



**BREEDE-OLIFANTS**  
C A T C H M E N T M A N A G E M E N T A G E N C Y

**BREEDE-OLIFANTS CATCHMENT MANAGEMENT AGENCY**

**TERMS OF REFERENCE**

LEASING OF VACANT OFFICE SPACE (CAPE TOWN OFFICE, Northern  
Suburbs)

FEBRUARY 2024

<b>TERMS OF REFERENCE</b>	
PROJECT TITLE	LEASING OF VACANT OFFICE SPACE
BID NUMBER	RFP 2024/01

DELIVERABLES	Leasing of office space to the Breede-Olifants CMA (Cape Town Office)
ENQUIRIES	Ms N Mafanya <a href="mailto:nmafanya@bocma.co.za">nmafanya@bocma.co.za</a> & Ms Aureca Jansen <a href="mailto:ajansen@bocma.co.za">ajansen@bocma.co.za</a>

### **1. BACKGROUND TO THE BREEDE-OLIFANTS CATCHMENT MANAGEMENT AGENCY**

The Breede-Olifants Catchment Management Agency (BOCMA) is a public entity in terms of the National Water Act, Number 36 of 1998, as amended. It is governed by the Board which is appointed by the Minister of Water and Sanitation. The Board as an Accounting Authority reports directly to the Minister of Water and Sanitation. The primary mandate of the BOCMA includes the management of its water resources in line with the National Water Act and the National Water Resource Strategy. Being a public entity, it has to comply with the Public Finance Management Act, 1999 and National Treasury Regulation, 2005 (NTR) as amended. The BOCMA has its Head Office in Worcester. The office space required is for the satellite office of the BOCMA in the Cape Town Area.

The intention of this tender is to appoint a Bidder who manages commercial properties or own properties for leasing. It remains the BOCMA's determinant that Bidders must propose buildings that will suit the Agency's requirements.

### **2. SCOPE OF WORK**

Term : Three (3) years lease contract (Option to renew)

Inception date : 1 April 2024

Business days : Monday till Friday

Accessibility : Office must be accessible 7 days a week

Number of employees : Estimated 50 employees

<b>3. MINIMUM REQUIREMENTS</b>				
	<b>Description</b>	<b>Yes</b>	<b>No</b>	<b>Comment</b>
<b>1.</b>	<b>Location</b>			
1.1	The structure shall be located in Northern Suburbs, Cape Town and shall be easily accessible for the general public. The BOCMA will not consider office space that is next to any business that has a potential of producing fumes that may be uncomfortable to employees and visitors such as mechanic shop, paint shop, manufacturing shop, scrap yards, beerhalls, etc. In addition, the BOCMA reserves the right to perform visual and quality checks on all sites proposed.			
1.2	The office accommodation should preferably be close to the office of the Department of Water and Sanitation, Regional Office situated in Bellville. In the Northern suburbs of Cape Town. (Bellville, Durbanville and the surrounding area)			
1.3	The office space must be located in a generally safe area where officials will not be at risk when entering and leaving the office.			
1.4	The proposed office must afford easy access to public transport so that it is easy for both staff and clients to have access to the premises.			
1.5	The Building must have sufficient public parking facilities to accommodate visitors.			
<b>2.</b>	<b>Accommodation requirements</b>			
2.1	The BOCMA requires office space that can accommodate staff members,			

	meeting facilities / boardroom, kitchen, storage and sufficient ablution facilities.			
2.2	<p>The size of the office space must be approximately 800 square metres to cater for present and future needs.</p> <p>Preferably consisting of:</p> <ul style="list-style-type: none"> <li>- Reception and waiting area (fitted with reception desk)</li> <li>- minimum 3 enclosed offices</li> <li>- 2 separate open plan areas (separated with glass partitioning- please provide a glass certificate)</li> <li>- 1 big boardroom (to accommodate +- 20 people)</li> <li>- 1 small boardroom (to accommodate +- 10 people)</li> <li>- 3 store rooms</li> <li>- Registry room</li> <li>- Printing room</li> <li>- Server room (with enough ventilation and a security gate,</li> <li>- 3 small virtual meeting rooms (blocked-off meeting rooms are needed that can be used for virtual meetings)</li> <li>- Lockable garages (will be an added advantage)</li> </ul>			
2.3	<p>Building structure specifications: the building must comply with the Department of Public Works specifications on minimum requirements of office space accommodation (DPW-11.1 (LS) as well as generally with the latest SAPOA office grading. It is the requirement that the office should have high quality finishes, air conditioning, adequate on-site parking, good lobby finish, safety /security, and high presentation and maintenance.</p>			
2.4	<p>Parking and outside / exterior areas: A minimum of twenty (20) freely accessible secured parking bays. 3 lockable garages or 24/7 security officer, at least 2 disabled parking spaces.</p> <p>Parking bays to be paved or tarred</p>			

