

REQUEST FOR QUOTATION

YOU ARE HEREBY INVITED TO SUBMIT QUOTATIONS FOR THE REQUIREMENTS OF THE DEVELOPMENT BANK OF SOUTHERN AFRICA LIMITED

BID NUMBER:	RFQ097/2021
RFQ ISSUE DATE:	01 December 2021
NON-COMPULSORY BRIEFING SESSION:	<p>Briefing will be done online via Microsoft teams. Bidders are advised to use the link below to join the briefing session.</p> <p>Link: Click here to join the meeting</p> <p>07 December 2021 @11H00</p>
CLOSING DATE AND TIME:	14 January 2022 at 23H55
RFQ VALIDITY PERIOD	90 days (COMMENCING FROM THE RFQ CLOSING DATE)
DESCRIPTION	<p>APPOINTMENT OF A SUITABLY QUALIFIED AND EXPERIENCED SERVICE PROVIDER TO DEVELOP A GREEN BUILDING FRAMEWORK TO BE USED BY THE DBSA AS A GUIDING POLICY FOR GREEN SOCIAL HOUSING INVESTMENT, STUDENT ACCOMMODATION, HEALTHCARE PROPERTY FACILITIES AND OTHER GREEN BUILDING PROJECTS UNDERTAKEN BY THE DBSA.</p>
DOCUMENTS DELIVERY ADDRESS:	<p>ELECTRONIC SUBMISSIONS</p> <p>a) Bidders that wish to submit a tender response must send an email to lihleSCM@dbsa.org indicating their participation.</p> <p>b) This must be done three (3) working days before submission day.</p> <p>c) Bidders will thereafter receive a OneDrive Link to upload their tender documents electronically.</p> <p>d) Closing time for the OneDrive Link submissions request - 16h00 on 15th December 2021 (Telkom Time)</p>

TENDER TECHNICAL AND GENERAL QUERIES	E-mail address: lihleSCM@dbsa.org
COMPLAINTS ABOUT THIS RFQ OR TENDER PROCESS	E-mail address: scmqueries@dbsa.org

NB: All enquiries regarding this RFQ must be forwarded to the stated email address above within the day after the RFQ has been issued. No enquiries from bidders will be entertained after the closing date of this RFQ and during the subsequent evaluation processes. DBSA however reserves the right to clarify any information with any bidder regarding their response to this RFQ.

All responses must be submitted to the above-mentioned address at the time specified.

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
ORIGINAL AND VALID B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE OR ORIGINAL CERTIFIED COPY	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		ORIGINAL B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
[AN ORIGINAL AND VALID B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT 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 PLEASE COMPLETE AS PER SECTION 3 OF THE TERMS AND CONDITIONS BELOW			

NOTE: Whether or not you are submitting a bid, please email this schedule to the Procurement Specialist.

	YES	NO
We will bid:		

TERMS AND CONDITIONS FOR BIDDING

- 1. RFQ SUBMISSION:**
- 1.1. RFQ 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. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
 - 1.4. 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 LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
 - 1.5. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
 - 1.6. PARTICIPATION IN THE TENDER PROCESS IS SUBJECT TO COMPLIANCE WITH THE TENDER CONDITIONS CONTAINED IN THIS RFQ DOCUMENT.
 - 1.7. THE SUCCESSFUL BIDDER MAY BE REQUIRED TO CONCLUDE A FORMAL WRITTEN CONTRACT WITH THE DBSA DEPENDING ON THE NATURE OF THE SERVICES TENDERED FOR.
 - 1.8. IF THE BIDDER'S SUBMISSION OF A QUOTATION IS SUCCESSFUL, THE DBSA SHALL APPOINT THE BIDDER TO EXECUTE OR PROVIDE THE REQUIRED SERVICES OR GOODS. WHERE NO FORMAL WRITTEN CONTRACT IS REQUIRED TO BE CONCLUDED WITH THE SUCCESSFUL BIDDER, THE DBSA SHALL PLACE A PURCHASE ORDER WITH THE BIDDER AND THE AFORESAID GENERAL CONDITIONS OF CONTRACT SHALL APPLY TO ANY SUBSEQUENT PURCHASE ORDER. IN THE EVENT THAT A FORMAL WRITTEN CONTRACT IS REQUIRED TO BE CONCLUDED WITH THE BIDDER, THE PARTIES SHALL EXECUTE A SERVICE CONTRACT AND THEREAFTER THE DBSA SHALL PLACE A PURCHASE ORDER.
 - 1.9. NO SERVICES MUST BE RENDERED OR GOODS DELIVERED BEFORE AN OFFICIAL DBSA

APPOINTMENT LETTER HAS BEEN ISSUED, A SERVICE CONTRACT SIGNED WHERE APPLICABLE, AND A PURCHASE ORDER HAS BEEN RECEIVED BY THE SUPPLIER.

