SOUTH AFRICAN HUMAN RIGHTS COMMISSION

Sentinel House
Sunnyside Office Park
32 Princess of Wales Terrace
Parktown
2193

Private Bag X 2700
Houghton
2041

Tel.: 011 877 3600

Bid Document for Western Cape Provincial Office Lease

BID NUMBER: SAHRC WC 01-2026

TENDER NUMBER	**SAHRC WC 01-2026**
DESCRIPTION	To obtain leased office premises for the South African Human Rights Commission's (Commission) Western Cape Provincial office.
ADVERTISEMENT	DATE: 23 November 2026
TENDER BRIEFING: Non-compulsory	DATE: 01 December 2026 TIME: 11H00 (GMT +2) ADDRESS: Microsoft Teams VENUE: Teams webinar meeting link: Non-compulsory briefing session link for SAHRC WC 01-2026 All enquiries should be in writing as follows: Administration/Supply Chain Management: Mabatho Mahlako Technical: **tenderoffice@sahrc.org.za**
CLOSING DATE	DATE: 15 December 2026 TIME: 11H00 (GMT +2) ADDRESS 3rd Floor, One Thibault Building, 1 Long Street, Cape Town

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Background

The South African Human Rights Commission (SAHRC) is a Constitutional body established in terms chapter 9 of the Constitution of South Africa, 1996 as well as the South African Human Rights Commission Act, 40 of 2013. The SAHRC is under the executive authority and strategic leadership of Commissioners. The administration of SAHRC is overseen by a Chief Executive Officer (CEO).

Purpose

The invitation to bid is intended to obtain leased office premises for the South African Human Rights Commission's (Commission) Western Cape Provincial Offices.

The Commission requires office space for their offices at Western Cape, for a 5-year lease, starting from 1 April 2027 until 31 March 2032 with an **exit clause due to any material breach of contract.** The office premises should be close to public transport

The building should be accessible for people with disabilities, children, and older persons. It should also consider security concerns as the Commission host engagements with high profile international and national stakeholders.
The building should also include parking for executives, high profile international and national stakeholders, and staff.

The Commissions Office Building Specifications

Proposed Office Space

Please refer to **ANNEXURE A** on the proposed space for the Commission offices.

Requirement

The actual office space should be +-**240 m²**. The air conditioners in the open plan offices should have a function to control temperature for each section of the office. Fire safety certificate must be submitted.
In addition to the above, a proposed building must meet the following requirements:

a) The building should be Grade A or B building
b) It must comply with the OHSA-National Building Regulation and Building Standards Act of 1977
c) Office premises must be wheelchair accessible
d) Premises to have back-up water and generator or solar system with batteries
e) Premises must have separate male and female toilets and a disability toilet
f) Server Room should have concrete wall, false floor and air conditioner and hot air ducts where applicable
g) Records Strong room should have heavy strong door where applicable.
h) Sick room should have washing basin or be closer to bathroom
i) At least 12 parking bays of which 6 is secured undercover. All should be within the premises. (The service provider to also cater for visitors parking as and when required for the Commission.
j) Offices must provide for natural ventilation.
k) The service provider to provide for additional storage space in basement should it be required by the Commission and should form part of the contract.
l) The bidder must be a company submitting and making proposals.
m) The location of offices must be within the areas Cape town CBD.
n) The bidder must provide for a portion of tenant installations, and the designer will be chosen by the Commission together with the bidder. The design plans must be carried out by the bidder for occupation of the Commission.
o) The bidder must provide for pre-occupation where rental will not be paid but to carry out tenant installations and ready the building for occupation for at least one month or until such a time that tenant installations have been concluded.
p) The bidder must ensure that building maintenance is carried out as and when required within 30 days, with costs billable to the Commission for work performed within the premises. Maintenance obligations must form part of the contract with the appointed service provider. Should the landlord fail to meet the Commission's maintenance requirements within the specified timeframe, the Commission reserves the right to undertake the necessary maintenance and recover the associated costs from the landlord.

Deliverables

Building or office promises must meet stated specifications and requirements must be ready for occupation by 1 April 2027.

Preoccupation and access to the building must be given to the Commission without incurring rental expenses for a reasonable period before occupation date to carry out tenant installations, IT and other related infrastructure and readying the building for employees to move in on the 1 April 2027.

Only one (1) proposal per bidder will be accepted. Where a bidder submits two (2) or more proposals, all submissions from that bidder will be disqualified at the bid opening stage, prior to the commencement of any evaluation process. Similarly, if two (2) or more bidders submit proposals for the same building or premises, all such submissions will be disqualified at the bid opening stage to ensure fairness, transparency, and compliance with procurement regulations.

Pricing

Pricing requirements must be inclusive of all applicable taxes (VAT) and consideration should be given to the following:

ANNEXURE B must be submitted for pricing requirements including the contributed amount per square meter for tenant installations.

