



agriculture, land reform & rural development

Department:
Agriculture, Land Reform and Rural Development
REPUBLIC OF SOUTH AFRICA

PROVINCIAL SHARED SERVICE CENTRE: MPUMALANGA
Private Bag X11305, Nelspruit, 1200; Tel: 013 754 8000 Web: www.drdlr.gov.za

Enquiries: TT MATONSI
Tel no. 013 754 8037

SUPPLY CHAIN MANAGEMENT Request for Quotation(s) (RFQ)/ Proposals

REQUEST FOR QUATATION.

Dear Sir or Madam

You are hereby invited to submit a quotation for the supply and delivery of the following goods/assets/ service to the Department of Agriculture, Land Reform and Rural Development (DALRRD)

Item #	Description	Qty
	Appointment of service provider for the identification of state land for release for Human Settlement purposes in the Mpumalanga province for the period of Eight (8) months.	

Closing Date: 09 October 2024
Closing Time: 11:H00

Please submit your quotation on your company official letter head and clearly indicate your Lead Time, Validity Period of your quotation and the total amount including vat.

The quotation must be emailed to Thabisile.Matonsi@dalrrd.gov.za on or before the closing date and time. All documentation/ certificates indicated on specification Tax status Pin, BBBEE Certificate, SBD Forms must be attached and are compulsory. Please attach your quotation separately As per department specific goal tender who wish to claim point in terms of table 4.2 on (SBD 6.1) provide prove for each points.

- Historically disadvantaged individual (HDI) – attach certified copy of identity document (ID) and company registration document / CSD report to show/ substantiate percentage ownership equity.
- Who is female- attach certified copy of identity document (ID) and company registration document / CSD report to show/ substantiate percentage ownership equity.
- Who has a disability – attach doctor's letter confirming the disability
- Who is youth - attach certified copy of identity document (ID) and company registration document / CSD report to show/ substantiate percentage ownership equity

TERMS AND CONDITIONS : If the Supplier fails to deliver any or all goods or to perform services within the specified period in the Order/Contract, the purchaser may as a penalty deduct from the Order/Contract price a sum of the delayed goods or unperformed services, or terminate the contract in part or in whole.

Yours faithfully

Ms. Thabisile Matonsi
For: Demand and Acquisition Management
Date: 26 September 2024
013 754 8037



Department of Agriculture, Land Reform and Rural Development · Departement van Landbou, Grondhervorming en Landelike Ontwikkeling ·
Muhasho wa zwa Vhu- limi, Mbuedzedzo ya Mavu na Mveledziso ya Mahayani-uMnyango Wezolimo, Izinguquko Kwezomhlaba Nokuthuthukiswa
Kwezindawo Zasemakhaya · Ndzawulo ya Vurimi, Antswiso wa Misava na Nhluvukiso wa Matikoxikaya · Litiko Letekulima, Tingucuko Kutemhlaba
Nekutfutukiswa Kwetindzawo Tasemaphandleni · UmNyango wezokuLima, ukuBuyiselwa kweNarha nokuThuthukiswa kweeNdawo zemaKhaya
· Kgoro ya Temo, Peakanyoleswa ya Naga le Tihabollo ya Dinaga- magae · Lefapha la Temothuo, Kabobotjha ya Naha le Tihabollo ya Dibaka tsa
Mahae · Lefapha la Temothuo, Pusetso dinaga le Tihabollo ya Metsemagae · ISebe lezoLimo, uBuyekezo lwemiHlaba noPhuhliso
IamaPhandle



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Department:
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CHIEF DIRECTORATE: PROVINCIAL SHARED SERVICE CENTRE: MPUMALANGA
DIRECTORATE: MPUMALANGA SPATIAL PLANNING AND LAND USE MANAGEMENT SERVICES
Bateleur Office Park, 17 van Rensburg Street, Mbombela. Private Bag X 11305, Nelspruit, 1200.
Tel: 013 754 8000; www.dalrrd.gov.za

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER(S) FOR THE IDENTIFICATION OF STATE LAND FOR RELEASE FOR HUMAN SETTLEMENTS PURPOSES IN THE MPUMALANGA PROVINCE FOR A PERIOD OF EIGHT (8) MONTHS

1. INTRODUCTION

- 1.1 The Department of Agriculture, Land Reform and Rural Development (DALRRD) under the Branch Spatial Planning and Land Use Management (SPLUM) needs to appoint a service provider(s) to identify strategically located state land that can be released towards human settlements programmes in the Mpumalanga Province.
- 1.2 The Department of Agriculture, Land Reform and Rural Development (DALRRD) seeks to appoint a suitably qualified and experienced service provider(s), primarily Town/Urban/City and Regional Planners complimented by a team of other experts (outlined in section 8) for a period of eight (8) months to render professional services in identifying state land for release for human settlements purposes.

2. PROBLEM STATEMENT

- 2.1 The Branch SPLUM in the Mpumalanga Province appreciates the ever increasing need for appropriation of land for human settlements purposes in the Mpumalanga Province. SPLUM also acknowledges the current government programmes aimed towards addressing the backlog in housing provision and provision of sustainable human settlements. An in-depth investigation of the availability of state land that can be disposed for human settlements purposes across the Mpumalanga Province is therefore proposed.
- 2.2 The Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) (SPLUMA) was introduced in order to create a coherent regulatory framework for

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spatial planning and land use management for the entire country that will redress the imbalances of the past and promote social and economic inclusion. This was due to the spatial injustices, inequalities, segregation and unsustainable settlement patterns that were created by historic fragmented spatial planning and land use laws and practices.

