

DIGNITY  
JUSTICE  
RESPECT  
FREEDOM  
EQUALITY  
DIVERSITY  
DEMOCRACY



CONSTITUTIONHILL DEVELOPMENT COMPANY  
SOC LTD

**INVITATION TO AN OPEN TENDER (Ref CONHILL/06/FAC-PROPERTY/2020) TO PROVIDE PROPERTY AND LEASING MANAGEMENT SERVICES TO CONSTITUTION HILL DEVELOPMENT COMPANY FOR A PERIOD OF 5 YEARS**

**BID NUMBER: CONHILL/06/FAC-PROPERTY/2020**

**DATE ISSUED** 02 June 2023  
**CLOSING DATE** 26 June 2023  
**Time:** 11:00am

**COMPULSORY SITE BREIFING** 13 June 2023  
**TIME** 11:00am  
**BREIFING VENUE** CONSTITUTION HILL DEVELOPMENT COMPANY  
11 KOTZE STREET  
BRAAMFONTEIN JOHANNESBURG  
THE OLD FORT BUILDING  
HUMAN RIGHTS BOARDROOM

**BID VALIDITY PERIOD: 90 DAYS**

<b>Bidder's details</b>	
Company name:	
Company registration no:	
CSD registration no:	
CSD Unique registration No	
Contact person:	
Tel number:	
Cell number:	
Email address:	

**BID SUBMISSION REQUIREMENTS: Technical & Financial (2 copies: 1 original and 1 copy) and 1 soft copy.**

<b>Stage</b>	<b>Submission Document</b>	<b>Method of Evaluation</b>	<b>Criteria</b>
Stage 1	ENVELOPE 1	Administrative Compliance	All submitted SBD forms duly completed and signed .
Stage 2	ENVELOPE 1	Mandatory Compliance	All mandatory documents submitted
Stage 3	ENVELOPE 1	Functionality – Technical Evaluation Criteria	Minimum score of 70 points
Stage 4	ENVELOPE 2	Financial – Price & Specific goals	80/20 rule will apply

**NB ENCLOSE SBD 1 IN ENVELOPE 1 (DO NOT show pricing) AND SBD 3 IN THE PRICING ENVELOPE (RECORD YOUR PRICING)**

**BID DOCUMENTS MUST BE DEPOSITED IN THE BID BOX SITUATED AT:**

The locked tender box located in the SCM Office Area at:

Constitution Hill Development Company

The Old Fort Building (Johannesburg Fort)

11 Kotze Street, Braamfontein,

Johannesburg, 2000

## DOCUMENTS REQUIRED

THE FOLLOWING DOCUMENTS MUST BE SUBMITTED AND BE COMPLETED IN BLACK INK WHERE COMPLETION IS REQUIRED.

Minimum Documents required for this BID	Instructions for Bidder's Attention
Central Supplier Database (CSD) Registration Summary Report or unique CSD registration number.	Proof of CSD registration
Tax compliance verification pin	Must be printed from SARS Website.
SBD 1 (Invitation to Bid)	Must be duly completed and signed
SBD 4 (Declaration of Interest)	Must be duly completed and signed
SBD 6.1 (Preferential Points Claim Form)	Must be duly completed and points claimed be allocated as per Specific goals allocated.
CIPC - Company Registration Documentation	1. Certificate of Registration, 2. Change of Name Certificate (if applicable), 3. Register of Directors and 4. most current Registered Business Address
Company Profile and resources allocated to the project	Attach Company's profile which indicates number of years of service and the organogram of the resources to be allocated to the project.
Certified Copies of Identity Documents not older than 6 months (to claim points on specific goals)	For all current Owner/s Shareholders/ Directors, Members (if Close Corporation)
Original letter from Doctor (Dr) on their letter head which clearly indicate Doctor's practice number and confirmation of disability of the owner (to claim points on specific goals)	Attach original letter
Valid Joint Venture agreement signed by all relevant parties (where applicable)	All administrative documents submitted must clearly indicate the name of Joint Venture and that the bidder is bidding as a Joint Venture.
Valid sub-contracting agreements signed by all relevant parties (where applicable)	If the Sub-contractor agreement not attached, bidder will not be disqualified but the sub-contracting arrangement with any supporting documents thereof will be disregarded.
Financial Standing – submit at-least one or a combination of the following:  i) Submission of original or certified copy of bank stamped letter with at-least bank <b>Code D or higher rating for R2 million</b> which is not older than 3 months. ii) Latest Annual Financial Statements (AFS) within a minimum liquidity ratio of 1:1 accompanied by a letter of assurance for sound financial from Company's CEO/Secretariat or Independent Accountant.	Failure to submit either <b>Bank letter with CODE D or higher OR AFS accompanied</b> by a letter from CEO/Secretariat/Independent Accountant will result in disqualification

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**IF ANY OF THE ABOVE-MENTIONED CONDITIONS ARE NOT MET AND/OR ANY OF THE REQUESTED DOCUMENTS ARE NOT SUBMITTED AS PRESCRIBED, THE BID EVALUATION COMMITTEE SHALL HAVE THE DISCRETION TO DISQUALIFY THE BID**

