



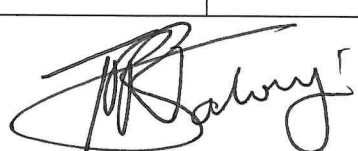
the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

REQUEST FOR BID (RFB)

THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT INVITES ALL INTERESTED PARTIES TO SUBMIT BIDS FOR REQUIREMENTS AS STIPULATED BELOW:

DOCUMENT NUMBER:	RFB 03-2024										
RFB ISSUE DATE:	23 August 2024										
Non-Compulsory Virtual Briefing Session	30 August 2024 at 10h00am										
Compulsory Site Inspection	04 and 05 September 2024										
Closing Date for written Question	06 September 2024										
Publishing of Answers in Departmental Website	10 September 2024										
RFB Closing Date and Time:	17 September 2024 at 11h00am.										
RFB VALIDITY PERIOD:	90 Days										
DESCRIPTION:	REQUEST FOR PROPOSAL FOR APPOINTMENT OF A SERVICE PROVIDER FOR THE PROCUREMENT, DELIVERY AND INSTALLATION OF STORAGE, FIILLING CONTAINERS FOR BARBERTON, KANYAMAZANE, MKHUHLU AND ACORNHOEK.										
PERIOD:	TO BE COMPLETED WITHIN THREE MONTHS										
COMPULSORY SITE INSPECTION DATES	COMPULSORY PHYSICAL SITE INSPECTION WILL BE HELD ON AS PER BELOW TABLE: <table><tr><th>SITE NAME</th><th>DATE & TIME</th></tr><tr><td>Acornhoek Magistrate Court</td><td>04 September 2024 at 10h00am</td></tr><tr><td>Mkhuhlu Magistrate Court</td><td>04 September 2024 at 14h00pm</td></tr><tr><td>Barberton Magistrate Court</td><td>05 September 2024 at 10h00am</td></tr><tr><td>Kanyamazane Periodical Court</td><td>05 September 2024 at 14h00pm</td></tr></table>	SITE NAME	DATE & TIME	Acornhoek Magistrate Court	04 September 2024 at 10h00am	Mkhuhlu Magistrate Court	04 September 2024 at 14h00pm	Barberton Magistrate Court	05 September 2024 at 10h00am	Kanyamazane Periodical Court	05 September 2024 at 14h00pm
SITE NAME	DATE & TIME										
Acornhoek Magistrate Court	04 September 2024 at 10h00am										
Mkhuhlu Magistrate Court	04 September 2024 at 14h00pm										
Barberton Magistrate Court	05 September 2024 at 10h00am										
Kanyamazane Periodical Court	05 September 2024 at 14h00pm										
RESPONSES TO THIS RFB MUST BE FORWARDED TO:	BID RESPONSE DOCUMENTS MUST BE DEPOSITED IN THE TENDER / BID BOX SITUATED AT, MOMENTUM BUILDING, 329 PRETORIUS STREET, (DOJ&CD) PRETORIA CENTRAL										
ENQUIRIES:	E-Mail Address: <u>SCM@justice.gov.za</u>										

 23/08/2024

Appointment Of A Service Provider For The Procurement, Delivery And Installation Of Storage Filling Containers For Barberton, Kanyamazane, Mkhuhlu & Acornhoek.



the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

REQUEST FOR PROPOSAL: APPOINTMENT OF A SERVICE PROVIDER FOR THE PROCUREMENT, DELIVERY AND INSTALLATION OF STORAGE FILLING CONTAINERS FOR BARBERTON, KANYAMAZANE, MKHUHLU & ACORNHOEK.

RFB NUMBER: 03 2024
Date Issued: 23 August 2024
Closing date and time: 17 September 2024 at 11h00am
Bid Validity Period: 90 days

TENDER BOX ADDRESS:

BID RESPONSE DOCUMENTS MUST BE DEPOSITED IN THE TENDER / BID BOX SITUATED AT, MOMENTUM BUILDING, 329 PRETORIUS STREET, DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT, PRETORIA CENTRAL

THE TENDER

Part T1: Tendering procedures

T1.1 Tender notice and invitation to tender

T1.2 Tender data

Part T2: Returnable documents and schedules

T2.1 List of Returnable documents and schedules

T2.2 Returnable documents and schedules

THE CONTRACT

Part C1: Contract data

C1.1 Form of offer and acceptance

C1.2 Contract Data

C1.2.1 General Conditions of Contract

Part C2: Pricing data

C2.1 Pricing Instructions

C2.2 Bill of Quantities

Part C3: Scope of work

C3.1 Description of Works

C3.2 Execution of Repairs

Appointment Of A Service Provider For The Procurement, Delivery And Installation Of Storage Filling Containers For Barberton, Kanyamazane, Mkhuhlu & Acornhoek.

Part T1: Tendering procedures

T1.1 Tender Notice and Invitation to Tender

The Department of Justice and Constitutional Development hereby invite Tenders for:

Project Title:	REQUEST FOR PROPOSAL FOR APPOINTMENT OF A SERVICE PROVIDER FOR THE PROCUREMENT, DELIVERY AND INSTALLATION OF STORAGE FILLING CONTAINERS FOR BARBERTON, KANYAMAZANE, MKHUHLU & ACORNHOEK
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Tender Number:	RFB 03 2024	Advertising Date:	23 August 2024
Closing Date:	17 September 2024	Closing Time:	11h00am
Validity Period:	90 Days		

It is estimated that tenderers should have a CIDB contractor grading designation of **3GB** or higher.

The bidder must be registered on Central Supplier Database and provide CSD registration number on SBD1 or CSD Registration Report printed between the bid advertisement opening and closing date.

The 80/20 preferential procurement point system will be used when evaluating tenders.

No telegraphic, telephonic, telex, facsimile, and late tenders will be accepted. All late submissions will be returned unopened.

A non-compulsory virtual briefing session and compulsory site inspection will be held as follows:

Date: 30 August 2024

Starting Time: 10h00am

A **compulsory** site inspection meeting with representatives of the Client will take place at listed locations below **There will be 4 site inspections as per table below:**

	SITE NAME	PHYSICAL ADDRESS	DATE	TIME
Site 01	Arconhoek Magistrate Court	Main Road Manyeleti Game Reserved, opposite Arconhoek Police Station, 1360	04 September 2024	10h00am
Site 02	Mkhuhlu Magistrate Court	Road to Skukuza next Calcuta Police Station, Stand No. 1246	04 September 2024	14h00pm
Site 03	Barberton Court	Corner De Villiers and President Square, Barbeton, 1300	05 September 2024	10h00am
Site 03	Kanyamazane Court	Stand 2251 Cobra Street, Kanyamazane, opposite KaNyamazane Police Station	05 September 2024	14h00pm

Appointment Of A Service Provider For The Procurement, Delivery And Installation Of Storage Filling Containers For Barberton, Kanyamazane, Mkhuhlu & Acornhoek.

Queries relating to the technical specification of these documents may be addressed to:
Email: SCM@justice.gov.za

The physical address for delivery of hardcopy tender documents is:
Department of Justice and Constitutional Development
Momentum Building
1st Floor
329 Pretorius Street
Pretoria

T1.2 Tender Data

The Conditions of Tender are the Standard Conditions of Tender as contained in Annexure F of the CIDB Standard for Uniformity in Construction Procurement (refer: www.cidb.org.za) and included as Appendix A in this document. The Standard Conditions of Tender make several references to the Tender Data. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

Clause	Wording
F1.1	The employer is the Department of Justice and Constitutional Development
F1.2	The tender documents issued by the employer comprise: PART T1: TENDERING PROCEDURES T1.1: Tender Notice and Invitation to Tender T1.2: Tender Data PART T2 : RETURNABLE DOCUMENTS T2.1: List of Returnable Documents T2.2: Returnable Schedules PART C1: AGREEMENTS AND CONTRACT DATA C1.1: Form of Offer and Acceptance C1.2: Contract Data C1.3: Form of Guarantee (Pro Forma) PART C2 : PRICING DATA C2.1: Pricing Data C2.2: Bills of Quantities PART C3 : SCOPE OF WORKS C3: Scope of Works C3.1: Description of the Works C3.2: Location C3.3: Completion Date C3.4: Guarantee Period C3.5: Building Works C3.6: Project Scope Deliverables PART C4 : SITE INFORMATION
F.1.3	The Employer's agent is:N/A

Appointment Of A Service Provider For The Procurement, Delivery And Installation Of Storage Filling Containers For Barberton, Kanyamazane, Mkhuhlu & Acornhoek.