- 2.3 There is irrefutable evidence to affirm that past spatial planning practices resulted in a fragmented spatial structure of most urban and rural landscapes and unfair discrimination which left parts of the country's urban and rural areas excluded from the benefits of spatial development planning and land use management. While SPLUMA recognises the State's obligation to realise constitutional imperatives in section 25 of the Constitution, to ensure the protection of property rights including measures designed to foster conditions that enable citizens to gain access to land on an equitable basis and section 26 of the Constitution, to have the right of access to adequate housing which includes an equitable spatial pattern and sustainable human settlements, most rural and urban areas still remain plagued with inadequate provision of housing options and access to land.
- 2.4 Development pressure and the need for housing units in most parts of the Mpumalanga Province has led to large scale land invasions. The affected local municipalities have often found it difficult to deal and/or prevent occurrences of land invasion, particularly on state land, including areas within the jurisdictions of Traditional Councils. Local municipalities in conjunction with the Provincial Department responsible for human settlements carry out a number of housing programmes including upgrading of informal settlements and the development of new townships.
- 2.5 The successful implementation of these programmes usually require state land to be disposed for human settlements purposes. State land release processes for human settlements purposes however usually take significantly longer timeframes such that town planning processes are substantially impacted which leads to further land invasions and informality.

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- 2.6 A Service Provider is required to proactively identify strategically located state land that should be released towards human settlements programmes. The Service Provider will be expected to undertake a comprehensive assessment of state land in the Province and identify strategically located and “priority” state land for release for human settlements purposes.
- 2.7 The desired Service Provider should be led by a Town Planner registered with the South African Council for Planners as a Professional Planner, with a minimum of five years’ experience post registration and expertise in spatial planning and land use management and research. The composition of the technical team to be utilized in the execution of the project should consist of Town Planners and GIS practitioners with relevant skills and experience. A thorough understanding of SDFs, Land Use Schemes, and Geographic Information Systems is needed.

3. BACKGROUND

- 3.1 The Mpumalanga Province is one of the provinces affected by land invasions. Land invasion can be attributed to the inadequacies around current low cost social housing programmes in the country. These inadequacies can in turn be attributed to the general lack of strategically located and readily available land for human settlement purposes as well as budgetary constraints to purchase privately owned land for human settlement purposes.
- 3.2 The lack of timeous provision of affordable housing to the population living in poverty has led to land invasion and expansion of informal settlements. Local municipalities have the constitutional obligation to provide basic services to all people within their jurisdiction. Housing and access to land are also a constitutional right that must be realised by government institutions. Service provision in informal areas is a challenge and it can be more costly than in formally planned areas.

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- 3.3 Effective spatial planning and land use management is usually impeded by underlying land tenure regimes. The disposal of state land (including areas within the jurisdiction of traditional leadership) sometimes becomes cumbersome due to underlying land tenure issues and leases on certain land parcels. State owned land is also more prone to illegal occupation while eviction of illegal occupiers often becomes complex due to government obligation to the public.
- 3.4 Land invasion has a negative impact on the implementation of effective spatial planning and land use management programmes of local government. Land invasion advances informality and difficulties for service provision and infrastructure development. These issues ultimately undermine government efforts to eradicate poverty and socio-economic disparities.
- 3.5 It is therefore imperative that state land that is suitable for human settlement initiatives and interventions be made available for the implementation of the various human settlement housing initiatives. These land parcels must be identified, investigated and appropriated for current and future human settlement needs.
- 3.6 The Service Provider is to undertake a comprehensive investigation of state owned land in the Mpumalanga Province that can be released for human settlement purposes. State owned land parcels that are being affected or experiencing pressure for human settlement and housing development will be investigated for potential release.

4. LEGISLATIVE FRAMEWORK

- 4.1 The Spatial Planning and Land Use Management Act No. 16 of 2013 (SPLUMA) was introduced in order to create a coherent regulatory framework for spatial planning and land use management for the entire country that will redress the imbalances of the past and promote social and economic inclusion. This was due to the spatial injustices, inequalities, segregation and unsustainable settlement patterns that were created by historic fragmented spatial planning and land use laws and practices.

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- 4.2 SPLUMA ascribes to section 26 of the Constitution in as much as it promotes the right of access to adequate housing which includes an equitable spatial pattern and sustainable human settlements. The Act also recognised that housing is a competence and a functional area of concurrent national and provincial legislative competence.
- 4.3 Chapter 2 of SPLUMA outlined five development principles that must be fulfilled by any developmental interventions. One of these principles is the principle of spatial justice with advocates that policies at all spheres of government must address the inclusion of persons and areas that were previously excluded, with an emphasis on informal settlements, former homeland areas and areas characterised by widespread poverty and deprivation.
- 4.4 The National Housing Act (Act No. 107 of 1997) guides housing development in South Africa. It spells out the roles and responsibilities of the three spheres of government in respect of housing and ensuring that all housing activity takes place within the framework of the Constitution.
- 4.5 The National Housing Code 2009 also sets the underlying policy principles, guidelines and norms and standards which apply to Government's various housing assistance programmes introduced since 1994 and updated as its aim is to simplify the implementation of housing projects by being less prescriptive while providing clear guidelines.
- 4.6 The identification of parcels of land that can be made available for human settlement programmes within Mpumalanga is aligned to the objectives of SPLUMA and responds directly to the Constitutional imperatives for access to adequate housing. The success of the project will support the successful and rapid implementation of human settlement programmes across all spheres of government.

