



social development

Department:  
Social Development  
REPUBLIC OF SOUTH AFRICA

Private Bag X901, Pretoria, 0001  
Tel No: (012) 312 7766  
Fax No: (012) 312 7391

Sir/Madam

**APPOINTMENT OF A SERVICE PROVIDER TO DEVELOP NORMS AND STANDARDS, AS WELL AS BLUEPRINT ARCHITECTURAL DESIGNS FOR 25 DIFFERENT TYPES OF FACILITIES WITHIN THE SOCIAL DEVELOPMENT SECTOR**

1. Tender No: **SD09/2012**
2. Tender for: **DEVELOP NORMS AND STANDARDS, AS WELL AS BLUEPRINT ARCHITECTURAL DESIGNS FOR 25 DIFFERENT TYPES OF FACILITIES WITHIN THE SOCIAL DEVELOPMENT SECTOR**
3. Required at: Department of Social Development
4. Closing Date: **26 OCTOBER 2012 at 11h00**
5. The General Conditions of Contract are obtainable on treasury website and the attached, SBD1; SBD2; SBD3.3; SBD4; SBD6.1; Questionnaire; SBD8; SBD9 and the terms of reference, as well as any other conditions accompanying this request are applicable.
6. **All the documents accompanying this invitation must please be completed in detail, where applicable and returned with your Bid.**
7. Please make sure that your bid reaches this office before the closing time.
8. When submitting your bid the following information must appear on the sealed envelope:
  - i. Name and address of the Bidder
  - ii. Bid number
  - iii. Closing Date
9. This envelope can be placed in the Bid box in the foyer at HSRC Building, 134 Pretorius Street, Pretoria

Kind regards

DIRECTOR GENERAL: DEPARTMENT OF SOCIAL DEVELOPMENT  
DATE: 28/09/2012

## INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT OF SOCIAL DEVELOPMENT)

**BID NUMBER:** SD09/2012

**CLOSING DATE:** 26 OCTOBER 2012

**CLOSING TIME:** 11:00

**APPOINTMENT OF A SERVICE PROVIDER TO DEVELOP NORMS AND STANDARDS, AS WELL AS BLUEPRINT ARCHITECTURAL DESIGNS FOR 25 DIFFERENT TYPES OF FACILITIES WITHIN THE SOCIAL DEVELOPMENT SECTOR**

**The successful bidder will be required to fill in and sign a written Contract Form (SBD 7).**

BID DOCUMENTS MUST BE DEPOSITED IN THE BID BOX SITUATED AT: HSRC Building (Ground Floor)  
134 Pretorius Street  
Pretoria

**Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.**

The bid box is generally open 24 hours a day, 7 days a week.

**ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)**

**THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT**

**THE FOLLOWING PARTICULARS MUST BE FURNISHED  
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)**

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

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? (SBD 2)

YES or NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (SBD 6.1)

YES or NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA).....☐  
 A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS); OR.....☐  
 A REGISTERED AUDITOR.....☐  
 [TICK APPLICABLE BOX]

**(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE 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?  
NO

YES or

[IF YES ENCLOSE PROOF]

SIGNATURE OF BIDDER .....

DATE .....

CAPACITY UNDER WHICH THIS BID IS SIGNED .....

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED .....

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**ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:**

**Contact Person:** Kobus Watson

**Tel:** 012 312 7566

**Fax:** 012 312 7073

**E-mail address:**...KobusW@dsd.gov.za

## TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

1. In order to meet this requirement bidders are required to complete in full the attached form "TCC 001 Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
5. Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website [www.sars.gov.za](http://www.sars.gov.za).
6. Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website [www.sars.gov.za](http://www.sars.gov.za).



