

**PA-10: General Conditions of Contract (GCC)**

**29. Governing language**

29.1. The contract shall be written in English. All correspondence and other documents pertaining to the contract that is exchanged by the parties shall also be written in English.

**30. Applicable law**

30.1. The contract shall be interpreted in accordance with South African laws, unless otherwise specified in SCC.

**31. Notices**

31.1. Every written acceptance of a bid shall be posted to the supplier concerned by registered or certified mail and any other notice to him shall be posted by ordinary mail to the address furnished in his bid or to the address notified later by him in writing and such posting shall be deemed to be proper service of such notice

31.2. The time mentioned in the contract documents for performing any act after such aforesaid notice has been given, shall be reckoned from the date of posting of such notice.

**32. Taxes and duties**

32.1. A foreign supplier shall be entirely responsible for all taxes, stamp duties, license fees, and other such levies imposed outside the purchaser's country.

32.2. A local supplier shall be entirely responsible for all taxes, duties, license fees, etc., incurred until delivery of the contracted goods to the purchaser.

32.3. No contract shall be concluded with any bidder whose tax matters are not in order. Prior to the award of a bid the Department must be in possession of a tax clearance certificate, submitted by the bidder. This certificate must be an original issued by the South African

**33. National Industrial Participation Programme (NIPP)**

33.1 The NIP Programme administered by the Department of Trade and Industry shall be applicable to all contracts that are subject to the NIP obligation.

**34. Prohibition of Restrictive Practices**

34.1 In terms of section 4 (1) (b) (iii) 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 collusive bidding (or bid rigging).

34.2 If a bidder(s) or contractor(s), based on reasonable grounds or evidence obtained by the purchaser, has / have engaged in the restrictive practice referred to above, the purchaser may 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.

34.3 If a bidder(s) or contractor(s), has / have been found guilty by the Competition Commission of the restrictive practice referred to above, the purchaser may, in addition and without prejudice to any other remedy provided for, invalidate the bid(s) for such item(s) offered, and / or terminate the contract in whole or part, and / or restrict the bidder(s) or contractor(s) from conducting business with the public sector for a period not exceeding ten (10) years and / or claim damages from the bidder(s) or contractor(s) concerned.

Name of Bidder	Signature	Date

## PA-10 (LS): IMPORTANT CONDITIONS OF BID

<b>Bid no:</b>	DBN22/02/02	<b>Closing date:</b>	22 MARCH 2022
<b>Advertising date:</b>	25 FEBRUARY 2022	<b>Validity period:</b>	90 days

1. Bids that are not accompanied by written proof that the bidder is authorised to offer the accommodation for leasing will not be considered.
2. The only or lowest offer will not necessarily be accepted.
3. The Department of Public Works is the sole adjudicator of the suitability of the accommodation for the purpose for which it is required. The Department's decision in this regard will be final.
4. The Department of Public Works will in no way be responsible for or committed to negotiations that a user department may or might have conducted with a lessor or owner of a building.
5. It is a requirement that the accommodation offered, including all equipment and installations, must comply with the National Building Regulations and the requirements of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as amended. **A certificate to this effect must be issued.**
6. Drawings/ Architect's plans of the accommodation offered must be submitted. **In this regard it is a prerequisite that bidders should do a preliminary planning on the floor plans in accordance with the norm document.**
7. Lettable areas have to be determined in accordance with the SAPOA method for measuring floor areas in office buildings. The offer may not be considered if a certificate by an architect, certifying the area is not submitted.
8. The commencement date from which rental will be payable or the lease shall begin is subject to the approval of the Department of Public Works.
9. The lease agreement and payment of rental will commence from the date of occupancy. Rental will be adjusted on a yearly basis thereafter in accordance with an agreed upon escalation rate starting at the beginning of the second year.
10. No bids sent by facsimile will be accepted.
11. Bidders are welcome to be present at the opening of bids.
12. This annexure is part of the bid documentation and must be signed by the bidder and attached.
13. The bid forms must not be retyped or redrafted but photocopies may be used. Additional offers may be made but only on photocopies of the original documents or on other forms requisitioned. Additional offers are regarded as separate bids and must be treated as such by the bidder. The inclusion of various offers as part of a single submission in one envelope is not allowed. Additional offers must be submitted under separate cover.
14. The successful bidder will be responsible for the cost of alterations necessary to adapt the offered accommodation to the specific needs of the user department in accordance with the norm document and/or specified and minimum requirements.
15. Appended herewith is an example of a (PA-07): **Application for Tax Clearance Certificate** of which an original signed and stamped certificate should be obtained from the SA Revenue Services and submitted together with the completed bid document.
16. Failure to comply with the above-mentioned conditions may invalidate a bid.