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5. OBJECTIVE

- 5.1 The key objective of this project is to undertake a comprehensive investigation of suitable and strategically located state owned land in the Mpumalanga Province that can be released for human settlement purposes. State owned land parcels that are being affected or experiencing pressure for human settlement and housing development will also be investigated for potential release to local municipalities for purposes of implementation of housing development initiatives and interventions of local municipalities.
- 5.2 As part of the project, the service provider will be expected to investigate various leases existing on certain state land that may necessitate release for human settlement objectives. The conditions of such leases and potential renegotiation of such leases will be thoroughly unpacked by the project. Housing needs as well development trajectories across the various municipalities in the province will also be investigated in line with municipal and provincial policies.
- 5.3 The aim therefore is to identify the various categories of state land that are considered strategic and priority and that should be targeted for release for purposes of implementing human settlements programmes across the Mpumalanga Province.

6. SCOPE OF WORK

- 6.1 The successful service provider(s) would be expected:
- a. Identify state land under the custodianship of the Department of Land Reform and Rural Development.
 - b. A status quo analysis of human settlement needs across the Province.
 - c. A demand and supply of land for human settlement purposes in the province as well as associated challenges.

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- d. Review existing policies, frameworks and sector plans related to the project.
- e. A synthesis of municipal and provincial spatial development frameworks in relation to settlements and their expansion.
- f. Detailed analysis of the various forms of state land, including leases (and lease conditions) on state land.
- g. Detailed engagements and consultations with targeted key stakeholders.
- h. Assess bulk services availability/ distance to bulk connections.

7. DELIVERABLES

7.1 The appointed service provider(s) will be required to deliver the following to the DALRRD the following deliverables:-

Table 1: DELIVERABLES

PHASES	DELEVIRABLE
Phase 1: Inception report	Final inception report
Phase 2: Data Collection and Research Analysis	Status Quo Report.
Phase 3: Draft Research Report and Supporting Documents	Draft Report
Phase 4: Consultation and Amendments	Consultation Report and Revised Draft Report
Phase 5: Final Research Report and Supporting Documents	Final Research Report and Supporting Documents
Phase 6: Close-out report and Retention	Proof of submission of all final documents and information per TORs

7.2 Over and above the deliverables indicated above, the service provider will be expected to submit the following information and data at the end of the project as the final project deliverables:

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- a) Detailed research report (including Implementation/Action Plan) with related mapping, tables and figures in both hardcopy (printed) and softcopy (electronic as MS word document) image files as (e.g. JPEG, windows Bitmap, GIF, etc.) submitted in digital format and a full colour hard copy.

- b) GIS information (spatial information collected and derived should be submitted in GIS capable file format i.e. shapefiles, geo-database, layer file, data package, MXD files and must include metadata records captured in line with the South Africa National Standard (SANS -1878). Spatial information captured must be in line with Regulation 5(2) of the Spatial Data Infrastructure Act, 2003.

7.3 Submissions of reports should be in the form of both hard and electronic versions. Ownership of documentation collected from this assignment vest in DALRRD. The DALRRD will become the custodian of documentation submitted. The service provider will be responsible for the layout design and editing of the publication in line with the DALRRD corporate identity. The project manager must sign off the final document before printing. The proposed specification for the Research Report can be seen below: -

Table 2: DOCUMENT REQUIREMENTS

Booklet Size	A4
Cover Page	250 gsm Hi-Q Titan double coated gloss
Text Printed	113 gsm Hi-Q Titan double coated gloss
Colour	Full Colour
Binding	PUR binding
An open file and a print ready artwork of the final Research Report and Action Plan is to be submitted on USB along with the all map mxd and Geo-database (shapefiles)	X20

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7.4 The GIS data must further meet the following requirements:-

- All maps should be in A4 size in the document;
- Maps must be numbered and listed in the page of contents;
- All the text in the maps and the legends must be legible;
- The same map template/ layout must be used throughout the document;
- All maps should have the basic map elements, namely: a title, north arrow, legend, scale bar;
- All the features on the map must be explained in the legend;
- All mapping must be developed at an appropriate and readable scale;
- All maps must also be available in corresponding Map Document (MXD) with all spatial information in shapefiles or a geodatabase ready to be accessed in ArcGIS;

8. SKILLS REQUIRED

8.1 The project team leader must be a Town Planner registered as a Professional Planner with the minimum of five years' post registration experience.

8.2 The project team must have a GIS Practitioner registered with SAGC at least as a Technologist with adequate post registration work experience.

8.3 Proven experience and thorough understanding in the following is also required:-

- a) Spatial planning and land use management and development policies and legislation;
- b) Urban and rural development and land reform;
- c) Previous experience in the development of a spatial development framework either at municipal or provincial levels;
- d) Previous experience with policy and/ or planning work;
- e) Strategic capability and understanding of strategic planning process;

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- f) Stakeholder and Project Management;
- g) Facilitation and negotiation skills;
- h) Research, analytical writing and communication skills.