	<p>Disabled access and disabled toilet facilities to be provided. All facilities for persons living with disabilities are to comply with SANS 10400-S</p>			
2.5	<p>The office accommodation must have adequate trunking for network communication infrastructure</p>			
2.6	<p>Floor to ceiling height: a clear floor to ceiling height of a close as possible to 2.7m shall be maintained in all general areas of the building.</p> <p>Partitioning and doors: all closed office must have floor ceiling walls, include solid core doors of at least 900mm and be fitted with quality 5 pin cylinder lock sets (or relevant subject the BOCMA approval) with two keys each which shall be handed over to the BOCMA.</p> <p>Age and upgrading: generally 10 to 30 years may be considered. The BOCMA reserves its right regarding the determination of office design within the tendered amount.</p> <p>Public environment: Safe, attractive and clean. The office layout must provide public entrance that is safe. There must also be emergency exits with ease access to the exterior environment.</p> <p>Fire extinguishers: The building must have fire extinguishers in line with the regulations.</p> <p>The property / building must have existing fire detection and prevention services or make provision for these.</p> <p>Alarm and Armed response: The building must have acceptable alarm and armed response equipment as determined by the BOCMA.</p>			

	Building backup power: The building should be able to cater for alternative power during loadshedding.			
<b>3.</b>	<b>General requirements</b>			
3.1	<p><b>Compliance:</b> The building must comply with the Occupational Health and Safety Act, Number 85 of 1993 as amended, the National Building Regulations and Building Standards Act of 1977 (SANS 10400 part T), Municipal by-laws and the local fire regulations taking into account 2.6 above. The BOCMA require an appropriate certificate (fire clearance certificate)</p> <p>All certificates of electrical wiring complying with the Fire Regulations and Municipal By-Laws and certificate of compliance with Occupational Health and Safety Act must be provided at the time of site handover.</p>			
	Electrical installations to meet SANS 10142 and Code of Practice-interior lighting SABS.			
	Appearance: The office must be aesthetically acceptable to the BOCMA.			
	A description of security arrangements for the rented space.			
	All offices will require at least 1 15A outlet socket as well as clean power supply unit.			
	The BOCMA shall on finalizing the floor layout design identify additional positions for power outlets.			
	<p>Each office shall be provided with its own light switch in a suitable location near the door. Lighting according to the following:</p> <p>Standards must be provided:</p> <ul style="list-style-type: none"> <li>• General offices 500 lumens</li> </ul>			

	<ul style="list-style-type: none"> <li>• Boardroom 500 lumens dimmable to 50 lumens (at least 4 X 58W 5ft double fittings)</li> <li>• Committee room of approximately 50 square meters.</li> </ul>			
	<p>Toilet facilities: Provisioning is to be made in accordance with National Building regulations. Specify toilets Ladies: 5 including disabled Gents: 3 gents. 3 Urinals, including disabled</p>			
	<p>Kitchen: Provision is to be made for a small kitchen in which a sink as well as hot and cold water is available. The kitchen must also have power points to accommodate appliances. Lockable cabinets for groceries and cleaning products</p>			
	<p>Space planning: Electronic copy of the building floor layout plan should be provided to BOCMA together with proposal</p>			
	<p>Air conditioning: All offices must be air-conditioned with a quality modern system. There should preferably be a maintenance contract in place. The air conditioning installation/ units should have a remaining life expectancy of at least 5 years. A Mechanical report will be required.</p>			
	<p>What type of the air conditioning system does the building have? Please elaborate</p>			
	<p>The landlord shall be responsible for the repairs and maintenance of the air conditioning system.</p>			
	<p>Does any ICT infrastructure exist within the building? Please elaborate.</p>			

	Security gate required in front of IT Server room and entrance of building/ office			
	Maintenance, Services and repairs: Quality maintenance services must be provided and are to be included in the operating cost. Please provide details of the maintenance services.			
	Proposal rate: The rental rate shall be fully serviced, all inclusive rental rate, including but not limited to security, janitorial services, pest control and repairs.			
	If the proposed space has more square meters than what is requested, then the rental rate shall be based on the requested square meters. In order to provide a fair basis for comparison, list the remaining balance of space available at no cost to the lessee.			
	All improvements to the rented space / premises shall be provided by the lessor, at the lessor expenses.			
	All exterior windows must have a covering allowing the tenant to regulate natural lighting into the leased space. Vertical blinds are in most cases the preferred window covering as well as burglar bars for security purposes, but other alternatives must be specified in the bid proposal.			
	Floor covering must be of an acceptable standard and quality to last for at least ten (10) years under minimum commercial traffic conditions.			
	The proposal must include the description of the finished building including paint, trim, floor covering and window covering.			
	Registry room should have category 1 record / registry room doors which can be opened from both sides and which			



	<p>comply with SABS Specification 949. Registry room walls shall be of masonry of not less than 220mm thick or of concrete of not less than 40mm thick or of such structure approved by the Department of Public Works and Infrastructure.</p> <p>Registry room may have no external windows and all ventilation openings in the walls shall be fitted with fire dampers approved by the Fire Prevention Officer of the Department of Public Works and Infrastructure.</p>			
	<p>The building must have an emergency power supply unit subject to the size of the building to ensure essential areas, emergency lifts, emergency lighting, computer server room, computer workstations etc., are functioning in the event of a power failure, load shedding, at occupation.</p> <p>Bidders must indicate the make and electrical capacity of the emergency power supply unit installed in the building and also provide a list of the standard equipment that it is currently connected to.</p> <p>Make.....</p> <p>Capacity.....</p>			
	<p>The server room must be equipped with an independent air-conditioning unit to cater for the computer equipment. The sever room be equipped with an earth bar in accordance with Telkom Standards. (One unit to serve as a backup unit)</p>			
	<p>The service provider must be accredited with relevant regulatory body in property management. Please attach valid accreditation.</p>			

	The service provider must provide proof of mandate if acting on behalf of the landlord.			
	Structural building insurance is the responsibility of the landlord. The bidder must provide proof of public insurance.			
5.	<b>Rentable area available</b>			
	What is the size of the rentable area available for this bid? Please indicate in square meters.			
	What numbers of covered parking bays are available for this bid?			