# PART A

1: INVITATION TO BID

SBD1

<b>You are hereby invited to bid for the requirements of the CONSTITUTION HILL DEVELOPMENT COMPANY (SOC) LTD</b>					
Bid no:	CONHILL/06/FAC-PROPERTY/2020	Closing Date:	26 June 2023	Closing Time:	11:00am
Description:	INVITATION TO AN OPEN TENDER (CONHILL/06/FAC-PROPERTY/2020) TO PROVIDE PROPERTY AND LEASING MANAGEMENT SERVICES TO CONSTITUTION HILL DEVELOPMENT COMPANY FOR A PERIOD OF 5 YEARS.				
<b>Bid response documents may be deposited in the bid box situated at (<i>street address</i>):</b>					
SCM OFFICE AREA					
CONSTITUTION HILL DEVELOPMENT COMPANY					
THE FORT BUILDING (JOHANNESBURG OLD FORT)					
11 KOTZE STREET, BRAAMFONTEIN					
JOHANNESBURG 2000					
<b>Bidding procedure enquiries may be directed to:</b>			<b>Technical enquiries may be directed to:</b>		
Contact Person	Tebogo Kgwedi		Contact Person	Ntomibizodwa Ngwane	
Telephone no	<b>011 381 3100</b>		Telephone no	<b>011 381 3114</b>	
E-mail Address	<a href="mailto:CHtenders@conhill.org.za">CHtenders@conhill.org.za</a>		E-mail Address	<a href="mailto:CHtenders@conhill.org.za">CHtenders@conhill.org.za</a>	
<b>Closing date for Enquiries: 19 June 2023</b>					
<b>Supplier Information</b>					
Company Name					
Company / CC Registration no					
CIDB Registration no (if applicable)					

Tax Registration no				
Postal Address				
Street Address				
Telephone no	Code		Number	
Cell Phone no				
Facsimile no	Code		Number	
E-Mail Address				
<b>Main Contact Person</b>				
Name				
Position				
Telephone no	Code		Number	
Cell Phone no				
Facsimile no	Code		Number	
E-Mail Address				

**A1.1****CONDITIONS FOR BIDDING**

- 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 SBD FORMS PROVIDED – (NOT TO BE RE-TYPED) (i.e., in both hard copy and soft copy/electronic version)
- 1.3. THIS BID IS IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 AND CONTAINS GENERAL INFORMATION WHICH SERVES AS A CLAIM FORM FOR PREFERENCE POINTS FOR SPECIFIC GOALS AND FOR INCOME-GENERATING CONTRACTS. 80/20 PREFERENCE POINT SYSTEM WILL APPLY AND THAT THE HIGHEST ACCEPTABLE TENDER WILL BE USED TO DETERMINE THE APPLICABLE PREFERENCE POINT SYSTEM.
- 1.4. , THE GENERAL CONDITIONS OF CONTRACT AND THE FOLLOWING CONDITIONS:
  - 1.4.1. All the documentation submitted in response to this invitation to bid must be in English.
  - 1.4.2. ALL SBD forms must be completed in black ink and not typed.
  - 1.4.3. No tippex is allowed. All changes must be scratched out and a signature appended next to each change. Any document submitted with tippex will be disregarded and taken as not submitted.
  - 1.4.4. The bidder should verify the numbers of the pages of this document to satisfy themselves that none are missing or duplicated. No liability will be accepted by Conhill regarding anything arising from the fact that pages are missing or duplicated.
  - 1.4.5. Please make proper division and clearly reference/index your bid document and bid supporting documents attached.
- 1.5. TENDER RESPONSES SHOULD BE SUBMITTED AS FOLLOWS:
  - 1.5.1. 2 HARD COPIES (1 X ORIGINAL + 1 COPY) and electronic copy inserted in a sealed envelope/package endorsed, “**CONHILL/06/FAC-PROPERTY/2020**” with service bidder’s details on the back of the envelope or on the side. The sealed envelope/package must be placed in the bid box located in the SCM OFFICE area Constitution Hill Development Company, The Old fort Building (Johannesburg Fort) 11 Kotze Street, Braamfontein, before the closing date and time.
  - 1.5.2. In an electronic device (i.e., USB, DVD, etc.) and be inserted inside the sealed envelope/package to be submitted as per 1.4.1 above.
  - 1.5.3. The closing date, company name and the return address must also be endorsed on the back or side of the properly sealed envelope. If a courier service company is used for delivery of the bid document, the bid description must be endorsed on the delivery note/courier packaging to ensure that documents are delivered into the CONHILL Bid Box. The courier must accept responsibility for ensuring that the bid documents are properly deposited into the bid box and CONHILL accepts no responsibilities in this regard.
  - 1.5.4. All bid documents must be submitted in hard copies in the bid box. Where a bid document is not in the bid box at the time of the bid closing, such a bid document will be regarded as a late bid. Late bids will not be considered.
  - 1.5.5. Amended bids may be made, in an envelope clearly marked “Amendment to bid no **“CONHILL/06/FAC-PROPERTY/2020”**”, to represent the original document as the “replacement bid” and should be placed in the bid box before the closing date and time. An amendment bid without original bid documents deposited in the CONSTITUTION HILL’s Bid Box will not be considered. In such a case, only the amended bid document will be assessed in accordance with the bid criteria of this tender bid request. Under no circumstances will CONHILL be using or can the service provider rely on any information as contained in the original bid documents once replaced.
  - 1.5.6. It is the bidder’s responsibility to ensure the accuracy of information submitted in both hardcopy and soft copy and that ConHill reserve the right to decide which source of information to rely on in case there is contradicting information or omissions between hard copy and soft copy