The proposed project must be inclusive of all costs.

The SAHRC reserves the right to negotiate the selection/prioritization of deliverables in line with the contract price.

Independence and objectivity of staff

In carrying out the work, the service provider must ensure that its staff maintains their objectivity by remaining independent of the activities they execute.

Confidentiality

The service provider will hold material and information exchanged in the course of the implementation of this assignment in the strictest confidence, and will take all steps necessary to prevent dissemination of this information to any third party, without the prior written agreement of the Commission. To ensure that at all times compliance with legal obligations including recent laws such as POPIA.1

Duration of the contract

The Commission will each enter into a contract with the winning bidder. Contract shall commence on the 1 April 2027 and end on 31 March 2032 with an **exit clause due to any material breach of contract. All bidders making submissions for this tender will agree to this clause. The service provider will also ensure that the contract is in line with SAHRC requirements and includes maintenance for the building should it be required.**

Evaluation criteria

South African Human Rights Commission has set minimum standards (Gates) that a bidder needs to meet to be evaluated and selected as a successful bidder. The minimum standards consist of the following:

Mandatory documents (Gate 0)	**Administrative documents (Gate 1)**	**Checklist to be completed by the bidder (Gate 2)**	**Technical Evaluation Criteria (Gate 3)**	**Price and Specific Goals (Gate 4)**
Bidders must submit all documents as outlined in (Table 1) below. Only bidders that comply with ALL these criteria will proceed to Gate 1. Failure to submit any of the below in Table 1 will result in immediate disqualification.	Bidders are required to complete and submit SBD 6.1 – Preference Points Claim Form in terms of the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000), if they wish to claim specific goals as outlined in the tender document. Failure to submit the SBD 6.1 form will not result in disqualification. However, the bidder will not be eligible for the allocation of preference points in terms of the applicable preference point system (80/20) and will therefore be evaluated on price only.	Bidders must fill out the checklist, where non-compliance is identified, the bidder will be automatically disqualified from the process and will not be evaluated further.	Bidder(s) are required to achieve a minimum threshold of 70 points to proceed to Gate 3 (Price and BEE).	Bidder(s) who have successfully progressed through gate 0, 1 and 2 will be evaluated in accordance with the 80/20 preference point system contemplated in the Preferential Procurement Policy Framework Act, 2022. 80 points will be awarded for price whilst 20 points will be allocated for preference points for specific goals as prescribed in the regulations.

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Gate 0: Mandatory documents

Without limiting the generality of South African Human Rights Commission's other critical requirements for this Bid, bidder(s) must submit the documents listed in **Table 1** below. All documents must be completed and signed by the duly authorised representative of the prospective bidder(s). During this phase Bidders' responses will be evaluated based on compliance with the mandatory bid requirements. The bidder(s) proposal will be disqualified for non-submission of any of the documents.

Table 1: Mandatory Documents to be submitted

Document that must be submitted	Non-submission will result in disqualification	
Pricing Schedule ANNEXURE B and SBD 3.1	**YES**	Submit full details including totals of the pricing proposal including vat, additional annexures are welcomed with detailed costing breakdown, this must be submitted separately to the main documents.
Submit 1 hard copy and 1 soft copy of the proposal	**YES**	All bidders are required to submit one (1) hard copy of the proposal in the tender box and one (1) soft copy on a USB flash drive or portable hard drive. CDs and DVDs will not be accepted as soft copies. Failure to submit either the hard copy or the soft copy will result in disqualification. In the event of any discrepancy or missing document between the hard copy and the soft copy during evaluation, the hard copy submission will take precedence and be regarded as the official bid submission.

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Gate 1: Administrative documents

Document to be submitted	SCM Administrative documents	
Preference of Points Form – SBD 6.1	**YES**	Complete and sign the new supplied pro forma document
Standard Bid Document 1	**YES**	Complete and sign the supplied pro forma document
Standard Bid Document 4	**YES**	Complete and sign the supplied pro forma document
Registration on Central Supplier Database (CSD)	**YES**	The service provider must be on the Central Supplier Database (CSD). If you are not registered proceed to complete the registration of your company prior to submitting your proposal. Visit https://secure.csd.gov.za/ to obtain your vendor number. Submit your CSD report as part of the proposal

Gate 2: Checklist to be completed by the bidder

Number	Description	Index	Submitted with bid Yes/No
1	**THE BUILDING MUST EXIST AT THE TIME OF THE CLOSING OF THE BID**		
1.1	State street address of the premises on the bid offered		
1.2	The bidder must confirm the proposed square meters of the existing premises being offered		
1.3	Provide the floor plans of the premises being offered		
2	**SUBMIT PROOF OF OWNERSHIP OF THE BUILDING AT CLOSE OF BID**		

