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REQUEST FOR PROPOSAL – SAE 08/2024

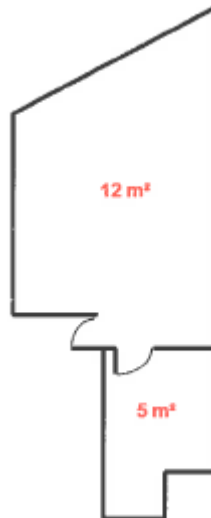
RENTAL SPACE FOR A PERIOD OF 12 MONTHS

1. Background

The Durban ICC is one of the most advanced conferencing facilities in the world, having been voted Africa’s Leading Meetings and Conference Centre by the World Travel Awards not fewer than 18 years.


2. Purpose

The purpose of the Request for Proposal is to appoint a service provider to rent 17 square metres of available office space for a period of 12 months.



3. Proposal

The service provider must submit a detailed proposal / motivation of the business venture they wish to undertake within the rental area. The service offering must compliment and add value to the services currently being extended by the Durban ICC to all its visitors and patrons.


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4. Benefits of Renting

- Excellent visibility to all patrons arriving through the ICC secure parking entrance
- The rental space is situated next to the Travel Doctor and Nedbank ATM
- There is a 24/hour a day, 7 days a week security guard presence
- Fully Air-conditioned venue
- Fully carpeted
- Light box and electrical distribution board fitted
- WI-FI access (at a preferential rate)

5. Special Lease Conditions

- The Durban ICC is designated as an island site and is secured for certain meetings. During these times customers accessing the premises will have to have been granted accreditation for the designated conference taking place at the venue.
- Construction and shop fitting costs must be undertaken by the tenant at their own cost and expense.
- On the termination of the lease, the premises must be restored to its original condition.
- The tenant will be allowed to erect or affix signage only on prior written approval from the Durban ICC. This approval will not unreasonably be withheld.
- Upon termination of the lease, all signs must be removed and all areas repaired at the cost of the tenant.
- The tenant will not have exclusive rights in the building.
- Cleaning of the premises and the cost of telephone and internet access lines will also be separately charged for by the Durban ICC unless provided for by the tenant.
- No food or beverages may be sold from, or consumed within the premises.
- Business trading hours must be between 08h00 and 17h00.
- After hours and weekend business services must be offered at the requests of the Durban ICC. This will not exceed more than 2 weekends per month.
- A deposit equating to one month's rental must be paid to the Durban ICC upon signing of this agreement.
- The refundable deposit will only be given to the appointed service provider at the end of the lease term, subject to the condition of the site premises, at time of departure.
- The rental amount includes a pro rata contribution for Water and Electricity consumption.
- Secure parking bays will be offered at a monthly rate of five hundred and twenty five rand (R575 VAT Incl.)
- The sum payable must be made by no later than the 1st of each month, in advance.
- The sum payable must be paid by EFT into the Durban ICC bank account upon presentation of a VAT invoice to the service provider.

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- The service provider must ensure that they have or intend acquiring third party public liability insurance cover of minimum 5 million rand. The cover must be in place and proof of such cover must be submitted at the time the lease agreement is being signed.

6. Mandatory Requirements

Does the service provider comply with the minimum requirements? Please acknowledge as illustrated	Yes	No
	✓	X
<ul style="list-style-type: none"> The service provider must submit a detailed proposal / motivation of the business venture they wish to undertake within the rental area. 		
<ul style="list-style-type: none"> The service offering must compliment and add value to the services currently being extended by the Durban ICC to all its visitors and patrons. 		

Please Note: Failure to meet all of the stipulated mandatory requirements will result in the service provider being deemed non-responsive and will not be considered for state two of the evaluation. The bidder must complete the final column above stating whether they can complete the task or not.

NB: Durban ICC agree that they will comply with Protection of Personal Information (POPI) Act regulations and process all the information and/or personal data in respect of the services being rendered in accordance with the said regulation and only for the purpose of providing the Services set out in the agreement to provide services.

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7. Two Stage evaluation process

Stage 1: Bid submissions will be evaluated based on compliance with mandatory requirements detailed above

Stage 2: Price and Preference


The procedure for the evaluation of responsive tenderer is **PRICE AND PREFERENCE** in accordance with the Employer’s current SCM Policy, the Preferential Procurement Policy Framework Act (5 of 2000), and the Preferential Procurement Policy Framework Act Regulations (2022).

The **80/20** preference points system will be applied. The Formula used to calculate the **Price Points (max. 80)** will be according to that specified Regulation 4.1.

Preference Point System and Specific Goals

The definitions as per the SCM Policy are applicable.

