



MMABANA ARTS, CULTURE AND SPORT FOUNDATION

TENDER DESCRIPTION:	REQUEST FOR PROPOSALS: LEASE OF SUITABLE BUILDING FOR OPERATIONS OF ARTS, CULTURE AND SPORT PROGRAMMES FOR MMABANA ARTS, CULTURE AND SPORT FOUNDATION BOJANALA CENTRE FOR THREE (3) YEARS
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TENDER NUMBER: MACSF 13/B/BOJ/2023

NAME OF BIDDER: .....

CSD NUMBER: .....

VENDOR NUMBER (WHERE APPLICABLE) .....

BID CLOSING DATE **12 DECEMBER 2023**



MMABANA Head Office  
101 Dr James Moroka Drive  
Mmabatho, 2735  
North West RSA

### MMABANA ARTS, CULTURE AND SPORT FOUNDATION

Bids are hereby invited from suppliers for the following bid:

Bid number	Description	Contact person	Compulsory briefing session	Closing date
MACSF 13/B/BOJ/2022/23	REQUEST FOR PROPOSALS: LEASE FOR SUITABLE BUILDING FOR MMABANA ARTS, CULTURE AND SPORT FOUNDATION BOJANALA CENTRE FOR THREE (3) YEARS.	<ul style="list-style-type: none"><li>Technical enquiries: Mr Sipho Nkese (082 880 5145) or <a href="mailto:siphon@mmabana.org.za">siphon@mmabana.org.za</a></li><li>Supply chain enquiries: Mr Mandla Twala (066 189 9515) or <a href="mailto:mtwala@mmabana.org.za">mtwala@mmabana.org.za</a>).</li></ul>	NOT APPLICABLE	DATE: 12 December 2023  TIME: 11H00AM  VENUE: MMABANA TLHABANE – 56 HEDEIRA STREET, EXTENSION 4. OLYMPIA PARK HALL, RUSTENBURG.

THE DOCUMENT IS DOWNLOADABLE ON THE MMABANA ARTS, CULTURE AND SPORT FOUNDATION WEBSITE ([www.mmabana.org.za](http://www.mmabana.org.za)) and on the E-tender portal documents will be free.

Each tender shall be enclosed in a sealed envelope that bears the correct identification details and shall be placed in the tender box located at:

Tlhabane Regional Office: 56 Hedeira Street, Extension 4. Olympia Park Sports Hall, Rustenburg.

Documents must be deposited in the bid box not later than **11:00AM on 12 December 2023**

**Bidders must contact the following officials for any enquiries:**

- Technical enquiries: Mr Sipho Nkese (082 880 51450) or [siphon@mmabana.org.za](mailto:siphon@mmabana.org.za) .
- Supply chain enquiries: Mr Mandla Twala (066 189 9515 or [mtwala@mmabana.org.za](mailto:mtwala@mmabana.org.za) .

**Bids will remain valid for a period of 90 days after the closing date.**

Bids received after the closing date and time will not be considered. The foundation does not bind itself to accept the lowest or any other bid in whole or in part.



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<b>LIST OF RETURNABLE DOCUMENTS THAT SHOULD FORM PART OF THE BID DOCUMENT</b>			
•	SBD 1		
•	SBD 3.1		
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•	SBD 6.1		
•	Full CSD Report (reflecting the company information, validity of tax status, B-BBEE information and directors/ members/ owners' information)		
•	Valid Business Registration Certificate		
•	Valid Certified ID Copies of the shareholders		
•	Valid Company Profile		
•	Pricing schedule Fully Completed		



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## 1. CRITICAL INFORMATION ON DISQUALIFICATIONS

A bid that does not comply with the peremptory requirements stated hereunder will be regarded as not being an “acceptable bid”, and such a bid will be rejected. An “acceptable bid” means any bid which, in all respects, complies with the conditions of the bid and the specifications as set out in the bid documents, including the conditions as specified in the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000) and related legislation as published in *Government Gazette 22549*, dated 10 August 2001, in terms of which provision is made for this policy.

