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Education, Training and Development Practices Sector Education and Training Authority

BID NO: SCMU: 16 - 2019/20 - KZN

REQUISITION FOR BIDS

TERMS OF REFERENCE FOR THE LEASE OF OFFICE SPACE FOR ETDP KWAZULU-NATAL PROVINCIAL OFFICE

1. BACKGROUND / INTRODUCTION

The Education Training and Development Practices Sector Education and Training Authority (ETDP SETA) is a public entity established in terms of Section 9(1) of the Skills Development Act, No 97 of 1998 to advance skills levels in accordance with the National Skills Development Strategy III. The Mandate of the ETDP SETA is to promote and facilitate the development and improvement of the skills profile of the sector's workforce in order to benefit employers, workers and employees in the ETD sector.

A. AGREEMENT OF LEASE

ETDP SETA requires approximately 342m² excluding common areas of offices (rentable area as per the SAPOA Method for Measuring Floor Areas in Commercial Buildings).

The ETDP SETA will enter into an agreement of lease for the initial lease from **1 December 2020 to 30 June 2025 with an option to renew** as well as the opportunity to scale up annually.

The Parties may agree to renew an agreement of lease for such further period deemed necessary and on such terms and conditions to be agreed to by the Parties at the time.

The ETDP SETA may be amenable to a different lease term for financial benefits or incentives, which bidders are to list separately if applicable.

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B. PROGRAM / TIMELINES

The ETDP SETA's program requirements are as follows:

Availability of bid documents on the ETDP SETA website	28 April 2020
Briefing Session	N/A
Closing date of a bid	22 May 2020
Site Inspection Site inspection shall only be conducted on responsive bids/ those that meet mandatory requirements in stage 1 and before stage 2.	July 2020
Beneficial Occupation (for office space fitting out)	August 2020
Practical Completion	November 2020
Practical Relocation	01 December 2020

C. TRANSACTION FEES

All submissions should take into account that no Broker or Consultation fees will be payable by the ETDP SETA to the successful Bidder **upon signature of the Agreement of Lease**. The ETDP SETA shall not be liable for any costs incurred by the bidder in preparation of bid documents.

2. PROJECT SCOPE / DELIVERABLES

A. BUILDING CRITERIA:

Bidders are required to complete the Annexure A: Inherent Requirements Checklist. In an event where the bid does not comply with any of the requirements of Annexure A by the time of submitting the bid, the bidder must commit to have the building comply with the specific requirement by writing "COMMIT" in the relevant column next to each item

- 2.1. ETDP SETA requires rentable office space as per the South African Property Owner's Association (SAPOA) Method for Measuring Floor Areas in Commercial Buildings, to comply with the National Building Regulations and Standards Act as well as the Occupational Health and Safety Act.
- 2.2. The building must be accessible to major transport networks.
- 2.3. The building must be visible and exposed.
- 2.4. The ETDP SETA must be able to install its own network connectivity including fibre and network cables within the building.
- 2.5. The information on the zoning of the property must be provided.
- 2.6. The office layout plan should be provided.

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- 2.7. The landlord to install and maintain access control , CCTV monitoring system, alarm system as well as a 24hr armed response service.
- 2.8. Building accessibility as per the requirements of the National Building Regulations and Standards Act to ablution facilities, entrance hall/reception and escape routes for people with disabilities
- 2.9. The building must have a complete back-up or contingency plan in case of water shortage.
- 2.10. The landlord to provide cleaning services for all offices as well as hygiene services for all bathrooms.
- 2.11. The landlord to provide both minor and major maintenance services for building.
- 2.12. All offices must have individual air conditioners. In the event the air conditioner is centralized, a provision must be made for individuals to control and or /adjust the temperature in their own demarcated areas.
- 2.13. Proof of ownership and the legal description of the building/property
- 2.14. The bidder must submit audio visual / photos of the proposed building
- 2.15. Provide a site plan, with aerial photograph showing the building/property and proximity to major transport networks.
- 2.16. The ETDP SETA requires space that may be used for general office and professional business purposes and any other legal use permitted under the zoning classification for the building.
- 2.17. The building will be fully operational on occupation date and ETDP SETA will have access to the premises 24 hours a day, 7 days a week
- 2.18. ETDP SETA must be permitted to install appropriate signage for its branding.