submitted documents.

- 1.6. The bidder is responsible for all the cost that they might incur related to the preparation and submission of the bid document.
- 1.7. Responses to this tender received from a bidder will be valid for a period of 90 days counted from the closing date of the tender.
- 1.8. The successful bidder will be required to fill in and sign a written contract form (SBD7) and Annexure A: General Conditions of Contract (GCC). This will be done during the contracting stage.
- 1.9. Failure on the part of the bidder to sign/mark this tender form and thus to acknowledge and accept the conditions in writing or to complete the attached forms, questionnaires and specifications in all respects, may invalidate the tender.
- 1.10. All information documents, records and books provided by ConHill to any bidder, in connection with the invitation to tender or otherwise, are strictly private and confidential. These must not be disclosed by any Bidder to any third party, except with the express consent of ConHill, which will be granted in writing prior to such disclosure. ConHill, however, reserves the right to disclose any information provided by any tenderer to any of the employees of ConHill, for successful tenders.
- 1.11. A proposal for award will be rejected if ConHill determines that the supplier recommended for award, has engaged in corrupt or fraudulent activities in competing for the contract in question.
- 1.12. ConHill may require contractors to permit ConHill to inspect their accounts and records relating to the performance of the contract and to have them audited by auditors appointed by ConHill
- 1.13. Should the Bidder provide ConHill intentionally or negligently with false and/or misleading information or intentionally or negligently omitted any material fact that may have rendered any statement made by the Bidder misleading, in connection with this Tender Request for Proposal or supporting information or any subsequent requests for information and/or such misleading and/or false information and/or omission of any material fact induced ConHill in awarding the Tender and/or concluding any subsequent agreement shall entitle ConHill in its sole discretion forthwith to disqualify the Bidder and/or to immediately terminate any agreements subsequently entered into without prejudice to any of the rights ConHill has in terms of such agreement and/or any law.
- 1.14. Prices must be quoted inclusive of VAT and all other relevant taxes and duties (where applicable) should be shown separately. The full price for the services under this tender must be quoted in South African Rand (ZAR).
- 1.15. The successful bidder will assume sole responsibility, regardless of any third party or subcontracting agreements it may enter into

#### **A.1.2 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. Bidder may submit a printed TCS verification pin together with the bid..
- 2.3 Application for Tax Compliance Status (TCS) pin may be made via e-filing through the SARS website [www.sars.gov.za](http://www.sars.gov.za).
- 2.4 In bids where consortia / joint ventures / sub-contractors are involved; each party must submit a separate TCS certificate / pin / CSD number.
- 2.5 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 in the service of the state.

#### **A1.3 Evaluation Process**

The bid will be evaluated in terms of the evaluation criteria stipulated in the tender documentation. This bid will be evaluated in terms of the following stages:



- a) Administrative compliance
- b) Mandatory criteria- Evaluation for mandatory (compliance) criteria
- c) Evaluation in terms of functionality
- d) Evaluation in terms of 80/20 preference point claim

**NB: Failure to provide or comply with any of the above may render the bid invalid.**

**DECLARATION**

I/we, the undersigned, acknowledge that the information furnished above is true and correct.

\_\_\_\_\_  
**Signature of Authorised Representative**

\_\_\_\_\_  
**Date**

**Commissioner of Oaths**

**Stamp:**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

## **A2. TERMS OF REFERENCE**

### **1. Entity Background**

#### **1.1. Introduction**

Nowhere can the story of South Africa's turbulent past and its extraordinary transition to democracy be told as it is at ConHill. This National Heritage site has witnessed over a century of South Africa's history. From soldiers who fought in the Anglo Boer war at the turn of the century, political prisoners, and resisters to the repressive apartheid regime, the youth caught up in the Soweto Uprising, to the dawn of democracy, Constitution Hill has witnessed it all. The site was injected with a new meaning and energy when it was chosen in the mid-1990s as the site for the new Constitutional Court. Today ConHill is a city precinct managed by Gauteng Growth and Development Agency (GGDA) and Johannesburg Development Agency (JDA) and anchored by the South African Constitutional Court, the highest court in the country on constitutional matters.