9. PROJECT DURATION AND MILESTONES

- 9.1 The project will commence after the letter of appointment has been issued and Service Level Agreement has been signed which will expire in eight (8) months thereafter and is subject to addition, extension or early termination, depending on the need and performance assessment of the service provider.
- 9.2 The DALRRD reserve full rights to implement the above-mentioned clause.
- 9.3 The target dates for each milestone (as well as the associated deliverable) and the amount of financial compensation for the work done is detailed in Table 3 below.

Table 3: PROJECT PHASES

PHASES	% PAYABLE	TIMEFRAMES	DELEVIRABLE
Phase 1: Inception report	5%	2 weeks	Final inception report
Phase 2: Data Collection and Research Analysis	30%	3 months	Status Quo Report.
Phase 3: Draft Research Report and Supporting Documents	30%	2 months	Draft Report
Phase 4: Consultation and Amendments	10%	1 month	Consultation Report and Revised Draft Report
Phase 5: Final Research Report and Supporting Documents	20%	1 month & 2 weeks	Final Research Report and Supporting Documents
Phase 6: Close-out report and Retention	5%		Proof of submission of all final documents and information per TORs
Total	100%	8 months	

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- 9.4 A 5% retention will be paid once final project documentation has been approved and adopted by the relevant stakeholders.
- 9.5 Monthly reports (per phase) will be forwarded by the service provider to the designated project manager. The service provider will be required to report via a written and electronic report. A final comprehensive report is also expected to be submitted as a deliverable in phase 6.
- 9.6 The service provider shall forfeit the total payment per milestone in the case of the project being delayed for longer than 30 days after milestone due date.
- 9.7 The service provider may apply to the DALRRD for an extension on the delivery date on any milestone – provided that the service provider gives valid reason(s) to the sole satisfaction of the DALRRD.

10. UNDUE DELAY REMEDIES

- 10.1 Should it be found that the delay of the project in terms of the agreed time period is unreasonable then for every 5 (five) days or other stipulated time frame there shall be a penalty in terms of percentages which will be deducted from the payment as indicated below:

Table 4: UNDUE DELAY PENALTIES

Milestone	% Payable	5 Days Overdue	10 Days Overdue	15 Days Overdue	30 Days Overdue	More than 30 days overdue
Phase 1:	5%	20%	40%	60%	80%	100%
Phase 2:	30%	20%	40%	60%	80%	100%
Phase 3:	20%	20%	40%	60%	80%	100%
Phase 4:	20%	20%	40%	60%	80%	100%
Phase 5:	20%	20%	40%	60%	80%	100%
Retention	5%					
Total	100%					

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11. EXTRA WORK

- 11.1 Any costs for extra work by the service provider, incurred over and above this bid which, in the sole opinion of the Director: Spatial Planning and Land Use Management is due to reasons attributable to the service provider during any phase of the project shall be borne by the service provider.

12. CONTENTS OF THE PROJECT PROPOSAL

- 12.1 The service provider will be expected to provide a clear and concise project proposal covering the aspects listed below as well as responding to the terms of reference.

11.1 An executive summary of the key issues covered in the Proposal.

11.2 A company profile and profile of each employee forming part of Project Team with clear references to similar and related work undertaken in the past with clear evidence where a person/member participated in or managed certain projects in the past which bears relevance to the work at hand. Clear indication of actual roles and responsibilities must be presented with verifiable proof.

12.3. General methodology for undertaking work of this nature. The methodology should also indicate the project milestones that will be used to measure the project progress, as well as the cost break down.

12.4. Copies of all certificates, references, professional registration and related certification for all members of the proposed team must be attached.

12.6. Any other information relevant to the determination of the suitability of the interested bidder for this project should be listed.

12.7 All-inclusive costing model and a project plan.

12.8 The following technical information must be submitted with the bid proposal:

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- a) Organogram outlining the project team members with a clear indication of the project leader and support team.
- b) Relevant professional experience of the team leader and core supporting experts;
- c) Organisational, managerial and technical ability;
- d) CV's of all proposed team members (**maximum of 3 pages**);
- e) Minimum 3 contactable current and previous client references for 3 different clients;
- f) Associations and Professional Affiliations of companies and individuals;

13. INFORMATION GATHERING

- 13.1 The selected service provider will be expected to make contact with all the relevant officials and units within all spheres of government and other stakeholders of government or any relevant stakeholder or entity holding information relevant to the project to obtain relevant information that will be required for the project when a need arises.
- 13.2 Existing information which is available within the DALRRD Branch: Spatial Planning and Land Use Management will be made available to the appointed service provider during the execution of the project.
- 13.3 In the case where a letter to confirm and motivate for requesting information from the different spheres of government or parastatals is required, DALRRD will provide the requested letter.
- 13.4 Notwithstanding anything written in these terms of reference, the responsibility for collecting and obtaining information necessary for the successful execution of the project remains entirely with the service provider.

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14. TERMS AND CONDITIONS OF THE BID

14.1 Awarding of the bid will be subject to the Service Provider's express acceptance of the DALRRD Supply Chain Management general contract conditions.