1. If any pages have been removed from the bid document and have therefore not been submitted.
2. If the bid document is completed using a pencil. Only black ink must be used to complete the bid document.
3. The bidder attempts to influence or has in fact influenced the evaluation and/or awarding of the contract.
4. In the event of there being scratching out, writing over or painting out rates or information, affecting the evaluation of the bid, without initialling next to the amended rates or information. However; in cases where the total amount (aggregated) has not been affected, the bid will still be acceptable.
5. In the event of the use of correction fluid (e.g. tippex), any erasable ink, or any erasable writing instrument (e.g. pencil) on sections affecting the evaluation process of the bid.
6. If the Bid has not been properly signed by a person having the authority to do so. (Refer to Declaration).
7. The bid has been submitted after the relevant closing date and time.
8. The accounting officer must ensure that, irrespective of the procurement process followed, no award may be given to a person –
  - i. who is in the service of the state;
  - ii. if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; or
  - iii. who is an advisor or consultant contracted to the municipality in respect of a contract that would cause a conflict of interest.
9. Bid offers will be rejected if the bidder or any of his/her directors are listed on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004) as a person prohibited from doing business with the public sector.
10. Bid offers will be rejected if the bidder has abused the Mmabana Arts Culture and Sport Foundation supply chain management system.
11. Failure to complete and sign the certificate of independent determination or disclosure of wrong information.
12. If the bidder has failed to submit ALL required documents as specified on the bid document.
13. No late, faxed, and emailed bids will be considered. Bid received after the closing date and time at the address indicated in the bid documents, will not be accepted for consideration.
14. **Failure to comply with the above may lead to immediate disqualification.**



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## 2. CERTIFICATE OF AUTHORITY FOR SIGNATORY

Status of concern submitting tender (complete whichever is applicable):

COMPANY/PARTNERSHIP/ONE-PERSON BUSINESS/CLOSE CORPORATION/JOINT VENTURE

### A. COMPANY

If the bidder is a company, a certified copy of the resolution of the board of directors that is personally signed by the chairperson of the board, authorising the person who signs this bid to do so and to sign any contract resulting from this bid, and any other documents and correspondence in connection with this bid or contract on behalf of the company, must be submitted with this bid.

An example is shown below:

By resolution of the board of directors on ..... 20....., Mr/Ms  
..... has been duly authorised to sign all documents in  
connection with Bid Number .....

**SIGNED ON BEHALF OF THE COMPANY:** .....

**IN HIS/HER CAPACITY AS** .....

**DATE:** .....

**SIGNATURE OF SIGNATORY:** .....

**WITNESSES: 1.** .....

**2.** .....



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**B. PARTNERSHIP**

The following particulars in respect of every partner must be furnished and signed by every partner:

**Full name of partner**

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

We, the undersigned ....., hereby authorise ..... to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid or contract on our behalf.

.....  
**Signature**                      **Signature**                      **Signature**

.....  
**Date**                                      **Date**                                      **Date**

**C. ONE-PERSON BUSINESS**

I, the undersigned, ....., hereby confirm that I am the sole owner of the business trading as .....

.....  
**Signature**                                      **Date**



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**D. CLOSE CORPORATION**

In the case of a close corporation submitting a bid, a certified copy of the founding statement of such corporation shall be included with the bid with a resolution by its members, authorising a member or other official of the corporation to sign the documents and correspondence in connection with this bid or contract on behalf of the company.

An example is shown below:

By resolution of the members at the meeting on ..... 20..... at  
....., Mr/Ms ....., whose signature appears below, has  
been duly authorised to sign all documents in connection with Bid Number .....

**SIGNED ON BEHALF OF THE CLOSE CORPORATION:** .....

**IN HIS/HER CAPACITY AS:** .....

**DATE:** ..... **SIGNATURE**  
**OF SIGNATORY:** .....

**WITNESSES: 1.** .....

**2.** .....



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**E. CERTIFICATE OF AUTHORITY FOR JOINT VENTURES**

This returnable schedule is to be completed by joint ventures.