Situated on a hill overlooking the bustling Johannesburg city and the leafy suburbs, ConHill provides a unique perspective of Johannesburg and its rich history. The various museums and the Constitutional Court host gripping exhibitions with themes that showcase South Africa's rich heritage, constitutionalism, the transition to democracy, and human rights advocacy. ConHill also boasts 18 multipurpose venues spread over three buildings ranging in capacity from 10 to 1 200 guests that may easily be transformed into magical function and event settings.

On 11 December 2011, the Flame of Democracy and beam of light outside the Constitutional Court in the Awaiting Trial block were lit by Deputy President Kgalema Motlanthe with a flame ignited by former President Nelson Mandela. The Flame signifies the commitment of the country to democracy, human rights and constitutionalism.

#### **Women's Jail**

The Women's Jail at ConHill is the first museum in the country that is devoted to telling the story of the prison experiences of women during the colonial and apartheid eras. The likes of Fatima Meer, Albertina Sisulu and other political activists as well as the notorious Daisy de Melker were incarcerated here.

#### **The Old Fort**

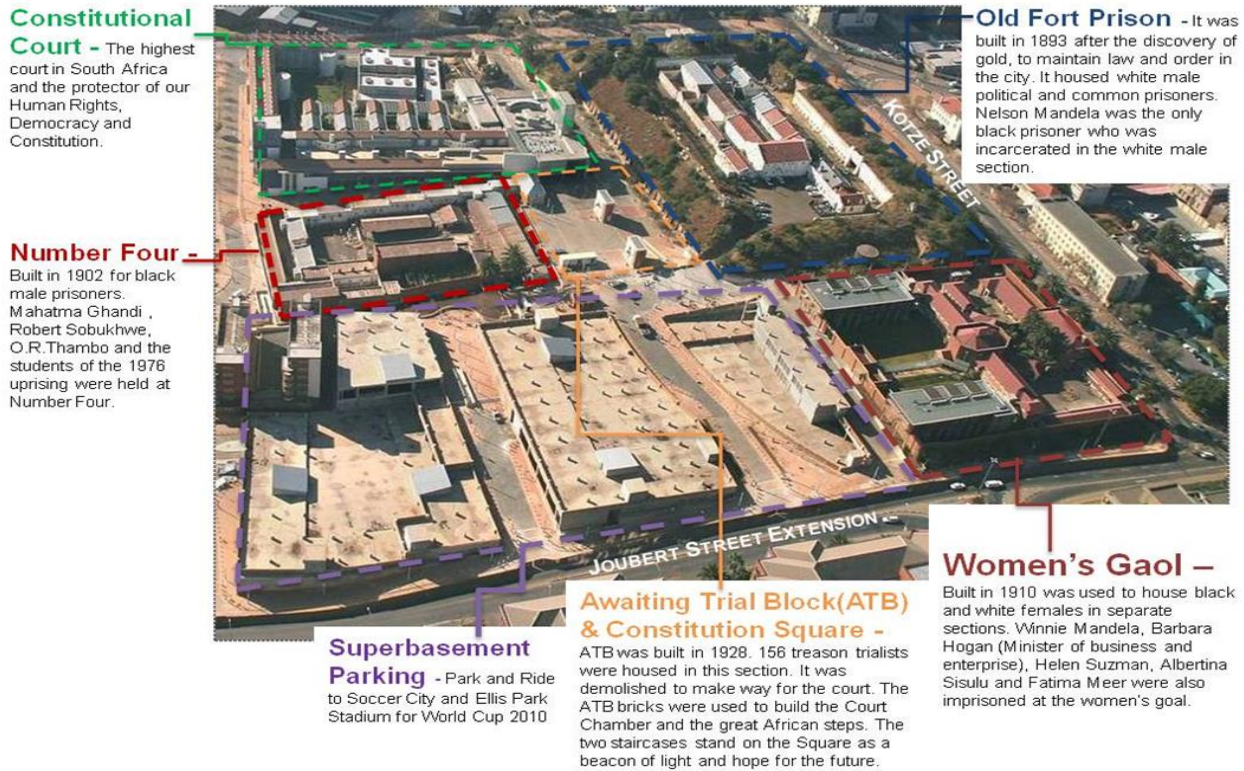
Its oppressive solitary confinement cells are the focal point of this former jail. It is now a museum, with a permanent exhibition on Nelson Mandela, but also a place of renewal, where exhibitions, functions and conferences are held. View a film documenting Mandela's time at the Old Fort, and his emotional return to ConHill some 40 years later to the Mandela Cell.

#### **Number Four**

Infamous for overcrowding and its brutal treatment of black inmates, many of whom were political prisoners fighting against racial inequality in South Africa, this former prison is now a museum devoted to human rights, with permanent exhibitions focusing on the life and times of Mahatma Gandhi (a former inmate) and

life in a cell at number Four.

### **Aerial view of the site:**



## **1.2. OBJECTIVE**

The objective is to outsource the Property management obligations of ConHill to a professional service provider with the requisite experience, skills and competencies. The strategic management of the property shall remain the responsibility of the designated senior managers (Facilities and Finance) within Conhill, but the successful bidder shall play a key supporting role to both these managers.

