

**REFERENCE: GTAC 012-2021-22**

**DESCRIPTION: PROCUREMENT OF TRANSACTION ADVISORY SERVICES FOR THE PUBLIC PRIVATE PARTNERSHIP FOR THE NEW WATER PRODUCTION AT KWAMASHU AND NORTHERN WASTEWATER TREATMENT WORKS (WWTW)**

**CLOSING TIME: 11H00 AM**

**CLOSING DATE: TUESDAY, 12 OCTOBER 2021**

## INFORMATION TO BIDDERS:

### 1. CONTENT OF THE BIDDER PACK

No.	Title
1	Information to Bidders
2	Terms of Reference
3	SCM SBD 1 – Invitation to bid
4	SCM SBD 4 – Declaration of interest
5	SCM SBD 6.1 - B-BBEE declaration
6	SCM SBD 8 - Declaration of bidder's past supply chain management practices
7	SCM SBD 9 - Certificate of independent bid determination
8	SCM SBD 3.3 pricing schedule must be submitted before the closing date of the bid in a sealed envelope marked pricing schedule/price proposal.

All Standard Bidding Documents (SBD's) must be completed in full, duly signed and form part of the bid submission.

### 2. INSTRUCTIONS FOR COMPLETION AND SUBMISSION OF BIDS

This bid and all contracts emanating there from will be subject to the General Conditions of Contract issued in accordance with the Treasury Regulations 16A published in terms of the Public Finance Management Act, 1999 (Act 1 of 1999). The Special Conditions of Contract are supplementary to that of the General Conditions of Contract. Where, however; the Special Conditions of Contract are in conflict with the General Conditions of Contract, the Special Conditions of Contract shall prevail.

#### 2.1 COMPLETION OF BIDS

- 2.1.1 Bidders are advised that, to facilitate an efficient evaluation process, the bid should be as prescribed, concise and written in plain English.

#### 2.2 CLARIFICATIONS

- 2.2.1 Requests for clarification must be made in writing by e-mail to [psp@gtac.gov.za](mailto:psp@gtac.gov.za).
- 2.2.2 Requests for clarification will be accepted by GTAC until 6 October 2021. The submission reference (GTAC 012-2021-22) must be included in the subject line of the email.
- 2.2.3 Telephonic enquiries for clarification will not be accepted. Bidders must reduce all enquiries to writing and send to the above email address.

- 2.2.4 A virtual non-compulsory briefing session will be held on 29 September 2021 at 14:00. Prospective bidders must indicate their intention to attend by sending an email to [psp@gtac.gov.za](mailto:psp@gtac.gov.za) to confirm attendance and to receive the link to the virtual meeting.

### 3. EVALUATION PROCESS

3.1 The evaluation process comprises the following phases:

#### 3.1.1 Phase I: Initial administration screening process

During this phase bid documents will be reviewed to determine compliance with tax matters and Central Supplier Database (CSD) at closing date and time of bid.

3.1.2 All bid proposals will also be assessed for compliance with the administrative requirements of the bid:

Step	Administrative Requirements	Check
1	Master bid document	Provided and bound
2	Three copies of the Bid document	Provided and bound
Included in the bid document		
3	SCM SBD 1	Completed and signed
4	Tax clearance status: CSD registration report or number/SARS pin	Provided and valid
5	SCM SBD 4	Completed and signed
6	SCM SBD 6.1	Completed and signed
7	SCM SBD 8	Completed and signed
8	B-BBEE Certificate/Affidavit if applicable	Provided and valid
9	SCM SBD 9	Completed and signed
10	SCM SBD 3.3 pricing schedule	Completed and signed (sealed in a separate enveloped marked "pricing schedule/price proposal")

GTAC reserves the right to reject applications that are not submitted in the prescribed format or where the information presented is illegible or incomplete.

#### 3.1.3 Phase II: Functionality evaluation - desktop

- Bids will be evaluated strictly in accordance with the bid evaluation criteria stipulated in the Terms of Reference (TOR).
- Bidders must, as part of their bid documents, submit supportive documentation for all technical requirements. The panel responsible for scoring the respective bids will evaluate and score all bids based on the information provided.
- Bidders will not rate themselves, but must ensure that all information is supplied as required. The Bid Evaluation Committee (BEC) will evaluate and score all responsive bids and will verify all documents submitted by the bidders.

- d. The panel members will individually evaluate the responses received against the criteria as set out set out in the TOR.

#### 3.1.4 Phase III: Price evaluation as per PPPFA

- a. The pricing proposal will be evaluated as per paragraph 5 below.
- b. Price/financial proposals must be submitted in South African Rand.
- c. GTAC reserves the right to negotiate rates with the recommended bidder(s).