We, the undersigned, are submitting this bid offer in joint venture and hereby authorise Mr/Ms ..... , authorised signatory of the company..... , acting in the capacity of the lead partner, to sign all documents in connection with the bid offer and any contract resulting from it on our behalf.

**SIGNED ON BEHALF OF THE JOINT VENTURES: .....**

**IN HIS/HER CAPACITY AS: .....**

**DATE: .....**

**SIGNATURE OF SIGNATORY: ..... AND**

**IN HIS/HER CAPACITY AS: .....**

**DATE: .....**

**SIGNATURE OF SIGNATORY: .....**

**WITNESSES: 1. ....**

**2. ....**





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### **3. SCOPE OF WORK / TERMS OF REFERENCE**

**REQUEST FOR PROPOSALS: LEASE OF SUITABLE BUILDING FOR OPERATIONS OF ARTS, CULTURE AND SPORT PROGRAMMES FOR MMABANA ARTS, CULTURE AND SPORT FOUNDATION BOJANALA CENTRE FOR THREE (3) YEARS.**

#### **3.1. INTRODUCTION**

Mmabana Arts, Culture and Sport Foundation is an entity of the North West Department of Arts, Culture, Sports and Recreation.

#### **3.2. PURPOSE**

Mmabana Arts, Culture and Sport Foundation intends to invite and find a suitably qualified service provider for the provision of leased suitable building for operations of Arts, Culture and Sport Programmes including parking facilities for the Mmabana Arts, Culture and Sport Foundation Regional Office in Rustenburg for a period of three (03) years, commencing on the date of occupancy.

##### **3.2.1. Duration of the contract**

The contract period will be for a period of 36 months, commencing on the date of occupancy.

#### **3.3. BACKGROUND**

Mmabana Arts, Culture and Sport Foundation Bojana Reginal Office is operating with very limited resources due to non-suitable building which it currently occupies and intends to invite and find a suitably qualified service provider for the provision of leased suitable building for operations of Arts, Culture and Sport Programmes including parking facilities for the Mmabana Arts, Culture and Sport Foundation Regional Office in Rustenburg.

#### **3.4. SPECIAL CONDITIONS OF CONTRACT**

##### **3.4.1. BUILDING:**

- Building insurance is the responsibility of the landlord and must be kept up to date at all times throughout the duration of the lease contract.
- A building with a green rating would be advantageous.
- Building with a minimum of 1200m<sup>2</sup> will be deemed suitable for Mmabana Arts, Culture and Sport Foundation.

##### **3.4.2. GRADING:**

- Proposals must indicate the grade of the building (P, A, or B grade space as per guidelines from the South African Property Owners Association (SAPOA).

##### **3.4.3. LOCATION:**

- Preferably in Tlhabane, Phokeng or Rustenburg Town, in that order of preference.



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#### 3.4.4. FACILITIES:

- Ablution facilities accommodating for both female and male.
- Ablution facilities for the physically disabled males and females must be available.
- The suitable building must also have a kitchen with services such as sink, drainage, taps, cupboards, etc.

#### 3.4.5. ACCESSIBILITY:

- The suitable building should allow for comfortable entrance / exit to and from the building by staff, clients and service providers.
- The suitable building should be accessible by persons with special needs/ disability (e.g. wheel chair ramp or lift if necessary).

#### 3.4.6. PARKING:

- Minimum of fifth (50) paved covered and unparking bays, with two (02) covered lockable parking bays and two (02) uncovered parking bays for persons with disabilities. All parking bays must be within the premises.

#### 3.4.7. STORAGE:

- Provision of one (1) storeroom with a minimum size of 15m<sup>2</sup>.

#### 3.4.8. COMPLIANCE:

- Appropriate and standard safety signage must be in place.
- The accommodation must provide lighting as per building regulation.
- Compliance with emerging changes to applicable legislation that affect the building shall be the sole responsibility of the landlord at no cost to Mmabana Arts, Culture and Sport Foundation. Mmabana Arts, Culture and Sport Foundation may and will require the landlord to effect requirements to maintain compliance with such amendments to the applicable legislation.