- 1.10. LATE AND INCOMPLETE SUBMISSIONS WILL NOT BE ACCEPTED.
- 1.11. ANY BIDDER WHO HAS REASONS TO BELIEVE THAT THE RFQ SPECIFICATION IS BASED ON ANY SPECIFIC BRAND MUST INFORM DBSA IN WRITING BEFORE THE RFQ CLOSING DATE. IT SHOULD HOWEVER, BE NOTED THAT DBSA RESERVES THE RIGHT TO ISSUE BRAND SPECIFIC SPECIFICATIONS "EQUIVALENT" / REQUIREMENTS TENDER.
- 1.12. **BIDDERS ARE REQUIRED TO COMPLETE ANNEXURE B FOR ALL PRICE QUOTATIONS EXCEEDING THE VALUE OF R30 000 (VAT INCLUDED) AND ATTACH TO THE FUNCTIONAL/TECHNICAL PROPOSAL WHERE THE TENDERING PROCESS WILL USE A ONE ENVELOPE SYSTEM.**

OR

WHERE THE TENDERING PROCESS WILL USE A TWO FOLDERS SYSTEM I.E. BIDDERS MUST SUBMIT THE PRE-QUALIFYING CRITERIA AND FUNCTIONAL PROPOSAL IN ONE ENVELOPE/FOLDER (TOGETHER WITH RELEVANT COPIES) AND THE COMPLETED ANNEXURE B (PRICING) AND PREFERENCE POINTS PROPOSALS IN A SEPARATE ENVELOPE/FOLDER (TOGETHER WITH THE RELEVANT COPIES). BOTH ENVELOPES / FOLDERS MUST BE CLEARLY MARKED.

NOTE: NO PRICE AND/OR RATES MUST BE INCLUDED IN THE FUNCTIONAL/TECHNICAL PROPOSAL AS THIS WILL RESULT IN DISQUALIFICATION.

- 1.13. **BIDDERS ARE ALSO REQUIRED TO COMPLETE AND SIGN ALL DECLARATIONS AS PART OF THE RFQ DOCUMENTATION PACK THE STANDARD BIDDING DOCUMENTS (SBD) PRESCRIBED BY THE NATIONAL TREASURY ATTACHED AS ANNEXURE C.**
- 1.14. THE SUCCESSFUL BIDDER WILL BE THE BIDDER THAT SCORES THE HIGHEST NUMBER OF POINTS IN THE PRICE AND PREFERENCE EVALUATION, UNLESS THE DBSA EXERCISES ITS RIGHT TO CANCEL THE RFP, IN LINE WITH THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.
- 1.15. ALL PRICES MUST BE QUOTED IN SOUTH AFRICAN RAND (ZAR)
- 1.16. THE COST OF MARKETING AND ADVERTISING, AND OTHER CHARGES MUST BE INCLUDED IN THE TOTAL PRICE QUOTED, IF THESE ITEMS ARE REQUESTED AS PART OF THE DBSA COST TEMPLATE / MODEL OF THIS RFQ. BIDDERS SHOULD UNDER NO CIRCUMSTANCES INCLUDE ANY ADDITIONAL COST ELEMENTS WHICH HAVE NOT SPECIFICALLY BEEN REQUESTED FOR AS PART OF THIS RFQ. IF ADDITIONAL ITEMS ARE SUGGESTED BY ANY BIDDER, THEN THESE ITEMS MUST BE SEPARATELY SPECIFIED WITH A CLEAR MOTIVATION OF WHY THESE ADDITIONAL ITEMS MAY BE REQUIRED. IT SHOULD ALSO BE FURTHER STATED WHETHER THE WORKABILITY OF THE SOLUTION PROPOSED IS DEPENDENT ON SUCH ADDITIONAL ITEMS OR NOT.
- 1.17. BIDDERS ARE ALSO REQUESTED TO SEPARATELY PROVIDE A DETAILED COST BREAKDOWN OF ALL ITEMS TO BE PROVIDED AS PART OF THEIR RESPONSE TO THIS RFQ, WHICH CLEARLY DEPICTS THE ITEM DESCRIPTION (BRAND NAME, PRODUCT CODE) AND ASSOCIATED QUANTITIES. FAILURE TO PROVIDE THIS INFORMATION WILL INVALIDATE THE RFQ RESPONSE ON THE BASIS OF INCOMPLETENESS. THE TOTAL COST OF THE RFQ RESPONSE BASED ON THE DBSA COST TEMPLATE / MODEL SHOULD EXACTLY MATCH THE

TOTAL COST OF THE DETAILED COST BREAKDOWN. IN THE EVENT OF ANY DISCREPANCIES, THEN THE HIGHER AMOUNT OF THE 2 DOCUMENTS WILL BE USED AS BASIS FOR THE PRICE EVALUATIONS OF THIS RFQ RESPONSE.