#### 4 EVALUATION CRITERIA AND METHODOLOGY

##### 4.1 Phase 1: *Administrative mandatory requirements*

The information contained in the Table below is mandatory and will be used in assessing the responsiveness of bidders. Failure to submit and complete all mandatory information will result in submissions being deemed null and void and shall be considered “non – responsive” and therefore not considered.

DESCRIPTION	MINIMUM PROOF REQUIRED	TICK SUPPLIED	
		YES	No
Tax Compliance Status	CSD Tax Compliance Proof of CSD registration number		
SBD1	Completed, signed and submitted		
SBD 3.3	Completed, signed and submitted		
SBD 4	Completed, signed and submitted		
SBD 6.1	Completed, signed and submitted		
SBD 8	Completed, signed and submitted		
SBD 9	Completed, signed and submitted		
Company registration certificate CIPRO / CIPC	Company registration documents / certificate from CIPRO / CIPC		
Company profile	Detailed company profile		

**N.B: Failure of bidders to meet all the above mandatory requirements will result in submissions being deemed null and void and shall be considered “non – responsive” and therefore not considered.**

**Phase 2: Technical Evaluation**

The evaluation of the technical part of the proposal will be on the basis of the candidate’s responsiveness to the terms of reference, as well as the application of the evaluation criteria and points system as indicated below. Each responsive proposal will be given a technical score.

The proposals will receive further consideration if they score at least 70% minimum points out of the 100% for functionality

**Phase 3: Pricing and Specific goals evaluation**

The value of this tender is not expected to exceed R50 000 000 therefore:

The following 80/20 preferential point system will be used for the evaluation of the proposals:

**Pricing : 80 points**

**Specific Goals : 20 points**

**Specific goals :**

	<b>80/20 Preference point system</b>
51% or more black owned	10
51% or more black women owned	10
Less than 51% black owned	5
Less than 51% black women owned	5
0% black owned	0
<b>Maximum points</b>	<b>20</b>

**Please provide proof for specific goals.**

**Failure to submit proof for specific goals will not disqualify you but you will not score any points for specific goals.**

## 4.2 Mandatory requirements

Bidders must meet all the mandatory requirements as stipulated in the bid document. Failure to comply with any of the requirements will lead to the bidder being disqualified. Mandatory Technical Requirements are not subjected to scoring as these are absolute minimum requirements.

		Comply	Not Comply
4.2.1	<p>The bidder must confirm that they have read and understood the terms and conditions set out in the attached Special Conditions of Contract and mandatory clauses to be incorporated into the lease agreement (<b>See Annexure A</b>) which terms and conditions the bidder accepts, in the event that the BOCMA awards the contracts to the bidder pursuant to this bid. The bidder must submit with the bid:</p> <p>A. A proposed Lease Agreement; and B. A proposed Pricing Schedule C. Special Conditions of Contract</p>		
	<p>Substantiate / Comments (use separate type page if necessary and make reference to 4.2.1)</p>		
4.2.2	<p>Proof of ownership including proof of building insurance , OR</p> <p>The bidder must provide proof of mandate if acting on behalf of the owner / landlord or company. The BOCMA does not pay commission agent fees.</p>	Comply	Not Comply

	Substantiate / Comments (use separate type page if necessary and make reference to 4.2.2)		
4.2.3	The bidder must have been established, experienced and operational for a period of at least three (3) years or more. Provide Company Profile.	<b>Comply</b>	<b>Not Comply</b>
	Substantiate / Comments (use separate type page if necessary and make reference to 4.2.3)		
4.2.4	The prospective bidder shall provide an Occupation Certificate and proof from a Registered Architect that the building is in existence and is an A Grade Office Space. Existing Office Space as indicated in space requirements. The prospective bidder shall provide the stand number and sizes.	<b>Comply</b>	<b>Not Comply</b>
	Substantiate / Comments (use separate type page if necessary and make reference to 4.2.4)		

4.2.5	The Landlord will be responsible for the provisioning of backup power supply equipment to ensure an uninterrupted power supply during loadshedding, including maintenance thereof	<b>Comply</b>	<b>Not Comply</b>
	Substantiate / Comments (use separate type page if necessary and make reference to 4.2.5)		
4.2.6	List of returnable documents to be submitted: <ul style="list-style-type: none"> <li>- Approved building plan from Local Authority</li> <li>- Occupational Certificate from Local Authority</li> <li>- Valid Zoning Certificate as required for Office Accommodation</li> <li>- Electrical Compliance Certificate</li> <li>- Fire Clearance Certificate</li> <li>- Lift Condition report (if applicable)</li> <li>- HVAC (Heating, Ventilation and Air-Conditioning) certificate from supplier</li> <li>- Plumbing certificate</li> </ul>	<b>Comply</b>	<b>Not Comply</b>
	Substantiate / Comments (use separate type page if necessary and make reference to 4.2.6)		

### **4.3 Evaluation process**

4.3.1 Following the Closing Time and date, the BOCMA intends to evaluate the Tenders received.

4.3.2 Tenders will be evaluated against the Evaluation Criteria specified under the section "Evaluation Criteria Format".