2.1	The bidder must submit the documentary proof that the bidder is the registered and beneficial owner of the building offered and attached to this bid. Only a copy of the bond registration document from the bank and/or a title deed /endorsed deeds of transfer by the Registrar of Deeds will be accepted.		
2.2	Where the bidder is bidding on behalf of the owner of the premises being offered– the bidder must submit a written mandate from the owner of the premise with the documentation on 2.1 which must be attached. Failure to supply supporting documentation on 2.1 or 2.2 will result in the bid being eliminated and not evaluated further.		
3	**BUILDING REQUIREMENTS COMPLIANCE CONFORMANCE**		
3.1	Confirmation that the designated building is not a heritage building. ("Heritage building" is a building possessing architectural, aesthetic, historic or cultural values which is declared as heritage building by the Planning Authority/Heritage conservation committee or any other Competent Authority in whose jurisdiction such building is situated)		
3.2	Proof of the building grade must be submitted with the tender documents. Acceptable evidence includes a letter on the company's official letterhead or a valid professional grading certificate.		
3.3	The landlord agrees to include the exit clause for any material breach of contract.		
4	**COMMITMENTS WITH TENANT INSTALLATIONS**		
4.1	Bidder to contribute a portion of the tenant installation costs		
4.2	Amount contribution for tenant installations		

4.3	The designs and layout shall be developed in consultation with the South African Human Rights Commission (SAHRC) and will be subject to the SAHRC's approval regarding the final layout, colour schemes, and overall design elements.		

Gate 3: Technical Evaluation Criteria = 100 points

Only Bidders that have met the Mandatory Criteria in (Gate 0), Administrative documents (Gate 1), and Checklist in Gate 2 will be evaluated in Gate 3 for functionality. Functionality will be evaluated as follows, bidders that have not passed Gate 0 and Gate 2 will be disqualified from the process and not evaluated further.

Technical Evaluation – Bidders will be evaluated out of 100 points and are required to achieve minimum threshold of 70 points
The overall score must be equal or above 70 points to proceed to Gate 3 for Price and Specific Goals evaluations.

The Bidder's information will be scored according to the following points system:

Functionality	**Maximum Percentage Achievable**	**Minimum Threshold**
Technical (functionality)Evaluation	100	70 points

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Table 1: Functionality evaluation

Number	Criteria	Guidelines	Scoring	Maximum score
1	Reference letters	Proven track record with reference letters of public and/or private sector organisations confirming occupation of a current leased building Scoring is to be done with the submission of reference letters that **MUST** contain the following: - Letters must be on the letterhead of the company of the tenant - Letters must be signed by the lessee - Letters must be dated atleast in the last **5 years** - Letters must be in the name of the company that is making the submission, if a letter does not name the company making the submission it will be invalid. - Letters must include that the lease is still ongoing Non submission or if any of the above is omitted will not be considered as a valid reference letter. Where multiple reference letters are submitted on	0 No valid letters = 0 1 valid letter = 5 2 valid letters = 10 3 valid letters = 15	15

		the letterhead of the same company, only one reference letter will be considered for evaluation purposes.		
2	Proposed project timelines on tenant installation.	Bidder to submit a proposed plan on the tenant installations which should include the following: Project timelines on tenant installation	No submission of project timelines= 0 Proposed project timelines on tenant installation = 15	15
	TOTAL FOR CRITERIA			**30**

Total Scores as per 1- 2 above = 30 points

NB: (site visit would only be conducted with providers that score a minimum of 25 points or more between the criteria 1 and 2 above)

3	Site visits and inspection	The property should be in these areas of preference. The address of the property to be submitted for evidence in claiming the points	Cape Town CBD- 15 Locations outside of this vicinity will receive 0	15
		Lettable space: The amount lettable to the Commission should be provided when site visitations occur via a floor plan.	The floor plan should be in line with the tender document on the ideal size required no floor plan on size = 0 floor plan on size=3	3

		The building should have a back-up generator and/or solar system to cater for load shedding	No generator and/or solar system = 0 Generator and/or solar system or installation thereof by providing plans by the bidder = 5	5
		Security standards/measures/features of the building.	One of the below - 1 Two of the below - 5 None of the below - 0 • Control access into the building • Cameras	5
		The building must have workable air conditioning system in place, natural ventilation.	No working air conditioning system or no air conditions, no natural lights = 0 Air conditioning system, natural ventilation = 3	3
		The building to have a backup water supply system in place for any water outages.	No back up water supply system = 0 Back up water supply system or plans of a water back up system installed by the bidder = 3	3
		The building must cater for disability needs (ramp, ablutions, reasonable lift sizes-should the allocated space higher than the ground floor etc)	No disability needs met = 0 Ramp to enter the building = 2 Disability friendly Ablutions=2 Reasonable lift sizes = 2	6
		Access to parking for staff and public	The bidder to readily demonstrate the parking facilities for the Commission and for public parking for visitors: within 100 m of building = 5 within 200 m of building = 4 within 300 m of building = 3 within 400 m of building = 2 within 500 m of building = 1 within 600 m of building or more = 0	5

