

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE)					
BID NUMBER:	Q6604-2019	CLOSING DATE:	14 November 2019	CLOSING TIME:	11:00
DESCRIPTION	THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES PROFESSIONAL ARCHITECTURAL SERVICES AS THE LEAD CONSULTANT AND A MULTI-DISCIPLINARY TEAM FOR THE PLANNING, DESIGN, CONTRACT ADMINISTRATION AND CONSTRUCTION MONITORING FOR THE MINOR RENOVATION AND RESTORATION WORK TO WINTER'S PALACE AND OUTBUILDING AT THE KIRSTENBOSCH NATIONAL BOTANICAL GARDEN, CAPE TOWN.				
COMPULSORY SITE BRIEFING:					
This is compulsory and will be conducted at the venue, time and date given below: Date: 6 November 2019 Time: 11:00 Venue : Winters Palace, Kirstenbosch National Botanical Garden, Rhodes Drive, Western Cape, South Africa Submission of proposals: proposals must be emailed to S.SCM-Quotations@sanbi.org.za with a copy to Ms. Modiba at R.modiba@sanbi.org.za and Mr. Prince Hlongwane at p.hlongwane@sanbi.org.za					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Rorisang Modiba		CONTACT PERSON	Amjad Hendricks	
TELEPHONE NUMBER	012 339 2746		TELEPHONE NUMBER	(021) 526 9416	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	R.modiba@sanbi.org.za		E-MAIL ADDRESS	amjad.hendricks@aurecongroup.com	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX]
	☐ Yes ☐ No				☐ Yes ☐ No

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO

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

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA .
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

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

DATE:

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

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SBD 4

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 an advertised competitive bid, a limited bid, a proposal or written price quotation). 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, member):
.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:
.....

2.5 Tax Reference Number:
.....

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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.

"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.

"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 YES / NO
presently employed by the state?

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 YES / NO
the appropriate authority to undertake remunerative
work outside employment in the public sector?

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

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

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

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

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

2.8.1 If so, furnish particulars:

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

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

2.9.1 If so, furnish particulars.

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

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

2.10.1 If so, furnish particulars.

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

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

2.11.1 If so, furnish particulars:

.....

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

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

4 DECLARATION

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

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature

.....
 Date

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.....
Position

.....
Name of bidder

SBD 6.1

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 to not exceed R500 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
- b) 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 CONTRIBUTOR	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.

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

$P_{\min}$ = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	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		NO	
-----	--	----	--

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		NO	
-----	--	----	--

- 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 least 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

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- ☐ 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

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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 BIDDER(S) DATE: ADDRESS
--	---

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		

4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
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 ☐	No ☐
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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--

CERTIFICATE OF INDEPENDENT QUOTATION DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all quotations¹ 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 *per 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:
- 6 Includes price quotations, advertised competitive bids, limited bids and proposals.
- 7 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:

SANBI: Q6604-2019- THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES PROFESSIONAL ARCHITECTURAL SERVICES AS THE LEAD CONSULTANT AND A MULTI-DISCIPLINARY TEAM FOR THE PLANNING, DESIGN, CONTRACT ADMINISTRATION AND CONSTRUCTION MONITORING FOR THE MINOR RENOVATION AND RESTORATION WORK TO WINTER'S PALACE AND OUTBUILDING AT THE KIRSTENBOSCH NATIONAL BOTANICAL GARDEN, CAPE TOWN.

(Quotation Number and Description)

In response to the invitation for the quote made by:

SANBI

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;

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- (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. 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. 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.
- 11. 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

REQUEST FOR QUOTATION TERMS OF REFERENCE

THE SOUTH AFRICAN NATIONAL BIODIVERSITY INSTITUTE (SANBI) REQUIRES PROFESSIONAL ARCHITECTURAL SERVICES AS THE LEAD CONSULTANT AND A MULTI-DISCIPLINARY TEAM FOR THE PLANNING, DESIGN, CONTRACT ADMINISTRATION AND CONSTRUCTION MONITORING FOR THE MINOR RENOVATION AND RESTORATION WORK TO WINTER'S PALACE AND OUTBUILDING AT THE KIRSTENBOSCH NATIONAL BOTANICAL GARDEN, CAPE TOWN.