### 4. SCORING METHODOLOGY

- 4.1 Each panel member will rate each individual criterion on the score sheet using the points guidelines indicated in the TOR scoring criteria.
- 4.2 Individual value scores will be added to obtain the points scored for all elements. These points will be added and averaged according to the number of panel members. Only bidders that have met or exceeded the minimum threshold as stipulated in the TOR for desktop evaluation will be evaluated and scored in terms of pricing and BBBEE.

### 5. EVALUATION CRITERIA

- 5.1 In terms of regulation 5 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated by the State on the 80/20-preference point for Broad-Based Black economic empowerment in terms of which points are awarded to bidders on the basis of:

- The bid price (maximum 80 points)
- Broad-based black Economic Empowerment as well as specific goals (maximum 20 points)

- 5.2 The following formula will be used to calculate the points for price in respect of bidders with a Rand value up to R50 million:

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

Where

$P_s$  = Points scored for comparative price of bid under consideration

$P_t$  = Comparative price of bid under consideration

$P_{\min}$  = Comparative price of lowest acceptable bid

- 5.3 A maximum of 20 points may be awarded to a bidder for being a Broad-Based Black Economic Empowerment and/or subcontracting with a Broad-Based Black Economic Empowerment stipulated in the Preferential Procurement regulations. For this bid the maximum number of Broad-based Black Economic Empowerment status that could be allocated to a bidder is indicated in paragraph 6.
- 5.4 The State reserves the right to arrange contracts with more than one contractor.

- 5.5 It is the Government's intention to promote the following Broad-Based Black Economic Empowerment with this bid, and the points to be allocated are indicated against each level of contributor.

## 6. POINTS

- 6.1 The Preferential Procurement Policy Framework Act 2000 (PPPFA) Regulations were gazetted on January 2017 (No. 34350) and effective from April 2017. These regulations require bidders to submit valid original or certified copies of their B-BBEE Status Level Certificates from a SANAS accredited verification agency and accredited Auditing firm, the 80/20 preference points systems will be applied in accordance with the formula and applicable points provided for in the respective status level contributor tables in the Regulations.

<b>B-BBEE Status Level of Contributor</b>	<b>Number of points (80/20 system)</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

- 6.2 Failure to capture the required status level and to submit the required B-BBEE status level certificates will lead to a zero (0) status level for non-compliant service providers.
- The points scored by a bidder in respect of the points indicated above will be added to the points scored for price.
  - Bidders are requested to complete the various preference claim forms in order to claim preference points.
  - Only a bidder who has completed and signed the declaration part of the preference claim form will be considered for B-BBEE status.
  - Supply Chain Management may, before a bid is adjudicated or at any time, require a bidder to substantiate claims it has made with regard to B-BBEE status.
  - Points scored will be rounded off to the nearest 2 decimals.
  - In the event that two or more bids have scored equal total points, the contract will be awarded to the bidder scoring the highest number of points for B-BBEE status. Should two or more bids be equal in all respects, the award shall be decided by drawing of lots.

- g. A contract may, on reasonable and justifiable grounds, be awarded to a bid that did not score the highest number of points.
- h. The bidder must submit copies of identity documents of all directors or shareholders of the company with the bid documents at the closing date and time of the bid.

## **7. MANDATORY REQUIREMENTS**

- 7.1 SCM SBD 3.3 pricing schedule/financial proposal must be submitted before the closing date of the bid in a separate sealed envelope marked "pricing schedule/price proposal". Failure to comply with this requirement will result in disqualification of your bid.

## **8. TAX CLEARANCE STATUS**

- 8.1 Relevant information for purposes of verifying that the tax matters of the bidder are in order must be submitted at the closing date and time, where consortium/joint ventures/sub-contractor are involved each party to the association must submit a separate validation of Tax status i.e. Registration number from Central Supplier Database (CSD) must be provided with this bid.

## **9. VALUE ADDED TAX**

- 9.1 All bid prices must be inclusive of 15% Value-Added Tax.

## **10. REGISTRATION**

- 10.1 Latest proof of company registration from Companies and Intellectual Property Commission (CIPC) must be submitted in the form of certified copies of the relevant registration documents.

## **11. CLIENT BASE**

- 11.1 Bidders must have specific experience and submit at least three recent and contactable references (in a form of written proof (s) on their company's letterhead including relevant person (s), telephone, fax numbers and e-mails) of similar work undertaken.
- 11.2 GTAC reserves the right to contact references during the evaluation and adjudication process to obtain information.

## **12. LEGAL IMPLICATIONS**

- 12.1 Successful service providers must be prepared to enter into a service level agreement with the GTAC.
- 12.2 The GTAC reserves the right to award this bid on a non-exclusive basis, i.e. GTAC may procure similar services outside this bid with the view of securing the best service and value for money.

### **13. COMMUNICATION**

13.1 Professional Services Procurement (PSP) within GTAC will communicate with bidders for, among others, where bid clarity is sought, to obtain information or to extend the validity period. Any communication either by facsimile, letter or electronic mail or any other form of correspondence to any government official, department or representative of a testing institution or a person acting in an advisory capacity for the National Treasury in respect of this bid between the closing date and the award of the bid by the bidder is prohibited.