#### 3.4.9. LEASE:

- The lease period should be for three (03) years, commencing on the date of occupancy
- Mmabana Arts, Culture and Sport Foundation will be under no legal obligation to renew the lease upon expiration.
- The lease offered must provide for building maintenance by the lessor / landlord as part of the lease. **PRICING SCHEDULE.**
- The lease contract should be signed with the owner of the building/ landlord and not an agency or third party.
- **Note: A signed and endorsed draft lease proposal is to be included for each building submitted for consideration in this bid.**

#### 3.4.10. OCCUPANCY:

- The property must be an existing building, ready for occupancy by the Mmabana Arts, Culture and Sport Foundation on or before from 01st September 2024.



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**3.4.11. SAFETY:**

- The accommodation must be in compliance with all applicable legislation that regulates buildings, safety and emergency issues.

**3.4.12. SECURITY:**

- The accommodation must be located within an area which is generally safe. Should the premises have an existing guardhouse, the guardhouse must be fitted with burglar bars on window(s) and door(s).
- The premises must have a fence which is at least 2.1 meters tall; entrance gate(s).

**3.4.13. POWER:**

- The space(s) on offer must have own electric distribution board(s).
- Back-up emergency power supply must be available in the event of power failure for the entire building.

**3.4.14. WATER:**

- The accommodation must have a clean and constant supply of water
- The landlord shall be responsible for the normal day-to-day electrical, plumbing, air-conditioning and general building repairs and maintenance to ensure a safe and conducive working environment. (This to be included in the lease).

**3.4.15. AIR- CONDITIONING AND VENTILATION:**

- The suitable building accommodation must be fully air-conditioned and ventilated. Air conditioning units shall be maintained and serviced as per manufacturer's specifications at the account of the landlord.
- All windows must have blinds.
- Windows that can open to the outside

**3.4.16 FIRE PREVENTION/DETECTION:**

- The bidder must submit a signed check list in relation to fire safety, fire detection system and safe occupancy on an annual basis for the duration of the lease contract. Logistics and costs of the process are the responsibility of the landlord.
- All fire equipment, including the "portable" fire equipment, needs to be provided and maintained by the landlord as part of the lease.

**3.4.16. BRANDING:**

- The Entity shall reserve the right to place exterior and interior signage, including painting, in corporate colours.

**4. DETAILED SPECIFICATION**

DESCRIPTION	SIZE/DIMENSIONS	USAGE
1 X Executive Office	25 s/meters	RD Office
1 x Manager Office	12 s/meters	Admin Manager
1 X Reception and Waiting Office	Standard Size	Reception Area
3 x Admin Offices	9 s/meters	Administration
2 x Offices	3 x 3 s/Meters	Performing Arts



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1 x Boardroom	70 s/meters	Meeting Room
2 x Halls	300 s/meters	Sports
1 x Dance Sport Studio	100 s/meters	Dance Sport Unit
4 x Class Rooms	36 s/meters	Teaching
1 x Kitchen	Standard Office Size	Refreshments
1 x Store Room	15 s/meters	Storage
Ladies Bathrooms	Five (5) Cubicles	Ladies Use
Gents Bathrooms with Urinals	Five (5) Cubicles	Gentlemen Use
Ablution Facilities for the Physically Disabled Male and Female.	2 Males 2 Females	Students and Patrons
5 Showers Each for Males and Females.	5 Males 5 Females	Staff Members, Students, Patrons and Visitors.
1 x Lifted Floor Server Room	25 s/meters	ICT
2 x Lockable Parking Garages	Standard Size	Pool Vehicles
20 x Paved Covered Parking Bays	Standard Size	Staff Parking
30 x Paved Uncovered Parking Bays	Standard Size	Visitors and Students
Security Guardhouse	Standard Size	2 x Security Guards
Types of Floors	Wooden floor  Ceramic /Marley Tiles  Non-slip floor – marley tiles	Dancesport Studio  Offices/storeroom, Reception, Kitchen  2 Hall – GYM/Aerobics
Plug Points per office and Studios	1 Plug Point for smaller offices  2 Plug Point for Reception Area and Bigger Offices  4 Plug Points for Halls and Boardroom	3 Admin Offices 1 Manager Office 2 Offices Storeroom  1 Executive Office 1 Reception Area and waiting office 4 classrooms 1 Kitchen 1 Dancesport Studio  1 x Boardroom 2 x Halls

#### **NOTES**

- A Scaled Floor Plan of the building is required.