TAX CLEARANCE

TCC 001

## Application for a Tax Clearance Certificate

### Purpose

1. Check the applicable option

Tenders

Good standing

2. If not applicable, please state the purpose of this application

### Particulars of applicant

2.1. Full legal name  
2.2. First name  
2.3. Surname

2.4. ID number

2.5. Passport no

Company/Close Corp.  
registered no

2.6. Home fax no (if any)

PAYE ref no 7

2.7. Representative no (if any)

SDL ref no L

2.8. Postal code

UIF ref no U

2.9. Business unit

Fax  
no

2.10. Home address

2.11. Postal address

2.12. E-mail address

### Particulars of representative (Public Officer/Trustee/Partner)

3.1. Name

3.2. Surname

3.3. ID number

Income Tax ref no

3.4. Home no

Fax  
no

3.5. Business address

3.6. Postal address

**Particulars of tender (if applicable)**

Tender number

Ten marked Tender

amount

R

5

Contract duration

year(s)

Contract

**Particulars of the 3 largest contracts previously awarded**

Date started

Date finished

Principal

Contact person

Telephone number

Amount

**Audit**

Are you currently aware of any Audit investigation against you/the company?

YES

NO

IF YES provide details

**Appointment of representative/agent (Power of Attorney)**

I/we undersigned confirm that I require a Tax Clearance Certificate in respect of Tenders or Goodstanding

thereby authorise and instruct

to apply to and receive from

SARS to obtain a Tax Clearance Certificate on my/our behalf.

Signature of representative/agent

Date

Name of

representative

Capacity

**Declaration**

I declare that the information furnished in this application as well as any supporting documents is true and correct in every respect.

Signature of applicant/Public Officer

Date

Name of representative

Capacity

**Notes:**

1. It is a serious offence to make a false declaration.

Section 75 of the Income Tax Act, 1962, states: Any person who

(a) fails or neglects to furnish, file or submit any return or document as and when required by or under this Act, or

(b) obstructs or, in consequence shown by him, refuses or neglects to-

(i) furnish, produce or make available any information, documents or things;

(ii) reply to or answer truly and fully any questions put to him ...

As provided as required in terms of this Act ... shall be guilty of an offence ...

**SARS will, under no circumstances, issue a Tax Clearance Certificate unless this form is completed in full.**

A Tax Clearance Certificate will only be issued on presentation of your South African Identity Document or Passport (Foreigners only)

or equivalent



South African Revenue Service  
Suid-Afrikaanse Inkomstediens  
Isithotho wezimali Ezingenayo eNingizimu Afrika  
Tshebediso ya Afrika-Borwa

Tax Clearance Certificate Number  
0064/1/2005/0001088683

## Tax Clearance Certificate-Tender

### Enquiries

18-11-2015

Approved Date  
18-11-2015

Trading Name

SARS

Legal Name

SARS

Expiry Date  
18-11-2016

Identity Number/ Passport Number

Company Registration Number

Income Tax Reference Number

VAT/Diesel Registration Number

PAYE Registration Number

SDL Registration Number

UIF Registration Number

It is hereby confirmed that, on the basis of the information at my disposal, the above-mentioned taxpayer has not contravened the provisions of Income Tax Act (1962), Value Added Tax Act (1991), Employees Tax (PAYE as contained within the Income Tax Act 1962), Skills Development Levies Act (1999) or Unemployment Insurance Contributions Act (2002), as at date of this certificate.

This Certificate is Valid for a period of 1 (One) Year from the date of approval

Revocation of this certificate can be done at any SARS Revenue office nationwide.

Photo copies of this certificate are not valid.

SARS reserves the right to withdraw this certificate at any time should it prevail that any taxes, levies or duties are due and outstanding by the abovementioned taxpayer during the one year period for which the certificate is valid

*This certificate is issued free of charge by SARS*





Name of Bidder: .....

- 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?  
.....
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.  
.....  
.....  
.....  
.....
10. Any enquiries regarding bidding procedures may be directed to –

Kobus Watson  
Tel No: (012) 312 7566  
Email: [kobusw@dsd.gov.za](mailto:kobusw@dsd.gov.za)

## DECLARATION OF INTEREST

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.

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

2.1 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:  
.....

2.6.1 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;

- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) 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**

2.9.1 If so, furnish particulars.

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

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

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 Reference Number	Tax	State Employee Number / Persal Number


#### 4 DECLARATION

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

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

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

## PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

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

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011.**

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### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R1 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed R1 000 000 (all applicable taxes included) and therefore the 90/10 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contribution.