B. BUILDING LOCATION CRITERIA

The building location must have all cell phone and telephone networks coverage. Bidders are to comply with the under listed criteria in respect the location of the leased buildings:

KwaZulu-Natal Province: In the CBD of Durban

3. LEASE PROPOSAL

Bidders are requested to submit rental proposals and related financial information (all amounts quoted are to be Value Added Tax inclusive at 15% and in ZAR and all other applicable taxes), including but not limited to:

Rental Rates at Lease Commencement date

- **Net / Base rental rate R/m²**
 - Offices
 - Stores
- **Operating costs**
 - based on actual figures
 - Bidders to provide a complete list of operating cost exclusions or it can be assumed that any exclusions are costed into the base rental.
- **Rates and Taxes R/m²**
 - based on municipal billings
- **Annual Escalation Rate**
- **Gross rental R/m²**

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- **Parking**
 - Bidders to indicate a breakdown of the number of bays (basement, covered/shade-cloth, open)
 - Applicable Rental Rate per parking bays
- **Tenant Installation / Improvement Allowance**
 - **Each bidder to provide a full turnkey solution as a prerequisite.**
 - Based on total leased area
 - Rand value per m²
 - List specific basic inclusions and
 - List of specific exclusions
- **Costs to**
 - Maintenance services
 - Cleaning services
 - Security services
- Green Star Rating or Energy Efficient Benefits- Not a prerequisite.

Bidders to indicate whether the building/ property has any Green Star or Energy Efficient benefits and specify any extra rental amounts applicable.

4. EVALUATION CRITERIA

THE ETDP SETA applies the provisions of the PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, ACT NO 5 OF 2000 and Preferential Procurement Regulations, 2017. The evaluation will be guided by ETDP SETA procurement policy.

4.1 STAGE 1 (Envelope A)

Bidders will be evaluated on the submission of the **requested mandatory documents**.

4.1.1. MANDATORY DOCUMENTS TO BE SUBMITTED IN ORDER TO BE ELIGIBLE FOR EVALUATION STAGE

- a. Invitation to Bid - **SBD1**
- b. Declaration of Interest – **SBD 4**
- c. Declaration of Bidder's Past Supply Chain Practices – **SBD 8**
- d. Certificate of Independent Bid Determination – **SBD 9**
- e. Proof of physical address e.g. utility bill.
- f. Bidders to submit photos and visual presentations of how the building will look like after incorporation of the ETDP SETA requirements as per Annexure A.
- g. Bidders are required to complete the Annexure A: Inherent Requirements Checklist. In an event where the bid does not comply with any of the requirements of Annexure A by the time of submitting the bid, the bidder must commit to have the building comply with the specific requirement by writing "COMMIT" in the relevant column next to each item.
- h. **Submission of envelope A (Technical proposal)**
- i. **Submission of envelope B (Financial proposal)**

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Note: In the event that a bid is submitted by an Estate Agent or third party or submitted together with an Estate Agent or third party (in co-operation, partnership or joint venture etc.) or is made with the assistance of an Estate Agent or third party then that bid must include proof of that Estate Agent or third party's:

- Registration with an Estate Agents Affairs Board (EAAB) and or/ any relevant authority;
- Accreditation to conduct business or act in the relevant industry or sector.

NB: Failure to submit/comply with any of the above-requested mandatory documents will lead to disqualification.

4.2 STAGE 2 (Envelope A)

During this stage, the evaluation of bids shall include functionality whereby the bids will be evaluated in terms of the evaluation criteria as set out below.

- (a). The minimum qualifying score for functionality will be **70 points** and bids that fail to achieve the minimum qualifying score will be eliminated.
- (b). Only bids that achieved the minimum qualifying score/ percentage for functionality will be evaluated further in accordance with the **80/20 preference point systems prescribed in Preferential Procurement Regulations 5 and 6.**

The evaluation criteria for functionality will be as below:

NO.	QUALIFYING CRITERIA	POINTS
1	<p>Contactable references for similar projects on the referee's letterhead :</p> <p>1.1. Contactable reference in the referee's company letterhead 1.2. More than references 3 = 15 1.3. 2 – 3 references = 10 1.4. 1 reference = 5 1.5. No reference on company letterhead = 0</p>	15
2	<p>Experience of service providers in doing business of similar nature in a medium to large organization :</p> <p>2.1 Five (5) or more years on similar projects including the contract value. = 30 2.2 3 – 4 years on similar projects including the contract value. = 20 2.3 1 – 2 years on similar projects including the contract value = 10 2.4 No reference on company = 0</p>	30
3	<p>Project plan in preparation of the office for occupation:</p> <p>3.1 Detailed activity based project pan with clear milestones and critical path including all partitioning and any other maintenance work required to prepare the office for occupation = 35 3.2 Detailed project plan with activities and clear milestones = 20 3.3 High-level project plan = 10 3.4 No project plan = 0</p> <p>NB: The project plan must be in line with timelines for occupation – refer to para 1(B) (Agreement of Lease)</p>	35
4	<p>Composition of the Project Team (attach CVs with indication of similar experience) :</p> <p>4.1 Project Manager = 10 4.2 Project Team with clear role description = 10</p>	20
	TOTAL	100

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Bidders must provide sufficient proof/documents to justify and validate information submitted for awarding the above points.