14.2 The DALRRD and successful Service Provider(s) will sign a Service Level Agreement upon appointment. Such a Service Level Agreement will include the following:

- Period of agreement;
- Project objectives, milestones and scope;
- Staffing;
- Project plan and project plan management;
- Budget;
- Cost and fee payment;
- Method of communication;
- Reporting relationship;
- Deliverables and conditions and terms of deliverables;
- Form and formats of working papers;
- Reviews;
- Uncompleted work;
- Confidentiality;
- Disputes; and
- Financial penalties and termination of contract.

14.3 The service provider should submit an acceptance letter and be available to commence with the project within five (5) days after receiving official order and the service level agreement being signed.

14.4 During the execution of the project, the service provider is required to give reports on the progress of the project. It is the responsibility of the service provider to organise the progress report meetings and have one of their representatives assigned to taking minutes and circulating them to the steering committee members.

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- 14.5 Project team members must be available for the duration of the project, the service provider is not allowed to change the composition without prior consent of the DALRRD.
- 14.6 Any deviation from the project plan should be put in writing and signed by the project manager of DALRRD.
- 14.7 Any suggestions during the progress meetings, once accepted by both parties, shall form part of the contract.
- 14.8 Payments will be on work-completed basis i.e. on set milestones as per the project plan.
- 14.9 Financial penalties will be imposed for agreed upon milestones, targets, and deadline not met without providing:
- a) Timely notification of such delays.
 - b) Reasons for the delays.
 - c) Supporting evidence that the delays were outside of the influence of the service provider.
- 14.10 Payment will ONLY be made as per deliverables and upon SATISFACTION of good and quality product. Therefore, original invoices submitted for payments must be submitted for payment with relevant supporting documents. No copies or e-mailed invoices will be processed.
- 14.11 Financial penalties will be imposed if the outputs produced do not meet the agreed upon deliverables criteria as stipulated in the General Conditions of Contract.
- 14.12 Original invoices to substantiate all costs must be provided. The invoices should include DALRRD order number that will be provided to the selected service provider upon acceptance of the proposal.

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- 14.13 When DALRRD accepts the final product, the appointed service provider will be liable to correct errors and fill gaps that may be discovered in the data/project, at no charge to DALRRD. This condition will apply for a period of one month from the day the project was completed and submitted to DALRRD.
- 14.14 The DALRRD reserves the right not to appoint anyone.
- 14.15 No material or information derived from the provision of the services under the contract may be used for any other purposed except for those of the DALRRD, except where duly authorized to do so in writing by the DALRRD.
- 14.16 Copyright in respect of all documents and data prepared or developed for the purpose of the project by the Service Provider shall be vested in DALRRD.
- 14.17 The successful Service Provider agrees to keep confidential all records and information of or related to the project and not disclose such records or information to any third party without the prior written consent of DALRRD.
- 14.18 All works relating to spatial information remains the property of the state and shall be disseminated in line with the policy on pricing of spatial information products and services.
- 14.19 The successful Service Provider agrees to maintain the level of technical capacity as indicated in the bidding document submitted, throughout the duration of the project and any change to their team shall not compromise the technical capacity of the Service Provider or impact negatively on the pace and quality of the project outcome.

15. MANDATORY REQUIREMENTS

Failure to submit/attach/attend the following requirements with the proposal will disqualify the bidder's proposal.

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- 15.1 A resolution authorizing a particular person to sign the bid documents. In cases of a joint venture, each company/entity must submit a separate resolution authorizing a particular person to sign the bid documents, including a consolidated resolution letter on behalf of the joint venture.
- 15.2 Bidders must complete and sign the pricing schedule (SDB 3.3).
- 15.3 The Project Leader must be registered as a Professional Planner by the South African Council for Planners with a **minimum of five years' experience post registration**. A copy of a **valid** (in good standing) registration certificate should be attached to the proposal.
- 15.4 **One member of the Project Team must be a GISc Practitioner (at least as a Technologist) registered with the SAGC**. A copy of the valid registration certificate should be attached to the proposal.

16. ADMINISTRATIVE REQUIREMENTS

- 16.1 The Bidder is required to be registered on the Central Supplier Database (CSD) prior submitting the Bid. Where Consortia / Joint Ventures / Sub- contractors are involved, each party must be registered on the Central Supplier Database prior submitting the Bid.
- 16.2 Bidders must ensure compliance with their tax obligations. Bidders may submit printed TCS/CSD/SARS PIN together with their bid. In bids where a consortia/Joint Venture/sub-contractors are involved each party must submit a separate valid tax clearance certificate, SARS Pin, TCS or CSD printout.

17. REPORTING AND ACCOUNTABILITY

- 17.1 During the execution of the project, the service provider will be required to submit progress reports and attend meetings at intervals as it will be determined by the project team or steering committee managing the project.

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17.2 All information captured and or used to generate the outputs of the project remains the property of DALRRD and must be handed over in its totality when the project is closed. DALRRD will retain copyright and all associated intellectual rights thereof. This document together with all agreements to be or reached during the course of the project become part of the contract. The information must be captured and provided in a digital format as agreed (in writing) between the service provider and DALRRD. This agreement must be reached and signed off together with the project plan before the project commences.

18. EVALUATION CRITERIA

Proposals will be evaluated in two stages. On the first stage, bids will be evaluated on functionality and on the second stage will be evaluated in accordance with 80/20 preference points system as stipulated below. The following Quality (functionality) criteria set out in the table below will be used in the evaluating of the tenders regarded as being responsive.