### BIDDER'S SIGNATURE:

Name of Bidder	Signature	Capacity	Date

**PA- 29: CERTIFICATION OF INDEPENDENT BID DETERMINATION**

<b>Project title:</b>	South African Social Security Agency: Procurement of alternative office accommodation and parking: Pongola local office		
<b>Bid no:</b>	DBN22/02/02	<b>Reference no:</b>	24/2/1/2/17/6321/98

**INTRODUCTION**

1. This PA-29 [Certificate of Independent Bid Determination] must form part of all bids<sup>1</sup> invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
3. Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
4. This form (PA-29) serves as a certificate of declaration that would be used by Institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
5. In order to give effect to the above, the attached Certificate of Bid Determination (PA-29) must be completed and submitted with the bid:

---

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

**(Bid Number and Description)**

in response to the invitation for the bid made by:

---

**(Name of Institution)**

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_ that:

**(Name of Bidder)**

1. I have read and I understand the contents of this Certificate.
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect.
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder.
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder.
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and

- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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.

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

<sup>3</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.

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.

Name of Bidder	Signature	Date	Position
----------------	-----------	------	----------

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

**1. GENERAL CONDITIONS**

1.1. The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2.

- a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the ..... 80/20..... preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3. Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4. The maximum points for this bid are allocated as follows:

	POINTS
<b>PRICE</b>	<b>80</b>
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	<b>20</b>
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5. Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.



**2. DEFINITIONS**

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **"functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **"prices"** includes all applicable taxes less all unconditional discounts;
- (h) **"proof of B-BBEE status level of contributor"** means:
  - 1) certificate issued by an authorized body or person; B-BBEE Status level
  - 2) prescribed by the B-BBEE Codes of Good Practice; A sworn affidavit as
  - 3) requirement prescribed in terms of the B-BBEE Act; Any other
- (i) **"QSE"** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

**3. POINTS AWARDED FOR PRICE**

**3.1. THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS**

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

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

Where

- $P_s$  = Points scored for price of bid under consideration
- $P_t$  = Price of bid under consideration
- $P_{min}$  = Price of lowest acceptable bid



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

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

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

**5. BID DECLARATION**

1.1. Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

**6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

1.1. B-BBEE Status Level of Contributor: \_\_\_\_\_ = ..... (maximum of 10 or 20 points)  
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

**7. SUB-CONTRACTING**

1.1. Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
-----	--------------------------	----	-------------------------------------

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted..... %
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------



v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME ✓	QSE ✓
Black people-		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

1.1. Name of company/firm:.....

1.2. VAT registration number:.....

1.3. Company registration number:.....

1.4. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

1.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

1.6. COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

1.7. Total number of years the company/firm has been in business:.....

1.8. I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in

paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- I) The information furnished is true and correct;
- II) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- III) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- IV) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

**WITNESSES**

1. ....

2. ....

.....  
**SIGNATURE(S) OF BIDDERS(S)**

DATE: .....

ADDRESS .....

.....

.....



## **DPW-11.1 (LS): SPECIFICATION ON MINIMUM REQUIREMENTS – OFFICE ACCOMMODATION**

### **SPECIFICATION FOR MINIMUM REQUIREMENTS AND FINISHES TO WHICH THE BUILDING MUST COMPLY**

#### **1. GENERAL:**

- (a) This specification forms part of the written offer of the bidder and must be initialled and submitted with all other documents.
- (b) Any requirements laid down in this specification shall be considered as supplementary to those set out in the written offer of the bidder and on the drawings. The fact that the Department checked the documentation and its acceptance thereof does not exempt the bidder from his responsibilities with regard to the fulfilment of the requirements of this specification.

#### **2. CONSTRUCTION AND APPEARANCE OF BUILDING:**

The design, construction and appearance of the building, including the internal and external finishes shall be of a standard acceptable to the Department of Public Works. The building must comply with the National Building Regulations as proclaimed by the National Building Regulations and Building Standards Act 1977 (Act 103 of 1977) as well as the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as amended. The building shall be fully accessible to the disabled and the facilities must be provided as required by the Occupational Health and Safety Act, 1993 (Act 85 of 1993). A certificate to this effect must be submitted.