F.2	Tenderers who satisfy the following criteria may be considered:								
F.2.1.1	A. Eligibility in respect of CIDB Registration Only those tenderers who are registered with the CIDB, are eligible to submit tenders. Joint ventures are eligible to submit tenders provided that: 1. every member of the joint venture is registered with the CIDB; 2. the lead partner has a contractor grading designation in the GB class of construction work; and the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a 3GB class of construction works B. Registration with Central Supplier Database Only those tenderers who are registered with Central Supplier Database are eligible to apply for this Bid. C. Functional Evaluation Failure to meet a minimum functionality will result in the bidder being disqualified: <table><tr><th>No</th><th>Criteria</th><th>Weight</th></tr><tr><td>1.</td><td> Company operational experience: Service provider must show proof of successful completed projects on the supply and installation of steel filling containers - list of previous projects completed to be attached as evidence. Rating Scale • Five (5) or more successfully completed projects = 05 points. • Four (4) successfully completed projects = 04 points. • Three (3) successfully completed projects = 03 points • Two (2) successfully completed projects = 02 points. • Successful completed one (1) project = 01 point. • No project completed = 0 point. </td><td>20</td></tr></table>			No	Criteria	Weight	1.	Company operational experience: Service provider must show proof of successful completed projects on the supply and installation of steel filling containers - list of previous projects completed to be attached as evidence. Rating Scale • Five (5) or more successfully completed projects = 05 points. • Four (4) successfully completed projects = 04 points. • Three (3) successfully completed projects = 03 points • Two (2) successfully completed projects = 02 points. • Successful completed one (1) project = 01 point. • No project completed = 0 point.	20
No	Criteria	Weight							
1.	Company operational experience: Service provider must show proof of successful completed projects on the supply and installation of steel filling containers - list of previous projects completed to be attached as evidence. Rating Scale • Five (5) or more successfully completed projects = 05 points. • Four (4) successfully completed projects = 04 points. • Three (3) successfully completed projects = 03 points • Two (2) successfully completed projects = 02 points. • Successful completed one (1) project = 01 point. • No project completed = 0 point.	20							

Appointment Of A Service Provider For The Procurement, Delivery And Installation Of Storage Filling Containers For Barberton, Kanyamazane, Mkhuhlu & Acornhoek.

2.	Project Manager's experience: Project Manager must have adequate project management experience. The project managers CV must be attached as proof. Rating Scale • <i>Experience above five (05) years = 05 points.</i> • <i>Experience above four (04) to five (05) years = 04 points</i> • <i>Experience of three (03) years to four years = 03 points</i> • <i>Experience of above one year and below three (03) years = 02 points.</i> • <i>Experience of One (01) year and below = 01 point.</i> • <i>No experience = 0 point.</i>	20	
3.	Project Plan: - Approach and Methodology in the supply, delivery and installation of steel filling containers. - Project plan detailing the time frames, capacity during the project to supply, deliver and install steel filling containers within the specified time frame from the date of the letter of acceptance issued by the Department. - Details on the number of teams including supervisory support that will execute the installation and supervision. - Risk Mitigation plan - Procurement Plan & a list of the required equipment to be used - Cash Flow projections	30	

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		Rating Scale • Bidder provided all 6 aspects of the project plans = 05 points. • Bidder provided 5 aspects project plan = 4 points • Bidder provided 4 aspects of the project plan = 3 points • Bidder provided 3 aspects of the project plan = 2 points • Bidder provided 2 aspects of the project plan = 1 points • Bidder provided 1 or No information provided = 0 point.		
4.		Health and Safety Plan - The service provider shall provide a Health and Safety plan in line with the Occupational Health and Safety Act (OHSA) - The Health and Safety plan must indicate the induction procedures. - An organized structure for Health and Safety (H&S) responsibilities - Well defined arrangements for implementing procedures & controls - Regular review and updating of processes and control processes. Rating Scale • Bidder submitted all five (5) elements of the plan as required = 05 points. • The bidder provided four (4) elements of the required plan = 4 points. • Bidder provided three (3) elements of the required plan = 3 points.	15	

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	• Bidder provided two (2) elements of the required plan = 2 points. • Bidder provided one (1) element of the required plan = 1 point. • Neither of the plans were provided = 0 point	
5.	Financial Stability Bidder must provide original bank letter in the name of the main company. In the event of a joint venture both bidders must submit bank letters to be evaluated jointly. The required bank letters must be issued after the date of the advertisement of the tender. Letter from the bank to confirm the bidder's cash flow and/or proof of bridging finance or overdraft. Rating Scale • A minimum of R1.5 million rating score = 5 • A minimum of R1,4 million rating score = 4 • A minimum of R1.3 million rating score = 3 • A minimum of R1,2 million rating score = 2 • A minimum of R1 million rating score = 1 • Less than R1 million or Non-responsive rating score = 0	15

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	D. Method to be used for calculation of preference points		
	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)
	Enterprises with ownership of 51% or more by person/s who are black person/s	10	
	Enterprises with ownership of 51% or more by person/s who are woman	5	
	Enterprises with ownership of 51% or more by person/s who are youth	3	
	Enterprises with ownership of 51% or more by person/s with disability	2	
F2.2	Cost of tendering: Accept that, unless otherwise stated in the tender data, the employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer complies with requirements		
F2.4	Confidentiality and copyright of documents: Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.		
F2.7	Clarification Meeting: A non- compulsory briefing session with prospective bidders will take place virtually will be held on 30 August 2024.		
F2.10	Pricing the tender offer		
F2.10.1	Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except Value Added Tax (VAT), and other levies payable by the successful tenderer, such duties, taxes and levies being those applicable 14 days before the closing time stated in the tender data		
F2.10.3	Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data		
F10.2.4	State the rates and prices in Rand unless instructed otherwise in the tender data. The conditions of contract identified in the contract data may provide for part payment in other currencies		
F2.11	Alterations to documents Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct		

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	errors made by the tenderer. All signatories to the tender offer shall initial all such alterations.
F2.13	Submitting a tender offer
F2.13.1	Submit one tender offer only, either as a single tendering entity or as a member in a joint venture to provide the whole of the works, services or supply identified in the contract data and described in the scope of works, unless stated otherwise in the tender data.
F2.13.2	Return all returnable documents to the employer after completing them in their entirety by writing legibly in non-erasable ink.
F2.13.3	Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data, with an English translation of any documentation in a language other than English, and the parts communicated electronically in the same format as they were issued by the employer.
F2.13.4	Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer.
F2.13.5	Seal the original and each copy of the tender offer as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address
F2.13.6	A two-envelope system shall be followed The bidders must place and seal the returnable documents listed in the tender data in an envelope marked "financial proposal" and place the remaining returnable documents in an envelope marked "technical proposal". Each envelope shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.
F2.13.7	Seal the original tender offer and copy packages together in an outer package that states on the outside only the employer's address and identification details as stated in the tender data.
F2.13.8	Accept that the employer will not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated.
F2.13.9	Accept that tender offers submitted by facsimile or e-mail will be rejected by the employer, unless stated otherwise in the tender data
F2.15	Closing time The closing date and time for submission of offer is as per Notice and Invitation to Tender T1.1
F2.15	Tender offer validity The tender offer validity is as per Notice and Invitation to Tender T1.1
F3.4	Opening of tender submissions The time and location for the opening of the tender offers are: Time: 11h00am Date: 17 September 2024 Location: Momentum Building, 329 Pretorius Street Pretoria Central.