		The public transport should be accessible to staff and members of the public within the vicinity of the building.	Public Transport Accessibility within 100m - 10 Points within 200m - 5 Points within 300m - 3 Points Greater than 300m - 0 Points	10
		Assessment of the building by inspection	All the below will be considered and added up: Assessment of the building's physical structure, overall design, accessibility and suitability for office accommodation = 5 Assessment of the building internal layout, and Whether the offices proposed is in good condition And free from significant deterioration and/or dilapidation= 5 Confirmation of the graded building with onsite inspection = 5 Upon inspection if any of the above is not present the service provider will receive 0 for the line item	15
	TOTAL FOR CRITERIA			**70**
	TOTAL			100

Gate 4: Price and Specific Goals Evaluation (80+20) = 100 points

Only Bidders that have met the 70 points thresholds in Gate 3 will be evaluated in Gate 4 for price and specific goals. Price and specific goals will be evaluated as follows:

In terms of regulation 6 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), responsive bids will be adjudicated on the 80/20-preference point system in terms of which points are awarded to bidders based on:

The bid price (maximum 80 points)

Specific Goals (maximum 20 points)

Stage 1 – Price Evaluation (80 Points)

Criteria	Points
Price Evaluation $Ps = 80\left(1-\frac{Pt-P\min}{P\min}\right)$	80

The following formula will be used to calculate the points for price:

Where

Ps = Points scored for price of tender under consideration;

Pt = Price of tender under consideration; and

Pmin = Price of lowest acceptable tender.

Stage 2 – Specific Goals (20 Points)

Specific goals will be allocated in the following manner for all bid submitted:

The South African Human Rights Commission (SAHRC) reserves the right, where an administrative document contains an error, omission, or defect of a minor or clerical nature, to contact the service provider and afford it an opportunity to rectify or clarify the defect. Such rectification must be submitted within a period not exceeding seven (7) working days from the time it is requested and will form part of the original tender submission. The SAHRC reserves the right where this period shall not prevent or delay the finalisation of the procurement process or issuance of the Purchase Order.

This provision applies only to minor administrative defects that do not materially affect the substance of the bid or compromise the principles of fairness, transparency, competitiveness, or equal treatment of bidders. Under no circumstances shall this provision apply to the price quotation, pricing schedules, or any amendment that would result in a material alteration of the bid after the closing date.

With regard to the SBD 6.1 – Preference Points Claim Form, the SAHRC reserves the right to allocate points for specific goals based on the objective evidence submitted by the service

provider and not solely on the points claimed in the declaration. Where a service provider claims points for specific goals without submitting sufficient supporting evidence, or where the supporting documentation demonstrates entitlement to points different from those claimed, the SAHRC shall allocate points based on the evidence that was valid and submitted by the closing date of the tender.

Broad-Based Black Economic Empowerment (B-BBEE) Certificates or Sworn Affidavits containing errors, omissions, or inaccuracies in the claiming of ownership or specific goal points, including instances where a service provider failed to claim points for qualifying ownership categories, will not be permitted to be amended or rectified after the closing date of the tender. As B-BBEE Affidavits are deposed to under oath and certificates are issued as formal verification documents, the SAHRC shall allocate points strictly in accordance with the information reflected on the valid B-BBEE Certificate or Sworn Affidavit as at the closing date of the tender.

Where a bidder's valid B-BBEE Certificate/affidavit does not expressly claim the applicable category identified for the Specific Goals, no preference points will be allocated for that Specific Goal, and the bidder will accordingly score zero (0) points for the relevant category. The mere inclusion of an identity number on the B-BBEE Certificate/affidavit does not constitute a claim for the applicable Specific Goal. Specific Goal points will only be awarded where the relevant Specific Goal is expressly claimed on the B-BBEE Certificate/affidavit.

Furthermore, B-BBEE Certificates or Sworn Affidavits that have expired prior to the closing date of the tender shall not be considered for the allocation of points for specific goals. The responsibility rests solely with the service provider to ensure that all supporting documents, including B-BBEE Certificates and Sworn Affidavits, are valid and submitted by the closing date of the tender.