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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.

2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.

2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.

2.6 WHERE NO TCS 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.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO

3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? YES NO

3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?
 YES NO

3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?
 YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

4. COMPLIANCE REQUIREMENTS

4.1 All BIDDER MUST SUBMIT THEIR ORIGINAL AND VALID BBBEE STATUS LEVEL VERIFICATION CERTIFICATE OR ORIGINAL CERTIFIED COPY OR ORIGINAL SWORN AFFIDAVIT THEREOF, SUBSTANTIATING THEIR BBBEE STATUS.

4.2 THE SUBMISSION OF SUCH CERTIFICATES MUST COMPLY WITH THE REQUIREMENTS OF INSTRUCTIONS AND GUIDELINES ISSUED BY THE NATIONAL TREASURY AND MUST BE IN ACCORDANCE WITH THE APPLICABLE NOTICES PUBLISHED BY THE DEPARTMENT OF TRADE AND INDUSTRY IN THE GOVERNMENT GAZETTE.

5. PRE-QUALIFICATION CRITERIA

Please ensure you submit the requested information as per eligibility criteria on page 7 and 14, Bidders failing to provide the requested information will lead to disqualification.

6. FUNCTIONAL EVALUATION

6.1 APPLICABLE-REFER TO TERMS OF REFERENCE – Eligibility criteria

7. PRICE AND PREFERENCE EVALUATION

7.1 THIS RFQ WILL BE EVALUATED IN TERMS OF THE 80/20 PREFERENCE POINT SYSTEM PRESCRIBED BY THE PREFERENTIAL PROCUREMENT REGULATIONS 2017 AS AMENDED. THE ALLOCATION OF POINTS WILL BE AS FOLLOWS:

PRICE	80
BEE	20
TOTAL	100 POINTS

8. ORAL PRESENTATIONS

8.1 BIDDERS WHO SUBMIT BIDS IN RESPONSE TO THIS RFQ MAY BE REQUIRED TO GIVE AN ORAL PRESENTATION, WHICH MAY INCLUDE, BUT IS NOT LIMITED TO, A MARKETING PROPOSAL DEMONSTRATION OF THEIR PROPOSAL TO DBSA. THIS PROVIDES AN OPPORTUNITY FOR THE BIDDER TO CLARIFY OR ELABORATE ON THEIR PROPOSAL. THIS IS A FACT FINDING AND EXPLANATION SESSION ONLY AND DOES NOT INCLUDE NEGOTIATION. DBSA SHALL SCHEDULE THE TIME AND LOCATION OF THESE PRESENTATIONS.

8.2 ORAL PRESENTATIONS ARE AN OPTION OF DBSA AND MAY OR MAY NOT BE CONDUCTED. IF SUCH PRESENTATIONS OR PRODUCT DEMONSTRATIONS ARE REQUIRED, THEN THE COST TO SET UP THESE SESSIONS WILL BE BORNE BY THE BIDDER. IT SHOULD ALSO BE NOTED THAT WHERE A BIDDER CAN ONLY FACILITATE SUCH PRESENTATION AND DEMONSTRATION SESSIONS ABROAD OR EVEN BEYOND THE PROVINCIAL BORDERS OF GAUTENG, THEN ANY ASSOCIATED SUBSISTENCE AND TRAVELING COST OF THE DBSA BID EVALUATION TEAM, WILL BE FOR THE ACCOUNT OF THE BIDDER.

9. REASONS FOR DISQUALIFICATION

9.1 DBSA RESERVES THE RIGHT TO DISQUALIFY ANY BIDDER WHICH DOES ANY ONE OR MORE OF THE FOLLOWING,

- 9.1.1 BIDDERS WHO SUBMITTED INCOMPLETE INFORMATION AND DOCUMENTATION ACCORDING TO THE REQUIREMENTS OF THIS RFQ;
- 9.1.2 BIDDERS WHO SUBMITTED INFORMATION THAT IS FRAUDULENT, FACTUALLY UNTRUE OR INACCURATE, FOR EXAMPLE MEMBERSHIPS THAT DO NOT EXIST, BEE CREDENTIALS, EXPERIENCE, ETC;

- 9.1.3 BIDDERS WHO RECEIVED INFORMATION NOT AVAILABLE TO OTHER VENDORS THROUGH FRAUDULENT MEANS; AND/OR
- 9.1.4 BIDDERS WHO DO NOT COMPLY WITH ANY OTHER *REQUIREMENTS* AS STIPULATED IN THIS RFQ DOCUMENT.
- 9.1.5 BIDDERS WHO SUBMIT RESPONSE AFTER THE STIPULATED SUBMISSION DATE AND TIME.