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F.3.4.2	Tenders will be opened immediately after the closing time and read out in public and names of the bidders will be announced in public.
F.3.4.3	Names of bidders will be uploaded on National Treasury E-Tender portal and CIDB portal
F3.6	Non-disclosure Not disclose to tenderers, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the award of the contract to the successful tenderer.
F3.9	Arithmetical errors, omissions and discrepancies
F3.9.1	Check responsive tender offers for: (a) the gross misplacement of the decimal point in any unit rate; (b) omissions made in completing the pricing schedule or bills of quantities; or (c) arithmetic errors in: (i) line item totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices or (ii) the summation of the prices
F3.9.2	The employer must correct the arithmetical errors in the following manner: a) Where there is a discrepancy between the amounts in words and amounts in figures, the amount in words shall govern. b) If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected. c) Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices. Consider the rejection of a tender offer if the tenderer does not correct or accept the correction of the arithmetical error in the manner described above.
F3.11	Evaluation of tender offers
F3.11.1	General The tender evaluation method to evaluate all responsive tender offers will be Method 4. The procedure for the evaluation of responsive tenders is 80/20 Point system: Price and Preference in accordance with F.3.11.3, Apply the 80/20 Preference Point system where a maximum of eighty (80) tender adjudication point be awarded for price & twenty (20) points will be awarded for preference in terms of the Preferential Procurement Policy Framework act (PPPFA) (Act 5 of 2000) and Preferential Procurement Regulations, 2022.

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The 80/20 preference point system for acquisition of services, works or goods up to Rand value of R50 million
The following formula must be used to calculate the points for price in respect of tenders (including price quotation) with a rand value equal to, or above R 30 000 and up to Rand value of R 50 million (all applicable taxes included):

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

Where

P_s = Points scored for comparative price of tender or offer under consideration,

P_t = Comparative price of tender or offer under consideration, and

$P_{\min}$ = Comparative price of lowest acceptable tender or offer.

The maximum 20 points may be awarded to a tenderer for specific goals specified for the tender as follows:

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)
Enterprises with ownership of 51% or more by person/s who are black person/s	10	
Enterprises with ownership of 51% or more by person/s who are woman	5	
Enterprises with ownership of 51% or more by person/s who are youth	3	
Enterprises with ownership of 51% or more by person/s with disability	2	

The points score for specific goals must be added to the point scored for price and the total must be rounded off to the nearest two decimal places. The contract must be awarded to the tenderer who score the highest number of point.

F3.13

Acceptance of tender offer

Accept the tender offer, if in the opinion of the employer, it does not present any risk and only if the tenderer:

- is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement,
- can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract,
- has the legal capacity to enter into the contract,

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	d) is not insolvent, in receivership, under Business Rescue as provided for in chapter 6 of the Companies Act, 2008, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of any of the foregoing, e) complies with the legal requirements, if any, stated in the tender data, and f) is able, in the opinion of the employer, to perform the contract free of conflicts of interest
F3.16	Notice to unsuccessful tenderers
F3.16.1	The successful tenderer will be notified of the employer's acceptance of his tender offer by completing and returning one copy of the form of offer and acceptance before the expiry of the validity period stated in the tender data, or agreed additional period.
F3.16.2	After the successful tenderer has been notified of the employer's acceptance of the tender, other tenderers will be notified that their tender offers have not been accepted.
F3.17	Provide copies of the contracts The successful tenderer will be provided with the signed copy of the contract as soon as possible after completion and signing of the form of offer and acceptance.

F3.11 EVALUATION OF TENDER OFFERS

1. BID EVALUATION STAGES

- a. The bid evaluation process consists of several stages that are applicable according to the nature of the bid as defined in the table below.

Stage	Description	Applicable for this bid YES/NO
Stage 1	Administrative pre-qualification verification	YES
Stage 2	Special Conditions of Contract verification	YES
Stage 3	Technical Mandatory requirement evaluation	YES
Stage 4	Technical Functionality requirement evaluation	YES
Stage 5	Price/Specific Goals evaluation	YES

- b. The bidder must qualify for each stage to be eligible to proceed to the next stage of the evaluation.

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- c. The Department has set minimum standards that a bidder needs to meet in order to be evaluated and selected as a successful bidder. The minimum standards consist of the following:

SCM ADMINISTRATIVE PRE-QUALIFICATION VERIFICATION:

STAGE 1: ADMINISTRATIVE PRE-QUALIFICATION VERIFICATION

- a. All documents listed below must be completed and signed by the duly authorized representative of the prospective bidder(s). During this stage Bidders' responses will be evaluated based on compliance with the listed administration bid requirements.

DOCUMENTATION TO BE FULLY COMPLETED AND SUBMITTED BY THE BIDDER		
INVITATION TO BID – SBD 1	YES	Fully complete and sign the supplied pro forma document.
PRICING SCHEDULE - SBD 3.1 Pricing Schedule 1	YES	Fully complete and sign the supplied pro forma document.
DECLARATION OF INTEREST – SBD 4	YES	Fully complete and sign the supplied pro forma document.
PREFERENTIAL PROCUREMENT PREFERENCE POINTS – SBD 6.1	YES	Fully complete and sign the supplied pro forma document.
DOCUMENT SIGNATURES	YES	All submitted documents must be initialled on each page.
REGISTRATION ON CENTRAL	YES	The bidder must be registered on Central Supplier Database and provide CSD registration number on SBD1 or CSD Registration Report printed within the

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DOCUMENTATION TO BE FULLY COMPLETED AND SUBMITTED BY THE BIDDER		
SUPPLIER DATABASE		bid advertisement period and closing date.
GOOD STANDING ON TAX AFFAIRS	YES	The bidder must be in good standing with SARS in respect of any legislative tax commitments and must provide together with the bid response a SARS Pin Number for verification purposes.

- b. If the Bidder failed to comply with any of the administrative pre-qualification requirements, or if the Department will accept the bid for evaluation, on condition that the Bidder must submit within 7 (seven) days any supplementary information to achieve full compliance.

SPECIAL CONDITION OF CONTRACT VERIFICATION:

STAGE 2: SPECIAL CONDITIONS OF CONTRACT REQUIREMENTS

1. INSTRUCTION

- a) The successful Supplier will be bound by Government Procurement: General Conditions of Contract (GCC), Joint Building Contract Committee (JBCC) as well as this Special Conditions of Contract (SCC), which will form part of the signed contract with the successful Supplier. However, the Department reserves the right to include or waive the condition in the signed contract.
- b) The Department reserves the right to –
 - a. Automatically disqualify a bidder for not accepting these conditions.
- c) In the event the bidder, qualifies the proposal with own conditions and does not specifically withdraw such own conditions when called upon to do so, the Department will invoke the rights reserved in accordance with subsection 5.1 (b) above
- d) The bidder must complete the declaration of acceptance as per section 18 below by marking with an “X” either “ACCEPTS ALL” or “DO NOT ACCEPT ALL”, failing which the declaration will be regarded as “DO NOT ACCEPT ALL” and the bid will be disqualified.

2. SPECIAL CONDITIONS OF CONTRACT

- 1) The bidder(s) must supply, deliver and install the insulated prefabricated steel filling containers and or insulated reinforced prefabricated steel filling containers within three (3) months upon receipt of a purchase order;
- 2) It is **mandatory** for bidders to bid for all advertised **four (4)** sites. Bidding for only part of the sites will result in disqualification from the bidding process;
- 3) The bidder(s) must deliver filling containers that are fully wired, fitted with heating and Cooling split air-conditioners;
- 4) **Burglar and Security Gates**: The bidder(s) must install burglar bars for the windows and
Security gates for the doors as required;
- 5) The steel filling containers must have a pitched roof, a steel base chassis, Chroma deck cladding finish and with sufficient insulation;
- 6) The steel filling containers must be fitted with ramps to accommodate people with disabilities and handrails at each entrance; Filing container ramp will be placed on top of steel plinths measuring 200mm high, put on top of 250mm x 250mm x 50mm concrete base. Ramp to be constructed on rice grain steel/aluminium sheet measuring 2m x 810mm, slopping from ground level to 250mm, with stainless steel handrails welded on top of the ramp.
- 7) All entrances and doors must be accessible for people with disability;
- 8) The floor covering for the steel filling containers must be fitted with Vinyl flooring sheet,
- 9) All steel filling containers must be supplied with fire extinguishers;
- 10) The bidder must prepare the ground to accommodate all units by means of Concrete slab to ensure all units are level;
- 11) The bidder must seal the edges between the concrete slab and the steel filling containers;
- 12) The bidder must where necessary remove the fence to access the facility for the Delivery of the steel filling containers and re-install the fence thereafter;
- 13) The bidder must issue the Certificate of Compliance (COC) for the electrical work and for the reinforced steel filling containers;
- 14) All the windows must be fitted with blinds ;