1.3.1 The maximum points for this bid are allocated as follows:

	<b>POINTS</b>
<b>1.3.1.1 PRICE</b>	90
<b>1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION</b>	10
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.5. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

### 2. DEFINITIONS

2.1 “all applicable taxes” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

- 2.2 “**B-BBEE**” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 “**B-BBEE status level of contributor**” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 “**bid**” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 “**Broad-Based Black Economic Empowerment Act**” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 “**comparative price**” means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 “**consortium or joint venture**” 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;
- 2.8 “**contract**” means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 “**EME**” means any enterprise with an annual total revenue of R5 million or less .
- 2.10 “**Firm price**” means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 “**functionality**” means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 “**non-firm prices**” means all prices other than “firm” prices;
- 2.13 “**person**” includes a juristic person;
- 2.14 “**rand value**” means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 “**sub-contract**” means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 “**total revenue**” bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 “**trust**” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 “**trustee**” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

### 3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

### 4. POINTS AWARDED FOR PRICE

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

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

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

Where

$P_s$  = Points scored for comparative price of bid under consideration

$P_t$  = Comparative price of bid under consideration

$P_{\min}$  = Comparative price of lowest acceptable bid

### 5. Points awarded for B-BBEE Status Level of Contribution

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	8	16



4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

## 6. BID DECLARATION

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

### 7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

- 7.1 B-BBEE Status Level of Contribution: ..... = ..... (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

## 8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted? .....
- (ii) the name of the sub-contractor? .....
- (iii) the B-BBEE status level of the sub-contractor? .....
- (iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

## 9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm .....

9.2 VAT registration number : .....

9.3 Company registration number .....

9.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

9.6 COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business? .....

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
- (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution

**WITNESSES:**

1. ....

.....  
SIGNATURE(S) OF BIDDER(S)

2. ....

DATE:.....  
ADDRESS:.....  
.....  
.....

## QUESTIONNAIRE

Prospective suppliers/service providers are requested to submit the following information:

No	Description	Percentage/number
1.	Percentage ownership by HDI groups?	
2.	Percentage management by HDI groups?	%
3.	Total number of consultants working on the project?	%
4.	Number of consultants from HDI groups that will work on the project?	
5.	Number of permanent jobs created for the project?	%
6.	Number of temporary jobs created for the project?	
7.	Ceiling price for the contract?	R
8.	Number of working days for the completion of the contract?	

- HDI: Black, Indian & coloured people.

.....

## DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> , click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

**CERTIFICATION**

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

Js365bW

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

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

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

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

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Institution)

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

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

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder



6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

Js914w 2



## Terms of reference

**The appointment of a service provider to develop norms and standards as well as blueprint architectural designs for 25 different types of facilities within the Social Development sector.**

### **1. Purpose**

The purpose of these terms of reference is to appoint a service provider to develop norms and standards and blueprint architectural designs for 25 facilities within the Social Development sector.

### **2. Background**

The mission of the Department of Social Development (DSD) is to ensure the provision of comprehensive, integrated, sustainable and high quality social developmental services to help reduce vulnerability and poverty, and to create an enabling environment for sustainable development in partnership with those committed to building a caring society.

Under ideal conditions, the planning for infrastructure delivery and management in the government sector is complex and challenging. Under the circumstances of a changing landscape and service delivery system combined with ever-increasing pressure for social services, planning became even more challenging to the Department of Social Development.

In order to ensure that there is uniformity within the DSD sector, the Department requires norms and standards for each facility type in order to ensure that any new building would be built according to a standard. Furthermore, these norms and standards should form the basis for blueprint architectural designs for each facility.

The DSD sector currently has the following in place:

- 1.1 Design guidelines for all facilities;
- 1.2 Legislative service delivery norms and standards; and
- 1.3 All provinces have architectural designs and bills of quantities of facilities listed in Table 1 that they have built.