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**PRICING SCHEDULE:**

<b>Required services – suitable building for operations of Arts, Culture and Sport Programmes – Mmabana Bojanala</b>				
<b>No.</b>	<b>Items</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>
1.	<b>SUITABLE BUILDING</b> – Minimum of <b>1200m<sup>2</sup></b> (Rates Per Square Meter).			
2.	PARKING BAY (Rates Per Bay)			
3.	<b>OPERATIONAL COST</b> (e.g Maintenance cost, Water, Electricity etc. This list is not exhaustive).			
4.	<b>ANNUAL ESCALATION FEES/ PERCENTAGE</b>  The escalations will only commence on year 2. The lease agreement will stipulate the percentage to be charged on the Lease agreement for the 2 <sup>nd</sup> and 3 <sup>rd</sup> year. The bidder will have to quote using the market related price.			
5.	<b>TOTAL MONTHLY COST</b>			
6.	<b>TOTAL ANNUAL COST</b>			
7.	<b>TOTAL COST OVER A 36 MONTHS PERIOD</b>			



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**PART A  
 INVITATION TO BID**

**SBD 1**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)**

BID NUMBER:	MACSF 13/B/BOJ/2023	CLOSING DATE:	12 DECEMBER 2023	CLOSING TIME:	11H00AM
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DESCRIPTION **REQUEST FOR PROPOSALS: LEASE OF SUITABLE BUILDING FOR MMABANA ARTS, CULTURE AND SPORT FOUNDATION BOJANALA CENTRE FOR THREE (3) YEARS.**

**BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)**

**MMABANA TLHABANE CENTER**

**56 Hedeira Street, Extension 4, Olympia Park Sports Hall, Rustenburg.**

<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>	<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>
---	--

CONTACT PERSON	Mr. M. Twala	CONTACT PERSON	Mr. S. Nkese
TELEPHONE NUMBER	066 189 9515	TELEPHONE NUMBER	082 880 5145
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS	mtwala@mmabana.org.za	E-MAIL ADDRESS	siphon@mmabana.org.za

**SUPPLIER INFORMATION**

NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	

**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>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.</b>	



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## 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, 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:

.....



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SBD 3.1

**PRICING SCHEDULE – FIRM PRICES  
 (PURCHASES)**

**NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED**

**IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT**

Name of bidder.....	Bid number.....
Closing Time 11:00	Closing date...12 DECEMBER 2023.....

OFFER TO BE VALID FOR .90...DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
-	Required by:	.....	
-	At:	..... .....	
-	Brand and model	.....	
-	Country of origin	.....	
-	Does the offer comply with the specification(s)?		*YES/NO
-	If not to specification, indicate deviation(s)	.....	
-	Period required for delivery	.....	*Delivery: Firm/not firm
-	Delivery basis	.....	

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

\*\* "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

\*Delete if not applicable





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SBD4

## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

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

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

### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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

---

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



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2.2.1 If so, furnish particulars:

.....  
.....

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

2.3.1 If so, furnish particulars:

.....  
.....