10. RIGHT TO CANCEL

10.1 DBSA RESERVES THE RIGHT TO CANCEL OR REJECT ANY QUOTE AND NOT TO AWARD THE RFQ TO THE LOWEST BIDDER OR AWARD PARTS OF THE RFQ TO DIFFERENT BIDDERS, OR NOT TO AWARD THE RFQ AT ALL.

11. DECLARATION BY BIDDER

I, _____ THE _____ UNDERSIGNED
 (NAME).....CERTIFY THAT:

- i. I HAVE READ, UNDERSTOOD AND UNCONDITIONALLY ACCEPT THE CONDITIONS OF THIS RFQ.
- ii. I HAVE SUPPLIED THE REQUIRED INFORMATION AND THE INFORMATION SUBMITTED AS PART OF THIS RFQ IS TRUE AND CORRECT.

.....
SIGNATURE OF BIDDER

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

DATE:

Stage 1: Responsiveness

Tenderers who do not adhere to those criteria listed a PRE-QUALIFIER, will be disqualified immediately.

A. Tenderers who do not adhere to those criteria listed a PRE-QUALIFIER, will be disqualified immediately.

Responsiveness Criteria		Prequalifying Criteria	Applicable to this Tender (Y/N)
1	Adherence to submitting Tender as a two-folder tender. Folder 1 Functionality and returnable submission separate from Folder 2 Pricing proposal submission	Pre-Qualifier	Y
2	Attendance Register of the Compulsory Briefing Session attended by the Tenderer	Pre-Qualifier	N
3	A list of at least 3 reputable & verifiable references (issued in the past 3 months) from companies and /or trusts the bidder has acted or is acting as a non-executive director and/or a trustee	Pre-Qualifier	Y
3	In terms of the DBSA Transformation Imperative Targets, the DBSA will consider companies that are EME's and QSE's with a minimum B-BBEE status of Level 2 who will contribute to meaningful B-BBEE initiatives as part of the tender process.	Pre-Qualifier	Y
4	The successful Tenderer, if not itself an EME or QSE with a minimum B-BBEE status level 2, as per Section 4(1)(a) and (b) of the PPR 2017, must subcontract a minimum of 30% of the value: (i). an EME or QSE which is at least 51% owned by black people.	Pre-Qualifier	Y

B. Tenderers who do not adhere to the indicated response time for clarifications requested by the Employer will be deemed to be non-responsive and their submissions will not be evaluated further.

Responsiveness Criteria		Clarification Time	Applicable to this Tender (Y/N)
5	Standard conditions of tender as required.	48 hours	Y
6	Returnable documents completed and signed.	48 hours	Y
7	Submission of Proof of Registration with National Treasury Central Supplier Database (CSD) Summary Report or A Valid and Active Tax Compliance Status Pin issued by SARS for Tax Compliance Status Verification: N.B - Bidder must be fully registered & tax compliant in order to do business with the DBSA.	7 Working days	Y

Stage 2: Functional criteria

The Functional Criteria that will be used to test the capability of Bidders are as follows: The technical proposal will be evaluated according to the following criteria and scoring system. The technical score will be calculated out of 100 points, and only those bids that achieve a threshold of 75 points for the technical proposal will move to the next level of evaluation where a score for price and BBEE.

TECHNICAL SCORECARD			
No.	EVALUATION CRITERIA	SCORING FOR WHOLE ELEMENT	WEIGHT
1.	KEY RESOURCE X 1 – Green Building Specialist		25
1.1	PhD / Masters degree / Bachelor’s degree in the Engineering, Environmental, Built Environment, Sustainability, or any other related field.	Points for experience: PhD / Masters degree = 10 Bachelor or above = 7 Anything below a bachelor = 0	10
1.2	Accreditation with the Green Building Council South Africa. Accredited Professional Practitioner (AP+) – An AP+ is an AP that has demonstrated higher levels of activity through practicing as an AP and engagement with the GBCSA by attending training, events, tours and other knowledge sharing events in a 12 month period. Accredited Professional (AP) – An AP is an individual who has met qualifying requirements, completed an Accredited Professional Programme in their chosen specialism and signed an accredited Professional agreement with the GBCSA.	Points for experience: AP+ = 15 AP = 10 None = 0	15
2	BIDDER EXPERIENCE IN GREEN BUILDING CERTIFICATION AND GREEN RATING TOOLS		50