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- 15) The steel filling containers must be fitted with doors and ironmongers cylinder locking system;
- 16) The quoted price must be inclusive of transport and delivery of the steel filling containers to the indicated addresses;
- 17) The DOJ&CD will not be held liable for any cost incurred by the bidder(s) in the Preparation and submission of the Bid;
- 18) The bidder must submit three (3) reference letters with contactable referees for the similar work that has been done and completed;
- 19) The DOJ&CD reserves the right to contact three (3) references and also do physical site inspection of the shortlisted bidders on the previous work done;
- 20) The successful bidder will enter into a contractual agreement with DOJ&CD;
- 21) The bidders must attend a compulsory virtual briefing session;
- 22) The bidders must attend a compulsory site inspection for the sites for which they Intend bidding for;
- 23) The bidder must not execute any additional work outside the approved scope of work;
- 24) The questions arising from the compulsory site inspection should be sent in writing to the following email address: SCM@justice.gov.za;
- 25) The successful bidder(s) will have ninety (90) days from receipt of official purchase order to execute and commission the installation of the steel filling containers;
- 26) Bidders submitting two or more bids under the same name or different names without declaring interest will be disqualified;
- 27) The DOJ&CD is entitled to amend any bid conditions, validity period, specifications, or extend the closing date of the bid before the closing date. All bidders will be advised in writing of such amendments in good time;
- 28) The successful bidder(s) will enter into Service Level Agreement with DoJ&CD
- 29) The DOJ&CD reserves the right to verify and authenticate all the information supplied by The bidder;
- 30) The successful bidder(s) are expected to provide a one (1) year warranty and guarantee on the whole works executed and equipment fitted;
- 31) The DOJ&CD reserves the right to take the necessary action as it deems fit, including but not limited to the institution of criminal proceedings If it is found that any information has been tampered with during the evaluation process and/or

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after the Bid/Contract has been awarded that any false information has been provided and

- 32) The bidder must provide a fixed price for the prefabricated steel filling containers which will be valid for 90 days from the closing of the bid;

33) **AVAILABILITY OF FUNDS**

Should funds no longer be available to pay for the execution of the responsibilities of this bid (RFB 03 2024), the Department may terminate the Agreement at its own discretion or temporarily suspend all or part of the services by notice to the successful bidder who shall immediately make arrangements to stop the performance of the services and minimize further expenditure: Provided that the successful bidder shall thereupon be entitled to payment in full for the services delivered, up to the date of cancellation.

- 34) Should the bidders make use of sub-contractors it must be ensured that such Sub-contractors are CIDB (Construction Industry Development Board) registered;

35) **PERSONNEL SECURITY CLEARANCE**

35.1 The Supplier personnel who are required to work in GOVERNMENT PREMISES or have access to government RESTRICTED areas must be security screened.

35.2 The Supplier must ensure that the security clearances of all personnel involved in the Contract remains valid for the period of the contract.

35.3 The Supplier must provide proof of security screening.

35.4 The Department reserves the right:

- a) To negotiate with one or more preferred bidder(s) identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other bidder(s) who has not been awarded the status of the preferred bidder(s);
- b) To accept part of a tender rather than the whole tender;
- c) To carry out site inspections, product evaluations or explanatory meetings in order to verify the nature and quality of the services offered by the bidder(s), whether before or after adjudication of the Bid;
- d) To correct any mistakes at any stage of the tender that may have been in the Bid documents or occurred at any stage of the tender process;
- e) To cancel and/or terminate the tender process at any stage, including after the Closing Date and/or after presentations have been made, and/or

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after tenders have been evaluated and/or after the preferred bidder(s) have been notified of their status as such;

- f) To request the bidder to submit letters of good standing, UIF, COIDA, employee retirement fund and set of the latest unqualified audited / reviewed annual financial statements in the name of the bidding entity.
- g) To award a tender based on which bidder is offering the best value for money, even if such Tender is not the lowest priced tender;
- h) DOJ& CD reserves the right to conduct a site visit on the premises of the bidder and their references if deemed necessary.
- i) To conduct reference and liquidity as part of due diligence checks.
- j) Not to consider envelopes or packaging of the bid document which are not marked properly, using the information (bid number and description).

36) DECLARATION OF COMPLIANCE

36.1 The Department requires bidder(s) to declare in their technical response the following:

Confirm that the bidder(s) is to: –

- a. Act honestly, fairly, and with due skill, care and diligence, in the interests of the Department;
- b. Have and employ effectively the resources, procedures and appropriate technological systems for the proper performance of the services;
- c. Act with circumspection and treat the Department fairly in a situation of conflicting interests;
- d. Comply with all applicable statutory or common law requirements applicable to the conduct of business;
- e. Make adequate disclosures of relevant material information including disclosures of actual or potential own interests, in relation to dealings with the Department;
- f. Avoidance of fraudulent and misleading advertising, canvassing and marketing;
- g. To conduct their business activities with transparency and consistently uphold the interests and needs of the Department as a client before any other consideration; and

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- h. To ensure that any information acquired by the bidder(s) from the Department will not be used or disclosed unless the written consent of the client has been obtained to do so.

37) CONFLICT OF INTEREST, CORRUPTION AND FRAUD

37.1 The Department reserves its right to disqualify any bidder who either itself or any of whose members (save for such members who hold a minority interest in the bidder through shares listed on any recognised stock exchange), indirect members (being any person or entity who indirectly holds at least a 15% interest in the bidder other than in the context of shares listed on a recognised stock exchange), directors or members of senior management, whether in respect of the Department or any other government organ or entity and whether from the Republic of South Africa or otherwise ("Government Entity"):

- a) Engages in any collusive tendering, anti-competitive conduct, or any other similar conduct, including but not limited to any collusion with any other bidder in respect of the subject matter of this bid;
- b) Seeks any assistance, other than assistance officially provided by a Government Entity, from any employee, advisor or other representative of a Government Entity in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Government Entity;
- c) Makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of DOJ&CD directors, employees, advisors or other representatives;
- d) Makes or offers any gift, gratuity, anything of any value or other inducement, to any Government Entity's officers, directors, employees, advisors or other representatives in order to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Government Entity;
- e) Accepts anything of value or an inducement that would or may provide financial gain, advantage or benefit in relation to procurement or services provided or to be provided to a Government Entity;
- f) Pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift or any other consideration, that is contingent upon or results from, the award of any tender, contract, right or entitlement which is in any way related to procurement or the rendering of any services to a Government Entity;

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- g) Has in the past engaged in any matter referred to above; or
- h) Has been found guilty in a court of law on charges of fraud and/or forgery, regardless of whether or not a prison term was imposed and despite such bidder, member or director's name not specifically appearing on the List of Tender Defaulters kept at National Treasury.

38) MISREPRESENTATION DURING THE LIFECYCLE OF THE CONTRACT

- 38.1 The bidder should note that the terms of its Tender will be incorporated in the proposed contract by reference and that the Department relies upon the bidder's Tender as a material representation in making an award to a successful bidder and in concluding an agreement with the bidder.
- 38.2 It follows therefore that misrepresentations in a Tender may give rise to service termination and a claim by the Department against the bidder notwithstanding the conclusion of the Service Level Agreement between the Department and the bidder for the provision of the Service in question. In the event of a conflict between the bidder's proposal and the Service Level Agreement concluded between the parties, the Service Level Agreement will prevail.

39) PREPARATION COSTS

The Bidder will bear all its costs in preparing, submitting and presenting any response or Tender to this bid and all other costs incurred by it throughout the bid process. Furthermore, no statement in this bid will be construed as placing the Department, its employees or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the bidder(s) in the preparation of their response to this bid.