4.3.3 Without limiting the BOCMA's rights in the Request for Proposals (RFP), the BOCMA may at any time during the Tendering Process choose to:

- (a) shortlist one or more bidders; and
- (b) accept one or more tenders

4.3.4 Unless the Evaluation Criteria explicitly require, the BOCMA may, but it is not in any way bound to, shortlist, to select as successful, or to accept the Tender offering the lowest price.

4.3.5 Should the BOCMA choose to include a short listing stage in its evaluation process, the BOCMA is not, at any time, required to notify bidders or any other person or organization interested in submitting a Tender.

4.3.6 A bidder's response will not be deemed to be unsuccessful until such time as the bidder is formally notified of that fact by the BOCMA.

#### **4.4 Evaluation criteria format**

4.4.1 The evaluation criteria are weighted to reflect the importance of project requirements noted in the Specifications.

4.4.2 In evaluating bidders responses, the BOCMA will have regard to:

- (a) specific evaluation criteria identified in the list below;
- (b) the overall value for money proposition presented in the bidder's response;
- (c) Particular weighting assigned to any or all of the evaluation criteria specified Below.

4.4.3 For the purposes of this RFP, 'value for money' is a measurement of financial and non-financial factors, including:

- (a) quality levels; and
- (b) performance standards

4.4.4 Value for money will be assessed on a 'whole of life' (including the transitioning-in, the contract term and the transitioning-out phases of the relationship between the BOCMA and a bidder), with a view to long-term sustainability of the value for money proposition and with a focus on ensuring that value for money outcomes are promoted and protected following the conclusion of any contract that may result from this RFP.

4.4.5 Administrative compliance will be determined in accordance with the conditions listed in this RFP.

4.4.6 The evaluation criteria will be in line with the PPPFA, Number 5 of 2000 and Preferential Procurement Regulations 2022.

4.4.7 Evaluation will be based on a point system and two-stage evaluation process. As a prerequisite, a bid must comply with the requirements of the bid solicitation and meet the minimum threshold of the functionality evaluation criteria to be declared responsive and qualify to the next evaluation stage.

## 5. Functionality evaluation

The evaluation criteria for measuring functionality, and the weighting attached to each criterion is listed in the table below:

No.	Functionality	Criteria/ Guide	Max Weight	Score Claimed	
1	<b>Capacity of company</b>		25		
	Capacity in respect of the management of leases, preparing accommodation in terms of user requirements, providing the required building and accommodation maintenance support, in evidence provided in the proposal, three (3), reference letters from current and previous clients within the last ten (10) years	No reference letters			0
		One reference letter			3
		Two reference letters			4
		Three reference letters			5
2	<b>Building location and accessibility: (Targeted area is within the outskirts of the northern suburbs of Bellville and Durbanville)</b>		25		
	Aerial plan or proof of distance indicating the following to be attached:				
	a) Building must be located in the target area and must be within 2km walking distance from public transport route	5			
	b) Building be located in the target area more than 2km up to 2.25km walking distance from public transport route	4			
	c) Building be located in the target area more than 2.25km up to 2.5km walking distance from public transport route	3			
d) Building be located in the target area more than 2.5km up to 3km walking distance from public transport route	2				



	e) Building be located in the target area and are more than 3km walking distance from public transport route		1		
3	<b>Building requirements</b>			15	
	3.1 Parking space Free open parking bays for BOCMA's employees within the premises. Disability parking should also be provided	Less than 20 parking bays	0		
		More than 20 parking bays	5		
	3.2 Office building must have the following a) air-conditioners b) electrical plugs per office c) ablution facilities as per space norm d) fire escape routes / emergency exits e) Access for people with disability	Non compliance	0	15	
		Comply with building requirements	5		
4	<b>Appearance</b>			10	
	Clean and open appearance, Good for corporate image, Good for branding, enhance staff moral (latest photos of the building) :		5		
	10 or more photos, modern, and preferably green building with exterior branding space, and close to convenient amenities (restaurant, banks, grocery shops etc.)				
	6-9 photos, modern, and preferably green building with exterior branding space, and close to convenient amenities (restaurant, banks, grocery shops etc.)		4		
	5 photos, modern, and preferably green building with exterior branding space, and close to convenient amenities (restaurant, banks, grocery shops etc.)		3		
less than 5 photos, or no photos at all		0			

		<b>Financial Stability</b>			
5	Latest Three Year Audited Financial Statements (Any statements from 2020 onwards) and Letter from Financial Institution or any supporting evidence proving financial stability of company	Latest Three Year Audited Financial Statements	5	10	
		Two years Audited Financial statements	4		
		One year Audited Financial Statement	2		
		• 0 point - (No response or information)	0		
		<b>All documents in support of the various sections above must be submitted in order to claim the maximum . Missing or incomplete documentation will result in a zero score for the relevant section.</b>			<b>100</b>
<b>TOTAL</b>					

## 6 Price evaluation

### 6.1 Relative competitiveness of the proposed price

## 7 Cost proposal content

7.1 The cost proposal will be used in the evaluation of the RFP and will be used as a basis for the negotiated agreement. Each cost proposal should contain the following as a minimum:

- Describe how BOCMA will be charged for the service required by providing a price structure. All charges must be specified and priced separately.
- Describe how BOCMA will benefit from cost saving by accepting the service Provider's pricing structure, including discounts, waivers, etc.
- Provide various types of service providers or options, discounts and additional information that will allow cost savings towards BOCMA
- Provide direct costs, discounts, benefits, availability of service, for example 24 hours per day, including a toll free number or any other contact method to access these services.
- Describe and provide any direct costs.
- Describe any daily, weekly, monthly rates applicable to providing the service.