#### **3. SECURITY:**

The following security measures shall be complied with:

- (a) All entrances to the building, which shall be limited to the minimum, must afford entry through one or more access control points.
- (b) External walls of all floors, up to at least 1 metre above floor level, shall be of a heavyweight structure such as 220mm thick brick or 190mm thick concrete.

#### **4. RECORD ROOMS:**

- (a) Record rooms shall be rooms with category 1 record room doors which can be opened from both sides and which comply with SABS Specification 949. Record room walls shall be of masonry of not less than 220mm thick or of concrete of not less than 150mm thick or of such structure approved by the Department of Public Works.
- (b) Record rooms may have no external windows and all ventilation openings in the walls shall be fitted with fire dampers approved by the Fire Prevention Officer of the Department of Public Works.
- (c) All keys shall be handed over to the Department of Public Works.

#### **5. ROOM AREAS AND PARTITIONS:**

Partition walls shall be used to divide the total floor area of the building into office and other areas required. The walls shall have a noise reduction factor of not less than 45 dB within a range of 100 to 1000 hertz. The factor has a bearing on complete wall sections including glass and doors if any.

#### **6. PASSAGE WIDTH:**

As a general standard an average passage width with a minimum of 1.5m over short distances shall be provided. Where certain functions within the building necessitate wider passages those specific areas will be identified and the passage width specified as part of the accommodation particulars.

#### **7. FLOOR TO CEILING HEIGHTS:**

A clear floor to ceiling height of as close as possible to 2.7m throughout shall be maintained in all general areas of the building. Where a certain function inside a building necessitates a higher floor to ceiling height, the specific areas will be identified and the height specified as part of the accommodation particulars. Conduits, water pipes, air ducts and other services shall not be visible underneath the ceiling in offices and public areas.

#### **8. DOORS, LOCKS AND KEYS:**



All offices shall be provided with a door of at least 900mm and each fitted with a good quality five pin cylinder lock with two keys fitting one lock only and which shall be handed over to the Departmental Representative upon occupation of the building. Two master keys, which can unlock the locks of all offices, shall also be provided.

#### 9. FLOOR COVERING:

Floor covering must be of an acceptable standard and quality to last for at least 10 years.

#### 10. POWER POINTS:

(a) Offices and other rooms where electrical appliances can be used shall be provided with 15 A socket outlets. ~~In offices two socket outlets shall be provided for every 12m<sup>2</sup> or part thereof.~~ The Department of Public Works shall indicate any additional socket outlets, which are required, in the accommodation particulars for individual services. The wiring and securing of electrical circuits shall be such that an electrical heater as well as computer equipment can be run from the socket outlets in each office.

(b) Electrical circuits for socket outlets shall be secured by means of single phase earth leakage relays having a sensitivity of 25 mA.

#### 11. LIGHTING:

(a) Each office shall be provided with its own light switch in a suitable position near the door. Lighting conforming to the following standard must be provided:

• Reception areas	100 lux
• General offices	300 lux
• Drawing office	500 lux
• Passages	50 lux
• Auditoriums	100 lux
• Conference rooms	100 lux
• Classrooms	200 lux
• Libraries	300 – 400 lux
• Store rooms	200 lux
• Parking	50 lux

(b) The lighting levels all measured at working plane.

#### 12. TELEPHONES:

(a) Each office, conference room and security control area shall be fitted with a telephone jack in accordance with the requirements of Telkom.

(b) The user department itself will negotiate with Telkom as to the number of telephone lines that are to serve the building, but the owner of the building shall make provision for conduits, draw wires and telephone jacks.

#### 13. TRUNKING:

The trunking servicing the building must conform to latest technological standards.

#### 14. FACILITIES FOR CLEANERS

On every floor of a multi-storey building or for every 1 350m<sup>2</sup> gross floor area a cleaner's room of not less than 6m<sup>2</sup> shall be provided as a storeroom for cleaning equipment and material. It shall be provided with a drip sink, 4m long shelves and sufficient cross ventilation, preferably by means of an outside window and shall comply with the requirements of the Hazardous Chemicals Act regarding storage of chemicals.