Background and Discussion

The Department of Environmental Affairs has allocated R99 million over the 2019/20 – 2020/21 Medium Term Expenditure Framework (MTEF) towards a national infrastructure programme at the various campuses and sites of the South African National Biodiversity Institute (SANBI). The programme includes infrastructural maintenance, refurbishments, upgrades, replacements and/or new infrastructure at all sites. Projects have been identified for implementation over the MTEF at each of the SANBI's existing campuses and sites across the country.

Kirstenbosch lies in the heart of the Cape Floristic Region, also known as the Cape Floral Kingdom. In 2004 it was declared an UNESCO World Heritage Site and it is the first botanic garden in the world to be included with in a natural World Heritage Site.

Winter's Palace, originally the garden's curator official home on the campus, has been used for office space over the past couple of years and SANBI now requires the residence to be renovated and upgraded back into a comfortable living space for the Garden's curator and family.

The aim of this Terms of Reference is to ensure that all Service Providers invited to tender, submit proposals based on the same understanding of the project.

Invitation to Quote

Quotations are invited for Professional Architectural services as the Lead Consultant and a multidisciplinary professional team for the planning, design, contract administration and construction monitoring for the minor renovation and restoration work to Winter's Palace and associated small outbuilding at the Kirstenbosch National Botanical Garden, Cape Town.

The procurement process will be co-ordinated by the SANBI's Supply Chain Management (SCM) section at the following address:

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SCM Manager
South African National Biodiversity Institute (SANBI)
Private Bag X101
Silverton
0184

Terms of Reference

The services to be provided under this contract include inter alia:

- The advice and solutions for the renovations and alterations to the Winter's Palace.
- Appointment of consultants under the appointed Lead Consultant:
 - Quantity Surveyor
 - Engineer

The successful service provider will furthermore be tasked with the following responsibilities:

- Inspections and advisory;
- Design work;
- Compilation of BoQs, estimates and tender documentation for the procurement of a contractor;
- Facilitation of the procurement of a building contractor/s for construction;
- Site supervision, site meetings, payment certificates, project management and all administration of said construction contract from appointment to project close-out.

The proposed scope of work is as follows:

- Liaise with the **Heritage Council** and seek approval, if required, for the minor renovation and restoration work required at Winters Palace.
- Pricing should allow for the drawing up of as-built plans as there are currently no building plans on record.
- Investigation of any leaks to the thatch roof and propose the required remedial work.
- Investigation into potential beetle infestation to timber components of the house
- Repairs and upgrades to fire places
- Internal and external painting of Winters Palace.
- Replacement of all metal windows with aluminium window frames.
- Repairs and restoration of wooden floors, stairs and outside window shutters throughout the house.
- Provision of adequate cupboards for rooms and storage areas
- Upgrading of kitchen, bathrooms and toilets.
- Design of a carport and minor paving is required.
- Advice and propose solutions to damp problems and ventilation or any other minor maintenance that may be identified within the house.
- Ensuring the house is fire, gas and electrically compliant and all the required Certificates of Compliance to be approved once the project is complete.

The scope of services required shall be managed in accordance with the relevant Board Notices providing the guideline scope of services and tariff fees for persons registered in terms

of the Architectural Professional Act (Act No. 44 of 2000), Engineering Professional Act (Act No. 46 of 2000) and Quantity Surveying Professional Act (Act No. 49 of 2000). If there is any conflict between the specific requirements and the relevant guideline scope of services document referred to above, the specific requirements shall take precedence.

The Lead Consultant will be responsible for the appointment of any sub-consultants that may be required on the project. The sub-consultants that would typically be required on the project include, but are not limited to:

Quantity Surveyor

All standard services for building work contracts with bills of quantities as described in stages 1 to 6 in clause 10.6 of Board Notice 170 of 2015: Amended guideline professional fees set out in the 2015 Tariff of Professional Fees determined by the South African Council for Quantity Surveying Profession in terms of the Quantity Surveying Profession Act, 2000 Act No. 49 of 2000) and as published by the South African Council for Quantity Surveying Profession as amended or amplified upon in the project brief.