Preference Points (either 20 or 10) will be derived from points claimed on Returnable Document **MBD 6.1: “Preference Points Claim Form”** (in Section 4 of this procurement document) for the **Specific Goal(s)** as indicated on the table(s) below, and according to the specified **Goal Weightings**.


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RDP Goal: The promotion of South African owned enterprises

The tendering entity's **Address** (as stated on the National Treasury Central Supplier Database (CSD) or on the eThekweni Municipality Vendor Portal) is to be used in the determination of the tenderer's claim for **Preference Points** for this Specific Goal.

Goal Weighting 100%	
Location	80/20
Not in South Africa	0
South Africa	5
KZN	10
ETM	20

Proof of claim as declared on MBD 6.1 (1 or more of the following will be used in verifying the tenderer's status)
CSD report

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8. Pricing Schedule (Official Offer Form)

<u>Item</u>	<u>Activity Description</u>	<u>Amount</u>
1	Rental offered by the service provider	R
	TOTAL EXCLUDING VAT	R
	VAT @ 15%	R
	TOTAL INCLUDING VAT	R

9. Preconditions

A written proposal will not be considered unless the service provider who submits the proposal provides the following with their proposal/quotation:


- 9.1 Full name
- 9.2 Identification or company or other registration number
- 9.3 Tax reference number and VAT number, if any
- 9.4 Valid original Tax clearance pin from South African Revenue Services which proves that the service provider's tax matters are in order
- 9.5 Valid BBBEE Certificate
- 9.6 MBD 4 Declaration of Interest form must be completed
- 9.7 MBD 6.1 Preference points claim must be completed
- 9.8 The service provider must be registered on the CSD database and EThekwini Vendor Portal. Proof of registration needs to be submitted. Failure to be registered on these databases will adversely affect the awarding process and may result in the service provider being deemed non-responsive.

CSD registration website: <https://secure.csd.gov.za>

EThekwini Vendor Portal registration: <https://ethekwinvendor.durban.gov.za>

Or contact 031 322 7011 / 7154

Fatima.milazi@durban.gov.za / phumla.mdabe@durban.gov.za

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10. Terms and Conditions

10.1 The service provider will hereby quote to perform and complete all requirements in this RFP within the quoted amount. It will be deemed that they have checked all aspects of this work before quoting and therefore the price tendered should be inclusive of all required work.

13.2 The Durban ICC is entitled to cancel the Request for Proposal (RFP) at any time before the issue of the award. The Durban ICC shall, in no way, be liable for any damages whatsoever, including, without limitation, damages for loss of profit, in any way connected with the cancellation of this Request for Proposal (RFP).

11. Protection of Personal Information

14.1 By responding to this Request for proposal you hereby consent to the Durban ICC processing your personal information as defined in the Protection of Personal Information Act 4 of 2013 ("POPIA").

14.2 The Durban ICC shall take reasonable steps in terms of POPIA to protect the personal information supplied as part of this Request for quotation.

12. Contact Person


Sandile Makhanya
Tel: +27 31 360 1192
sandilema@icc.co.za

13. Compulsory Site Inspection

Please note that a compulsory site inspection will be held on **22nd April 2024 at 10h00**. Contractors are to meet Sandile Makhanya at the ICC Foyer Reception Desk where they will be briefed and escorted to the premises.

14. Closing Date

Quotations/proposals, together with this document, marked for the attention of the Procurement Department and are to be placed in the Tender Box at the Durban ICC security entrance on the ground floor, 45 Bram Fischer Road Durban before **12:00 on 26th April 2024**.

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15. Past experience in similar assignments

Assignment Description	Key Elements	Date Completed	Contact Person and Telephone Number	Assignment Value

I.....being duly authorized thereto bydo hereby confirm that the information contained herein is true and correct and acknowledge that, should it be established that any of the information contained herein is false and incorrect, my company may be disqualified from quoting to the Durban ICC.

Name: *(Block Capitals)* _____

Signature: _____ **Date:** _____

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16. Declaration of Municipals Fees

I, the undersigned, do hereby declare that the Municipal fees of

.....
(Full name of Company / Close Corporation / partnership / sole proprietary/Joint Venture)

(hereinafter referred to as the TENDERER) are, as at the date hereunder, fully paid or an Acknowledgement of Debt has been concluded with the Municipality to pay the said charges in instalments.

The following account details relate to property of the said TENDERER:


<u>Account</u>	<u>Account Number:</u> to be completed by tenderer.
Consolidated Account No.	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Electricity	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Water	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Rates	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Other	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
Other	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

I acknowledge that should the aforesaid Municipal charges fall into arrears, the Municipality may take such remedial action as is required, including termination of any contract, and any payments due to the service provider by the Municipality shall be first set off against such arrears.