#### 15. TOILET FACILITIES:

The following norms shall be applied:

##### 15.1. Males – staff and public

One WC for every 15 persons to a total of 60 and thereafter one for every 20 additional persons or part thereof. One urinal for every 15 persons to a total of 30 and thereafter 1 for every 30 additional persons or part thereof. One wash hand basin for every two WC's.



**15.2. Females – staff and public**

- One WC (Water Closet) for every 10 persons to a total of 60 and thereafter one for every 20 additional persons or part thereof. One wash hand basin for every two WC's.

**15.3. Physically challenged persons**

Toilet facilities for physically challenged persons have to be provided according to norms and standards.

**16. MATERIAL AND FINISHES:**

(a) All walls and ceilings, whether painted or finished otherwise, shall be of a neutral colour.

~~(b) Walls of tea kitchens, stairs, entrance halls and toilets shall be washable and hardwearing and acceptable to the Department of Public Works.~~

**17. INSPECTION:**

The Department of Public Works considers it a condition of contract that in consultation with the lessor and with reasonable frequency during the process of refurbishment its inspector shall be given access to the building that he wishes to see. The inspector's approval of any part of the building does not exempt the owner from complying with any of these minimum standard requirements. A deviation from the minimum requirements may only be allowed with written permission from the Department of Public Works.

## DPW-12 (LS): COMPLIANCE WITH ALL THE ACTS, REGULATIONS AND BY- LAWS GOVERNING THE BUILT ENVIRONMENT CERTIFICATE

<b>Bid no:</b>	DBN22/02/02	<b>Closing date:</b>	22 MARCH 2022
<b>Advertising date:</b>	25 FEBRUARY 2022	<b>Validity period:</b>	90 days

**COMPLIANCE WITH ALL THE ACTS, REGULATIONS AND BY- LAWS GOVERNING THE BUILT ENVIRONMENT**

I, \_\_\_\_\_ duly authorised to represent \_\_\_\_\_ (the bidders name) acknowledge that I as \_\_\_\_\_ shall ensure that \_\_\_\_\_ (description of the property in question) complies in every respect with the requirements of the following Acts, Regulations and By - Laws:

- (i) Occupational Health and Safety Act, 1993. (Act 85 of 1993)
- (ii) The National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977)
- (iii) The Municipal by-laws and any special requirements of the local supply authority.
- (iv) The local fire regulations, to guarantee/ensure the health and safety of all State employees occupying this/these premises and the public visiting the premises for business or other purposes.

I furthermore agree to advise the Department of Public Works immediately in writing of any reason I am unable to perform in terms of this agreement and to apply the necessary corrective measures.

<b>Name owner / authorised representative</b>	<b>Signature</b>	<b>Date</b>

**1. WITNESS:**

<b>Name of witness</b>	<b>Signature</b>	<b>Date</b>

**2. WITNESS:**

<b>Name of witness</b>	<b>Signature</b>	<b>Date</b>

# PA- 40: DECLARATION OF DESIGNATED GROUPS FOR PREFERENTIAL PROCUREMENT

Name of Tenderer .....  EME<sup>1</sup>  QSE<sup>2</sup>  Non EME/QSE (tick applicable box)

## 1. LIST ALL PROPRIETORS, MEMBERS OR SHAREHOLDERS BY NAME, IDENTITY NUMBER, CITIZENSHIP AND DESIGNATED GROUPS.

Name and Surname #	Identity/ Passport number and Citizenship##	Percentage owned	Black	Indicate if youth	Indicate if woman	Indicate if person with disability	Indicate if living in rural / under developed area/township	Indicate if military veteran
1.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
6.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
8.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
9.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
10.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
11.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
12.		%	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

# # Where Owners are themselves a Company, Close Corporation, Partnership etc, identify the ownership of the Holding Company, together with Registration number  
## State date of South African citizenship obtained (not applicable to persons born in South Africa)

<sup>1</sup> EME: Exempted Micro Enterprise  
<sup>2</sup> QSE: Qualifying Small Business Enterprise





# PA- 40: DECLARATION OF DESIGNATED GROUPS FOR PREFERENTIAL PROCUREMENT

## 2. DECLARATION:

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the Tenderer, hereby confirms that:

- 1 The information and particulars contained in this Affidavit are true and correct in all respects;
- 2 The Broad-based Black Economic Empowerment Act, 2003 (Act 53 of 2003), Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), the Preferential Procurement Regulations, 2017, National Small Business Act 102 of 1996 as amended and all documents pertaining to this Tender were studied and understood and that the above form was completed according to the definitions and information contained in said documents;
- 3 The Tenderer understands that any intentional misrepresentation or fraudulent information provided herein shall disqualify the Tenderer's offer herein, as well as any other tender offer(s) of the Tenderer simultaneously being evaluated, or will entitle the Employer to cancel any Contract resulting from the Tenderer's offer herein;
- 4 The Tenderer accepts that the Employer may exercise any other remedy it may have in law and in the Contract, including a claim for damages for having to accept a less favourable tender as a result of any such disqualification due to misrepresentation or fraudulent information provided herein;
- 5 Any further documentary proof required by the Employer regarding the information provided herein, will be submitted to the Employer within the time period as may be set by the latter;

Signed by the Tenderer

<b>Name of representative</b>	<b>Signature</b>
	<b>Date</b>



## SCOPE OF REQUIREMENTS LEASE of OFFICE ACCOMMODATION TENDER/BID No: DBN22/02/02

Interested property owners/agents who own buildings in existence or land for the construction of office accommodation are invited to submit an offer.

Item	Description
1.0.1	The tender must be accompanied by a sketch plan that indicates;  (i) A layout plan which meets the client's need in terms of the approved space and norms. <i>(The sketch plan must be functional; the sketch plan maybe redefined at a later stage at the landlord's cost).</i> (ii) The floor area of rooms/offices must be indicated on the plan. (iii) The minimum floor to ceiling height must be 2400mm <i>unless otherwise specified by the lessee.</i> (iv) <i>The sketch plan must be based on the current town planning zoning of the existing premises, municipal regulation (fire, parking, ect) and National Building Regulations SANS10400.</i>
2.0.1	Confirmation of the rentable area (issued by a registered Architect), as per SAPOA method of calculating rentable space.
2.0.2	Total rentable area on Ground Floor = 653.33 m <sup>2</sup>
3.0.1	Undercover lockup garages within the site = 5bays
3.0.2	Undercover car parking bays within the site = 5bays
3.0.3	Open parking= 25
3.0.4	Visitors parking = 5
4.0.1	The zoning certificate from the local municipality for the tendered building must be provided.
5.0.1.	Proof of ownership / sale agreement for the tendered building to be provided.
6.0.1.	The entire building must be paraplegic friendly and fully accessible to both staff/personnel and clientele / public, taking note of attached service counters and cashier desk detail specifications and comply with SANS 10400 Part S.
7.0.1	The building must be accessible through public transport and be within Pongola CBD
8.0.1	The entire building must be compliant with the Occupational Health and Safety Act no 85 of 1993 and South African National Standards 10400.
9.0.1.	Corporate Image to comply as per the attached specifications.
10.0.1	Provide professional team for planning and execution of tenant installation and /or construction at the bidders account
11.0.1	The following applicable certifications together with the Local Authority approved tenant installation drawings to be provided prior to the occupation of the building and comply with SANS 10400 requirements including Occupational Health and Safety Act no 85 of 1993 with Regulations: <ul style="list-style-type: none"><li>• A Structural Engineers stability certificate.</li><li>• A gangnail roof truss design certificate by a professional engineer.</li><li>• Glazing certificate from SAGGA.</li></ul>