SPECIFIC GOALS	**POINTS**
Suppliers with ownership of 51% or more by person/s who are black person/s	10
Suppliers with ownership of 51% or more by person/s who are black women	5

Suppliers with ownership of 51% or more by person/s who are black youth	3
Suppliers with ownership of 51% or more by person/s with disability	2

Submission Requirements and Contact Details

Kindly submit the following for the tender:

Proposal

SBD 1

SBD 3.1 and pricing schedule

SBD 4 document

CSD report at time of tender

SBD 6.1

Note: If a bidder is submitting a bid as a Consortium, Joint Venture or Prime Contractor with Subcontractor(s), the documents listed above must be submitted for each Consortium/ JV member or Prime Contractor and Subcontractor(s) together with the signed agreement of a Consortium/Joint Venture/Prime Contractor

Contact and communication

Activity	Due Date
Advertisement of bid on SAHRC website/ eTender portal	23 November 2026
Briefing session: Non-compulsory	via teams
Questions relating to the bid from bidder(s) must be emailed	Tenderoffice@sahrc.org.za
Bid closing date	**15 December 2026**
Validity period must be adhered to by the service provider	120 days
Notice to bidder(s)	South African Human Rights Commission will endeavour to inform

	bidders of the progress until conclusion of the tender.

Please submit all tender documents at 3rd Floor, One Thibault Building, 1 Long Street, Cape Town by 15 December 2026, at or before 11h00.

The delegated office of South African Human Rights Commission may communicate with Bidder(s) where clarity is sought in the bid proposal. For any SCM related issues kindly contact Tenderoffice@sahrc.org.za

Any communication to an official or a person acting in an advisory capacity for South African Human Rights Commission in respect of the bid between the closing date and the award of the bid by the Bidder(s) is discouraged.

All communication between the Bidder(s) and South African Human Rights Commission must be done in writing.

Whilst all due care has been taken in connection with the preparation of this bid, South African Human Rights Commission makes no representations or warranties that the content of the bid or any information communicated to or provided to Bidder(s) during the bidding process is, or will be, accurate, current, or complete. South African Human Rights Commission and its employees and advisors will not be liable with respect to any information communicated which may not accurate, current, or complete.

If Bidder(s) finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this bid or any other information provided by South African Human Rights Commission (other than minor clerical matters), the Bidder(s) must promptly notify South African Human Rights Commission in writing of such discrepancy, ambiguity, error, or inconsistency in order to afford South African Human Rights Commission an opportunity to consider what corrective action is necessary (if any).

Any actual discrepancy, ambiguity, error or inconsistency in the bid or any other information provided by South African Human Rights Commission will, if possible, be corrected and provided to all Bidder(s) without attribution to the Bidder(s) who provided the written notice.

All persons (including Bidder(s)) obtaining or receiving the bid and any other information in connection with the Bid, or the Tendering process must keep the contents of the Bid and other such information confidential, and not disclose or use the information except as required for the purpose of developing a proposal in response to this Bid.

Service providers that make submissions to this bid agree that the names of bidders will be displayed and not limited on the E tender portal and our website. The winning service provider agrees that the name of the bidder and any other details of the bid will be published and not limited on E tenders and our website.

Late bids

Bids received after the closing date and time, at the address indicated in the bid documents, will not be accepted for consideration and where practicable, be returned unopened to the Bidder(s).

Counter conditions

Bidders' attention is drawn to the fact that amendments to any of the Bid Conditions or setting of counter conditions by Bidders or qualifying any Bid Conditions will result in the invalidation of such bids.

Fronting

Government 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 Government condemn any form of fronting.

The Government, 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 South African Human Rights Commission may have against the Bidder / contractor concerned.

Supplier due diligence

South African Human Rights Commission reserves the right to conduct supplier due diligence prior to final award or at any time during the contract period. This may include site visits and requests for additional information.

Submission of proposals

Bid documents may be placed in the tender box in the aforementioned address on or before the closing date and time and must sign the submission register.

Bid documents will only be considered if received by South African Human Rights Commission before the closing date and time.

The bidder(s) are required to submit one (1) hard copy of the proposal and one (1) memory stick / USB flash drive with content of the technical proposal of each file by the closing date of 15 December 2026, at 11:00. All bidders are required to submit one (1) hard copy of the proposal in the tender box and one (1) soft copy on a USB flash drive or portable hard drive. CDs and DVDs will not be accepted as soft copies.

Failure to submit either the hard copy or the soft copy will result in disqualification. In the event of any discrepancy or missing document between the hard copy and the soft copy during evaluation, the hard copy submission will take precedence and be regarded as the official bid submission.

Presentation / demonstration

South African Human Rights Commission reserves the right to request presentations/demonstrations from the short-listed Bidders as part of the bid evaluation process.

General conditions of contract

Any award made to a bidder(s) under this bid is conditional, amongst others, upon –

The bidder(s) accepting the terms and conditions contained in the General Conditions of Contract as the minimum terms and conditions upon which South African Human Rights Commission is prepared to enter a contract with the successful Bidder(s).

The bidder submitting the General Conditions of Contract to South African Human Rights Commission together with its bid, duly signed by an authorised representative of the bidder.

