered by the service provider or their staff for the duration of the project.
- 9.2.4. Not tolerate any unfair labour practices between the service provider and their staff that happen during the execution of the project activities.
- 9.2.5. Not accept any responsibility for accounts/expenses incurred by the service provider that was not agreed upon by the contracting parties.
- 9.2.6. Pay all valid invoices within 30 calendar days.

INVITATION TO BID (SBD 1)

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE
DEPARTMENT OF PLANNING, MONITORING AND EVALUATION**
(Subject to the terms and conditions applicable to all bids as indicated earlier in this bid document)

BID NUMBER	DPME13/2018-2019	CLOSING DATE	12 April 2019	CLOSING TIME	12:00
COMPULSORY BRIEFING SESSION	Date	29 March 2019	Time	10:00	
DESCRIPTION	Evaluation of the provision of accommodation by the National Department of Public Works as guided by GIAMA Act 19 of 2007				
BID DOCUMENTS FOR RFQs:		BID DOCUMENTS FOR RFPs AND TENDERS MUST BE:			
MUST BE SENT ELECTRONICALLY TO: The email address of the SCM official that sent out the request for quotes and CC to DPME.SCM@dpme.gov.za.		POSTED TO: Department of Planning, Monitoring and Evaluation Head: Procurement Services Private Bag X944, PRETORIA, 0001		OR DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS): 330 Grosvenor Street, Hatfield, Pretoria <i>The bid box is accessible on working days between 8:00 and 17:00.</i>	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO Head of Procurement Services, 330 Grosvenor Street, Hatfield, Pretoria. Tel 012 312 0000, e-mail: xxxx@dpme.gov.za Technical enquiries will be directed to the responsible employee.					
SUPPLIER INFORMATION					
Name of bidder					
Postal address					
Street address					
Telephone number			Cell phone number		
E-mail address					
ID / company Reg. #			Vat registration #		
Supplier tax compliance status	Compliant		CSD MAAA #		
	Not compliant		TCS Pin (if no CSD #)		
B-BBEE Status Level verification	None				
	All (except EMEs/QSEs): Certificate Issued by SANAS accredited verification agency.				
	EMEs/QSEs: Sworn affidavit by EME representative and attested to by Commissioner of oaths.				

Are you the accredited representative in South Africa for the goods /services /works offered? If yes attach proof	YES	NO
FOREIGN SUPPLIERS: Do not complete this form. You must contact the Department to obtain the required documentation to be completed		

Total bid price (Incl. VAT)	
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DETAILED TERMS AND CONDITIONS FOR BIDDING ARE CONTAINED IN PAGES 2 TO 4 OF THIS DOCUMENT AS WELL AS IN THE ATTACHED SPECIFICATIONS / TERMS OF REFERENCE.			
Signature (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)		Date	
Name of Signatory			
Designation of Signatory			
Name of bidder (if different)			

DECLARATION OF INTEREST (SBD 4)

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 WHO ARE PERSONS IN THE SERVICE OF THE STATE.

Any other natural or legal person legal person may make an offer or offers in terms of an invitation to bid. , or persons having a kinship with persons employed by the state, including a blood relationship. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where:

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

Full Name of bidder or his or her representative	
Identity Number	
Position occupied in Company (director, trustee, shareholder¹, member):	

The names of all directors / trustees / shareholders / members, their individual identity numbers, and if applicable, employee / PERSAL numbers must be indicated in the CSD report provided.