Engineering

All standard services as describes in stages 1 to 6 in clause 3.2 (inclusive) of Board Notice 138 of 2015: Guideline Scope of Services and Tariff of Fees for Persons Registered in terms of the Engineering Professional Act, 2000 (Act No. 46 of 2000), as amended or amplified upon in the project brief.

It is at the discretion of the Lead Consultant to appoint the sub-consultants as it is his responsibility to determine which professional are best suited for the project.

Standard Services (Lead Consultant)

Where architectural professionals, with registration with SACAP as architect, are employed in a standard service the architect is appointed to fulfil the obligations provided for as architectural professional, principal consultant and principal agent, also described as a 'full service'.

Stage 1: Inception

Receive, appraise and report on the client's requirements with regard to -

- The client's brief
- the site and rights and constraints
- budgetary constraints
- the need for consultants
- project programme and
- methods of contracting

Stage 2: Concept and viability (concept design)

Prepare an initial design and advise on -

- The intended space provisions and planning relationships;
- Proposed materials and intended building services; and
- The technical and functional characteristics of the design.
- Check for conformity of the concept with the rights to the use of the land.
- Review the anticipated costs of the project.
- Review the project programme.

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Stage 3: Design development

- Confirm the scope and complexity.
- Review the design and consult with local and statutory authorities.
- Develop the design, construction system, materials and components.
- Incorporate and co- ordinate all services and the work of consultants.
- Review the design, costing and programme with the consultants.

Stage 4: Documentation and procurement

4.1 Prepare documentation required for local authority submission:

- Co-ordinate technical documentation with the consultants and complete primary co-ordination.
- Prepare specifications for the works.
- Review the costing and programme with the consultants.
- Obtain the client's authority and submit documents for approval.

4.2 Complete construction documentation and proceed to call for tenders:

- Obtain the client's authority to prepare documents for procuring offers for the execution of the works.
- Obtain offers for the execution of the works.
- Evaluate offers and recommend on awarding the building contract.
- Prepare the contract documentation and arrange the signing of the building contract.

Stage 5: Construction

- Administer the building contract.
- Give possession of the site to the contractor.
- Issue construction documentation.
- Initiate and /or check sub - contract design and documentation that are appropriate.
- Inspect the works for conformity to the contract documentation and acceptable quality in terms of industry standards.
- Administer and perform the duties and obligations assigned to the principal agent in the JBCC building contract, or fulfil the obligations provided for in other forms of the contract.
- Issue the certificate of practical completion.
- Assist the client in obtaining the occupation certificate.

Stage 6: Close -out

- Facilitate the project close -out including the preparation of the necessary documentation to effect completion, handover and operation of the project.
- When the contractor's obligations with respect to the building contract have been fulfilled, the architectural professional shall issue the certificates related to contract completion.
- Provide the client with as -built drawings and relevant technical and contractual undertakings by the contractor and sub -contractors.

Additional Services

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The following services are additional to the standard service and qualify for additional fees. These services may be added individually or in varying combinations, and shall be provided by prior agreement between the client and the architectural professional:

Special design services

The preparation of special designs within, or in relation to, the facilities which are contemplated in a standard service, which may include:

- Rational design by other consultants - participation in the preparation of rational designs.
- Town -planning and /or urban design including participation in the application for the establishment and /or amendment of regional and local town -planning and urban design schemes and the amendment of title conditions, negotiations with interest groups and authorities.
- Master planning - defining and planning the layout of future development of buildings and /or services on the same site.
- Landscape design - participation in landscape planning and construction.
- Interior design -the design of interiors and the selection of furnishings, fixtures and special finishes.
- Liaison with special designers and specialist consultants.
- Purpose -made items -the design and documentation of purpose -made items.
- Promotional material and art work - participation in the preparation of promotional material.
- Plant operation and production layouts - participation in the definition of plant operation layouts.