Table 1 below is an indication of the type of facilities that will be included in the project. It can be assumed that the minimum size of each facility will be 60 and maximum 120 persons.

Facility Type	Definition
<p>Child and Youth Care Centre (CYCC) includes the following:</p> <ul style="list-style-type: none"> <li>• Temporary Place of Safe Care</li> <li>• Children's Home</li> <li>• Secure Care Centre</li> <li>• School of Industry</li> <li>• Reform School</li> </ul>	<p>A Child and Youth Care Centre is a facility for the provision of residential care to more than six children outside the child's family environment in accordance with a residential care programme suited for the children in the facility, but excludes:</p> <ul style="list-style-type: none"> <li>• a partial care facility;</li> <li>• a drop-in centre;</li> <li>• a boarding school;</li> <li>• a school hostel or other residential facility attached to a school;</li> <li>• a prison; or</li> </ul> <p>any other establishment which is maintained mainly for the tuition or training of children other than an establishment which is maintained for children court ordered to receive tuition or training.</p> <p>In terms of Section 196(4) of the Children's Amendment Act (Act 41 of 2007) all existing government children's homes, temporary safe care, secure care facilities, schools of industries and reform schools must be registered as CYCCs as prescribed.</p>
<p>Early Childhood Development (ECD) facility</p>	<p>Early Childhood Development is the process of emotional, cognitive, sensory, spiritual, moral, physical, social and communication development of children from birth to school-going age.</p>
<p>Shelters for street children</p>	<p>A shelter provides temporary accommodation for street children to ensure their protection.</p>
<p>Drop-in Centre</p>	<p>A drop-in centre is a facility providing basic services aimed at meeting the emotional, physical and social development needs of vulnerable children.</p>
<p>Partial Care Facility</p>	<p>Partial care is provided when a person, whether for or without reward, takes care of more than six children on behalf of their parents or care-givers during specific hours of the day or night, or for a temporary period, by agreement between the parents or care-givers and the provider of the service, but excludes the care of a child:</p> <ul style="list-style-type: none"> <li>• by a school as part of tuition, training and other activities provided by the school;</li> <li>• as a boarder in a school hostel or other residential facility managed as part of a school; or</li> <li>• by a hospital or other medical facility as part of medical treatment provided to the child.</li> </ul>
<p>Residential Facility for older persons</p>	<p>Residential facility means a building or other structure used primarily for the purposes of providing accommodation and of providing a 24-hour service to older persons.</p>

Facility Type	Definition
Substance Dependency Treatment Centre and half way House	<p>A treatment centre is a facility established by the Minister for the reception and treatment of persons who are dependent on drugs.</p> <p>A hostel is a facility established by the Minister for the purpose of providing homes for patients who have been released from treatment centres and for persons dependent on drugs.</p>
Office	Office space that is in line with the approved "Office Space Norms" Gazetted in August 2005 by the Minister of Public Works, catering specifically for the needs of officials in the employ of DSD, NDA and SASSA.
Pay-point	A pay-point is a place designated by the South African Social Security Agency (the Agency) for the payment of social assistance.
One Stop Child Justice Centre	<p>The first amendment to section 29 of the Correctional Services Act banned pre-trial detention in prison of any person under 18 years of age irrespective of offence or prior criminal history.</p> <p>The Child Justice Act (no 75 of 2008) provides for specialised child justice courts and One Stop Child Justice Centres, for all cases involving children. A One Stop Child Justice Centre is an establishment which provides all governmental and non-governmental services to children in conflict with the law under one roof.</p>
Luncheon Club/Older Persons' Service Centre	Luncheon clubs or Older Persons' Service Centres is organised meeting places for over-65s. It is somewhere to receive a hot meal, to save people having to cook their own. It is also a way of sustaining social contact for older persons. Additional services and programmes are run concurrently.
One Stop Development Centre	<p>This facility is provided for the delivery of a range of programmes for the community. It consists of the following:</p> <ul style="list-style-type: none"> <li>• Community hall</li> <li>• ECD centre</li> <li>• Day care centre for older persons</li> <li>• Administration offices for DSD services and other partners e.g. SASSA, Home Affairs; NGOs etc. This could be used on a rotational basis depending on the need for the service.</li> </ul>
Youth Development Centre	<p>This is a facility that provides a range of services targeted to youth. It includes the following:</p> <ul style="list-style-type: none"> <li>• Youth skills centre</li> <li>• ECD</li> <li>• Administration block</li> </ul>