Service level agreement

Upon award South African Human Rights Commission and the successful bidder will conclude a Service Level Agreement regulating the specific terms and conditions applicable to the services being procured by South African Human Rights Commission

South African Human Rights Commission reserves the right to accept or reject any or all amendments or additions proposed by a bidder if such amendments or additions are unacceptable to South African Human Rights Commission or pose a risk to the organisation.

Special conditions of this bid

South African Human Rights Commission reserves the right:

To award this tender to a bidder that did not score the highest total number of points, only in accordance with section 2(1)(f) of the PPPFA (Act 5 of 2000)

To negotiate with one or more preferred bidder(s) identified in the evaluation process, regarding any terms and conditions, including price without offering the same opportunity to any other bidder(s) who has not been awarded the status of the preferred bidder(s).

To accept part of a tender rather than the whole tender.

To carry out site inspections, product evaluations or explanatory meetings to verify the nature and quality of the services offered by the bidder(s), whether before or after adjudication of the Bid.

To correct any mistakes at any stage of the tender that may have been in the Bid documents or occurred at any stage of the tender process.

To cancel and/or terminate the tender process at any stage, including after the Closing Date and/or after presentations have been made, and/or after tenders have been evaluated and/or after the preferred bidder(s) have been notified of their status as such.

Award to multiple bidders based either on size or geographic considerations.

South African Human Rights Commission requires bidder(s) to declare

In the Bidder's Technical response, bidder(s) are required to declare the following:

Confirm that the bidder(s) is to: –

Act honestly, fairly, and with due skill, care, and diligence, in the interests of South African Human Rights Commission

Have and effectively employ the resources, procedures, and appropriate technological systems for the proper performance of the services.

Act with circumspection and treat South African Human Rights Commission fairly in a situation of conflicting interests.

Comply with all applicable statutory or common law requirements applicable to the conduct of business.

Make adequate disclosures of relevant material information including disclosures of actual or potential own interests, in relation to dealings with South African Human Rights Commission.

Avoidance of fraudulent and misleading advertising, canvassing, and marketing.

To conduct their business activities with transparency and consistently uphold the interests and needs of South African Human Rights Commission as a client before any other consideration; and

To ensure that any information acquired by the bidder(s) from South African Human Rights Commission will not be used or disclosed unless the written consent of the client has been obtained to do so.

Conflict of interest, corruption and fraud

South African Human Rights Commission reserves its right to disqualify any bidder who either itself or any of whose members (save for such members who hold a minority interest in the bidder through shares listed on any recognised stock exchange), indirect members (being any person or entity who indirectly holds at least a 15% interest in the bidder other than in the context of shares listed on a recognised stock exchange), directors or members of senior management, whether in respect of South African Human Rights Commission or any other government organ or entity and whether from the Republic of South Africa or otherwise ("Government Entity")

engages in any collusive tendering, anti-competitive conduct, or any other similar conduct, including but not limited to any collusion with any other bidder in respect of the subject matter of this bid.

seeks any assistance, other than assistance officially provided by a Government Entity, from any employee, advisor, or other representative of a Government Entity to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Government Entity.

makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of South African Human Rights Commission's officers, directors, employees, advisors, or other representatives.

makes or offers any gift, gratuity, anything of any value or other inducement, to any Government Entity's officers, directors, employees, advisors, or other representatives to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Government Entity.

accepts anything of value or an inducement that would or may provide financial gain, advantage, or benefit in relation to procurement or services provided or to be provided to a Government Entity.

pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift, or any other consideration, that is contingent upon or results from, the award of any tender, contract, right or entitlement which is in any way related to procurement or the rendering of any services to a Government Entity.

has in the past engaged in any matter referred to above; or

has been found guilty in a court of law on charges of fraud and/or forgery, regardless of whether a prison term was imposed and despite such bidder, member or director's name not specifically appearing on the List of Tender Defaulters kept at National Treasury.

Misrepresentation during the lifecycle of the contract

The bidder should note that the terms of its Tender will be incorporated in the proposed contract by reference and that South African Human Rights Commission relies upon the bidder's Tender as a material representation in making an award to a successful bidder and in concluding an agreement with the bidder.

It follows therefore that misrepresentations in a Tender may give rise to service termination and a claim by South African Human Rights Commission against the bidder notwithstanding the conclusion of the Service Level Agreement between South African Human Rights Commission and the bidder for the provision of the Service in question. In the event of a conflict between the bidder's proposal and the Service Level Agreement concluded between the parties, the Service Level Agreement will prevail.

Preparation costs

The Bidder will bear all its costs in preparing, submitting, and presenting any response or Tender to this bid and all other costs incurred by it throughout the bid process. Furthermore, no statement in this bid will be construed as placing South African Human Rights Commission, its employees, or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the bidder(s) in the preparation of their response to this bid.