Special management services

- Elaboration of architectural professionals' services including inter alia: the preparation of broad project parameters, project scope statements, project milestones, budget and cash -flow forecasts, tender enquiry documentation, contractor and supplier selection, adjudication and tender awards, progress status monitoring, variations management, quality management over and above the industry norm, communication management, payment processing and final account close -outs
- Cost and valuation services - participation in the administration of costs and payments where a quantity surveyor has not been appointed
- Special inspections - more intensive inspections and assessment of the works than the norm for assessing compliance with specifications

Special studies

- Preparation of the client's brief - assist the client in the preparation of his requirements with regard to the purpose, scope, use and operation of the project.
- Site selection - research the suitability and location of a site for a proposed project.
- Feasibility studies - participation in technical and /or economic feasibility studies.
- Environmental studies - participation in environmental studies.
- Energy analysis, studies and planning.
- Energy studies - participation in energy studies.
- Market surveys - participation in market surveys.
- Traffic studies - participation in traffic -flow studies.

Work on existing premises

- Surveys and inspections - inspect, survey, measure and prepare documentation of existing premises, with other consultants as needed.
- Restorations and renovations - services in connection with work on existing buildings.
- Heritage buildings - services in connection with work on heritage buildings.
- Services in connection with demolition permits of existing buildings.

Other services

- Participation in litigation and dispute resolution (where a concurrent service is provided).
- Additional services mutually agreed on.

Information to be provided by SANBI

There are currently no drawings available and potential bidders must take note of this when pricing.

Extent of services

It should be noted that while the employer has every intention of completing the full Scope of Work making full use of the budget provision given, the Employer's budget is subject to periodic review. Should it become necessary to vary the scope of work or even suspend or terminate this contract, such variation, suspension or termination shall be dealt with in accordance with the provisions of the Standard Professional Services Contract.

The Service Provider is required to provide all aspects of the Service with reasonable care, diligence and skill in accordance with generally accepted professional techniques and standards, and ensure that all legal requirements are met, and that all legal processes are adhered to.

Key Personnel

The Service Provider shall maintain the involvement of the key personnel as per the requirements of this contract. Should it become necessary to replace any of the key personnel listed at the time of tender during the course of this contract, they may only be replaced by individuals with similar or better qualifications and experience, who satisfy the minimum requirements and then only with the approval of the Employer.

Competencies and requirements

The successful Service Provider should possess the following skills, abilities & competencies:

- An Architect who is a registered Professional Architect (Pr. Arch) with at least 10 years' verifiable experience, as a registered professional in the profession stated, in the design and construction of building structures and associated services;
- A Professional Quantity Surveyor (Pr. QS) with at least 10 (ten) years verifiable experience, as a registered professional stated, in quantity surveying related to building projects;
- A Professional Engineer who is a registered Professional Engineer (Pr. Eng) with at least 10 (ten) years verifiable experience, as a registered professional in the profession stated, in the design and construction of building structures;

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- Excellent knowledge, understanding and experience of these disciplines;
- Excellent knowledge and understanding of the materials/tools available for disciplines;
- Excellent knowledge of the life-cycle maintenance requirements of these disciplines in Cape Town;
- Experience in the construction of similar projects;
- An understanding of the relevant regulatory processes applicable to the construction sector;
- A high level of project and financial management experience and expertise;
- Excellent analytical and conceptual abilities, and report writing skills;
- Preferably, offices located within a 50 km radius of Kirstenbosch; and
- At least five years' experience in working with the Construction Industry Development Board (CIDB): this will include a working knowledge of the CIDB system, experience in preparing documents and sourcing construction-related Service Providers through the CIDB system.

Evaluation process

In accordance with the National Treasury Instruction Note on the Amended Guidelines in Respect of Bids that include Functionality as a Criterion for Evaluation (Issued 3 September 2010), this bid will be evaluated in two stages:

The first stage will evaluate functionality according to the criteria listed in the table below:

Criteria	Points**
1. Technical merit of proposal	30
a. approach and methodology;	(15)
b. high-level monthly programme and milestones	(15)
2. Track record of Service Provider for similar assignments undertaken within the last 5 years	20
a. List of ten (10) similar assignments with contactable references for each	(20)
3. Qualifications and experience of Service Provider.	40
a. Lead Consultant with a minimum of 10 years' experience	(10)
b. Comprehensive CVs and proof of qualification of all engineers	(10)
c. Relevant experience	(10)
d. Proof of registration with SACAP of all Architects	(10)
4. Service Provider has an office within a 50km radius of Kirstenbosch (Please provide proof of residence that is not older than 3 months.)	10
TOTAL	100

** Service Providers who fail to score a minimum of 70 points out of a possible 100 points on functionality criteria will not be eligible for further consideration.