The successful service provider will be required to enter into a Service Contract and Service Level Agreement (SLA) with Constitution Hill Development Company respectively for a period of Five (5) years (60 months). Regular Performance appraisals to monitor the identified KPI's shall form part of the SLA.

## **2. PROJECT DESCRIPTION AND SCOPE OF WORK**

The Services to ConHill will cover the entire ConHill precinct, as detailed below:

- a. The Old Fort
- b. The Women's Gaol
- c. Sections 4&5
- d. Constitutional Court (will collect utilities only).
- e. The 'Super Basement' parking area, which consists of 1 725 parking bays
- f. Storage facilities
- g. Other ancillary buildings to these properties
- h. Visitors Centre Building
- i. Transwerke Building
- j. Nurses Home

The successful bidder shall focus on the provision of professional portfolio-based property management services in line with commercial best practice including, but not limited to the below:

- i. Property portfolio management through planned building life-cycle maintenance
- ii. Utilities Management
- iii. Tenant recruitment and Management (including exit inspections and deposit payments)
- iv. Leasing and lease management including rental collection on behalf of ConHill.
- v. Building/property maintenance
- vi. Parking Management
- vii. Provision of management information and reports for decision making purposes
- viii. Ensure compliance with relevant legislation and regulations such as Occupational Safety, Health and Environmental Act, etc.
- ix. Liaison with City of Johannesburg
- x. Recovering utilities from tenants including meter reading function.

All such services shall be performed in accordance with the Service Level Agreement. Under this agreement, the selected agent will provide, but not be limited to, services mentioned above and as outlined in the scope of work and deliverables as detailed below:

### 2.1. Property portfolio management

- Managing lettable spaces and maximize potential revenue out of these properties.
- Perform all administrative and accounting functions in relation to tenancing of ConHill properties.
- Prepare budget estimates for repairs and maintenance for budget approval by ConHill management.
- Implement the necessary repairs and maintenance as approved by ConHill. Must submit at-least 3 quotations to ConHill management for approval of cost efficient repairs and maintenance proposal.
- Motivate for any repairs and maintenance required that exceeds the budget for written approval by ConHill management prior to any work being undertaken.
- Recommend general strategies to maximize the performance of the property portfolio.
- Recommend leasing terms considering prevailing market conditions in accordance with objectives for the property portfolio.
- Conduct annual research into prevailing rental rates and leasing terms offered in localities to revise rental rates for approval by the ConHill board.
- At least two months before the beginning of each financial year, the Service provider shall prepare a budget of total anticipated income and expenditure in respect of the property portfolio for the following twelve-month period together with forward projections, if so, required by ConHill, and shall submit such budget to the ConHill for approval at the beginning of the relevant financial year in a format acceptable to ConHill.
- Arrange and ensure monthly meetings take place within the first week of the month to discuss the following submitted by the service provider:
  - Monthly financial reports,
  - Maintenance report,
  - Tenancy report
  - Any other related matters
- Ensuring that the recoveries of the utilities (water and electricity) is aligned to ConHill's actual bill from the City of Joburg and that meter readings are done monthly.
- Liaison with local and other authorities.
- Resolving utilities bill disputes with CoJ and/or any incorrect charges.
- Responsible for maintenance of utilities (water and electricity) meter reading.

## 2.2. Tenant Recruitment

- Recruit new tenants and maintain the occupancy rate set and agreed with ConHill management from time to time on both office space and parking.
- The preparation and implementation of approved marketing strategies for vacant office spaces.
- Advising regarding tenant mixes and the location of premises to be utilized for specific purposes.
- Submission of tenant offers to lease for ConHill management consideration and acceptance.

## 2.3. Leasing and Lease management

- Negotiate and close lease agreements timeously
- Facilitate signing of lease agreement with new tenant and/or renewal lease for existing tenants.
- Determine the credit worthiness of those prospective tenants, their trade history and to obtain such other information as may be relevant to the suitability of that prospective tenant as a tenant of the respective premises.
- Manage handing of keys to the new tenant after ensuring all necessary document including lease agreement has been signed and that the tenant meets all requirements include paying deposit.
- Record keeping of all lease documentation (including agreements, proof of payment and disputes) at least electronically.
- Manage a contract register and initiate lease renewal well on time.
- Perform reconciliations including financial records, tenant listing to rental roll, lettable spaces to tenant listing and vacancies.
- Implement a professional management system to facilitate effective and efficient leasing management service and reporting as per customer requirements.
- Update and develop new leasing procedures and templates, as and when required e.g.:
  - Lease agreements
  - Other documents signed at the entry and/or exit of the tenant.
  - Conditions of leased premises to remain favorable to ConHill and mitigate any risk identified
  - Occupancy related conditions and procedures.
- Ensure that company policies and procedures are consistently applied to warrant compliance.
- Contribute to revision of GGDA Group Lease Management Policies.