7.2 As part of the financial proposal the following must be added to the final proposal in the prescribed format **(See Annexure A)**

## 8 Specific goals evaluation

8.1 In terms of the Preferential Procurement Regulations 2022, a maximum of 20 points may be awarded to a tenderer for the specific goals specified for the tender. Points scored for specific goals will be added to points scored for price and the total will be rounded off to the nearest two decimal places.

## 9 Disclaimer

9.1 BOCMA reserves the right not to appoint a service provider and is also not obliged to provide reasons for the rejection of any proposal.

### 9.2 BOCMA reserves the right to:

- (a) Award contract to a service provider
- (b) Reject all bids
- (c) Decline to consider any bids that do not conform to any aspect of the bidding requirements
- (d) Cancel this tender or any part thereof at any time.

For enquiries contact : Ms Noxolo Mafanya/ Aureca Jansen

Telephone number: (023) 346 – 8000

Email: [nmafanya@bocma.co.za](mailto:nmafanya@bocma.co.za) / [ajansen@bocma.co.za](mailto:ajansen@bocma.co.za)

## SPECIFIC CONDITIONS

Respondents should complete all the returnable SCHEDULEs/SBD forms listed below.

### RETURNABLE SCHEDULES

(All ANNEXUREs must be completed and returned by the Supplier(s) when submitting the bid.)

<b>RETURNABLE SCHEDULE 1:</b> Invitation to Bid (SBD 1)
<b>RETURNABLE SCHEDULE 2:</b> Pricing Schedule (SBD 3.3)
<b>RETURNABLE SCHEDULE 3:</b> Declaration of Interest (SBD 4)
<b>RETURNABLE SCHEDULE 4:</b> Preference Points Claim Form (SBD 6.1)
<b>RETURNABLE SCHEDULE 5:</b> Contract Form (SBD 7.2)
<b>RETURNABLE SCHEDULE 6:</b> Supplier(s)'s Past Supply Chain Management Practices (SBD 8)
<b>RETURNABLE SCHEDULE 7:</b> Certificate of Independent Bid Determination (SBD 9)

## TERMS AND GENERAL CONDITIONS

- (a) All submissions must be received by the Breede-Olifants Catchment Management Agency no later than **11 March 2024 @ 15:00**. Respondents must submit their proposals before the closing date and time. No late submissions will be considered;
- (b) All submissions and subsequent information received will become the property of the Breede-Olifants Catchment Management Agency and will not be returned;
- (c) Failure to complete all supplementary information will result in submissions being deemed null and void and shall be considered “non-responsive” and therefore not considered;
- (d) Telegraphic, telexed, faxed or e-mailed submissions will not be accepted;
- (e) Service Providers should submit 5 Copies of proposals, one copy should be an original and clearly marked **Original** and the remaining can be the copies of the Original.

**“RFP 2024/01 –“REQUEST FOR PROPOSAL (RFP):LEASING OF VACANT OFFICE SPACE – CAPE TOWN”** at the Tender Box of BOCMA at Cnr Mountain Mill and East Lake road; Worcester; 6850.

Proposals may also be posted to: **Attention: Acting: CHIEF EXECUTIVE OFFICER ;RFP 2024/01 Proposal for Leasing of Vacant Office Space- Cape Town ;Private Bag X3055,Worcester ,6850.**

- (f) Respondents or their representatives (including the courier services) must ensure that they register their submissions in the Lodging Sheet at the Reception Desk of the above-mentioned Breede-Olifants CMA Office, wherein they will indicate the name of the person delivering the submission, the number of copies submitted, the time and date of submission and sign the document.
- (g) All enquiries and submissions regarding this Request for Tender (RFP) must be directed to: - Ms Noxolo Mafanya or Ms Aureca Jansen at Supply Chain Management Unit Number: 023 – 346- 8000; Email: [nmafanya@bocma.co.za](mailto:nmafanya@bocma.co.za) and/ or [ajansen@bocma.co.za](mailto:ajansen@bocma.co.za)

- (h) The contact persons reflected above shall be the only point of contact for this contract. Failure to observe this requirement might lead to immediate disqualification of the respondent;
- (i) The Breede-Olifants CMA reserves the right not to accept any submission
- (j) Bidders must comply with Regulation 13(c) of the Public Service Regulations, 2016 which states that “an employee in the public service shall not conduct business with any organ of state or be a director of a public or private company conducting business with an organ of state, unless such employee is in an official capacity a director of a company listed in ANNEXURE 2 and 3 of the PFMA”
- (k) Submission of a Request for Proposal and its subsequent receipt by the Breede-Olifants CMA does not represent a commitment on the part of the Breede-Olifants CMA to proceed further with any Respondent or any project;
- (l) No costs incurred by the Respondents in the preparation of their submission will be reimbursed;
- (m) Public Liability - Breede-Olifants CMA shall not be liable in respect of any claims, damages, accidents, etc. to persons, properties, vehicle rights, etc. that may arise from the carrying out of this contract.
- (n) Tender prices must remain valid for a period of 120 days (calculated from closing date of the bid).