### **14. COUNTER CONDITIONS**

14.1 Bidders' attention is drawn to the fact that amendments to any of the Information to bid by bidders will result in invalidation of such bids.

### **15. PROHIBITION OF RESTRICTIVE PRACTICES**

15.1 In terms of section 4(1) of the Competition Act No. 89 of 1998, as amended, an agreement between, or concerted practice by, firms, or a decision by an association of firms, is prohibited if it is between parties in a horizontal relationship and if a bidder(s) is/ are or a contractor(s) was/were involved in:

- a. directly or indirectly fixing a purchase or selling price or any other trading condition;
- b. dividing markets by allocating customers, suppliers, territories or specific types of goods or services; or
- c. collusive bidding.

15.2 If a bidder(s) or contractor(s), in the judgment of the purchaser, has/have engaged in any of the restrictive practices referred to above, the purchaser may, without prejudice to any other remedy provided for, invalidate the bid(s) for such item(s) offered or terminate the contract in whole or in part and refer the matter to the Competition Commission for investigation and possible imposition of administrative penalties as contemplated in the Competition Act No. 89 of 1998.

### **16. FRONTING**

16.1 The National Treasury supports the spirit of broad based black economic empowerment and recognizes that real empowerment can only be achieved through individuals and businesses conducting themselves in accordance with the Constitution and in an honest, fair, equitable, transparent and legally compliant manner. Against this background the National Treasury condemns any form of fronting.

16.2 The National Treasury, in ensuring that bidders conduct themselves in an honest manner will, as part of the bid evaluation processes, conduct or initiate the necessary enquiries/investigations to determine the accuracy of the representation made in bid documents. Should any of the fronting indicators as contained in the Guidelines on Complex Structures and Transactions and Fronting, issued by the Department of Trade and Industry, be established during such enquiry/investigation, the onus will be on the bidder / contractor to prove that fronting does not exist. Failure to do so within a period of 14 days from date of notification may invalidate the bid/contract and may also result in the restriction of the bidder/contractor to conduct business with the public sector for a

period not exceeding ten years, in addition to any other remedies the National Treasury may have against the bidder/contractor concerned.

**17. TIMEFRAMES AND FORMAL CONTRACT**

17.1 Successful bidder(s) will be required to enter into formal contract with the GTAC.

**18. PACKAGING OF BID**

The bidder shall place both the sealed Technical Proposal and Price/ Financial Proposal envelopes into an outer sealed envelope or package, and must be clearly marked as follows:

**18.1 FUNCTIONALITY PROPOSAL**

18.1.1 The bid submission must include:

- a. The originally signed and bound master document; and
- b. Three individually bound copies of the master document. The bid document (technical proposal) must include the following:

Sequence	Document Title
1	SCM SBD 1
2	Tax clearance status: CSD registration report or number
3	SCM SBD 4
4	SCM SBD 6.1
5	SCM SBD 8
6	B-BBEE Certificate/Affidavit
7	SCM SBD 9
8	Response to Technical Evaluation Criteria as per Terms of Reference

18.1.2 The bid shall not include any other documentation (e.g. Annual reports, brochures).

18.1.3 The bid shall be enclosed in a sealed envelope.

18.1.4 The envelope must be addressed as follows:

<b>Tender:</b>	PROCUREMENT OF TRANSACTION ADVISORY SERVICES FOR THE PUBLIC PRIVATE PARTNERSHIP FOR THE NEW WATER PRODUCTION AT KWAMASHU AND NORTHERN WASTEWATER TREATMENT WORKS (WWTW)
<b>Bid No:</b>	GTAC 012-2021-22
<b>TECHNICAL PROPOSAL</b>	
<b>Name of bidder:</b>	
<b>Contact number of bidder:</b>	



<b>Address of bidder:</b>	
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## 18.2 PRICE/FINANCIAL PROPOSAL

In this envelope, the bidder shall provide the price/ financial proposal. The envelope must be addressed as follows:

<b>Tender:</b>	PROCUREMENT OF TRANSACTION ADVISORY SERVICES FOR THE PUBLIC PRIVATE PARTNERSHIP FOR THE NEW WATER PRODUCTION AT KWAMASHU AND NORTHERN WASTEWATER TREATMENT WORKS (WWTW)
<b>Bid No:</b>	GTAC 012-2021-22
<b>FINANCIAL PROPOSAL</b>	
<b>Name of bidder:</b>	
<b>Contact number of bidder:</b>	
<b>Address of bidder:</b>	

## 19. CONTACT DETAILS

Professional Services Procurement

Private Bag x 115, Pretoria, 0001

Physical address: GTAC, 240 Madiba Street, Pretoria

For any enquiries, email: [psp@gtac.gov.za](mailto:psp@gtac.gov.za)