40) INDEMNITY

If a bidder breaches the conditions of this bid and, as a result of that breach, the Department incurs costs or damages (including, without limitation, the cost of any investigations, procedural impairment, repetition of all or part of the bid process and/or enforcement of intellectual property rights or confidentiality obligations), then the bidder indemnifies and holds the Department harmless

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from any and all such costs which the Department may incur and for any damages or losses the Department may suffer

41) **PRECEDENCE**

This document will prevail over any information provided during any briefing session whether oral or written, unless such written information provided, expressly amends this document by reference.

42) **LIMITATION OF LIABILITY**

A bidder participates in this bid process entirely at its own risk and cost. The Department shall not be liable to compensate a bidder on any grounds whatsoever for any costs incurred or any damages suffered as a result of the Bidder's participation in this Bid process.

43) **TAX COMPLIANCE**

No tender shall be awarded to a bidder who is not tax compliant. The Department reserves the right to withdraw an award made, or cancel a contract concluded with a successful bidder in the event that it is established that such bidder was in fact not tax compliant at the time of the award, or has submitted a fraudulent Tax Clearance Certificate to the Department, or whose verification against the Central Supplier Database (CSD) proves non-compliant. The Department further reserves the right to cancel a contract with a successful bidder in the event that such bidder does not remain tax compliant for the full term of the contract.

44) **TENDER DEFAULTERS AND RESTRICTED SUPPLIERS**

No tender shall be awarded to a bidder whose name (or any of its members, directors, partners or trustees) appear on the Register of Tender Defaulters kept by National Treasury, or who have been placed on National Treasury's List of Restricted Suppliers. The Department reserves the right to withdraw an award, or cancel a contract concluded with a Bidder should it be established, at any time, that a bidder has been blacklisted with National Treasury by another government institution.

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45) GOVERNING LAW

South African law governs this bid and the bid response process. The bidder agrees to submit to the exclusive jurisdiction of the South African courts in any dispute of any kind that may arise out of or in connection with the subject matter of this bid, the bid itself and all processes associated with the bid.

46) CONFIDENTIALITY

- 46.1 Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this bid or a bidder's tender(s) will be disclosed by any bidder or other person not officially involved with the Department's examination and evaluation of a Tender.
- 46.2 No part of the bid may be distributed, reproduced, stored or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a Tender. This bid and any other documents supplied by the Department remain proprietary to the Department and must be promptly returned to the Department upon request together with all copies, electronic versions, excerpts or summaries thereof or work derived there from.
- 46.3 Throughout this bid process and thereafter, bidder(s) must secure the Department's written approval prior to the release of any information that pertains to (i) the potential work or activities to which this bid relates; or (ii) the process which follows this bid. Failure to adhere to this requirement may result in disqualification from the bid process and civil action.

47) THE DEPARTMENT'S PROPRIETARY INFORMATION

Bidder will on their bid cover letter make declaration that they did not have access to any of the Department's proprietary information or any other matter that may have unfairly placed that bidder in a preferential position in relation to any of the other bidder(s)

48) INTELLECTUAL PROPERTY RIGHTS

- 48.1 The Department retains all Intellectual Property Rights in and to the Department's Intellectual Property. As of the Effective Date, the Supplier is

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granted a non-exclusive license, for the continued duration of this Contract, to perform any lawful act including the right to use, copy, maintain, modify, enhance and create derivative works of the Department's Intellectual Property for the sole purpose of providing the Products or Services to the Department pursuant to this Contract; provided that the Supplier must not be permitted to use the Department's Intellectual Property for the benefit of any entities other than the Department without the written consent of the Department, which consent may be withheld in the Department's sole and absolute discretion. Except as otherwise requested or approved by the Department, which approval is in the Department's sole and absolute discretion, the Supplier must cease all use of the Department's Intellectual Property, at of the earliest of:

- a) termination or expiration date of this Contract;
- b) the date of completion of the Services; and
- c) the date of rendering of the last of the Deliverables.

48.2 If so required by the Department, the Supplier must certify in writing to the Department that it has either returned all the Department Intellectual Property to the Department or destroyed or deleted all other of the Department Intellectual Property in its possession or under its control.

48.3 The Department, at all times, owns all Intellectual Property Rights in and to all Bespoke Intellectual Property.

48.4 Save for the license granted in terms of this Contract, the Supplier retains all Intellectual Property Rights in and to the Supplier's pre-existing Intellectual Property that is used or supplied in connection with the Products or Services.

49) SUPPLIER DUE DILIGENCE

The Department reserves the right to conduct supplier due diligence prior to final award or at any time during the Contract period and this may include pre-announced/ non-announced site visits. During the due diligence process the information submitted by the bidder will be verified and any misrepresentation thereof may disqualify the bid or Contract in whole or parts thereof.

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3. DECLARATION OF COMPLIANCE

	ACCEPT ALL	DO NOT ACCEPT ALL
a) The bidder declares to ACCEPT ALL the Special Condition of Contract as specified in section 2 above by indicating with an "X" in the "ACCEPT ALL" column, OR b) The bidder declares to NOT ACCEPT ALL the Special Conditions of Contract as specified in section 2 above by - c) Indicating with an "X" in the "DO NOT ACCEPT ALL" column, and; d) Provide reason and proposal for each of the conditions that is not accepted.		
Comments by bidder: Provide reason and proposal for each of the conditions not accepted as per the format: Condition Reference: Reason: Proposal:		

TECHNICAL MANDATORY REQUIREMENTS EVALUATION

STAGE 3: TECHNICAL MANDATORY REQUIREMENTS

- a) If the Bidder fails to comply with any of the technical mandatory requirements the bid will not be considered for further evaluation.

TECHNICAL MANDATORY REQUIREMENTS			
No.	Requirement	Compulsory	Proof of Evidence
1.	Attendance of compulsory site inspection meeting.	Yes	Site inspection attendance certificate/ attendance register
2.	Registration on CIDB Grading 3GB or higher	Yes	Valid Proof of registration with CIDB on Grade 3GB or higher.
3.	Registration with COIDA	Yes	Valid Proof of registration with COIDA (originally certified copy)
4.	Electrician's Electrical Registration Certificate from	Yes	A certified copy of the single-phase installation inspector certificate

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	the Department of Labour (DoL)		
5	Professional Registration for Safety Officer.	Yes	Proof of professional registration certificate registered with South African Institute of occupational Safety and health. (SAIOSH)

TECHNICAL FUNCTIONAL MANDATORY REQUIREMENTS

STAGE 4: TECHNICAL FUNCTIONALITY MANADATORY REQUIREMENTS

1. INSTRUCTION AND EVALUATION CRITERIA

- a. The bidder **must complete in full all the TECHNICAL FUNCTIONALITY requirements.**
- b. Where necessary, the bidder **must provide a unique reference number** (e.g., binder/folio, chapter, section, page) to locate substantiating evidence in the bid response. During evaluation, DOJ&CD reserves the right to treat substantiation evidence that cannot be in the bid response as "NOT COMPLY".
- c. **Evaluation per requirement.** The evaluation (scoring) of bidders' responses to the requirements will be determined by the completeness, relevance and accuracy of substantiating evidence. Each TECHNICAL FUNCTIONALITY MANDATORY requirement will be evaluated using a rating –as indicated per functionality requirement.
- d. A panel representing the DOJ&CD will evaluate the proposals received according to a set of evaluation criteria. In respect to the evaluation matrix, the prospective service bidders will be rated from 0 to 5 in that:

Score	Meaning	Explanation
0	○ No evidence ○ Nonresponsiv e	Does not comply, no evidence / no reference / no information / no inputs.
1	○ Very poor	Information provided does not meet the technical requirements.
2	○ Poor ○ Inadequate	Not satisfactory. Information and/or evidence provided is not enough to clearly substantiate the bidder's capabilities and/or experience in that service category.
3	○ Satisfactory ○ Average	Satisfactory. The bidder displays a fair understanding of the service requirements and the Information and/or evidence

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Score	Meaning	Explanation
		provided is enough to display their capabilities and/or experience to deliver the service.
4	- Good - Fully meet requirement	Fully meets the specification requirement. The bidder displays a good (above average) understanding of the service requirements and the Information and/or evidence provided is enough to clearly substantiate their capabilities and/or experience to deliver the service.
5	- Exceed requirements - Very good / Best practice	Exceeds the specification requirement. The bidder displays an excellent understanding of the service requirements and the Information and/or evidence provided clearly proves that the bidder is without a doubt capable of delivering the service.