2.1	Bidder must demonstrate past experience in the successful development of green building frameworks with a combined minimum project size of R10 million. If not, they need to partner or receive support from somebody with past experience of a successful certification. The company needs to have developed frameworks for three or more companies.	<ul style="list-style-type: none"> - Developed Green Building framework for 3 or more companies = 25 - Developed Green Building framework for 2 or more companies = 15 - Developed Green Building framework for 1 or more companies = 10 - No Green building framework developed = 0 	25	50
	<p>Relevant experience in:</p> <p>Must have at least 8 years' post-registration experience in the design of green buildings (individual projects with a project value of over R10 million)</p> <p>Minimum of three recent traceable references of project experience should be submitted</p>	<p>Points for experience:</p> <p>=/> 8 years = 15</p> <p>=/> 5 years = 10</p> <p>=/> 3 years = 5</p> <p>Less than 3 years= 0</p> <p><i>- Should three recent traceable references of project experience not be submitted a 0 will be awarded, regardless of the number of years' experience</i></p>	15	
	<p>Bidder must show that they have at least 5 years of demonstrable experience using the EDGE tool, Green Star rating tool or any other relevant green rating tools and systems as prescribed by the Green Building Council of South Africa or a similar accredited body in South Africa.</p> <p>Minimum of five recent traceable references of project experience should be submitted</p>	<p>Points for experience:</p> <p>=/> 5 years = 10</p> <p>=/> 4 years = 8</p> <p>=/> 3 years = 5</p> <p>Less than 3 years= 0</p> <p><i>(Please note that providing evidence of membership to the Green Building Council of South Africa or a similar accredited body in South Africa will not satisfy this requirement)</i></p>	10	
4	BIDDER EXPERIENCE IN GREEN DESIGN MODELLING			10
4.1	Demonstrable experience of at least 5 years in i) Energy Modelling (depending on Green Star	<p>=/> 5 years = 10</p> <p>=/> 4 years = 8</p>	10	10

	<p>strategy/points being targeted)</p> <p>ii) Daylight Modelling (depending on Green Star strategy/points being targeted)</p> <p>iii) Thermal comfort modelling</p> <p>iv) Development of detailed project sustainability strategy and advise on design solutions</p> <p>v) Development of a Water strategy, Energy strategy and Waste strategy</p> <p>vi) Development of a detailed façade thermal and energy analysis</p> <p>vii) Life cycle analysis of selected design solutions</p>	<p>=/> 3 years = 5</p> <p>=/> 2 years = 3</p> <p>Less than 2 years = 0</p>		
4	PROJECT COMPREHENSION, APPROACH AND METHODOLOGY			15
4.1	<p>Comprehension, approach and methodology:</p> <ul style="list-style-type: none"> - Demonstrated in proposal through <i>inter alia</i>: <ul style="list-style-type: none"> o work plan for execution of the scope, o project management approach, o timeframe, - Provides a detailed understanding of the assignment - Shows clear analysis of key challenges and risks associated with the assignment and adequate proposals to address these - Concrete suggestions regarding the proposed methodology and approach (do not duplicate the ToRs) and where necessary amendments / additions to the proposed scope. - Detailed level of presentation 	<p>Points:</p> <ul style="list-style-type: none"> ▪ Addresses all requirements, demonstrates a sound understanding of assignment, associated risks and included value add innovations = 15 ▪ Addresses most areas of requirements but is generic and does not convey an understanding of assignment and associated risk = 10 ▪ Partially addresses requirements, but overall is not convincing (i.e. scope is not fully addressed, or timeframes are not reasonable) = 5 ▪ Does not address the requirement and is not detailed = 0 		15
Total				100
Minimum threshold for technical				75

TERMS OF REFERENCE & PROJECT BRIEF

1. INTRODUCTION

This document sets out the Terms of Reference (“ToR”) for the appointment of a suitably qualified and experienced service provider to develop a Green Building Framework to be used by the DBSA as a guiding policy for green social housing, student accommodation, healthcare property facilities and other green building projects undertaken by the DBSA.

2. BACKGROUND

Buildings are at the center of our economic and social lives, providing shelter, workplaces, and spaces for commerce and leisure. Yet buildings also put a tremendous strain on the environment. Globally, buildings generate approximately 40% of energy use; 20% of water use; 30% of solid waste and 20% of wastewater. The building sector is also the source of more than 30% of global greenhouse gas (GHG) emissions. On the other hand, buildings also represent one of the few sectors where significant mitigation can be achieved at little or no cost to society. Sustainable energy use, which encompasses reduction in energy consumption, enhancement of energy efficiency and GHG emissions mitigation, is the optimal means to achieve this objective. Designing appropriate energy policies for sustainable buildings can promote innovation, generate economic opportunities and support the creation of green jobs, reduce maintenance and operation costs over the life of the building, raise the overall standard of living, and improve human wellbeing, comfort and health.

The DBSA currently funds numerous building infrastructure projects. These include, social housing accommodation, student residences, hospitals as well as schools. Hence, the DBSA aims to explore all sustainable design opportunities and ensure that the optimum level of sustainable and climate impact is achieved within the allocated budget. The main scope of this call is to develop a green building framework for green social housing and student accommodation projects with due consideration given to other sustainable areas, such as energy efficiency, building materials, renewable energy solutions, water conservation, construction materials, air pollution and social issues. The framework will serve as a guiding principle for evaluating investment opportunities in the green building sector. This will ensure that the optimum level of sustainable and climate impact is achieved on all projects funded by the DBSA.