Bidders who are invited for presentations MUST provide all regulatory or compliance document or certificate that may be required for lease of accommodation.

4.3 STAGE 3 (Envelope A)

SITE INSPECTION WILL FURTHER EVALUATE BIDS ON THE FOLLOWING CRITERIA

	Qualifying criteria	Yes	No
1..	Location and zoning of building within the specified distance. Compare with bidder submitted map and submitted proof of address.		
2.	Accessibility to major transport networks.		
3.	Accessibility to : <ul style="list-style-type: none"> - Ablution for people with disabilities - Entrance hall/Reception - Staircases, ramp and elevator for people with disabilities. 		
4.	Floor layout inspection as per the floor map (Lobbies, kitchenettes and toilets		
5.	Compliance with National Building Regulations and Standards Act as well as the Occupational Health and Safety Act.		
6.	General structure and integrity of the building/property		
7.	Both landline and cell phone network coverage		

4.4 STAGE 4

PRICING SCHEDULE DOCUMENTS (Envelope B)

- a. Price Proposal – *Price must be final, include VAT [(if registered for VAT), signed and must be in the company's letterhead]]*
- b. Valid Tax Clearance Certificate or *Unique security personal identification number (PIN) issued by SARS and must be in SARS letterhead"*
- c. Preferential Points Claim Form in terms of the Preferential Procurement Regulations, 2017 - **SBD 6.1 (If claiming preferential points)**
- d. *Must include set-up/ installation costs.*
- e. B-BBEE certificate or sworn affidavit **(If claiming preferential points)**

80/20 preference point system shall be applicable as follows:

✓ Price	80
✓ B-BBEE status level of contributor	20

In order to facilitate a transparent selection process that allows equal opportunity to all service providers, the ETDP SETA will adhere to its policy on the appointment of service providers.

NB: PLEASE NOTE THAT INCLUSION OF THE FINANCIAL PROPOSAL IN ENVELOPE A WILL LEAD TO DISQUALIFICATION.

5. BID CONDITIONS

The following bid conditions will apply:

1. Health and Safety Certificate for the entire building must be presented by the successful bidder before the contract is signed (Compliance with OHS Act) within a period of fourteen (14) days.
2. The ETDP SETA reserves the right to appoint their own space planner and interior designer to assist them in ensuring that the selected building material utilized in the design of the building meet with their requirements and are representative of their corporate image.
3. The landlord must be willing to assist in the branding of the building to be in line with the ETDP SETA'S image.
5. ETDP SETA reserve the right to appoint a bidder with the highest points.
6. ETDP SETA reserve the right to cancel the bid and not award the bid to any of the bidders.
7. Bids which are late, incomplete, unsigned or submitted by facsimile and/or email will not be accepted.
8. Bidders with a turnover above R 10 million must submit a valid certified B-BBEE Verification Certificate from SANAS Accredited Verification Agency in order to be eligible for empowerment points.
9. An Exempted Micro Enterprise (EME) is only required to submit a sworn affidavit or a Certificate issued by Companies and Intellectual Property Commission (CIPC) confirming their annual turnover of R 10 million or less and level of black ownership to claim points.
10. A Qualifying Small Enterprise (QSE), is required to submit a sworn affidavit confirming their annual total revenue of between R 10 million and R 50 million and level of black ownership or a B-BBEE level verification certificate to claim points as prescribed.
11. B-BBEE Certificates obtained from Accountants/ Auditors after 31 December 2016 will no longer be accepted.
12. Companies who bid as a joint venture must submit a consolidated B-BBEE Verification certificate prepared for this bid only, from SANAS Accredited Verification Agency in order to be eligible for empowerment points. Companies who form part of this joint venture MUST have an accreditation certificate with relevant authority as stated in Mandatory documents.
13. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor, sworn affidavit or a B-BBEE Certificate, together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
14. Bids submitted are to hold good for a period of 90 days.
15. Deregistered and blacklisted companies including directors/owners/individuals linked to the company will not be considered. Due diligence will be conducted with successful bidders to validate submitted information.
16. All suppliers must be registered on the Central Supplier Database. No bid will be awarded to any supplier by ETDP SETA that is not registered on the National Treasury Central Supplier database.
17. Companies that are in the process of de-registration in the CIPC will not be considered.
18. The successful service provider must sign the penalty and termination clause as part of the agreement with ETDP SETA.