## **DISQUALIFICATION**

- (a) It must be stressed that any queries relating to this request must be addressed only to nmafanya@bocma.co.za and/ or ajansen@bocma.co.za who are identified as contact persons for this contract; Ms Noxolo Mafanya or Ms A Jansen: Supply Chain Management Unit Contact Number: 023 – 346 8000. The queries must be in writing addressed to the above-mentioned officials. The queries must be sent to the above-mentioned officials before **08 March 2024.**
- (a) Respondents are not to communicate in any manner or form whatsoever with members of Breede-Olifants Catchment Management Agency's personnel about the RFP until the preferred Supplier(s) has been selected and the procurement process completed;
- (b) Respondents are advised that should there be any contact with Breede-Olifants Catchment Management Agency's staff and the Adjudication Team which could in any way be seen or deemed to constitute a conflict of interest, bribe or otherwise influence the process and the outcome thereof, will result in immediate disqualification;
- (c) Misrepresentation of information presented to the Breede-Olifants Catchment Management Agency, be it on capability statement or empowerment credentials will also lead to disqualification of the respondent.

**RETURNABLE SCHEDULE 1: INVITATION TO BID AND THE TERMS AND CONDITIONS OF BIDDING (SBD 1)**

**PART A  
INVITATION TO BID**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)**

BID NUMBER:	RFP 2024/01	CLOSING DATE:	11/03/2024	CLOSING TIME:	15:00
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DESCRIPTION	REQUEST FOR PROPOSAL (RFP): LEASING OF VACANT OFFICE SPACE – CAPE TOWN
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**BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)**

Breede-Olifants Catchment Management Agency  
 Cnr Mountain Mill & East Lake Roads  
 Worcester  
 6850

<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>	<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>
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CONTACT PERSON	<b>Noxolo Mafanya</b>	CONTACT PERSON	<b>Aureca Jansen</b>
TELEPHONE NUMBER	<b>023 346 8000</b>	TELEPHONE NUMBER	<b>023 346 8000</b>
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS	<b>nmafanya@bocma.co.za</b>	E-MAIL ADDRESS	<b>ajansen@bocma.co.za</b>

**SUPPLIER INFORMATION**

NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE		NUMBER
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE		NUMBER
E-MAIL ADDRESS			
VAT REGISTRATION NUMBER			

SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:	<b>OR</b>	CENTRAL SUPPLIER DATABASE No:	MAAA
----------------------------	----------------------------	-----------	-------------------------------	------

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> 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 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."

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

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....



## RETURNABLE SCHEDULE 2 – PRICE SCHEDULE

**BIDDER:** \_\_\_\_\_

It is understood that internal audits are based on hourly rates and that budgets should be compiled based on the estimated hours as indicated below. Financial proposals will be compared based on estimated amounts and estimated hours. An assessment will be made if the hours proposed below will be sufficient enough to cover the detailed scope of work. Firms are required to submit a table of hourly rates as per the table below. Rates should be **inclusive** of overheads **and** VAT (but exclusive of disbursements and related VAT). If a particular category does not exist for the firm, it can be omitted. The rates below are indicative .

	Price
A – Base Rental (Three years)	
B – Operating including Maintenance (Three years)	
C – Parking (Three years)	
<b>Total for three years</b>	

The table is for indicative rates only and will not be used in the Pricing Schedule

**Pricing Instructions:**

By signing the Price Schedule, a bidder warrants that:

- 2.1.1 the relevant quotation is correct;
- 2.1.2 the rates(s) and prices(s) quoted cover all the work/item(s) specified in the quotation document;
- 2.1.3 the rate(s) and price(s) cover all the Supplier(s)'s obligations under a resulting contract, including all disbursements;
- 2.1.4 any mistakes and/or omissions regarding rate(s) and price(s) or errors in calculation shall be at the Supplier(s)'s risk.
- 2.1.5 Bidders must show VAT payable separately on the Price Schedule.

**SIGNED at** \_\_\_\_\_ **(place) on the** \_\_\_\_\_ **day of** \_\_\_\_\_ **(month),**  
**20**\_\_\_\_\_

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

Print name: \_\_\_\_\_  
 On behalf of the Supplier(s) (duly authorized)

**PRICING SCHEDULE**  
(Professional Services)

NAME OF BIDDER: .....	BID NO.: RFP <b>2024/01</b> .....
CLOSING TIME <b>15:00</b>	CLOSING DATE.....

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

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)	
1.	The accompanying information must be used for the formulation of proposals.		
2.	Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.	R.....	
3.	PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)		
4.	PERSON AND POSITION	HOURLY RATE	DAILY RATE
	----- -----	R-----	-----
	-----	R-----	-----
	-----	R-----	-----
	-----	R-----	-----
	-----	R-----	-----
5.	PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT		
	-----	R-----	----- days
	-----	R-----	----- days
	-----	R-----	----- days
	-----	R-----	----- days

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

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
TOTAL: R.....			