Indemnity

If a bidder breaches the conditions of this bid and, as a result of that breach South African Human Rights Commission incurs costs or damages (including, without limitation, the cost of any investigations, procedural impairment, repetition of all or part of the bid process and/or enforcement of intellectual property rights or confidentiality obligations), then the bidder indemnifies and holds South African Human Rights Commission harmless from any and all such costs which South African Human Rights Commission may incur and for any damages or losses South African Human Rights Commission may suffer.

Precedence

This document will prevail over any information provided during any briefing session whether oral or written, unless such written information provided, expressly amends this document by reference.

Limitation of liability

A bidder participates in this bid process entirely at its own risk and cost. South African Human Rights Commission shall not be liable to compensate a bidder on any grounds whatsoever for any costs incurred or any damages suffered because of the Bidder's participation in this Bid process.

Tax compliance

No tender shall be awarded to a bidder who is not tax compliant. The bidder will be provided time to be tax compliant in line with the Treasury Regulations. South African Human Rights Commission reserves the right to withdraw an award made, or cancel a contract concluded with a successful bidder if it is established that such bidder was in fact not tax compliant at the time of the award or has submitted a fraudulent Tax Clearance Certificate to South African

Human Rights Commission, or whose verification against the Central Supplier Database (CSD) proves non-compliant. South African Human Rights Commission further reserves the right to cancel a contract with a successful bidder if such bidder does not remain tax compliant for the full term of the contract.

Tender defaulters and restricted suppliers

No tender shall be awarded to a bidder whose name (or any of its members, directors, partners, or trustees) appear on the Register of Tender Defaulters kept by National Treasury, or who have been placed on National Treasury's List of Restricted Suppliers. South African Human Rights Commission reserves the right to withdraw an award, or cancel a contract concluded with a Bidder should it be established, at any time, that a bidder has been blacklisted with National Treasury by another government institution.

Governing law

South African law governs this bid and the bid response process. The bidder agrees to submit to the exclusive jurisdiction of the South African courts in any dispute of any kind that may arise out of or in connection with the subject matter of this bid, the bid itself and all processes associated with the bid.

Responsibility for sub-contractors and bidder's personnel

A bidder is responsible for ensuring that its personnel (including agents, officers, directors, employees, advisors, and other representatives), its sub-contractors (if any) and personnel of its sub-contractors comply with all terms and conditions of this bid. If South African Human Rights Commission allows a bidder to make use of sub-contractors, such sub-contractors will always remain the responsibility of the bidder and South African Human Rights Commission will not under any circumstances be liable for any losses or damages incurred by or caused by such sub-contractors.

Confidentiality

Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this bid or a bidder's tender(s) will be disclosed by any bidder or other person not officially involved with South African Human Rights Commission's examination and evaluation of a Tender.

No part of the bid may be distributed, reproduced, stored, or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a Tender. This bid and any other documents supplied by South African Human Rights Commission remain proprietary to South African Human Rights Commission and must be promptly returned to South African Human Rights Commission upon request together with all copies, electronic versions, excerpts, or summaries thereof or work derived there from.

Throughout this bid process and thereafter, bidder(s) must secure South African Human Rights Commission's written approval prior to the release of any information that pertains to (i) the potential work or activities to which this bid relates; or (ii) the process which follows this bid. Failure to adhere to this requirement may result in disqualification from the bid process and civil action.

South African Human Rights Commission Proprietary Information

Bidder should on their bid cover letter make declaration that they did not have access to any South African Human Rights Commission proprietary information or any other matter that may have unfairly placed that bidder in a preferential position in relation to any of the other bidder(s).

Availability of funds

Should funds no longer be available to pay for the execution of the responsibilities of this bid, the South African Human Rights Commission may terminate the Agreement at its own discretion or temporarily suspend all or part of the services by notice to the successful bidder who shall immediately make arrangements to stop the performance of the services and minimize further expenditure: Provided that the successful bidder shall thereupon be entitled to payment in full for the services delivered, up to the date of cancellation or suspension.

SOUTH AFRICAN HUMAN RIGHTS COMMISSION

Sentinel House
Sunnyside Office Park
32 Princess of Wales Terrace
Parktown
2193

Private Bag X 2700
Houghton
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ANNEXURE A

Square meters	15	8.64		6	8.64	25	8.64	8.64	20	8.64	8.64	11.3	12		
Description	**Executive Offices**	**Open Plan**	**Total workstations**	**Reception including switchboard**	**Waiting area and security**	**Executive boardroom 12**	**Consulting room**	**Meeting room 2-seater**	**Kitchen and lunch area**	**Sick bay**	**Strong room**	**Storerooms**	**filing rooms**	**Total facilities**	**Total square meters**
Facilities				1	1	1	2	1	1	1	1	1	1		126.14
Provincial Offices	2	4	6												64.56
Other		2	2												17.28
Legal team office		4	4												34.56
Total			**12**	**1**	**1**	**1**	**2**	**1**	**1**	**1**	**1**	**1**	**1**	**11**	**242.54**