	<ul style="list-style-type: none"> <li>• A SAPOA certificate.</li> <li>• An Electrical compliance certificate.</li> <li>• Plumbing certificate.</li> <li>• Fire fighting equipment certificate.</li> <li>• An occupational certificate by the Local Authority.</li> <li>• <b>Airconditioning Certificate with regards to air velocity/fresh air, etc.</b></li> <li>• An anthropologists Certificate.</li> <li>• A fire clearance certificate from the Local Authority / Fire dept. if the building falls under the jurisdiction of a Local Authority.</li> <li>• A fire clearance certificate from a Consulting Architect / Fire specialist if the building does not fall under the jurisdiction of a Local Authority.</li> </ul>
12.0.1	<p><b>GENERAL</b></p> <ul style="list-style-type: none"> <li>(i) In terms of an appropriate layout the following will be considered:</li> <li>(ii) The provision of natural light and ventilation throughout the building will be an advantage.</li> <li>(iii) Buildings deep in floor plans should be provided with light wells, atriums, etc. to promote natural light and ventilation into the building.</li> <li>(iv) Ideally buildings should not be deeper in floor plan than 2 offices on either side of a passage. The offices must be provided with adequate operable windows.</li> <li>(v) Buildings must be designed to eliminate “sick building syndrome”.</li> <li>(vi) <b>Internal offices without natural lighting must be fitted with viewing panels.</b></li> <li>(vii) <b>Allow for 2hour fire rated doors in server and security surveillance rooms.</b></li> <li>(viii) <b>Install solid door and security locks in cashier and security surveillance control rooms, including inaccessible ceilings.</b></li> <li>(ix) The proposed accommodation must be secured. Access to the lease premises must be controlled for that particular tenant.</li> <li>(x) To avoid traffic jams, ingress and egress into sites must be of a 2 way driveways.</li> <li>(xi) The floor to ceiling heights must be indicated by a section through the building. Specific client’s requirements must be considered in this regards, e.g., raised Judges’ podium with appropriate floor to ceiling heights.</li> </ul>
	<p><b>ELECTRICAL REQUIREMENTS</b></p>
11.1	Each workstation to have a network point in a three compartment trunking
11.2	Each workstation must have a Telkom point in a three compartment trunking
11.3	Each workstation must have a dedicated socket outlet in a three compartment trunking
11.4	Each workstation must have a normal socket outlet in a three compartment trunking



11.5	The passages must have a 4 x 4 socket outlet every 15 meter in length, mounted flush on the wall
11.6	All other rooms must have a least one single socket outlet
11.7	Staff Kitchen must have a stove isolator with wiring and fire blanket installed
11.8	Staff Kitchen must have two double socket outlets
12.0	Lighting at Reception to have a minimum 500lux
12.1	Lighting in offices to have a minimum 500lux
12.2	Lighting in Passages to have a minimum 300lux
12.3	Lighting in Rest Rooms to have a minimum 100lux
12.4	Lighting in Stores to have a minimum 200lux
12.5	Lighting in Parking Area to have a minimum 75lux
12.6	All exit areas and stairways must have light fittings with a min. of 75lux
13.1	Each office /room to have a separate light switch
13.2	External lighting must be controlled by a photo-cell
14.0	Each floor there must be a lockable distribution board with all circuits labelled
14.1	In the event we have different clients per building/per floor then each distribution board must be metered
15.1	All dedicated socket outlets must be wired via an emergency generator
15.2	Installation of generator must comply to the NDPW Standards
15.3	Lift installation must be on generator and UPS backup
15.4	Allow for conduits and boxes for network and Telkom cables, it will depend on the size of the building/floor area
15.5	The network and fire cabling must be in separate conduits
16.1	Supply and install an isolator per installation of split- air conditioner
16.2	Security systems i.e. biometrics, camera, x-ray machines, CCTV, smoke alarms must be wired via a UPS backup
17.0	The main incoming supply must be metered and this room must be well ventilated and lockable
17.1	The load factors must be taken into account in the electrical installation
17.2	The entire electrical wiring must comply to the SANS 0412 regulation
18.1	All user manuals must be handed over to the Departmental representative.
19.1	The entire installation and lighting must be energy compliant. Use energy efficient equipment, fittings and applications
20.1	A COC must be issued on completion of the electrical installation
21.1	Allow for a backup generator for all dedicated socket outlets and critical equipments.
21.2	Energy efficiency plan should comply with SANS 10400 Part A, A6
21.0	<b>MECHANICAL SERVICES</b>
21.1	<b>Air Conditioning</b> (1) All rentable office spaces shall be provided with an adequate supply of conditioned air taking into consideration particularly with respect to altitude, ambient temperatures and atmospheric conditions, insuring a safe, health and hygienic working environment. (2) The Air Conditioning shall generally be in accordance with SABS 1125-1977, SABS 0400 and the NDPW Standard specifications. (3) Design shall be energy efficient and use "Green" refrigerant gas, such as,