- e. Bidders must comply with this section as they form the basis for scoring a bidder's proposal. For a bidder to qualify to be evaluated for functionality, a bidder must not have been disqualified on compliance with any prequalifying conditions or mandatory requirements preceding this phase of the evaluation.
- f. In order to ensure meaningful participation and effective comparison, bidders are requested to furnish detailed information in substantiation of compliance to the evaluation criteria.
- g. Bidders that score less than **60** out of **100** points in respect of functionality compliance will be regarded as non-responsive and will not be evaluated further.
- h. The following items will be evaluated and scored. Bidders must substantiate each aspect of their response. Bidders must clearly reference their substantiation in their bid response in specific terms (e.g. Reference to schedule, section and page number of their bid response, etc.)
- i. **Weighting of requirements:** The full scope of requirements will be determined by the following weights

No.	Criteria	Rating Matrix						Weight
		0	1	2	3	4	5	
1	Company operational experience							20
2	Project Manager's experience							20
3	Project Plan: Approach and Methodology							30
4	Health and Safety Plan							15
5	Financial Stability							15
	TOTAL							100

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2 TECHNICAL/FUNCTIONAL EVALUATION CRITERIA

No.	Technical Functionality requirements	Rating Scale	Weighting
1	Company operational experience: Service provider must show proof of successful completed projects on the supply and installation of steel filling containers list of previous projects completed to be attached as evidence.	• <i>Five (5) or more successfully completed projects = 05 points.</i> • <i>Four (4) successfully completed projects = 04 points.</i> • <i>Three (3) successfully completed projects = 03 points</i> • <i>Two (2) successfully completed projects = 02 points.</i> • <i>Successful completed one (1) project = 01 point.</i> • <i>No project completed = 0 point.</i>	20

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2	Project Manager's experience: Project Manager must have adequate project management experience. The project managers CV must be attached as proof.	• <i>Experience above five (05) years = 05 points.</i> • <i>Experience above four (04) to five (05) years = 04 points</i> • <i>Experience of three (03) years to four years = 03 points</i> • <i>Experience of above one year and below three (03) years = 02 points.</i> • <i>Experience of One (01) year and below = 01 point.</i> • <i>No experience = 0 point.</i>	20
3	Project Plan: a. Approach and Methodology in the supply, delivery and installation of steel filling containers. b. Project plan detailing the time frames, capacity during the project to supply, deliver and install steel filling containers within the specified time frame from the date of the letter of acceptance	• <i>Bidder provided all 6 aspects of the project plans = 05 points.</i> • <i>Bidder provided 5 aspects project plan = 4 points</i> • <i>Bidder provided 4 aspects of the project plan = 3 points</i> • <i>Bidder provided 3 aspects of the project plan = 2 points</i>	30

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	issued by the Department. c. Details on the number of teams including supervisory support that will execute the installation and supervision. d. Risk Mitigation plan Procurement Plan & a list of the required equipment to be used e. Cash Flow projections	• Bidder provided 2 aspects of the project plan = 1 points • Bidder provided 1 or No information provided = 0 point.	
4	Health and Safety Plan a. The service provider shall provide a Health and Safety plan in line with the Occupational Health and Safety Act (OHSA) b. The Health and Safety plan must indicate the induction procedures. c. An organized structure for Health and Safety (H&S) responsibilities d. Well defined arrangements for implementing procedures & controls e. Regular review and updating of processes and control processes	• Bidder submitted all five (5) elements of the plan as required = 05 points. • The bidder provided four (4) elements of the required plan = 4 points. • Bidder provided three (3) elements of the required plan = 3 points. • Bidder provided two (2) elements of the required plan = 2 points. • Bidder provided one (1) element of the required plan = 1 point. • Neither of the plans were provided = 0 point	15
5	Financial Stability Bidder must provide original bank letter in the name of the main company. In the event of a joint venture both bidders must submit bank guarantee letters to be evaluated jointly.	• A minimum of R1.5 million rating score = 5 • A minimum of R1,4 million rating score = 4	

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	The required bank letters must be issued after the date of the advertisement of the tender. Letter from the bank to confirm the bidder's cash flow and/or proof of bridging finance or overdraft.	• A minimum of R1.3 million rating score = 3 • A minimum of R1,2 million rating score = 2 • A minimum of R1 million bank rating score = 1 • Less than R1 million score = 0	15
TOTAL			100

3. JOINT VENTURES, CONSORTIUMS AND TRUSTS

- Tenderers must submit concrete proof of the existence of joint ventures and/or consortium arrangements. The Department will accept signed agreements as acceptable proof of the existence of a joint venture and/or consortium arrangement.
- The joint venture and/or consortium agreements must clearly set out the roles and responsibilities of the Lead Partner and the joint venture and/or consortium party. The agreement must also clearly identify the Lead Partner, who shall be given the power of attorney to bind the other party/parties in respect of matters pertaining to the joint venture and/or consortium arrangement.

4. BIDDER EXPERIENCE AND CAPABILITY REQUIREMENTS

Complete table below, noting that:

- Bidder must provide references from clients where similar projects was performed in the past 5 years

Table 1: References

No	Company name	Reference Person Name, Tel and/or email	Project Scope of work	Project Start and End-date	Project Cost
1					
2					

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3					
4					
5					
6					
7					
8					
9					
10					

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PART T2: RETURNABLE DOCUMENTS

The following documents are to be completed and returned as they constitute the tender. Whilst many of the returnable may be utilized for the purpose of evaluating the tenders, some will form part of the subsequent contract, as they form the basis of the tender offer. For this reason, it is very important that tenderers return all information requested.

T2.1 List of Returnable Documents

Tender Document Name	Returnable Document
Invitation to Bid – SBD 1	YES
Pricing Schedule -SBD 3.1	YES
Declaration of Interest – SBD 4	YES
Preferential Procurement Preference Points – SBD 6.1	YES
Authority for Signature	YES
Proof of Registration on Central Supplier Database	YES
Tax Compliance Status Pin	YES

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T2.2 Returnable Schedules

Tender Document Name	Returnable Document
Particulars of Electrical Contractor	Yes
Particulars of Safety Officer	Yes
Pricing Schedule	Yes
Proof of Registration with the Construction Industry Development Board (CIDB)	Yes
Professional Registration certificate for Electrician and Safety Officer.	Yes
Proof of registration with COIDA	Yes

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PART C1: AGREEMENT AND CONTRACT DATA

C1.1 Form of offer and Acceptance

SBD 1 PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DOJ&CD					
BID NUMBER:	RFB 03 2024	CLOSING DATE:	17 September 2024	CLOSING TIME:	11h00am
DESCRIPTION	REQUEST FOR PROPOSAL APPOINTMENT OF A SERVICE PROVIDER FOR THE PROCUREMENT, DELIVERY AND INSTALLATION OF STORAGE, FILLING CONTAINERS FOR BARBERTON, KANYAMAZANE, MKHUHLU AND ARCORHOEK				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
The Tender Box, Momentum Centre, 329 Pretorius Street,					
c/o Sisulu & Pretorius Street, Pretoria, 0001					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Supply Chain Management		CONTACT PERSON	Supply Chain Management	
TELEPHONE NUMBER	N/A		TELEPHONE NUMBER	N/A	
E-MAIL ADDRESS	SCM@justice.gov.za		E-MAIL ADDRESS	SCM@justice.gov.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE 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 THE QUESTIONNAIRE BELOW]
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					

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BELOW.

PART B: TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 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 PIN 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."

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

THE TOTAL OFFER INCLUSIVE OF ALL APPLICABLE TAXES IS:

AND (In figures) R......

AND (IN Words)

SIGNATURE OF BIDDER:

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

DATE:

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SBD 3.1 PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....	Bid number.....
Closing Time 11:00	Closing date.....

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

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

- Required by:
- At:
- Brand and model
- Country of origin
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery
- *Delivery: Firm/not firm
- Delivery basis

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

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

*Delete if not applicable

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SBD4 - BIDDER'S DISCLOSURE

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.