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

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

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
TOTAL: R.....			

6. Period required for commencement with project after acceptance of bid  
.....
7. Estimated man-days for completion of project  
.....
8. Are the rates quoted firm for the full period of contract? \*YES/NO
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index.  
.....  
.....  
.....  
.....

~~[DELETE IF NOT APPLICABLE]~~

Any enquiries regarding bidding procedures may be directed to the –

(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:

Or for technical information –

(INSERT NAME OF CONTACT PERSON)

Tel:

**RETURNABLE SCHEDULE 3: DECLARATION OF INTEREST (SBD 4)**

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

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

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

1.1 Full Name of bidder or his or her representative: .....

2.2 Identity Number: .....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>): .....

2.4 Company Registration Number: .....

2.5 Tax Reference Number:  
.....

2.6 VAT Registration Number: .....

1.1.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

<sup>1</sup>“State” means –

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

<sup>2</sup>“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

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

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member: .....  
Name of state institution at which you or the person connected to the bidder is employed : .....  
Position occupied in the state institution: .....

Any other particulars:  
.....  
.....  
.....

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

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

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

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

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

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

2.8.1 If so, furnish particulars:

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

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

1.1.1 If so, furnish particulars.

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

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between **YES/NO**

any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

2.10.1 If so, furnish particulars.

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

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? **YES/NO**

2.11.1 If so, furnish particulars:

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

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

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Persal Number

**1 DECLARATION**

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.  
 3 I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
 Signature

.....  
 Date

.....  
 Position

.....  
 Name of bidder

**RETURNABLE SCHEDULE 4: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (SBD 6.1)**

**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.

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:

	<b>POINTS</b>
<b>PRICE</b>	80
<b>SPECIFIC GOALS</b>	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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

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

## 2. DEFINITIONS

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

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ \mathbf{P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{P_s = 90 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)} \end{array}$$

Where

P<sub>s</sub> = Points scored for price of tender under consideration

P<sub>t</sub> = Price of tender under consideration

P<sub>min</sub> = 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:

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

Where

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

### 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)
51 % or more black owned		10		
51% or more black women owned		10		
Less than 51% black owned		5		
Less than 51% black women owned		5		
0% black owned		0		

**DECLARATION WITH REGARD TO COMPANY/FIRM**

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

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

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

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm,

certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

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

..... <b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....
	.....

**CONTRACT FORM - RENDERING OF SERVICES**

**THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.**

**PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)**

- 1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid .
  
- 2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Proof of tax compliance status;
    - Pricing schedule(s);
    - Filled in task directive/proposal;
    - Preference claim form for Preferential Procurement in terms of the Preferential Procurement Regulations;
    - Bidder's Disclosure form;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
  
- 3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
  
- 4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
  
- 5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
  
- 6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

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

**CONTRACT FORM - RENDERING OF SERVICES**

**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I ..... in my capacity as ..... accept your bid under reference number ..... dated ..... for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	TOTAL PREFERRED POINTS CLAIMED	POINTS CLAIMED FOR EACH SPECIFIC GOAL

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT ..... ON .....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

WITNESSES

1 .....

2 .....

**RETURNABLE SCHEDULE 6: DECLARATION OF SUPPLIER(S)'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (SBD 8)**

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

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

4.4.1	If so, furnish particulars:		

SBD 8

**CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME).....  
 CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND  
 CORRECT.

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

## RETURNABLE SCHEDULE 7: CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)

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

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

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



**SBD 9 :- CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_

(Name of Institution)

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

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- (a) prices;
- (b) geographical area where product or service will be rendered (market allocation)
- (c) methods, factors or formulas used to calculate prices;
- (d) the intention or decision to submit or not to submit, a bid;
- (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
- (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

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.

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

**ANNEXURE A  
SPECIAL CONDITIONS OF CONTRACT**

**11. SPECIAL CONDITIONS OF CONTRACT  
REFERENCE NUMBER: RFP 2024/01**

**ENTERED INTO BY AND BETWEEN**

.....  
Herein represented by  
.....  
In his / her capacity as .....of .....  
.....

Duly authorised thereto (hereafter referred to as the Landlord)  
AND

**BREEDE-OLIFANTS CATCHMENT MANAGEMENT AGENCY**

Herein represented by:

**JAN VAN STADEN**

In his capacity as the Acting: Chief Executive Officer of the Breede-Olifants  
Catchment Management Agency

(hereafter referred to as the BOCMA)

Whereas Request for Proposal Number RFP 2024/01 contract regarding the appointment of a service provider for the provision of approximately 800 square meters of office accommodation for a period of three (3) years (with the option to renew) within the area of Worcester was awarded by the BOCMA accepted the awarded contract.

THE PARTIES FURTHER AGREE AS FOLLOWS IN ADDITION TO THE GENERAL CONDITIONS OF CONTRACT:

1. The terms of reference which being part of the tender documents issued for the Request for Proposal Number RFP 2024/01 is part of the condition of contract for the tender under mentioned.
2. The General Conditions of Contract that were issued as part of the Tender Document are part of the conditions of contract for the project and where there is conflict between the Special Conditions of contract and the General Conditions of Contract, the provisions of these Special Conditions of Contract shall prevail.