## 2.4. Rental Roll (per building)

- Accurate calculation and capturing of current lease rates
- Maintain a proper rental roll with clear names of tenants and/or vacant spaces that ties with the rentable office space and parking bays.
- Monthly report on the status and variances include action plan for under-performance.
- Manage collections of rental, deposits and other contributions pursuant to the lease.
- The refund of rental deposits to tenants as and when they fall due

## 2.5. Building/property maintenance

- The appointment and management of contractors, negotiations and finalization of all service provider contracts and/or service level agreements.
- The payment of accounts.
- Tenant liaison and attending to tenant requirements.
- Arranging maintenance and preventative maintenance (including but not limited to fire control measures) and submitting such proposals to ConHill for review and approval prior to implementation.
- Ensure the building is compliant with the Occupational Health and Safety Act, including such maintenance of fire equipment and air conditioning systems in common areas.
- Arrange for parking bay signage for tenants as per their lease agreements where applicable.

- Make provision for parking management solutions, security and/or emergency services and other utility services such as plumbing, electrical, aircon maintenance and lift maintenance services.

## 2.6. Debt Management

- Manage debts collection in a most effective and efficient manner to avoid long over-due debts that may become uncollectable.
- Advise ConHill on ways to control difficult collectability debts
- Formulate and execute strategy to address longer over-due/uncollectable debts including legal processes and handling the eviction from ConHill properties.
- Charge interest on late payments using the prescribed interest rate or a rate approved by ConHill Management.

## 2.7. Tenant Installations

- Manage and supervise tenant installations
- All installations to be negotiated strictly at entry point or at lease renewal. This should be approved by ConHill Management supported by a proposed lease agreement to be signed.
- Installations/refurbishments should adhere to the site standards and be heritage compliant and should be approved ConHill Management.

## 2.8. Payments of collected rental and financial records

- Collect all rental fees including recoveries for utilities, previous outstanding rentals and deposits.
- Open a separate bank account specifically rental collections and handling of ConHill money before paid to ConHill as a lump-sum and should produce bank statements information as when required.
- Make payments to ConHill all monies collected from tenant on behalf of ConHill.
- Clear record of interest earned and bank charges as well as money paid to the Property Agency should be reflected on the bank statement of this account before money paid to ConHill.
- Submit all financial reports required by ConHill Finance.
- Submit any information as may be requested ConHill Finance from time to time for decision making or if required for audit purposes.
- Maintain evidence of all financial transactions and provide to auditors when requested.
- Provide information required for budgeting and/or projections and or for resolving any disputes with tenant.
- Maintain financial information in an adequate accounting system.

## 2.9. Trust Account

- Service provider shall be responsible to maintain a trust account at financial institutions designated by ConHill.
- As and when received, deposits all rentals, rental deposits and other amounts paid to the service provider during its management, control and administration of the property in a trust banking account maintained by the service provider in accordance with the provisions of the Estate Agents Act, no 112 of 1976, as amended.
- ConHill will be provided with a detailed bank statement of this trust account reflecting all income received and expenses paid by the service provider during its management and administration of the property in respect of that month.



# PART B

## B1. DECLARATION OF INTEREST

SBD 4

### 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 interest<sup>1</sup> 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

<sup>1</sup> 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.




2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....  
 .....

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

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 consortium<sup>2</sup> 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

<sup>2</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.

used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 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

# **PART C**

## **C1: Tender Evaluation**

## C1.1. Stage 1: Administrative Compliance

Bidders must submit the following requirements below. Failure to submit will result in disqualification

Minimum Documents required for this BID	Submitted (Yes /No)
SBD 1 Invitation to Bid	
SBD 4 Declaration of interest	
SBD 6.1 Preference points claim	
CSD report/Bidder's CSD unique number	

## C1.2. Stage 2 - Mandatory Compliance

Bidder must submit the following requirements listed below. Failure to submit will result in a bid being disqualified and not considered for further evaluation on functionality, pricing and specific goal.

Minimum Documents required for this BID	Submitted (Yes /No)
<p>Proof of membership with at least one of the following professional bodies:</p> <ul style="list-style-type: none"> <li>• South African Property Owners Association (SAPOA)</li> <li>• Estate Agency Affairs Board of South Africa (EAAB)</li> <li>• Property Practitioners Regulatory Authority (PPRA)</li> <li>• South African Facilities Management Association (SAFMA)</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>• (NB compulsory) Fidelity Fund Certificate</li> </ul>	

## C1.3. Stage 3 - Functionality Evaluation

Below is the technical evaluation criteria and weighting for functionality

No	Quality Criteria	Sub criteria	Points
1	<p><b>Reference letters</b></p> <p>Bidder must submit/provide reference letters on previous and current similar work done on Property Management Services.</p> <p><b>Compliance requirement:</b></p>	<p>Letters of Appointment shall <b>not</b> be considered as required proof of experience. Only relevant and signed reference letters from bidder's clients are acceptable, including</p>	15