### 3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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



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**North West RSA**

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder



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

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

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

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### 1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to invitations to tender:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2 **To be completed by the organ of state**  
*(delete whichever is not applicable for this tender).*
- a) The applicable preference point system for this tender is the **90/10** preference point system.
  - b) The applicable preference point system for this tender is the **80/20** preference point system.
  - c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
- 1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
- (a) Price; and
  - (b) Specific Goals.
- 1.4 **To be completed by the organ of state:**  
The maximum points for this tender are allocated as follows:



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

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

## 2. DEFINITIONS

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

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE



### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmin} \right) \text{ or } Ps = 90 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

- Ps = Points scored for price of tender under consideration  
Pt = Price of tender under consideration  
Pmin = Price of lowest acceptable tender

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

#### 3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left( 1 + \frac{Pt - Pmax}{Pmax} \right) \text{ or } Ps = 90 \left( 1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where

- Ps = Points scored for price of tender under consideration  
Pt = Price of tender under consideration  
Pmax = Price of highest acceptable tender

### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/documentation stated in the conditions of this tender:



- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
<b>Black People (POINTS WILL BE PROPORTIONALLY AWARDED IN LINE WITH OWNERSHIP OF BUSINESS).</b>	4	
<b>Black Females (POINTS WILL BE PROPORTIONALLY AWARDED IN LINE WITH BLACK FEMALE OWNERSHIP OF BUSINESS).</b>	5	
<b>Black Youth (POINTS WILL BE PROPORTIONALLY AWARDED IN LINE WITH BLACK YOUTH OWNERSHIP OF BUSINESS).</b>	5	
<b>People with Disability (MEDICAL REPORT/RECORD)</b>	3	



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<b>Promotion of Enterprises in Local District/Municipal Area.</b> <table border="1" style="width: 100%;"> <tr> <td>3 - Acceptable evidence of Operational office owned or leased in Bojanala Platinum District.</td> </tr> <tr> <td>2 - Acceptable evidence of Operational office owned or leased Bojanala Platinum District but within the North West Province.</td> </tr> <tr> <td>1 - Acceptable evidence of Operational office owned or leased outside Bojanala Platinum District and the North West Province but within South African.</td> </tr> </table>	3 - Acceptable evidence of Operational office owned or leased in Bojanala Platinum District.	2 - Acceptable evidence of Operational office owned or leased Bojanala Platinum District but within the North West Province.	1 - Acceptable evidence of Operational office owned or leased outside Bojanala Platinum District and the North West Province but within South African.	3	
3 - Acceptable evidence of Operational office owned or leased in Bojanala Platinum District.					
2 - Acceptable evidence of Operational office owned or leased Bojanala Platinum District but within the North West Province.					
1 - Acceptable evidence of Operational office owned or leased outside Bojanala Platinum District and the North West Province but within South African.					
<b>Total Points</b>	20				

**DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name \_\_\_\_\_ of company/firm.....

4.4. Company \_\_\_\_\_ registration \_\_\_\_\_ number: \_\_\_\_\_

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General





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Conditions as indicated in paragraph 1 of this form;

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

..... <b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	..... ..... ..... .....



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## 5. STAGES OF EVALUATION

The bid will be evaluated in four stages.

**Stage 1:** Administrative compliance.

**Stage 2:** Mandatory/Technical Evaluation

**Stage 3:** Functionality Criteria

**Stage 4:** Preference Point System

### 5.1. ADMINISTRATIVE COMPLIANCE

Bidders shall be evaluated for administrative compliance as follows.

- All Bid documents were submitted on or before the closing date as stipulated on this Bid document.
- All Bid documents were submitted before the closing time as stipulated on this Bid document.
- All Bid documents were submitted at the correct address as stipulated on this Bid document.

**NB: Failure to comply with the above will lead to immediate disqualification.**

### 5.2. MANDATORY REQUIREMENTS/TECHNICAL EVALUATION

Failure to submit the mandatory requirements will disqualify bidders.

ITEMS	MANDATORY
INVITATION TO BID	SBD1 MANDATORY
BIDDEFER'S DISCLOSURE	SBD4 MANDATORY
PRICING SCHEDULE – FIRM PRICES(PURCHASES)	SBD 3.1 MANDATORY
PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERFENTAIL PROCUREMENT REGULATIONS 2022	SBD 6.1 NOT MANDATORY
CSD REPORT (not older than 1 Month)	NOT MANDATORY
DETAILED COMPANY PROFILE	MANDATORY
PRICE SCHEDULE FOR THREE YEARS	MANDATORY



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### 5.3. FUNCTIONALITY CRITERIA

The minimum score of **65** points (out of 100) is required to go through to the next stage of the tender. All bidders who fail to meet the said minimum score will be disqualified and will therefore not be considered further for evaluation.