3. The description of the property being the subject of the lease is as follows:

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

4. The lease period shall commence on 01 April 2024 and shall be for a period of three (3) years on the same conditions as set out in these conditions of contract subject to the escalation of the rent and related costs specified.

5. The annual escalation of the rent on the anniversary of the lease every year shall be ..... %.

6. The amount of lease deposit or bank guarantee to be provided to the Landlord is R ..... and shall be adjusted when the BOCMA exercises its right of the option to extend the lease agreement.

7. Stamp duty due on this lease agreement, if any is payable by the BOCMA.

8. The permitted use of the leased property is for administrative offices and related activities.

9. The monthly lease and related costs for the duration of the term of lease of these Special Conditions of Contract, payable without deduction of set off at the domicilium of the Landlord or other address directed by the Landlord in writing to the Landlord by not later than the first business day of every calendar month are as follows:

**PART A – BASE RENTAL**

Amount excluding VAT	VAT at 15%	Amount including VAT	From	To

**PART B – OPERATING INCLUDING MAINTENANCE**

Amount excluding VAT	VAT at 15%	Amount including VAT	From	To

--	--	--	--	--

**PART C - PARKING**

Amount excluding VAT	VAT at 15%	Amount including VAT	From	To

10. The operating costs that include the maintenance costs referred to PART – B in clause 9 shall be fixed amount as reflected in the schedule in PART –B in clause 9.

11. The BOCMA shall be liable for payment of all declared and agreed to payments on the leased property and if the leased property is part of a larger property and there are no separate meters for water and electricity consumption the Landlord shall provide an invoice based on proportional consumption according to the ratio of the rentable floor space of the leased property to the total rentable floor space of the larger property.

12. The landlord may levy interest at the prime interest rate on an overdraft advance at the bank of the landlord on late payments of any amount payable in terms of these special conditions of contract. Such interest rate must be certified by the bank manager as correct.

13. The landlord shall allow the BOCMA to move into and occupy the leased property at least on (1 OR 2) week prior to the commencement of the lease term.

14. Alterations and improvements to the leased property may be made only with the prior written consent of the landlord subject to the conditions agreed to in writing at that stage.

15. BOCMA may have the right to termination the lease/contract by giving the landlord a notice period of one year. In such cases the BOCMA will have to hand over the leased property to the landlord in the same condition received from the landlord save for normal wear and tear, subject to the obligation of the landlord to maintain the leased property and the maintenance cost is payable as part of the rent as specified in PART – B of clause 9 above.

16. The BOCMA shall comply with all relevant legislation applicable to the use of the leased property and the business of the BOCMA.

17. The BOCMA may not affix or display any signage in or about the leased property without the prior consent of the landlord and all such signage shall be removed by the BOCMA upon termination of the lease and the BOCMA shall make good all damage occasioned by such removal.

18. The BOCMA shall comply with the provisions of the insurance policy taken out by the landlord in respect of the leased property of which a copy shall be provided to the BOCMA.

19. The landlord may from time to time impose fair and reasonable management rules in respect of the leased property to be complied with by the BOCMA.

20. The BOCMA may not cede, assign, transfer, alienate or dispose otherwise any of its rights or obligations under this lease.

21. In the case of breach of contract the party not in default must claim from the party in default specific performance within seven (7) days in writing to be complied with within seven (7) days from the date of receipt of the notice. Failure by the party in default to comply with such notice shall give the party not in default to claim damages and or to terminate the lease without waiving any rights the parties may have in terms of the lease agreement.

22. No building or major renovation of the leased property shall be done during the term of lease except by means of written agreement properly signed by the parties.

23. The lease shall only become binding once signed by both parties.

24. The conditions of contract as per the tender, including these special conditions of contract are the whole of the lease agreement and may be amended only by means of a written addendum properly signed by both parties.

THUS ENTERED INTO AND SIGNED AT..... ON THE .....  
..... OF .....2024.

LANDLORD WITNESS: 1. ....  
2. ....

THUS ENTERED INTO AND SIGNED AT WORCESTER ON THE .....  
DAY OF .....2024.

BREEDE-OLIFANTS CATCHMENT MANAGEMENT AGENCY WITNESS:

1. ....  
2. ....

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**RESOLUTION FOR SIGNATORY**

(See also “Special Conditions of Bid”)

Signatory for companies shall confirm their authority hereto by attaching a duly signed and dated copy of the relevant resolution of the board of directors to this form.

An example is given below:

“By resolution of the board of directors passed at a meeting held on \_\_\_\_\_

Mr/Ms \_\_\_\_\_, whose signature appears below, has been duly authorised to sign all documents in connection with the tender for

**Bid Number:**

and any Contract which may arise there from on behalf of (Block Capitals)

\_\_\_\_\_  
\_\_\_\_\_

SIGNED ON BEHALF OF THE COMPANY: \_\_\_\_\_

IN HIS/HER CAPACITY AS: \_\_\_\_\_

DATE: \_\_\_\_\_

SIGNATURE OF SIGNATORY: \_\_\_\_\_

**WITNESSES:**

1. \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

2. \_\_\_\_\_ SIGNATURE: \_\_\_\_\_