The DBSA invites a suitably qualified professional/team to develop a Green Building Framework to be used by the Bank when appraising green building projects.

3. SCOPE OF WORK

- Develop technical performance standards for green buildings that will result in improved sustainability. The criteria should include, but not limited to the designs, energy efficiency systems, building material and resources, water efficiency systems, sustainable site planning and management, indoor environmental quality, environmental protection, transport and innovation;
- Comment on South African regulatory policies governing and affecting green buildings. These should include construction, energy, water, materials and carbon credits amongst others;
- Prepare guiding principles for sustainable procurement of materials used in green buildings. Comment on the type and availability of locally available sustainable materials that are appropriate for the construction of green buildings in South Africa
- Develop project monitoring and evaluation guidelines to be used in monitoring and evaluation of the performance of green building projects;
- Develop guiding principles for auditing green building projects;
- Develop a detailed project sustainability strategy and advise on design solutions;
- Develop a water strategy, energy strategy and waste strategy as applicable in green buildings;
- Develop a guiding strategy on carbon credits in relation to green buildings;
- Comment on the carbon tax and tax exemptions and other reductions relating to green buildings;
- Develop guiding principles for landscaping and design to ensure that native biodiversity and community needs are considered in the design of green buildings;
- Develop a strategy on various cost-effective carbon capture and sequestration strategies that can be explored in green building projects such as planting trees, preserving rare indigenous trees, wetland and grassland restoration;
- Advise of any funding programmes and incentives available to green building projects in South Africa and internationally (where such programmes are applicable to South African projects); and
- Advise on incentives that can be included in the design of green building projects such that its surroundings qualify as smart campuses. This may consider ICT measures, and increased mobility without need for transport, campuses that incentivise behaviour change towards resource efficiency and environmental conservation as an example.

4. DBSA ENGAGEMENT

The appointed Service Provider must engage with DBSA to develop an understanding of the following:

- The green building framework to be used as a guiding principle when assessing green building projects. This shall include designs, energy efficiency systems, building material and resources, water efficiency systems, sustainable site planning and management, indoor

environmental quality, environmental protection, transport and innovation. Community needs and preservation of biodiversity are to be considered in the designs.

5. EVALUATION CRITERIA

TECHNICAL SCORECARD					
No.	EVALUATION CRITERIA	SCORING FOR WHOLE ELEMENT	WEIGHT		
1.	KEY RESOURCE X 1 – Green Building Specialist			25	
1.1	PhD / Masters degree / Bachelor's degree in the Engineering, Environmental, Built Environment, Sustainability, or any other related field.	Points for experience: PhD / Masters degree = 10 Bachelor or above = 7 Anything below a bachelor = 0	10	25	
1.2	Accreditation with the Green Building Council South Africa. Accredited Professional Practitioner (AP+) – An AP+ is an AP that has demonstrated higher levels of activity through practicing as an AP and engagement with the GBCSA by attending training, events, tours and other knowledge sharing events in a 12 month period. Accredited Professional (AP) – An AP is an individual who has met qualifying requirements, completed an Accredited Professional Programme in their chosen specialism and signed an accredited Professional agreement with the GBCSA.	Points for experience: AP+ = 15 AP = 10 None = 0	15		
2	BIDDER EXPERIENCE IN GREEN BUILDING CERTIFICATION AND GREEN RATING TOOLS			50	
2.1	Bidder must demonstrate past experience in the successful development of green building frameworks with a combined minimum project size of R10 million. If not, they need to partner or receive support from somebody with past experience of a successful certification. The company needs to have developed frameworks for three or more companies.	- Developed Green Building framework for 3 or more companies = 25 - Developed Green Building framework for 2 or more companies = 15 - Developed Green Building framework for 1 or more companies = 10 - No Green building framework developed = 0	25	50	