	<p>The following details must reflect on the reference letters</p> <ul style="list-style-type: none"> <li>• The scope of work undertaken,</li> <li>• Project value undertaken,</li> <li>• Date of award and expected completion,</li> <li>• The letter be in the company letterhead of the referee and their contact details</li> </ul> <p><b>NB: A reference letter that does not provide the above information will be disregarded and will not count as submitted.</b></p> <ul style="list-style-type: none"> <li>• No acceptable letter = 0 points</li> <li>• 1 acceptable letter = 3 points</li> <li>• 2 acceptable letter = 6 Points</li> <li>• 3 acceptable letter = 9 Points</li> <li>• 4 acceptable letter = 12 Points</li> <li>• More than 4 acceptable letter = 15 points</li> </ul> <p>In the event bidder submitted more than 5 letters, each acceptable letter will carry 3 points but the maximum available points are 15 points.</p>	both current and completed projects	
2	<p><b>Company Experience</b></p> <p>1. Please provide a summary of company profile in relevant service offering with indicative period of when the company started offering such services. This must be supported by company establishment proof (e.g., CIPC registration and/or any other equivalent evidence).</p> <p>⇒ Less than 3 years' experience – 0 points.  ⇒ 3 to 5 years' experience – 5 points.  ⇒ 6 to 10 years' experience – 10 points.  ⇒ 10 to 15 years' experience – 15 points.  ⇒ More than 15 years' experience – maximum of 20 points.</p>	Failure to attach a copy a company profile, CIPC company registration and/or equivalent support will result in points forfeiture.	20
3	<p><b>Key Personnel Experience (SDM)</b></p> <p>Please provide staff listing/organogram clearly indicating service delivery manager allocated to ConHill project and provide his/her comprehensive CV</p> <p><b>Experience in Property Management</b></p> <p>⇒ Less than 3 years' experience – 0 points.  ⇒ 3 to 5 years' experience – 1 points.  ⇒ 5 to 8 years' experience – 5 points.  ⇒ 9 to 10 years' experience – 8 points.</p>	Failure to attach a copy of a Comprehensive CV clearly highlighting qualifications, memberships and areas of experience/ competence relevant to the tasks and objectives of this project as outlined above, will result in	15

	<p>⇒ 11 to 15 years' experience – 10 points. More than 15 years' experience – 15 points. (Maximum available points are 15)</p> <p><b>Qualifications:</b> NQF level 5 and above – 5 points</p>	<p>points being forfeited under this category.</p> <p>Bidders must submit copies of certificates of qualifications for the service delivery manager</p>	5
4	<p><b>Staff Complement</b></p> <p>The company must supply ConHill with the well-balanced staff complement required for the requested services. The staffing experience should at-least cover: facility management; up-take of new tenants; contract management; legal expertise; debtors' collections, Invoicing; marketing; and so on. This team should have an average experience of not less than 3 years and will be evaluated based on average experience.</p> <p>Staff Complement (align to scope of work requirements)</p> <ol style="list-style-type: none"> <li>1. Debtor collector</li> <li>2. Financial reporting</li> <li>3. Property management</li> <li>4. Tenant management</li> </ol> <p>Less than 3 years' average experience – 0 points.  ⇒ 3 to 5 years' average experience – 5 points.  ⇒ 6 to 10 years' average experience – 8 points.  ⇒ 10 to 15 years' average experience – 10 points.  ⇒ More than 15 years' average experience – 15 points</p> <p>NB: the staff complement should be able to complement each other to ensure a full skills set is accomplished. Only relevant experience will be considered.</p>	<p>(Attach comprehensive CVs for points calculation purposes, ConHill will select four (4) employees with the highest experience being one out of each of the following functions (Debtors' collection X1, Financial reporting X1, Property Management X1 and Tenant Management X1.) and divide by 4 to get average experience.</p> <p><b>NB: Bidder must submit a CV for each function as listed above.</b></p>	15
5	<p><b>Methodology (PROJECT PLAN)</b></p> <p>The bidder should provide ConHill with a smart and practical methodology, clearly demonstrating that they understand ConHill properties to be managed. A methodology that provides a workable solution aligned to revenue targets and any applicable laws and regulations.</p>		30

	<p>This methodology should at-least cover the following:</p> <ul style="list-style-type: none"> <li>⇒ Property management strategy incorporating best practice repairs and maintenance plan. (Detailed maintenance plan <b>not required</b> at this stage) – <b>5 Points</b></li> <li>⇒ Marketing strategy for sourcing new tenants.- <b>10 Points</b></li> <li>⇒ Legal compliance e.g., collections of outstanding debtors – <b>5 Points</b></li> <li>⇒ Financial Management and reporting including invoicing and debtors' management - <b>5 Points</b></li> <li>⇒ Building and tenant administration services – <b>5 Points</b></li> </ul>		
	<b>TOTAL MAXIMUM POINTS</b>		<b>100</b>
	<b>MINIMUM QUALIFYING POINTS</b>		<b>70</b>

The minimum qualifying score for functionality is 70 points. All bids that fail to achieve the minimum qualifying score of 70 points on evaluation will not be considered for further evaluation on Price and Specific goals.