	<p>R410a or approved alternative.</p> <p>(4) The Air Conditioning Plant and equipment shall be regularly maintained, serviced and kept in full working condition. A maintenance register shall be kept of all servicing &amp; repairs undertaken on the units.</p> <p>(5) Server Room – 2x 100% Capacity wall mounted split units for IT protection of server.</p>
22.1	<p><b>De-Humidifier Packaged Units for Gun safe, documents and exhibits)</b></p> <p>(1) All De-humidifiers shall be Amcor Model DC 800 or approved alternative.</p> <p>(2) The de-humidifier shall operate using a refrigerant system having the following minimum details: - Moisture removal of 30°, 70% RH. Unless otherwise specified by the Lessee.</p>
23.1	<p><b>Fire Automatic Detection</b></p> <p>(1) All office spaces shall be provided with Smoke and Fire Detection devices, installed in accordance with National Fire Regulations. The systems shall be regularly maintained, serviced and tested annually in accordance with National Fire Regulations.</p>
24.1	<p><b>Fire Inert Gas Protection System for Archives and registry</b></p> <p>(1) Archives, Document and other Store Rooms where essential or vital documentation are kept, shall be protected by means of an Inert Gas System. The installation of which and the regularly maintained, serviced and tested annually of the entire system shall be in accordance with National Fire Regulations.</p>
25.1	<p><b>Fire Protection Equipment</b></p> <p>(1) The entire rentable area shall be provided with Fire Extinguishers and Hose Reels which shall be regularly maintained, serviced and tested annually in accordance with the National Fire regulations.</p> <p>(2) A register of all the fire protection Equipment shall be kept and made available for inspection purposes and should be installed by SAQCC compliant service provider.</p>
26.1	<p><b>Fire Sprinkler Automatic System for Garages, large warehouse and air wing</b></p> <p>(1) The entire rentable space shall be provided with a fully automatic sprinkler system. Which shall be regularly maintained, serviced and tested in accordance with the National Fire Regulations? Note: The control systems, water pumps etc shall all be on standby generator power supply should be installed by SAQCC compliant service provider.</p>



27.1	<p><b>Lift – Passenger (Express)</b></p> <p>(1) A fully operational and regularly maintained, high speed passenger lift shall provide access to the rentable areas.</p> <p>(2) The lift shall be duly registered with the department of labour, be fully maintained in full working condition and have a complete service record for the past five (5) years with a registered lift company.</p> <p>(3) The lift shall not have been in service or installed for more than ten (10) years.</p> <p>(4) A Service Record Book containing the details of all repairs, servicing and testing undertake shall be kept in the lift Plant room and be available for inspection purposes.</p> <p>(5) The lift must be blind and paraplegic friendly and be fully accessible.</p> <p>(6) The Car shall be capable of carrying at least a loading of 1200 kg. Unless otherwise specified by the Lessee.</p>
28.1	<p><b>Lift – Service</b></p> <p>(1) A fully operational and regularly maintained, service lift shall provide access to the rentable areas.</p> <p>(2) The lift shall be duly registered with the department of labour, be fully maintained in full working condition and have a complete service record for the past five (5) years with a registered lift company.</p> <p>(3) The lift shall not have been in service or installed for more than ten (10) years.</p> <p>(4) A Service Record Book containing the details of all repairs, servicing and testing undertake on the lift shall be kept in the lift Plant room and be available for inspection purposes.</p> <p>(5) The Car shall be capable of carrying at least twelve (12) persons (900 kg. Unless otherwise specified by the Lessee.</p>
29.1	<p><b>Ventilation (Forced)</b></p> <p>(1) The entire rentable area shall be provided with an adequate volume of fresh air. In the event that natural ventilation is insufficient, then mechanical ventilation shall be in accordance with the National Building Regulations.</p>

Name of Bidder	Signature	Date

KWAZULU NATAL: SOUTH AFRICAN SOCIAL SECURITY AGENCY (SASSA): PONGOLA: LOCAL OFFICE: PROCUREMENT OF ALTERNATIVE OFFICE ACCOMMODATION