Criteria	Weight	Scoring Guidelines
1. The building meets the set minimum space meterage requirement of 1200m <sup>2</sup> . <b>(Proof/ acceptable evidence of ownership/lease agreement to be attached and compulsory inspection to be made prior to award)</b>	25	5 Points - Acceptable evidence of the building meeting the minimum space meterage requirement of 1200m <sup>2</sup> and more in Bojanala District North West Province.  3 Points - Acceptable evidence of the building meeting the minimum space meterage requirement of 1150m <sup>2</sup> to 1199m <sup>2</sup> in Bojanala District North West Province.  1 Points- Acceptable evidence of the building meeting the minimum space meterage requirement of 1145m <sup>2</sup> but not less than 1140m <sup>2</sup> in Bojanala District North West Province.
1. Building Grading (Grading certificate as submitted by the Bidder).	25	P Grading - 5 A Grading - 4 B Grading - 3 C Grading – 2  Not Graded - 1
<b>2. References related to past Company Experience.</b>  • bidders to submit an authentic reference letter on the client's letterhead reflecting number of years' experience in similar project/ environment)	25	5 Points For - 5 years' experience in similar project/environment.  4 Points For - 4 years-experience in in similar project/environment.  3 Points For - 3 years-experience in in similar project/environment.  2 Points For - 2 years-experience in in similar project/environment.  1 Point For - 1 years-experience in in similar project/environment.
4. Financial strength <b>(submit bank rating letter)</b>	25	5- A 4- B 3- C 2- D 1- E 0- G
TOTAL	100	

Only qualifying bids scoring a minimum of sixty-five (65) points in functionality will be evaluated in terms of **80/20 preferential points system.**



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#### 5.4. PREFERENCE POINT SYSTEM

Preferential points to be used will be the 80/20 points system in terms of the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000) Regulations 2022.

- 80 points for price
- 20 points as per Mmabana Preferential Procurement Policy and in terms of the Preferential Procurement Regulations 2022

- **The price for price will be calculated as follows:**

- o  $P_s = 80(1 - P_t - P_{min}/P_{min})$

Where  $P_s$  = Points scored for comparative bid under consideration.

$P_t$  = Price of tender under consideration and.

$P_m$  = Price of lowest acceptable tender.

- The table as detailed in SBD 6.1 to be used to calculate the score out of twenty (20) in line with Mmabana specific goals for this Bid:
- **NB: Only Bidders who submitted proof of Locality and proof of disability will be awarded points for locality and disability.**

#### 15. VALIDITY PERIOD

The validity period for the tender after closure is 90 days.

#### 16. MARKET ANALYSIS

The Foundation reserves the right to conduct market analysis. Should the Foundation exercise this option, where a tenderer offers a price that is deemed not to be viable to supply goods or services as required, written confirmation will be made with the tenderer if they will be able to deliver on the price, if a tenderer confirm that they cannot, The tenderer will be disqualified on the basis of being non-responsive. If they confirm that they can deliver, a tight contract to mitigate the risk of non-performance will be entered into with the service provider. Further action on failures by the supplier to deliver will be handled in terms of the contract including performance warnings and listing on the database of restricted suppliers.

The foundation further reserves the right to negotiate a market related price with a tenderer scoring the highest points. If the tenderer does not agree to a market- related price, the foundation reserves the right to negotiate a market-related price with the tenderer scoring the second highest points, if the tenderer scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the tenderer scoring the third highest points. If a market-related price is not agreed, the foundation reserves the right to cancel the tender.



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## **17. CONTRACTUAL ARRANGEMENT**

The service provider is required to enter into a Service Level Agreement with MACSF and other MACSF to perform all functions as set out in the project Specification or Terms of Reference.