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.

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**

If so, furnish particulars:

.....

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.

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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.

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.

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

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.

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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**

(delete whichever is not applicable for this tender).

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

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

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

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

The maximum points for this tender are allocated as follows:

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

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

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

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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 written 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

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \quad \text{or} \quad Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT**3.2.1. POINTS AWARDED FOR PRICE**

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

80/20 or 90/10

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \quad \text{or} \quad Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender.

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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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Enterprises with ownership of 51% or more by person/s who are black person/s		10		
Enterprises with ownership of 51% or more by person/s who are woman		5		
Enterprises with ownership of 51% or more by person/s who are youth		3		
Enterprises with ownership of 51% or more by person/s with disability		2		

DECLARATION WITH REGARD TO COMPANY/FIRM

- 4.3. Name of company/firm.....
- 4.4. Company registration number:

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4.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

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

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

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....
.....

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RESOLUTION OF BOARD OF DIRECTORS

Resolution of a meeting of Board of *Directors/ Members/ Partners of:

(Legally correct full name and registration number, if applicable of the Enterprise)

Held at _____ (Place)

On _____ Date)

Resolved that:

1. The Enterprise submits a Bid/Tender to the Department of Justice and Constitutional Development in respect of the following project:

(Project description as per Bid/Tender Document)

Bid/Tender Number: _____ (Bid/Tender number as be Bid/Tender advert)

2. *Mr/Mrs/Ms: _____

in *his/her capacity as: _____ (Position in the Enterprise)

and who will sign as follows: _____

be and is hereby, authorised to sign the Bid/Tender, and any other documents and/ or correspondence in connection with and relating to the Bid/Tender, as well as to sign any contract, and all documentation, resulting from the award of the Bid/Tender to the Enterprise mentioned above.

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			

Should the number of Directors/Members/Partners exceed the space above, additional names and signatures must be provided on a separate place

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C1.2 Contract Data

The JBCC Principal Building Agreement: Edition 6.2 - May 2018, published by the Joint Building Contract Committee (JBCC), is applicable to this Contract and is obtainable from www.jbcc.co.za

The General Conditions of Contract for Construction Works make several references to the Contract Data for specific data, which together with these conditions collectively describe the risks, liabilities and obligations of the contracting parties and the procedures for the administration of the Contract. The Contract Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the General Conditions of Contract.

Part 1: Data provided by the Employer

	Due Completion Date
	The time for the contract is 03 months from the Commencement Date
	The name of the Employer is Department of Justice and Constitutional Development, represented by Mr Carlo Gerhard Van Dalen and/or such persons or person duly authorised to be the Employer in writing
	The Pricing Strategy is a bill of quantities
	The Employer's address for receipt of communications is: Delivery Address: Attention: Supply Chain Manager: Supply Chain Management Department of Justice and Constitutional Development Momentum Building 1 st Floor 329 Pretorius Street Pretoria
	"in the event of any ambiguity, conflict or discrepancy between the various contract documents, lists and schedules, the order of precedence (from highest to lowest) shall be as follows: • The form of offer and acceptance • Contract forms • The contract data • General conditions of contract (GCC 2015) • Scope of Work • SANS 1200 Standardised Specifications • Bill of quantities • The returnable schedules
	The Contractor shall obtain the specific approval of the Employer before executing any of his functions or duties according to the following Clauses of the General Conditions of Contract: GCC 2015 3rd Edition 1. Clause 5.8.1 Non-working times 2. Clause 5.11.1 Suspension of the Works 3. Clause 5.12.1 Approval of any extension of time for completion 4. Clause 5.12.4 Acceleration of progress instead of extension of time 5. Clause 5.13.2 Reduction of a penalty for delay 6. Clause 6.3.2 The issuing of variation orders 7. Clause 6.8.4 The determination of additional or reduced cost arising from changes in the legislation 8. Clause 6.11 The agreeing of the adjustment of the sums for general items

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	9. Clause 10.1.5 The giving of a ruling on a Contractor's claim "The Employer and the Contractor hereby agree, in terms of the provisions of section 37 (2) of the Occupational Health & Safety Act, 1993 (Act 85 of 1993, hereinafter referred to as 'the Act') that the following arrangements and procedures shall apply between them to ensure compliance by the Contractor with the provisions of the Act, namely: a) The Contractor undertakes that the appropriate officials and employees of the Contractor will fully acquaint themselves with all relevant provisions of the Act and the Regulations promulgated in terms of the Act; b) The Contractor undertakes that all relevant duties, obligations and prohibitions imposed in terms of the Act and regulations will be fully complied with; c) The Contractor hereby accepts sole liability for such due compliance with the relevant duties, obligations and prohibitions imposed by the Act and Regulations, and expressly absolves the Employer from itself being obliged to comply with any of the aforesaid duties, obligations, and prohibitions; with the exception of such duties, obligations and prohibitions expressly assigned to the Employer in terms of the Act and its associated Regulations; d) The Contractor agrees that any duly authorised official of the Employer shall be entitled to take such steps as may be necessary to ensure that the Contractor has complied with his undertakings as set out more fully in paragraphs (a) and (b) above, which steps may include, but will not be limited to, the right to inspect any appropriate site or premises occupied by the Contractor, or to inspect any appropriate records or Safety Plans held by the Contractor; e) The Contractor shall be obliged to report forthwith to the Employer any investigation, complaint or criminal charge which may arise as a consequence of the provisions of the Act and regulations, pursuant to work performed in terms of this Contract, and shall, on written demand, provide full details in writing of such investigation, complaint or criminal charge;
	Commencement of the Works The documentation required before commencement with Works execution are: a) Health and Safety Plan (Refer to Clause 4.3) b) Initial programme (Refer to Clause 5.6) c) Security (Refer to Clause 6.2) d) Insurance (Refer to Clause 8.6)
	Timeframe to deliver documentation The time to submit the documentation required before commencement with Works execution is fourteen (14) days
	"The Contractor shall bear all costs and charges for special and temporary rights of way required by him/her in connection with access to

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	the Site. The Contractor shall also provide at his own cost any additional facilities outside the Site required by him/her for the purposes of the Works.”
	Non-Working Times The non-working days are Saturdays and Sundays. The special non-working days are: 1. All gazetted public holidays falling outside the year end break. 2. The year-end break commencing on 14 December and ending on 7 January (Provisional).
	Contract Price Adjustment The Contract Price Adjustment is not applicable in this contract.
	Amendments in writing No amendments of this Contract or of any provisions or terms hereof and no waiver or relaxation or suspension of any of the provisions or terms of this Contract shall be of any force or effect unless reduced to writing and signed by both the parties hereto.

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PART C2: PRICING DATA

C2.1 PRICING INSTRUCTION

1. COSTING AND PRICING

✓ PRICE/SPECIFIC GOALS EVALUATION

- (a) In terms of Preferential Procurement Policy Framework Act (PPPFA), the following preference point system is applicable to all Bids:
 - i. The 80/20 system (80 Price, 20 Specific Goals for requirements with a Rand value of up to R50 000 000 (all applicable taxes included)
- (b) This bid will be evaluated using the preferential point system of **80/20**, subject to the following conditions –
 - i. If the lowest acceptable bid price is up to and including R50 000 000 (all applicable taxes included) then the 80/20 preferential point system will apply to all acceptable bids

2. COSTING AND PRICING CONDITIONS

Bidder will be bound by the following general costing and pricing conditions and the Department reserves the right to negotiate the conditions or automatically disqualify the bidder for not accepting these conditions. These conditions will form part of the Contract between the Department and the bidder. However, the Department reserves the right to include or waive the condition in the Contract.

3. SOUTH AFRICAN PRICING.

The total price must be VAT inclusive and be quoted in South African Rand (ZAR).

4. TOTAL PRICE

All quoted prices are the total price for the entire scope of required services and deliverables to be provided by the bidder.

5. BID PRICING SCHEDULE

- a. Note: Bidders will complete the bid pricing schedule and include this as part of the hard copy submission documents to be submitted. The transaction fee must be a fixed amount per service. The fee must be linked to the cost involved in delivering

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the service and not a percentage of the value or cost of the service provided by third party service providers

- b. Bidders are required to submit their pricing schedules for all sites.