## C1.4. Stage 4 – Financial - Price and Specific goals

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

#### POINTS AWARDED FOR PRICE

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

**80/20**

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

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

**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) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
51% owned by black people who are women,	15	
51% owned by black people with Disabilities	5	
<b>Total</b>	<b>20</b>	

**NB:** To claim preferential procurement points for an entity which is at least 51% owned by black people who are women, the tenderer must submit certified ID copy not older than 6 months.

**NB:** To claim preferential procurement points for an entity which is at least 51% owned by black people with disabilities the tenderer must submit original letter from Doctor (Dr) on their letterhead which clearly indicate Doctor's practice number and confirmation of disability of the owner



Bidders should price on a leased option. Pricing must take into account the maintenance, support, and software/upgrades for five (5) year period.

**DETAILED BREAKDOWN OF TOTAL COST AND STANDARD SERVICES**

**(NOTE: Bidder must submit Pricing Schedule in a separately clearly Marked Pricing Schedule and tender reference number. Failure to do so may result in disqualification of submission)**

Bidders must provide detailed pricing schedule and complete the below table. The rental estimate provided for purposes of guiding price quotation.

The tender prices should be quoted in South African currency (ZAR).

**1.1. Pricing table with rental collections estimates**

<b>Years</b>	<b>Revenue targets (Incl. VAT)</b>	<b>% Charge on revenue collection</b>	<b>Total Commission (Incl. VAT)</b>	<b>Net Revenue (incl. VAT)</b>
YEAR 1	R8 452 500			
YEAR 2	R11 942 750			
YEAR 3	R14 011 600			
YEAR 4	R15 272 000			
YEAR 5	R16 646 250			
<b>Total Net Revenue (incl. VAT)</b>				

**Adhoc services**

Bidder must provide their cost structure or charging methodology for any adhoc services that cannot be costed above. This will include but not limited to the following examples:

<b>#</b>	<b>Description</b>	<b>Rate</b>
1	<b>New Lease sign-on fee</b>	
2	<b>Admin fees on repairs</b>	
3	<b>Once off change of replacement of meter readers</b>	
4	<b>Monthly meter reading cost</b>	
5	<b>Other:</b>	



## C2. SBD 6.1

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

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

---

#### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

#### 1.2 To be completed by the organ of state

*(delete whichever is not applicable for this tender).*

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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

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

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

The maximum points for this tender are allocated as follows:

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

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

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

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

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

#### 3.1.1. POINTS AWARDED FOR PRICE

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

**80/20**

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

**4. POINTS AWARDED FOR SPECIFIC GOALS**

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

**Note to 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) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Women	15	
Disabilities	5	
<b>Total</b>	<b>20</b>	

**DECLARATION WITH REGARD TO COMPANY/FIRM**

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

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company

- Personal Liability Company
  - (Pty) Limited
  - Non-Profit Company
  - State Owned Company
- [TICK APPLICABLE BOX]

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

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

.....

**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

.....

# PART D

## **D.1 GENERAL CONDITIONS OF CONTRACT (Annexure A)**

### **Refer to annexure A: General Conditions of Contract.**

This tender document must read together with annexure A: General Conditions of Contract as the winning bidder will be required to sign the General Conditions of Contract and SBD 7.



## **Annexure B: Special Conditions of Contracting**

The winning bidder will be required to sign the following special conditions applicable to this tender. By responding to this tender, bidder acknowledges the below special conditions of contract and is willing to accept them during contracting stage:

### **1. Cash management on behalf of ConHill**

- To make payments to ConHill within 5 working days of the following month, all monies collected from tenant on behalf of ConHill.
- Keep clear record of interest earned and bank charges as well as money paid to the Property Agency should be reflected on the bank statement of this account before money paid to ConHill.

### **2. Monthly reports**

- Submit all financial reports required by ConHill Finance within 3 working days of the following month. Such reports to contain, inter alia, age analysis, debtors, income statements, legal proceedings, etc.
- Maintain financial information in an adequate accounting system that has at-least the following:
  - proper controls acceptable for safe-guarding ConHill monies and produce reliable accurate and complete financial information.
  - that can produce customize reports to suit the formatting of monthly reporting by ConHill to its stake holders.
  - Ideally easy to read system and reports and easy to include the financial information into ConHill accounting system by way of journals.
- Monthly tenancy turnover report.

### **3. Repairs and maintenance**

- To appoint and management of contractors based on the specific guidelines as will be provided by ConHill to ensure procurement adheres to PFMA and SCM prescripts.

### **4. General reporting requirements**

- Report to ConHill in respect of its functions and operations monthly or at intervals specified by ConHill, and at such further or other times as may be required by ConHill in a format specified by ConHill.
- An annual Operating Plan to be submitted for review and approval by ConHill, which plan shall set forth the proposed operations relating to the Project for the next succeeding calendar year, and
- An annual reconciliation of Common Area expenses and assessments.
- Provide bi-annual budget projections and cash flow forecast.
- Year-end reports with supporting schedules including but not limited to accrual listing, deposits and etc.
- Provide information as when requested by ConHill auditors.