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6. BID DOCUMENTS / PROPOSAL PACKS

Bid documents for participation can be downloaded from the ETDP SETA website: www.etdpseta.org.za, Main Menu > Supply Chain Management > Procurement > Tenders as from 12h00 on **28 April 2020**.

Bidders must submit technical and financial proposals in **two separate envelopes** clearly marked “Envelope A-Technical Proposal” and “Envelope B- Financial Proposal”.

Envelope B must include the **complete and signed costing model and Valid Tax Clearance Certificate or Unique security personal identification number (PIN) issued by SARS and must be in SARS letterhead (Mandatory) & fully completed SBD 6.1 form or B-BBE Certificate or a signed Sworn Affidavit (if claiming preferential points).**

The financial proposal will only be opened should the technical proposal be found acceptable.

All Bids/Proposals must be **courier delivered to:**

The ETDP SETA – Head Office
ETDP SETA House
2-6 New Street
Ghandi Square
Johannesburg South - CBD
2091

OR

SUBMITTED via an email to Tenderers@etdpseta.org.za

Submissions can be delivered into the tender box between **08h00 and 16h30 Monday to Friday BEFORE** the closing date and time of **11h00 on 22 May 2020**.

No late submission will be accepted.

7. CLOSING DATE

All Proposals should reach the ETDP SETA Offices on or before **11h00 on 22 May 2020**

8. ENQUIRIES AND CORRESPONDENCES

NO telephonic or any other form of communication relating to this bid will be permitted with any other ETDPSETA member of staff either by Bidders (as collective bidding team or individual of the bidding team), representative of Bidders, associates of Bidders, shareholders of Bidders, other than with the named individual stated below. ANY MEANS OF ATTEMPTING TO INFLUENCE THE ADJUDICATION PROCESS OR OUTCOMES OF THE ADJUDICATION PROCESS WILL RESULT IN IMMEDIATE DISQUALIFICATION OF THE ENTIRE BID. All enquiries regarding this bid must be in writing only and be directed to:

Supply Chain Manager: Email: tenderers@etdpseta.org.za

Note: Blacklisted companies appearing on the National Treasury database and prohibited from conducting business with public entities, will be disqualified.

SELECTION PROCESS

Following an adjudication process, a short list will be compiled by ETDP SETA and Bidders duly notified.

GENERAL NOTICES AND POLICIES:

1. LEASE AGREEMENT

Upon conclusion of the proposal process and appointment of the successful Bidder a signed lease agreement and related appendices, will supersede all enquiries, proposals, agreements, negotiations and commitments whether written or verbal, in respect of the property prior to the execution of the lease agreement.

2. BROAD BASED BLACK ECONOMIC EMPOWERMENT

ETDP SETA supports and promotes Broad Based Black Economic Empowerment initiatives, so all Bidders to supply a valid BBEEE certificate – for purposes of claiming preferential points.

3. ACCURACY OF INFORMATION

The ETDP SETA has ensured that all Bidders are provided with as much relevant information as possible. Should there be errors with any of the information communicated in this Bid document, kindly address by email.

4. DOCUMENT PREPARATION COST

All Bidders' costs incurred either directly or indirectly, in the course of the preparation of their respective submission(s) are for the Bidder's account.

5. NO OBLIGATION TO PROCEED

The issue of this Bid does not commit ETDP SETA to any particular course of action. Nothing in this Bid should be construed so as to constitute a contract or offer to enter into contract and no communication, whether written or verbal, by ETDP SETA personnel or its agents during the Bid process shall create such a contract in respect of the requirements specified in this document. It is further confirmed herein that no employee, agent or representative of ETDP SETA are authorized to commit or bind ETDP SETA in any form and that all terms and conditions relating to this Bid are subject to formal and duly executed lease agreement by the duly authorized officers of ETDP SETA

6. CHANGES TO THE BID

ETDP SETA may alter the space requirements and or specifications at any time during the publication of this bid however, such changes will be communicated to the bidders through the ETDP SETA website prior the closing date.

7. COPYRIGHT AND CONFIDENTIALITY

The specifications are the intellectual property of ETDP SETA

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This Bid is for the private use by the Bidder's whom have responded to this Bid and it may not transferred or communicated to third parties in any without the express permission of ETDP SETA.

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