	<p>Relevant experience in:</p> <p>Must have at least 8 years' post-registration experience in the design of green buildings (individual projects with a project value of over R10 million)</p> <p>Minimum of three recent traceable references of project experience should be submitted</p>	<p>Points for experience:</p> <p>=/> 8 years = 15</p> <p>=/> 5 years = 10</p> <p>=/> 3 years = 5</p> <p>Less than 3 years= 0</p> <p>- Should three recent traceable references of project experience not be submitted a 0 will be awarded, regardless of the number of years' experience</p>	15	
	<p>Bidder must show that they have at least 5 years of demonstrable experience using the EDGE tool, Green Star rating tool or any other relevant green rating tools and systems as prescribed by the Green Building Council of South Africa or a similar accredited body in South Africa.</p> <p>Minimum of five recent traceable references of project experience should be submitted</p>	<p>Points for experience:</p> <p>=/> 5 years = 10</p> <p>=/> 4 years = 8</p> <p>=/> 3 years = 5</p> <p>Less than 3 years= 0</p> <p>(Please note that providing evidence of membership to the Green Building Council of South Africa or a similar accredited body in South Africa will not satisfy this requirement)</p>	10	
4	BIDDER EXPERIENCE IN GREEN DESIGN MODELLING			10
4.1	<p>Demonstrable experience of at least 5 years in</p> <p>i) Energy Modelling (depending on Green Star strategy/points being targeted)</p> <p>ii) Daylight Modelling (depending on Green Star strategy/points being targeted)</p> <p>viii) Thermal comfort modelling</p> <p>ix) Development of detailed project sustainability strategy and advise on design solutions</p> <p>x) Development of a Water strategy, Energy strategy and Waste strategy</p> <p>xi) Development of a detailed façade thermal and energy analysis</p> <p>xii) Life cycle analysis of selected design solutions</p>	<p>=/> 5 years = 10</p> <p>=/> 4 years = 8</p> <p>=/> 3 years = 5</p> <p>=/> 2 years = 3</p> <p>Less than 2 years = 0</p>	10	10
4	PROJECT COMPREHENSION, APPROACH AND METHODOLOGY			15
4.1	<p>Comprehension, approach and methodology:</p> <p>- Demonstrated in proposal through <i>inter alia</i>:</p>	<p>Points:</p> <ul style="list-style-type: none"> ▪ Addresses all requirements, 	15	15

	<ul style="list-style-type: none"> ○ work plan for execution of the scope, ○ project management approach, ○ timeframe, <ul style="list-style-type: none"> - Provides a detailed understanding of the assignment - Shows clear analysis of key challenges and risks associated with the assignment and adequate proposals to address these - Concrete suggestions regarding the proposed methodology and approach (do not duplicate the ToRs) and where necessary amendments / additions to the proposed scope. - Detailed level of presentation 	<p>demonstrates a sound understanding of assignment, associated risks and included value add innovations = 15</p> <ul style="list-style-type: none"> ▪ Addresses most areas of requirements but is generic and does not convey an understanding of assignment and associated risk = 10 ▪ Partially addresses requirements, but overall is not convincing (i.e. scope is not fully addressed, or timeframes are not reasonable) = 5 ▪ Does not address the requirement and is not detailed = 0 		
Total				100
Minimum threshold for technical				75

6. REQUIRED SKILLS AND EXPERIENCE

6.1 Education:

- Advanced university degree (Masters or PhD would be advantageous) relevant to the thematic area (e.g. Architecture / Landscape Architecture, Engineering / sustainable engineering, Civil Engineering, Environmental Sciences, Construction Management, Urban Planning, Energy, Climate Change, Community Development, or other relevant degree)

6.2 Professional Experience:

- A minimum of 8 years working experience relevant to the above area including experience in energy conservation, environmental sustainability management, or energy efficiency.
- Experience in sustainability master planning especially on large urban scale development.
- Experience in providing technical and advisory support as well as capacity building support/training on topics related to green building, climate change, or other relevant sustainable fields.
- Experienced in green building with demonstrated community-leading sustainability project implementation.
- Experience of green building practices.

- Good understanding of GBCSA, LEED, IFC EDGE and other green building standards will be advantageous.

7. DELIVERABLES

- Inception Report
- Interim Report
- Final Report
- Close out Report

8. INDICATIVE TIMEFRAMES

The appointment of the Service Provider will be for a period of 12 months.

9. REMUNERATION SCHEDULE

Remuneration Schedule: Payments for services rendered under this RFP will be in South African Rands, on a fixed price, according to the following remuneration schedule:

- i. Inception Report - 10% of fees
- ii. Interim Report – 30% of fees; and
- iii. Final Report - 40% of fees
- iv. Close Out Report- 20% of fees

Payments: will compose of disbursement and professional fees per deliverable / milestone upon approval of such by DBSA. The cost / price needs to be structured such that it includes of all costs such as professional fees, travel and subsistence costs and disbursements. Each milestone / deliverable should include all aspects.

10. DISBURSEMENT ARRANGEMENTS

Disbursements will be undertaken according to DBSA's norm relating to appointments of this nature. All travel related costs must be included in the budget.

11. PRICING SCHEDULE

Description	No. of hours	Hourly rate	Total
Inception report			
Interim report			
Final report			
Close Out report			

	Sub-Total	
	VAT @ 15%	
	Total	

12. TRAVEL AND SUBSISTENCE

All travel and subsistence costs will be covered by the quoted cost.

13. GOVERNING LAW

This consultancy contract shall be governed by and interpreted in accordance with the substantive laws of the South Africa.