C.2.2 Bills of Quantities/ Pricing Schedule

Bidders to refer to **Annexure A** for complete pricing schedule

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PART C3: SCOPE OF WORK

1. PURPOSE AND BACKGROUND

1.1. PURPOSE

The purpose of this RFB is to invite Suppliers (hereinafter referred to as “bidders”) to submit bids for the appointment of a service provider for procurement, delivery and installation of storage filing containers for Barberton, Kanyamazane, Mkhuhlu & Acornhoek.

1.2. BACKGROUND

Mpumalanga Province has an increased need for filing storage facilities for mentioned Magistrate Courts due to inadequate filing space at Courts. Mpumalanga Province is experiencing serious challenge with shortage of records space due to increased number of files as courts are running out of filing spaces or facilities.

2. SCOPE OF BID

2.1. SCOPE OF WORK

Specification for steel filing container

NAME OF COURT	QTY	FILING CONTAINER	SIZE
Barberton:	1	Supply grade A steel filing container with: (a) Two fire extinguishers. (b) Two windows with security bars (opening) for sufficient natural ventilation. (c) 3 air vents for extra natural ventilation. (d) One standard steel lockable door. (e) Double door on the side fitted with two-barrel bolts and emergency exit push button (can only be opened from inside) (f) Sub- DB to power all electrical appliances at the container. (g) Electrical connection to the main supplier and provision of CoC for electrical work done.	Length: 12m Width: 2.44m Height: 2.6m

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		(h) Installation of two plugs within the unit. (i) Sufficient lighting with a switch (four T8 LED lights) (j) One air conditioner (Size: 12000BTU) sufficient to extend lifespan of documents. (k) Ramp with handrails. (Standard Door) Filing container ramp will be placed on top of steel plinths measuring 200mm high, put on top of 250mm x 250mm x 50mm concrete base. Ramp to be constructed on rice grain steel/aluminium sheet measuring 2m x 810mm, slopping from ground level to 250mm, with stainless steel handrails welded on top of the ramp. (l) Prepare the paved ground (14mX5m) for placement of x7 Steel plinths stands to prevent termites from affecting files and documents. (m) Prepare a paved sheltered walkway to the main building. (1mx25m Distance) (n) Supply and mounting of Steel Shelving in the unit. (o) Supply and Installation of Industrial grade Vinyl flooring sheet	
Acornhoek:	1	Supply grade A steel filing container with: (a) Two fire extinguishers. (b) Two windows with security bars (opening) for sufficient natural ventilation. (c) 3 air vents for extra natural ventilation. (d) One standard steel lockable door.	Length: 12m Width: 2.44m Height: 2.6m

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		(e) Double door on the side fitted with two-barrel bolts and emergency exit push button (can only be opened from inside) (f) Sub- DB to power all electrical appliances at the container. (g) Electrical connection to the main supplier and provision of CoC for electrical work done. (h) Installation of two plugs within the unit. (i) Sufficient lighting with a switch (four T8 LED lights) (j) One air conditioner (Size: 12000BTU) sufficient to extend lifespan of documents. (k) Ramp with handrails. (Standard Door) Filing container ramp will be placed on top of steel plinths measuring 200mm high, put on top of 250mm x 250mm x 50mm concrete base. Ramp to be constructed on rice grain steel/aluminium sheet measuring 2m x 810mm, slopping from ground level to 250mm, with stainless steel handrails welded on top of the ramp. (l) Prepare the paved ground (14mX5m) for placement of x7 Steel plinths stands to prevent termites from affecting files and documents. (m) Prepare a paved sheltered walkway to the main building. (1mx 35m Distance) (n) Supply and mounting of Steel Shelving in the unit. (o) Supply and Installation of Industrial grade Vinyl flooring sheet	
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KaNyamazane	1	Supply grade A steel filing container with: (a) Two fire extinguishers. (b) Two windows with security bars (opening) for sufficient natural ventilation. (c) 3 air vents for extra natural ventilation. (d) One standard steel lockable door. (e) Double door on the side fitted with two-barrel bolts and emergency exit push button (can only be opened from inside) (f) Sub- DB to power all electrical appliances at the container. (g) Electrical connection to the main supplier and provision of CoC for electrical work done. (h) Installation of two plugs within the unit. (i) Sufficient lighting with a switch (four T8 LED lights) (j) One air conditioner (Size: 12000BTU) sufficient to extend lifespan of documents. (k) Ramp with handrails. (Standard Door) Filing container ramp will be placed on top of steel plinths measuring 200mm high, put on top of 250mm x 250mm x 50mm concrete base. Ramp to be constructed on rice grain steel/aluminium sheet measuring 2m x 810mm, slopping from ground level to 250mm, with stainless steel handrails welded on top of the ramp. (l) Prepare the paved ground (14mX5m) for placement of x7 Steel plinths stands to prevent termites from affecting files and documents.	Length: 6m Width: 2.44m Height: 2.6m
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		(m) Prepare a paved sheltered walkway to the main building. (1mx25m Distance) (n) Supply and mounting of Steel Shelving in the unit. (o) Supply and Installation of Industrial grade Vinyl flooring sheet	
Mkhuhlu:	1	Supply grade A steel filing container with: (a) Two fire extinguishers. (b) Two windows with security bars (opening) for sufficient natural ventilation. (c) 3 air vents for extra natural ventilation. (d) One standard steel lockable door. (e) Double door on the side fitted with two-barrel bolts and emergency exit push button (can only be opened from inside) (f) Sub- DB to power all electrical appliances at the container. (g) Electrical connection to the main supplier and provision of CoC for electrical work done. (h) Installation of two plugs within the unit. (i) Sufficient lighting with a switch (four T8 LED lights) (j) One air conditioner (Size: 12000BTU) sufficient to extend lifespan of documents. (k) Ramp with handrails. (Standard Door) Filing container ramp will be placed on top of steel plinths measuring 200mm high, put on top of 250mm x 250mm x 50mm concrete base. Ramp to be constructed on rice grain steel/aluminium sheet measuring 2m x 810mm, slopping from	Length:6 m Width: 2.44m Height: 2.6m

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		ground level to 250mm, with stainless steel handrails welded on top of the ramp. (l) Prepare the paved ground (14mX5m) for placement of x7 Steel plinths stands to prevent termites from affecting files and documents. (m) Prepare a paved sheltered walkway to the main building. (1mx20m Distance) (n) Supply and mounting of Steel Shelving in the unit. (o) Supply and Installation of Industrial grade Vinyl flooring sheet	
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C4: SITE INFORMATION

1.1 NUMBER OF SITES

PROVINCIAL OFFICE	NUMBER OF REQUIRED (STORAGE FILLING CONTAINERS)	NUMBER OF SITES
1. Mpumalanga	4	4
TOTAL	4	4

1.2 DELIVERY ADDRESS.

No	COURT	PHYSICAL ADDRESS
1.	Barbeton Court	Corner De Villiers and President Square, Barbeton, 1300
2.	Arconhoek Magistrate Court	Main Road Manyeleti Game Reserved, opposite Arconhoek Police Station, 1360
3.	Kanyamazane Court	Stand 2251 Cobra Street, Kanyamazane, opposite KaNyamazane Police Station
4.	Mkhuhlu Magistrate Court	Road to Skukuza next Calcuta Police Station, Stand No. 1246

ANNEXURE A.8: TERMS AND DEFINITIONS

ABBREVIATIONS

CIDB – Construction Industry Development Board

COC – Certificate of Compliance

CSD – means Central Supplier Database of National Treasury.

Department – means the Department of Justice and Constitutional Development (DOJ&CD).

Double Power Skirting Compartment – Installation of a separate power skirting for network points and power supply

Facility – Court or Office where the service is required

Fully Wired – Electrification of the mobile unit in line with SANS 10142

SANS – South African National Standards

Service Level Agreement (SLA) – is a contract between the TMC and Government that defines the level of service expected from the TMC.

SOC Blue Print – Departmental sexual offences courts specification

VAT – means Value Added Tax.