18.1 Evaluation of Functionality

The evaluation of the functionality will be evaluated individually by Members of Bid Evaluation Committee in accordance with the below functionality, criteria and values. The applicable values that will be utilized when scoring each criterion range from **1 being poor, 2 being average, 3 being good, 4 being very good and 5 being excellent.**

The minimum requirements as highlighted in the below table is an indication of the benchmark required to qualify for the second stage (presentation) of the evaluation.

The bids that fail to achieve a minimum of 70 points out of 100 points for functionality will be disqualified. This means that such bids will not be evaluated on second stage (presentation) and third stage (Preference Points System).

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CRITERIA	GUIDELINES FOR CRITERIA APPLICATION	WEIGHT	
<p>1. Capability: Firm's experience, track record and competency</p>	<p>a. Project Leader – registered as Professional Planner (in good standing): (Attach copies of registration certificate and CV clearly indicating a detailed profile of their previous work experience and contactable references:– list names and contact details – cell phone/ telephone numbers, and e-mail address).</p> <ul style="list-style-type: none"> ○ 5 points: 15+ years of post- registration relevant experience, proven track record in similar projects. ○ 4 points: 10 - 15 years post- registration relevant experience, proven track record in similar projects. ○ 3 points: +10 years post-registration experience, some of which is relevant experience. ○ 2 points: 5 -10 years post-registration experience, some of which is relevant experience. ○ 1 point: Less than 5 years post-registration experience with no relevant experience. 	20	60
	<p>b. GIS Specialist – registered as a GISc Technologist or Professional (Attach certified copy of registration certificate and CV's clearly indicating a detailed profile of their previous work experience, contactable references – list names and contact details – cell phone/ telephone numbers, and e-mail address).</p> <ul style="list-style-type: none"> ▪ 5 points: +10 years' experience in GIS work related to town planning and/or human settlements projects. ▪ 4 points: 5-10 years' experience in GIS work related to town planning and/or human settlements projects. ▪ 3 points: 2-5 years' experience in GIS work related to town planning and/or human settlements projects. ▪ 2 points: 1-2 years' experience in GIS work related to town planning and/or human settlements projects ▪ 1 point: no relevant GIS experience related to town planning and/or human settlements projects. 	10	

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	<p>c. Relevant Experience and Track Record of collective team – Extensive experience in research/investigations/projects on state land for settlement purposes, with evidence of successful past projects (Attach proof of evidence of similar work completed).</p> <ul style="list-style-type: none"> • 5 points: Extensive experience in similar work/projects, with evidence of successful past projects. • 4 points: Significant experience in similar work, with some past project success. • 3 points: Some experience in relevant work/projects, limited past success. • 2 points: Minimal relevant experience or lack of evidence of past success. • 1 point: No relevant experience. 	20	
	<p>d. Understanding of Local Context and Policies – Knowledge of municipal Spatial Development Frameworks, LUSs, the Mpumalanga Human Settlements Master Plan, the traditional authority boundaries, roles and responsibilities, an understanding of what state land is under the responsibility of the Ministry of Land Reform and Rural Development, etc; understanding of housing needs, state land areas under invasion threat, development trajectories etc.</p> <ul style="list-style-type: none"> • 5 points: Excellent understanding of existing land tenure arrangements, relevant policies, frameworks and guidelines, housing needs, and development trajectories in the Mpumalanga Province • 4 points: Good understanding of existing land tenure arrangements, relevant policies, frameworks and guidelines, housing needs, and development trajectories in the Mpumalanga Province. • 3 points: Basic understanding of existing land tenure arrangements, relevant policies, frameworks and guidelines, housing needs, and development trajectories in the Mpumalanga Province. • 2 points: Limited understanding of existing land tenure arrangements, relevant policies, frameworks and guidelines, housing needs, and development trajectories in the Mpumalanga Province. • 1 point: No demonstrated understanding. 	10	

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<p>2. Methodology</p>	<p>a. Technical Approach and Methodology – <i>How well does the bidder understands and reflects on the project objectives and how clear and structured is the methodology for evaluating the range of datasets, frameworks, sector plans and master plans towards reaching the projects objective.</i></p> <ul style="list-style-type: none"> • 5 points: Comprehensive and innovative approach, detailed methodology, clear understanding of project objectives. • 4 points: Well-developed approach, clear methodology, good understanding of objectives. • 3 points: Adequate approach and methodology, basic understanding of objectives. • 2 points: Limited approach and methodology, partial understanding of objectives. • 1 point: Unclear or inadequate methodology, insufficient understanding. 	<p align="center">25</p>	<p align="center">40</p>
	<p>b. Project Management and Implementation Plan – <i>Feasibility and practicality of the proposed timeline. Are the timelines realistic? Milestones, risk management, and resource allocation. Is it all realistic and well structured. i.e. does it make logical sense?</i></p> <ul style="list-style-type: none"> • 5 points: Comprehensive and innovative approach, detailed methodology, clear understanding of project objectives. • 4 points: Well-developed approach, clear methodology, good understanding of objectives. • 3 points: Adequate approach and methodology, basic understanding of objectives. • 2 points: Limited approach and methodology, partial understanding of objectives. • 1 point: Unclear or inadequate methodology, insufficient understanding. 	<p align="center">15</p>	