- Where the TENDERER’S place of business or business interests are outside the jurisdiction of eThekweni Municipality, a copy of the accounts/agreements from the relevant municipality must be attached (to the back inside cover of this document).
- Where the tenderer’s Municipal Accounts are part of their lease agreement, then a copy of the agreement, or official letter to that effect is to be attached (to the back inside cover of this document).

NAME : (Block Capitals)
SIGNATURE : DATE:

(of person authorised to sign on behalf of the Tenderer)

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17. MBD4 Declaration of Interest

17.1 No bid will be accepted from persons in the service of the state¹.

17.2 Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

17.3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

17.3.1 Full name of bidder or his/her representative

17.3.2 Identity number:

17.3.3 Position occupied in the Company (director, trustee, shareholder²):

.....

17.4.4 Company Registration Number:

17.4.5 Tax Reference Number:

17.4.6 VAT Registration Number:

17.4.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

References:

¹ *MSCM Regulations: "in the service of the state" means to be –*

(a) *a member of –*

- *any municipal council*
- *any provincial legislature*
- *the National Assembly or the National Council of Provinces*

(b) *a member of the board of directors of any municipal entity;*


(c) *an official of any municipality or municipal entity;*

(d) *an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);*

(e) *a member of the accounting authority of any national or provincial public entity;*

(f) *an employee of parliament or a provincial legislature.*

² *"Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.*

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17.4.8 Are you presently in the service of the state? YES NO
If yes, furnish particulars:

17.4.9 Have you been in the service of the state for the past twelve months? If yes, furnish particulars: YES NO


17.4.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and/or adjudication of this bid? YES NO
If yes, furnish particulars:

17.4.11 Are you aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and/or adjudication of this bid? YES NO
If yes, furnish particulars:

17.4.12 Are any of the company's directors, trustees, managers, principal shareholders or stakeholders in service of the state? YES NO
If yes, furnish particulars:

17.4.13 Is any spouse, child or parent of the company's directors, trustees, managers, principal shareholders or stakeholders in service of the state? If yes, furnish particulars: YES NO

17.3.14 Do you or any of the directors, trustees, managers, principal shareholders or stakeholders of this company have any interest in any other company or business whether or not they are bidding for this contract? If yes, furnish particulars: YES NO

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18. Full details of directors / trustees / members / shareholders


Full Name	Identity Number	State Employee No.

Signature

Date

Capacity

Name of Bidder

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19. MBD 6.1: PREFERENCE POINTS CLAIM
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, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1.0 GENERAL CONDITIONS

1.1 The following preference point system is 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).

1.2 **The 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the applicable system once tenders are received.

1.3 Preference Points for this tender shall be awarded for:

- **Price and Specific Goals:** 80 (price) and 20 (specific goals), in terms of 1.2 above.
- The total Preference Points, for Price and Specific Goals, is 100.

1.4 Failure on the part of the bidder to submit the required proof or documentation, in terms of the requirements in the (Special) Conditions of Tender for claiming **Specific Goal** preference points, will be interpreted that preference points for **Specific Goals** are not claimed.


1.5 The Durban ICC reserves the right to require of a bidder, either before evaluation or at any time subsequently, to substantiate any claim in regard of preferences, in any manner required by the entity.

2.0 DEFINITIONS

2.3 “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes.

2.4 “**tender for income-generating contracts**” means a written offer in the form determined by Municipality 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 Municipality and a third party that produces revenue for the Municipality, 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.

2.5 “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

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3.0 FORMULA FOR CALCULATION OF PREFERENCE PRICE POINTS

3.1 PROCUREMENT OF GOODS AND SERVICES

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

<u>80 / 20 Points System</u>	OR	<u>90 / 10 Points System</u>
$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$		$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$

Where:


Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

4.0 POINTS AWARDED FOR SPECIFIC GOALS

- 4.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the request for tender. For the purposes of this tender the tenderer will be allocated points based on the **points claimed** for the goal(s) stated in **Table 1** below, as supported by proof submitted.
- 4.2 In cases where the municipality intends 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, the municipality must, in the tender documents, stipulate in the case of:
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system, or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the municipality must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, certify that the points claimed, based on the specific goals as specified in the tender, and qualifies the tendering entity for the preference shown.

I acknowledge that:

- 1) The information furnished is true and correct.
- 2) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- 3) 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.
- 4) If the specific goals have been claimed or obtained on a fraudulent basis, or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have:
 - (a) disqualify the person from the tendering process.
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct.
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

NAME (Block Capitals):

.....

SIGNATURE:

.....

Date

.....