Facility Type	Definition
sheltered workshops  Homes for people with disabilities  Rehabilitation centres	<p>The primary objective of the Sheltered Workshops is to create socio-economic opportunities by providing diverse service baskets ranging from social services, skills development, training, and self-help programmes, in order to enhance work ethics and skills of people with disabilities.</p> <p>A home for people with disabilities is a facility for the temporary or permanent care, protection, support, stimulation, skills development and rehabilitation of people with disabilities, who due to their disability and social situation need care.</p>
1)Shelters for victims of crime and abused women; 2) One stop VEP centres	The aim of a victim empowerment shelter is to provide short term residence (24 to 72 hours) for victims of crime, domestic violence, abuse and other related social problems. This intervention includes meeting basic needs as well as providing support, counselling and skills development. Currently service delivery is mostly done at an early intervention level.

### 3. Scope of work

**The service provider is expected to analyse the current design guidelines available for DSD facilities, legislative service norms and standards and architectural designs developed by the provinces. Furthermore, the service provider is expected to conduct some site visits of facilities within the provinces to view “best practise” designs.**

- 3.1 Review all policies and legislation that relate to programme norms and standards and infrastructure matters within the department.
- 3.2 Complete norms and standards for each facility. These should include the following sub sections:
  - Space norms and standards
  - Occupational health and safety
  - Security standards
- 3.3 Blueprint architectural plans
  - Designs for each facility which must factor “green building” principles
  - 3D models for each facility
  - Specifications for all internal fittings and fixtures within the building for each facility type (e.g., doors, windows etc).
- 3.4 Develop a costing model for each facility based on an analysis of the norms and standards and designs developed.
- 3.5 Make a recommendation for any alternate building material option that would be feasible for a particular facility.
- 3.6 Facilitate one national workshop for presentation of the norms and standards and designs

#### **4 Deliverables**

The service provider is expected to deliver:

- 4.1 Establish a minimum uniform national norms and standards for all facilities
- 4.2 Individual norms and standards reports for 25 facilities which incorporate space, occupational health and safety and well as security standards;
- 4.3 Blueprint architectural designs for 25 facilities with 3D drawings and documented specifications for all fittings and fixtures included in the facility.
- 4.4 A cost model based on the norms and standards and architectural designs based on options of brick and mortar and alternate building material.

#### **5 Facilities /resources**

Departmental staff will be available for workshops and discussion provided sufficient notice is given for any proposed meeting.

#### **6. Timeline**

It is anticipated that the project should not exceed more than 12 months.

#### **7. Skills and Knowledge**

The following range of skills is required from the service provider

- 7.1 Proven experience in completing norms and standards. Experience of completing norms and standards within the built environment will be an advantage.
- 7.2 Architectural skills and registration with a professional body.
- 7.3 Engineering/Quantity surveying and project management skills.
- 7.4 Financial costing skills.
- 7.5 A broad understanding of the Public Finance Management Act, 1999 (No 1 of 1999) as amended (PFMA), Treasury Regulations and Division of Revenue Act

#### **8. QUOTATION PROPOSAL**

The proposal of prospective service providers must include:

- 8.1 Proposed methodology and approach that would be utilized in the completion of this task
- 8.2 Detailed costs of the tasks to be completed as per the scope of work

#### **9. GENERAL CONDITIONS**

- 9.1 The general conditions of contract as prescribed by National Treasury will be applicable in all instances.