		YES	NO
1.1	Are you or any person connected with the bidder presently employed by the state?		
1.1.1	The bidder acknowledges that bids from Government employees or from companies/close corporations with directors/members that are government employees cannot be considered.		
1.1.2	The bidder further acknowledges that any false declaration in this regard will be reported to the relevant authorities		
1.1.3	If your answers to 1.1 is yes, then please provide details:		

		YES	NO
1.2	Did you or your spouse, or any of the company's directors /trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?		
1.2.1	If so, furnish particulars:		

¹ "Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

DECLARATION OF INTEREST (SBD 4)

		YES	NO
1.3	Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?		
1.3.1	If so, furnish particulars:		

		YES	NO
1.4	Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?		
1.4.1	If so, furnish particulars:		

		YES	NO
1.5	Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract??		
1.5.1	If so, furnish particulars:		

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

See CSD report

3. DECLARATION

I, THE UNDERSIGNED CERTIFY THAT THE INFORMATION FURNISHED ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

Signature		Date	
Name of Signatory			
Designation of Signatory			
Name of bidder (if different)			

PREFERENCE POINTS CLAIM (SBD 6.1)

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

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

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

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R50,000,000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50,000,000 (all applicable taxes included).

- 1.2 The value of this bid is estimated to ~~exceed~~/not exceed R50,000,000 (all applicable taxes included) and therefore the 80/20 system shall be applicable. Preference points for this bid shall be awarded for:

(a)	Price; and	<u>80</u>
(b)	B-BBEE Status Level of Contribution.	<u>20</u>
	TOTAL	<u>100</u>

- 1.3 Failure on the part of a bidder to submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS), or a sworn affidavit confirming annual turnover and level of black ownership in case of an EME together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

- 1.4 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

- 2.1 "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.2 "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;
- 2.3 "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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.4 "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.5 "EME" means an Exempted Micro Enterprise as defined by Codes of Good Practice under section 9 (1) of the Broad-Based Black Economic Empowerment Act with an annual turnover up to R10 million;
- 2.6 "functionality" means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents;
- 2.7 "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;

PREFERENCE POINTS CLAIM (SBD 6.1)

- 2.8 “prices” includes all applicable taxes less all unconditional discounts;
- 2.9 “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);
- 2.10 “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: THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\begin{array}{l}
 \mathbf{80/20 \text{ (Up to R50,000,000)}} \quad \text{Or} \quad \mathbf{90/10 \text{ (From R50,000,000)}} \\
 P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{Or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)
 \end{array}$$

Where:

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid under consideration

Pmin = Comparative price of lowest acceptable bid

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

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

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

- 4.2 A bidder who qualifies as a EME in terms of the B-BBEE Act must submit a sworn affidavit confirming Annual Total Revenue and Level of Black Ownership. An EME automatically qualifies as a level 4 contributor. An EME with at least 75% black ownership qualifies as level 1 contributor and an EME with black ownership from 51% to 74% qualifies as a level 2 contributor.
- 4.3 A Bidder other than EME must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating. The certificate must be issued by a Verification Agency accredited by SANAS.

5. BID DECLARATION

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

6. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.2 AND 4.1

B-BBEE Status Level of Contribution: = (maximum of ~~10~~ 20 points)

(Points claimed in respect of paragraph 6 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.

PREFERENCE POINTS CLAIM (SBD 6.1)

7. SUB-CONTRACTING

Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable). 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? YES / NO (delete which is not applicable)
- (V) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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-BBEE status level of contributor indicated in paragraph 6 of the foregoing document, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (I) The information furnished (including information in SBD 1) 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 paragraph 6, 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 contribution 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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

Signature		Date	
Name of Signatory			
Designation of Signatory			
Name of bidder (if different)			

DECLARATION OF PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD 8)

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	Is the bidder or any of its directors listed on the National Treasury’s database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied)	Yes	No
4.1.1	If so, furnish particulars:		
4.2	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)? (To access this Register enter the National Treasury’s website, www.treasury.gov.za, click on the icon “Register for Tender Defaulters” or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.	Yes	No
4.2.1	If so, furnish particulars:		
4.3	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?	Yes	No
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	No
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED 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	
Name of Signatory			
Designation of Signatory			
Name of bidder (if different)			

CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)

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

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

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

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by The Department of Planning, Monitoring and Evaluation (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 authorised 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 authorised 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;

CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)

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

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