14. CONFIDENTIALITY

Any confidential information obtained by either party to this project, or arising from the implementation of this project, shall be treated as confidential by the party receiving it and shall not be used, divulged or permitted to be divulged to any person not being a party to this project, without the prior written consent of the other party.

ANNEXURE A

FEES AND ASSUMPTIONS

FORM OF OFFER AND ACCEPTANCE (AGREEMENT)

FORM OF OFFER

THE CONSULTANT IS TO COMPLETE AND SIGN THE FORM OF OFFER

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract in respect of the following services:

RFQ 097/2021 - APPOINTMENT OF A SUITABLY QUALIFIED AND EXPERIENCED SERVICE PROVIDER TO DEVELOP A GREEN BUILDING FRAMEWORK TO BE USED BY THE DBSA AS A GUIDING POLICY FOR GREEN SOCIAL HOUSING INVESTMENT, STUDENT ACCOMMODATION, HEALTHCARE PROPERTY FACILITIES AND OTHER GREEN BUILDING PROJECTS UNDERTAKEN BY THE DBSA.

The Tenderer, identified in the Offer signature block below, has examined the documents listed in the Tender Data and addenda thereto as listed in the Tender Schedules, and by submitting this Offer has accepted the Conditions of Tender.

By the representative of the Tenderer, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance, the Tenderer offers to perform all of the obligations and liabilities of the consultant under the Contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the Conditions of Contract identified in the Contract Data.

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS

.....

..... (in words); ZAR (in figures),
.....

This offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Tender Data, whereupon the Tenderer becomes the party named as the consultant in the Conditions of Contract identified in the Contract Data.

Signature(s) _____

Name(s) _____

Capacity _____

**For the
Tenderer**

(Name and address of organisation)

**Name and
signature of
witness** _____ **Date** _____

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

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

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

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder²):

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number:

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

¹“State” means –

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

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

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

2.7.1 If so, furnish the following particulars:

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

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

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

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

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

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

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

2.8.1 If so, furnish particulars:
.....
.....
.....

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

2.9.1 If so, furnish particulars.
.....
.....
.....

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

2.10.1 If so, furnish particulars.

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

2.11.1 If so, furnish particulars:

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

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

4. DECLARATION

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

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

.....
Signature Date

.....
Position Name of bidder

May 2011

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to 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

- a) The value of this bid is estimated **not exceed** R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
- b) Either the 80/20 preference point system will be applicable to this tender

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTION	20
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

B-BBEE Status Level of Contributor	Number of points
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

5. BID DECLARATION

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

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

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

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
 - One person business/sole propriety
 - Close corporation
 - Company
 - (Pty) Limited
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

- Manufacturer
 - Supplier
 - Professional service provider
 - Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4

and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES
1.
2.

..... SIGNATURE(S) OF BIDDERS(S)
DATE:
ADDRESS
.....
.....

CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and specifications stipulated in bid number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the purchaser during the validity period indicated and calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1
2.
DATE:	

CONTRACT FORM - PURCHASE OF GOODS/WORKS

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity as..... accept your bid under reference numberdated.....for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1.

2.

DATE

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

I certify, on behalf of: _____ that:
(Name of Bidder)

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

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

ANNEXURE D

Bidders are required to include, as annexure D to their Bids, certified copies of all relevant CIPC registration documents listing all members with percentages, in the case of a close corporation

ANNEXURE E

Where Applicable, Bidders are required to include, as Annexure E to their Bids, supporting documents to their responses to the Pre- Qualifying Criteria and Evaluation Criteria.

Where the supporting document is the profile of a member of the Bidder's proposed team, this should be indicated.

ANNEXURE F

Tax Compliant Status and CSD Registration Requirements

ALL PROSPECTIVE BIDDERS MUST HAVE A TAX COMPLIANT STATUS EITHER ON THE CENTRAL SUPPLIER DATABASE (CSD) OF THE NATIONAL TREASURY OR SARS E-FILING PRIOR TO APPOINTMENT/AWARD OF THE BID.

REGISTRATION ON THE CSD SITE OF THE NATIONAL TREASURY IS A COMPULSORY REQUIREMENT FOR A BIDDER TO BE APPOINTED, TO CONDUCT BUSINESS WITH THE DBSA. THE ONUS IS ON THE SUCCESSFUL BIDDER TO REGISTER ON THE CSD SITE AND PROVIDE PROOF OF SUCH REGISTRATION PRIOR TO APPOINTMENT/AWARD OF THE BID.

CSD Registration Number:	
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The Development Bank of Southern Africa has a Zero Tolerance on Fraud and Corruption. Report any incidents of Fraud and Corruption to Whistle Blowers on any of the following:

TollFree : 0800 20 49 33
Email : dbsa@whistleblowing.co.za
Free Post : Free Post KZN 665 | Musgrave | 4062
SMS : 33490