- 9.2 All information, documents, programmes and reports must be regarded as confidential and may not be made available to any unauthorized person or institution without the written consent of the Accounting Officer or his delegate.
- 9.3 The Department will become the owner of all information, documents, programmes, advice and reports collected and compiled by the service provider in the execution of this project.
- 9.4 The copy right of all documents and reports compiled by the service provider will vest in the Department and may not be reproduced or distributed or made available in any other way without the written consent of the Department.
- 9.5 The Service Provider is entitled to general knowledge acquired in the execution of this agreement and may use it, provided that it is shall not be to the detriment of the Minister of Social Development.
- 9.6 Should either party fail to carry out any of its obligations in terms of the agreement, then the other party shall be entitled to give the defaulting party notice to comply therewith within a period of 10 days. Should the other party fail to do so, then the other party may without prejudice to any other rights it may have, terminate the agreement without further notice. On termination of the agreement, for whatever reason, all documents, programmes, reports, etc must be handed to the Department, the Service Provider relinquishes the right of retention thereof.
- 9.7 A response to each element in the evaluation matrix (as set out in paragraph 10) include annexures, but the response to each element must be **summarized in no more than 6 pages**.
- 9.8 The Department will furnish the Service Provider with all relevant and available data and information, which is necessary to perform the services under the agreement.
10. Payment will be effected within 30 days after receipt of a detailed invoice from the successful service provider.

## 11. EVALUATION CRITERIA

- 11.1 The evaluation of the bids will be conducted in two stages:
- a) Firstly, the proposals will be evaluated on functionality. An evaluation panel will allocate points (scale of 1 - 5) in respect of functionality according to the criteria set out in paragraph 11.4. Proposals scoring less than 60% in respect of functionality will be disqualified and not be evaluated further.
  - b) Thereafter, only the qualifying bids will be evaluated in terms of the 90/10 preference point system as contemplated in the Preferential Procurement Policy Framework Act (Act 5 of 2000).
- 11.2 The 90 points will be used to calculated price only and the 10 points will be used to calculate BBEE status level of contribution.



11.3 The points in respect of price will be calculated on the ceiling price for the project (inclusive of professional fees, and VAT).

11.4 Technical proposals will be evaluated on a scale of 1-5 in accordance with the criteria below. The rating will be as follows:

1 = Very Poor      2 = Average    3 = Good      4 = Very Good  
5 = Excellent

ELEMENT	Rating					Weighting	Total
	1	2	3	4	5		
Approach and Methodology.						15	
Experience in completing norms and standards.						20	
Skills of project team within the built environment profession and at a minimum must include: Architectural Engineering Finance						10	
Track record of the company.						15	
<b>Functionality</b>						<b>60</b>	

## 12. DISQUALIFYING CRITERIA

12.1 Failure to submit a valid Tax Clearance Certificate or Submission of invalid Tax Clearance Certificate.

12.2 Failure to fill and sign bid documents

12.3 Scoring less than 60% in respect of functionality.

## 13. SUBMISSION ON BIDS

13.1 Prospective bidders must submit their bids proposals in **two envelopes**:

13.2 One envelope with the technical proposal outlining in detail a realistic work-

break schedule indicating different milestones to be achieved, and response to the terms of reference and evaluation criteria including other supportive documents, completed bid forms, tax clearance certificate issued by SARS and legal entity registration certificate.

13.3 One other envelope with the financial proposal (pricing schedule (SBD 3.3) with all cost related items, cost breakdown).

13.4 The entire proposal should be placed on disc in a PDF format

13.5 The following information must be endorsed on each envelope:

- Bid number:
- Closing date:
- Name of the Bidder:
- Technical Proposal or Financial Proposal

13.6 The closing date for the submission of bid is 11h00 on 26 October 2012

13.7 Failure to comply with these conditions will result in a bid being disqualified.

13.8 The Bids may be:

Deposit in the Tender Box,  
Foyer of the HSRC Building  
134 Pretorius Street  
Pretoria

13.9 Bids received after the closing date and time will be regarded as late and will not be evaluated.

#### **14. ENQUIRIES**

Enquiries may be directed to:

Mr K. Watson

Tel No: 012 312 7566

Email: kobus.watson@dsd.gov.za