SERIAL NO	DESCRIPTION OF ROOM	PROPOSED PU	NORM PER PU	ASM	REMARKS
	ASSIGNABLE AREA (25%)				
	PONGOLA LOCAL OFFICE				
1	MANAGER -L12	1	16.00	16.00	CELLULAR OFFICE REQUIRED
	ADMINISTRATION				
2	SNR ADMIN OFFICER L8	1	8.00	8.00	CELLULAR OFFICE REQUIRED
3	ADMIN OFFICER L7	4	8.00	32.00	OPEN PLAN
4	ADMIN CLERK L5	9	8.00	72.00	OPEN PLAN
5	CPS EMPLOYMENT OFFICER	1	8.00	8.00	CELLULAR OFFICE REQUIRED
6	DOCTORS ASSESSMENT ROOM	1	15.00	15.00	CELLULAR OFFICE REQUIRED
7	INTERVIEW CUBICLES	5	8.00	40.00	CELLULAR OFFICE REQUIRED
8	QUERY ROOM	1	12.00	12.00	CELLULAR OFFICE REQUIRED
9	DOCTORS WAITING ROOM	1	30.00	30.00	OPEN PLAN
10	CABINETS	1	30.00	30.00	OPEN PLAN
11	STATIONERY STORE	1	20.00	20.00	OPEN PLAN
12	TEA KITCHEN	1	4.00	4.00	OPEN PLAN
13	PAUSE AREA	1	14.00	14.00	OPEN PLAN
14	CONFERENCE ROOM	1	45.00	45.00	OPEN PLAN
15	COMMITTEE ROOM	1	38.00	38.00	OPEN PLAN
16	PHOTOCOPY ROOM	1	12.00	12.00	OPEN PLAN
17	ARCHIVES +/- 20 000 FILES	1	20.00	20.00	OPEN PLAN
	PUBLIC SERVICE AREA				
18	WAITING AREA	1	10.00	10.00	OPEN PLAN
19	COUNTER	1	6.00	6.00	OPEN PLAN
20	AREA IN FRONT OF COUNTER	1	4.00	4.00	OPEN PLAN
21	AREA BEHIND COUNTER	1	8.00	8.00	OPEN PLAN
22	OFFICE BEHIND COUNTER	1	8.00	8.00	OPEN PLAN
23	STRONG ROOM	1	12.00	12.00	OPEN PLAN
24	PUBLIC WAITING AREA	1	60.00	60.00	OPEN PLAN
	OTHER ACCOMMODATION				
25	FIRST AID ROOM	1	8.00	8.00	OPEN PLAN
	TOTAL ASSIGNABLE AREA		ASM	530.00	
	NON ASSIGNABLE AREA (25%)			178.67	
	CIRCULATION, MAINTENANCE, DUTY AND STRUCTURAL SPACE				
26	GENERAL STORE	1	12.00	12.00	OPEN PLAN

KWAZULU NATAL: SOUTH AFRICAN SOCIAL SECURITY AGENCY (SASSA): PONGOLA: LOCAL OFFICE: PROCUREMENT OF ALTERNATIVE OFFICE ACCOMMODATION

SERIAL NO	DESCRIPTION OF ROOM	PROPOSED PU	NORM PER PU	AMM	REMARKS
	ABLUTION FACILITIES				
27	MALE	2			
28	FEMALE	2			
29	FEMALE RESTROOMS: NUMBER REQUIRED	1			
	PARKING				
30	NO OF GOVERNMENT VEHICLES	5			
31	LOCK UP GARAGES	5			
32	NO OF OPEN PARKING BAYS	25			
33	NO OF VISITORS PARKING BAYS	5			
	TOTAL GUIDELINE AREA			718.67	
	TOTAL LETTABLE AREA FOR LEASE PURPOSES			653.33	

COMPILED BY: *Axtfeldt*  
 DATE: 2014-03-18

CHECKED BY: *[Signature]*  
 DATE: 2014-03-18

VERIFIED BY: *[Signature]*  
 DATE: 2014-03-18

CONFIRMED: ACCOMMODATION PARTICULARS AND SPACE NORMS APPLIED  
 DKAM (DEFENCE & OTHERS): *[Signature]*  
 DATE: 2015/02/17





**public works**

**Department:  
Public Works  
REPUBLIC OF SOUTH AFRICA**

# DEPARTMENT OF PUBLIC WORKS

## STANDARD LEASE AGREEMENT FOR OFFICE AND FUNCTIONAL ACCOMMODATION

BUILDING NAME AND/OR ADDRESS:

CLIENT NAME

PROPERTY CODE/FILE NO



public works

Department:  
Public Works  
REPUBLIC OF SOUTH AFRICA

**STANDARD LEASE AGREEMENT  
FOR OFFICE AND FUNCTIONAL ACCOMMODATION**