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ANNEXURE B

PRICING SCHEDULE APPOINTMENT OF A SERVICE PROVIDER FOR THE LEASING OF OFFICE SPACE FOR THE WESTERN CAPE OFFICE LEASE (WC)
SAHRC WC 01-2026

Name of bidder: ___

Please provide prices (VAT Inclusive) per the requirements listed in the tables below. For comparative purposes, prices must be quoted on the following services using Table 1 and Table 2:

Table 1

PERIOD	DESCRIPTION	USABLE AREA(M2) NO.PARKING BAYS	RATE PER M2 PER MONTH/RATE PER PARKING BAY PER MONTH	MONTHLY CHARGE	VAT	TOTAL MONTHLY RENTAL INCLUDING VAT	TOTAL ANNUAL RENTAL INCLUDING VAT
Year 1	Office space						
Year 1	Covered parking						
Year 1	Uncovered parking						
Year 1	Tenant installation costs						
Year 1	Other						
TOTAL							

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Please provide with the monthly cost (Vat Inclusive) for the duration of the contract (5 years) inclusive of annual price adjustment in the table below. The monthly cost should be derived from the total monthly cost on Table 1 above.

Table 2

Annual Rental Escalation Rate:	
Office Space	**%**
Covered Parking	**%**
Uncovered Parking	**%**

period	**Annual office Space rental**	**Annual parking bay rental**	**Total annual Rental excluding vat**	**Other costs**	**vat**	**Total Annual rental including vat**
Year 1						
Year 2						
Year 3						
Year 4						
Year 5						
Total						

Total bid offered rand value which will be used for evaluation R____

Value written in words _____

Bidder Signature _____ Date: _

NB: THIS DOCUMENT MUST SUMBITTED SEPARATELY WITH SBD 3.1 AS PRICE PROPOSAL.

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SBD 1 PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN HUMA RIGHTS COMMISSION					
BID NUMBER:		**CLOSING DATE: 15 December 2026**		**CLOSING TIME:**	**11:00am**
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT					

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**	
CONTACT PERSON	**Tender office**	CONTACT PERSON	
TELEPHONE NUMBER	**011 877 3641**	TELEPHONE NUMBER	
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS	**Tenderoffice@sahrc.org.za**	E-MAIL ADDRESS	

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] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ 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]
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

BID SUBMISSION:
BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.** 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. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**
TAX COMPLIANCE REQUIREMENTS

BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
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.
APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
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……...

OFFER TO BE VALID FOR……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

SBD 4
BIDDER'S DISCLOSURE

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.

Bidder's declaration
Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest1 in the enterprise, employed by the state?

YES/NO

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.

1 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.

SBD4

Full Name	**Identity Number**	**Name of State institution**

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

If so, furnish particulars:
……
……

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**

If so, furnish particulars:
……
……

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:

SBD4
I have read and I understand the contents of this disclosure;
I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
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 consortium2 will not be construed as collusive bidding.
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.
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.

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.

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.

2 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.

SBD4 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

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SBD 6.1

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

GENERAL CONDITIONS
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).

To be completed by the organ of state
(*delete whichever is not applicable for this tender*)..

The applicable preference point system for this tender is the 80/20 preference point system.

Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
Price; and
Specific Goals.

To be completed by the organ of state:
The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	**100**

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.

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.

DEFINITIONS

"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;
"price" means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
"rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
"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
"the Act" means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

POINTS AWARDED FOR PRICE

THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20 or 90/10

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right) \qquad Ps = 90\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where

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

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

POINTS AWARDED FOR PRICE

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

80/20 or 90/10

$$Ps = 80\ (1 + Pt-P\ max\ /\ P\ max\ ) \qquad Ps = 90\ (1 + Pt-P\ max/Pmax\ )$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

POINTS AWARDED FOR SPECIFIC GOALS

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:
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—
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

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.

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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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Suppliers with ownership of 51% or more by person/s who are black person/s		10		
Suppliers with ownership of 51% or more by person/s who are black women		5		
Suppliers with ownership of 51% or more by person/s who are black youth		3		
Suppliers with ownership of 51% or more by person/s with disability		2		

DECLARATION WITH REGARD TO COMPANY/FIRM

Name of company/firm…….
Company registration number: ……...
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]

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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:
The information furnished is true and correct;
The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
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;
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 –

disqualify the person from the tendering process;
recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
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;
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
forward the matter for criminal prosecution, if deemed necessary.

	……..
	SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME:	……..
DATE:	……
ADDRESS:	……
	……
	……
	……