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER(S) FOR THE IDENTIFICATION OF STATE LAND FOR RELEASE FOR HUMAN SETTLEMENTS PURPOSES IN THE MPUMALANGA PROVINCE FOR A PERIOD OF EIGHT (8) MONTHS

18.2 The bids that fail to achieve a minimum of 70 points out of 100 points for functionality will be disqualified. This means that such bids will not be evaluated in accordance to the second stage (80/20 Preference Points System). Only bids that achieve the minimum qualifying score of 70 points out of 100 points for functionality will be evaluated in the second stage (80/20 Preference Points System).

a. Second Stage - Evaluation in terms of 80/20 Preference Points System

Only bids that achieve the minimum qualifying score for functionality will be evaluated further in accordance with the 80/20 preference points system.

b. Stipulation of the preference point system

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Percentage ownership equity (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
I. HDI	10		
II. Who is female	5		
III. Who has a disability	2		
IV. Specific goal: Who is youth	3		

The number of points claimed for specific goals, are calculated as follow:

(I) A maximum of 10 points may be allocated to tenderers who had no franchise in national elections before the 1983 and 1993 Constitution, on the following basis:

- **Percentage ownership equity** x 10 ÷ 100 = number of points claimed.

(II) A maximum of 5 points may be allocated for to tenderers who is female, on the following basis:

- **Percentage ownership equity** x 5 ÷ 100 = number of points claimed.

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER(S) FOR THE IDENTIFICATION OF STATE LAND FOR RELEASE FOR HUMAN SETTLEMENTS PURPOSES IN THE MPUMALANGA PROVINCE FOR A PERIOD OF EIGHT (8) MONTHS

(III) A maximum of 2 points may allocated to tenderers who has a disability, on the following basis:

- **Percentage ownership equity** $\times 2 \div 100 =$ number of points claimed.

(IV) A maximum of 3 points may be allocated to tenderers who are youth, on the following basis:

- **Percentage ownership equity** $\times 3 \div 100 =$ number of points claimed.

It is important to note that failure by a tenderer to complete table 2.12 in full on SBD 6.1 will result in points for specific goals not to be allocated.

18.3 Bidders are required to complete the preference claim form (SBD 6.1), and submit proof or documentation required in terms of this tender to claim points for specific goals.

18.4 The points scored by a bidder in respect of the specific goals will be added to the points scored for price. The points scored will be rounded off to the nearest 2 decimals.

18.5 In the event should two or more tenderers score an equal total number of points, the contract must be awarded to the tenderer that scored the highest points for specific goals.

18.6 In the event should two or more tenderers score equal total points in all respects, the award must be decided by the drawing of lots.

19. PROJECT MANAGEMENT WITHIN DALRRD

19.1 This project will be facilitated by a team consisting of officials from DALRRD and any other person(s) appointed by DALRRD.

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER(S) FOR THE IDENTIFICATION OF STATE LAND FOR RELEASE FOR HUMAN SETTLEMENTS PURPOSES IN THE MPUMALANGA PROVINCE FOR A PERIOD OF EIGHT (8) MONTHS

20. OUTCLAUSE

20.1 The Department of Agriculture, Land Reform and Rural Development reserves the right not to appoint if suitable candidates are not found, at the complete discretion of the Department.

20.2 The Department of Agriculture, Land Reform and Rural Development (DALRRD) reserves the right to terminate the contract in the event that there is clear evidence of non-performance.

21. PUBLICATION

- i) Central Supplier Database
- ii) Departmental Website
- iii) National Treasury E-portal

22. CONTACT PERSON FOR TECHNICAL ENQUIRIES

Mr. Sifiso Molefe

Telephone Number: (013) 754 8131

Email: Sifiso.Molefe@dalrrd.gov.za

Mr. Simanga Nkosi

Telephone Number: (013) 754 8104

Email: Simanga.Nkosi@dalrrd.gov.za

23. CONTACT PERSON FOR ENQUIRIES

Mr. Tshepo Seoe

Telephone Number : (013) 754 8038/8000

Email: Tshepo.Seoe@dalrrd.gov.za

Ms. Banele Mafuleka

Telephone Number : (013) 754 8066/8000

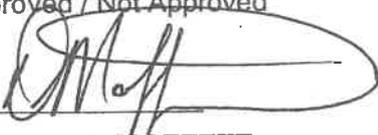
Email: Banele.Mafuleka@dalrrd.gov.za

TERMS OF REFERENCE FOR THE APPOINTMENT OF A SERVICE PROVIDER(S) FOR THE IDENTIFICATION OF STATE LAND FOR RELEASE FOR HUMAN SETTLEMENTS PURPOSES IN THE MPUMALANGA PROVINCE FOR A PERIOD OF EIGHT (8) MONTHS

24. APPROVAL

Terms of Reference have been approved as follows:

Approved / Not Approved



MR. DAVID MOFFETT

BSEC CHAIRPERSON

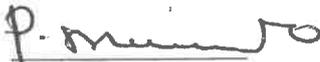
DATE: 15/08/2024

ENDORSEMENT

The Terms of Reference have been endorsed as follows:

Endorsed / Not Endorsed

Comments:



MR. P MAKHADO

DEPUTY DIRECTOR: SUPPLY CHAIN MANAGEMENT

DATE: 23/08/2024

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (DEPARTMENT OF AGRICULTURE LAND REFORM AND RURAL DEVELOPMENT)					
BID NUMBER:	24/25/98	CLOSING DATE:	09 OCTOBER 2024	CLOSING TIME:	11:00 AM
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER FOR THE IDENTIFICATION OF STATE LAND FOR RELEASE FOR HUMAN SETTLEMENT PURPOSES IN THE MPUMALANGA PROVINCE FOR THE PERIOD OF EIGHT (8) MONTHS.				
BID RESPONSE DOCUMENTS MAY SUBMITTED VIA EMAIL OR BID BOX (PREFERABLY EMAIL)					
Provincial Shared Service Centre: Department of Agriculture, Land Reform and Rural Development					
17 Van Rensburg Street, Bateleur Building					
6th Floor, Block E					
Nelspruit					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ms. Thabisile Matonsi	CONTACT PERSON	Mr Sifiso Molefe		
TELEPHONE NUMBER	013 754 8037/8038/8000	TELEPHONE NUMBER	013 754 8131		
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS	Thabisile.Matonsi@dalrrd.gov.za	E-MAIL ADDRESS	Sifiso.Molefe@dalrrd.gov.za		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS 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)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES <input type="checkbox"/> 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, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).

2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS 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:

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship

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

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

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

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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

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

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

.....
Signature Date

.....
Position Name of bidder

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

PRICE QUOTATION PROCESS (UP TO R 1 MILLION)

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. 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 tender 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;
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000); and
- (f) "Historically Disadvantaged individuals" means a person historically disadvantaged by unfair discrimination on the basis of race: Provided that a person historically disadvantaged on the basis of race refers to Africans, Coloureds, Indians and people of Chinese descent who are South African citizens by birth or descent; or who became citizens of the Republic of South Africa by Naturalisation -
- Before 27 April 1994; or
 - On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date.

2. GENERAL CONDITIONS

2.1 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

2.2 To be completed by the organ of state

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

2.3 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.

2.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

2.5 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.

2.6 Tenderers that fail to claim points for specific goals or that fail to fully complete the table in paragraph 2.12 below, will not be awarded points for specific goals.

2.7 Tenderers that make a calculation error when claiming points as per the table in paragraph 2.12 below, will not be awarded points for specific goals. Please take note of the examples on how to calculate points for specific goals as per paragraph 2.12 below.

2.8 Tenderers that fail to submit the correct SBD 6.1 form as issued by the Department of Agriculture, Land Reform and Rural Development, will not be awarded points for specific goals.

2.9 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.

2.10 Tenderers who wish to claim points in terms of the table in paragraph 2.12 below need to provide proof for each point claimed as guided below:

2.10.1 Historically Disadvantaged individuals (HDI):

- **Attach a copy of Identity Document (ID) and company registration document.**

2.10.2 Who is female:

- **Attach a copy of Identity Document (ID) and company registration document.**

2.10.3 Who has a disability:

- **Attach a certified copy or original doctor’s letter confirming the disability.**

2.10.4 Who is youth (a person that is not older than 35 years on the closing date of a bid):

- **Attach a copy of Identity Document (ID) and company registration document.**

2.11 The Department will use the Central Supplier Database and documents submitted by the tenderer to verify the points claimed for specific goals.

2.12 **Specific goals for the tender and points claimed are indicated per the table below.**

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Percentage ownership equity (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
I. HDI	10		
II. Who is female	5		
III. Who has a disability	2		
IV. Specific goal: Who is youth	3		

The number of points claimed for specific goals, are calculated as follow:

(I) A maximum of 10 points may be allocated to tenderers who had no franchise in national elections before the 1983 and 1993 Constitution, on the following basis:

- **Percentage ownership equity** x 10 ÷ 100 = number of points claimed.

(II) A maximum of 5 points may be allocated for to tenderers who is female, on the following basis:

- **Percentage ownership equity** x 5 ÷ 100 = number of points claimed.

(III) A maximum of 2 points may be allocated to tenderers who has a disability, on the following basis:

- **Percentage ownership equity** x 2 ÷ 100 = number of points claimed.

(IV) A maximum of 3 points may be allocated to tenderers who are youth, on the following basis:

- **Percentage ownership equity** x 3 ÷ 100 = number of points claimed.

2.13 It is important to note that failure by a tenderer to complete the table in paragraph 2.12 in full, will result in points for specific goals not to be allocated.

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

80/20

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

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 the table in paragraph 2.12 above 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.

4.3 A consortium or joint venture may, based on the percentage of the contract value managed or executed by their members, be entitled to claim points in respect of specific contract participation goals.

4.4 A tenderer will not be awarded points for HDI if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for the same number or more points for equity ownership.

4.5 A tenderer awarded a contract as a result of preference for contracting with, or providing equity ownership to a HDI, may not subcontract more than 25% of the value of the contract to a tenderer who is not a HDI or does not qualify for the same number or more preference for equity ownership.

5. SUB-CONTRACTING

5.1 Will any portion of the contract be sub-contracted?
(*Tick applicable box*)

YES		NO	
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5.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted:%
- ii) The name of the sub-contractor:
- iii) Points claimed for HDI by the sub-contractor:

6. DECLARATION WITH REGARD TO COMPANY/FIRM

6.1. Name of company/firm:

6.2. Company registration number:

6.3. 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]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;

- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

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