The second stage will evaluate the price and preference points of those bids that meet the minimum threshold for functionality. In accordance with the Preferential

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Procurement Regulations, 2017 pertaining to the Preferential Procurement Policy Framework Act (No. 5 of 2000), the 80/20 point system will be applied in evaluating proposals that qualify for further consideration, where price constitutes 80 points and a maximum of 20 points will be awarded based on the bidder's B-BBEE Status Level Certificate.

Requirements for proposals

Service Providers must submit a concise written proposal that addresses the scope of work and the above requirements and deliverables.

The following information needs to be included in the Proposal:

- A comprehensive description of the proposed methodology and deliverables.
- Design team capability and availability.
- High level monthly project programme including aspects of work to be undertaken and associated milestones and deliverables.
- Cost details, including anticipated disbursements.
- Details, qualifications and relevant experience of all team members, including specialists.
- List of ten similar projects carried out within the last 5 years with contact details of the client representatives.

Costing Requirements

- A high-level work plan should be developed with indicative level of effort (time, phasing & cost) towards activities and deliverables, and provide a clear allocation of roles, responsibilities and resources towards the deliverables. The work plan should also anticipate tasks that may be sub-contracted out and provide an indication of the approximate budget for these tasks.
- All costs including disbursements must be shown separately for the duration of the project.
- The final contract amount must include VAT, all the identified required consultants, disbursements, fees for standard and additional services where applicable.

Reporting & Management

- While the consultant will be working with a number of SANBI staff, final accountability rests with the SANBI Project Manager.
- Payment on approval of deliverables by the Aurecon Project Manager.
- All reports must be in Word and/or Excel.
- An electronic version of all reports must be submitted.

Compulsory Briefing Session

A compulsory briefing session and site visit will be held at the Kirstenbosch National Botanical Garden, Cape Town

Date: 06 November 2019

Time: 11:00

Place: Winters Palace, Kirstenbosch National Botanical Garden, Rhodes Drive, Western Cape, South Africa

Nature of appointment & contractual arrangement

Appointment:

- Contract duration: From the project brief until the final completion certificate is issued on the last project activity – preferably by end of December 2020.

Contract and payment:

- The contract will be drawn up between SANBI and the Service Provider.
- Invoices will be paid for upon deliverables received.
- Invoices must indicate the deliverable produced. No upfront payments will be made.
- SANBI will pay for the satisfactory completion of work within 30 days of submission of invoice.
- In the case of invoices to SANBI they must be addressed to the Aurecon Project Manager.

Potential Service Providers are required to submit the following documentation

- SBD forms (SBD 1, 4, 6.1, 8 and 9). The Standard Bidding Forms (included in the bid documentation) must be completed and submitted with this proposal.
- An original or certified copy of B-BBEE certificate or sworn affidavit. (Please note that failure to submit a valid original or certified B-BBEE certificate/sworn affidavit mentioned above will result in the tenderer not being awarded B-BBEE preference points)
- A current copy of the Central Suppliers Database (CSD) registration report or registration number must be provided.
- Service providers with one or more employees are required by law to contribute to the Compensation Fund. A valid letter of good standing certificate with COIDA is required. The certificate should be issued by the Department of Labour.
- Proof of Public Liability Insurance
- Quotations must include cost break down of all the specifications and price must be VAT inclusive.

Closing date for quotations

The closing date for submission of responses is **14 November 2019 at 11h00**.

Submission of proposals: proposals must be emailed to S.SCM-Quotations@sanbi.org.za with a copy to Ms. Modiba at R.modiba@sanbi.org.za and Mr. Prince Hlongwane at p.hlongwane@sanbi.org.za.

For further information, contact Mr Amjad Hendricks on (021) 526 9416 / 079 523 4440 or e-mail amjad.hendricks@aurecongroup.com (Aurecon).