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REQUEST FOR PROPOSAL

APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER TO UNDERTAKE TECHNICAL DUE DILIGENCE (TDD) INVESTIGATIONS OF MAYIBUYE PRIMARY SCHOOL FOR GAUTENG PROVINCIAL LEGISLATURE

RFQ NO: PR 10058758

CLOSING DATE: 25 JULY 2021

TIME: 11:00 AM

RFQ SUBMISSION: nmotaung@gpl.gov.za



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CORONAVIRUS HOTLINE NUMBER: 0800 02 99 99

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ADMINISTRATIVE BASIC COMPLIANCE REQUIREMENTS

Section 1

These are documents required for this bidding. Should the bidder fail to submit the following documents, the bid will be disqualified automatically:

Item	Description	Mandatory	Submitted	
			Yes	No
1	Technical Proposal	Yes		
2	Declaration of interest (SBD 4) Original completed and signed.	Yes		
3	Did you submit copies of full Company Registration documents?	Yes		
4	Did you submit copies of South African IDs' for shareholders?	Yes		
5	Did you submit your company profile?	Yes		
6	Did you submit a detailed CSD report and SARS Issued PIN?	Yes		
7	Did you submit one (1) hard copy bid proposal	Yes		
8	Did you submit Engineering Council of South Africa (ECSA)	Yes		
9	Joint Venture / Consortium agreement / Trust Deed (if applicable): <ul style="list-style-type: none"> • Did you submit all documents for all parties of the Joint Venture/Consortium/Trust Deed? ✓ Certified copies of shareholders certificates ✓ Certified copy of Company Registration documents ✓ Certified copy of ID documents of the Directors or Members 	Yes		
Service Provider's Name: Completed by: Signature:				

1.INTRODUCTION

The ADHOC Committee of Inquiry in the Gauteng Provincial Legislature seeks to conduct an Inquiry on the construction of the Mayibuye Primary school situated in Tembisa. This Inquiry is invoked from the Committee Inquiries Act 8 of 2009 read with Section 115 of the Constitution of the Republic of South Africa, 1996, which empowers the Legislature to summon witnesses to appear before it to provide information on any matter.

The R82 million state of the art Mayibuye Primary School in Ekurhuleni municipality under CoJ Metropolitan has been unoccupied for the past four years. The school was built by the Gauteng Department of Infrastructure Development and Property Management (GDID) previously known as Public Works (PW) on behalf of the Gauteng Department of Education (GDE). The school is a modern information technology-based facility with a design based on a prototype, however, the size of the school was not provided to the Committee.

In all Committee Oversight visits conducted during 2020 and 2021, the Committee noted with concern that there was a sewage leaks running from the school throughout the facility. The dampness of some part of the school led to pilling of tiles, cracking walls and sagging ceilings. The City of Johannesburg (CoJ) Municipality reported to the Committee that the occupancy certificate cannot be issued since the building plans were not submitted and approved. It was further reported that the school was constructed in contravention of the National Building Regulations and Building Standard Act 103,1977 as amended, the occupancy will not be issued due to building plans that were not submitted nor approved.

2. OBJECTIVES

2.1 Gauteng Provincial Legislature (GPL) seeks to appoint certified, experienced, and reputable professional service provider to undertake an impartial and professional assessment of the school / property and provide a balanced and professional opinion of the condition of the property in the form of a technical due diligence report.

2.2 The objectives of this Terms of Reference (ToR) include:

2.2.1 To provide prospective professional service providers / consultants with adequate information to understand and respond to GPL's requirements in respect of professional services.

2.2.2 To provide prospective professional service providers / consultants with opportunity to present GPL with best suitable options, both in terms of price and quality.

3. SERVICE REQUIRED

3.1 The Gauteng Provincial Legislature seeks to appoint a professional service provider, to undertake technical due diligence of the school, consists of the systematic review, analysis, discovery and gathering of information about the physical characteristics of a property and/or land (the property).

3.2 During the process of undertaking technical due diligence, consulting firm should establish defects or deficiencies in the property that could have an impact on the asset and the life safety of occupants in its immediate, short-, medium- or long term performance. The consultant should also be able to assist the Committee throughout the inquiry process to raise essential questions to the respondents and be able to analyse, responses provided by respondents.

4. ROLE OF THE GPL

4.1 Provide necessary support to the service provider.

4.2 Formally hand over the Mayibuye School project to the Service provider for the duration of the Inquiry.

4.3 Provide information and other GPL resources required to support the Inquiry.

4.4 Meetings with the Service Provider as and when required.

5. ROLE OF THE SERVICE PROVIDER

5.1 Submit a comprehensive proposal on how they will conduct the afore-said technical due diligence to the Mayibuye school.

5.2 Assist and guide the Committee on the technical questions to be posed to the respondents.

5.3 Analyse responses provided by respondents.

5.4 Submit and present progress and a comprehensive report at the end of the inquiry with recommendations to the Legislature.

6. SCOPE OF WORK

6.1 Undertake the technical due diligence (TDD) investigation to determine if the school/property can be used for the purpose intended for.

6.2 Attend Committee meetings on “as and when required” to present the findings and recommendations.

6.3 To assist the Committee in analysing the responds, reports and other material submitted by the project professional team and witnesses.

6.4 The Technical Due Diligence (TDD) should include but not limited to the following:

6.4.1 Building Inspection (Services and Structure)

6.4.2 Statutory compliance

6.4.3 Environmental and site factors –

6.4.4 Access and sustainability etc.

6.5 KEY DELIVERABLES

The following reports are to be delivered by the Service Provider:

6.5.1 Phase I—Technical Due Diligence (TDD).

6.5.2 Phase II—Construction investigation Report: The consultant should be able to assess documents provided by the ADHOC Committee, which were submitted to the Committee during engagement processes. The consultant should also be able to assist the Committee throughout the inquiry process to raise essential questions to the respondents.

6.5.3 Phase III: Project completion verification Report. The appointed consultant should be able to analyse, responses provided by both the Departments professionals, project contractor, engineer, consultants, City of Johannesburg Municipality and advice the ADHOC Committee accordingly.

6.5.4 Technical Evaluation Report

6.6 The consultant to be able to report if there were deviations from the scope of work of the original specifications by the Department of Infrastructure Development, this should also include the audit that was conducted which led the Department of Infrastructure to accept the project as it was with sewerage water running throughout the school.

6.7 The consultant will be required to report to the ADHOC Committee on the audit that was conducted before the handover.

7. REQUIRED COMPETENCIES

7.1 The Service Provider / Contractor must have extensive knowledge and experience in similar projects.

7.2 Details of previous work undertaken as well as staff complement with the requisite qualifications, registration and experience must be provided.

8. KEY ASSUMPTIONS

8.1 The Professional Service Provider must have the requisite skills, capacity, and expertise to undertake the works as outlined in the scope of works provided.

9. PERIOD OF THE ASSIGNMENT

9.1 The GPL envisage that the works will be completed within a period of two (2) months (March and April) with no breaks in between or otherwise as may be advised by GPL, the programme will be amended.

9.2 The consultant will be expected to provide a detailed programme with the submissions to ensure completion within prescribed timeframes.

10. MINIMUM REQUIREMENTS

10.1 Must be registered with Engineering Council of South Africa (ECSA) and certificate to that effect must be submitted. Failure to do will result in an automatic disqualification.

10.2 Knowledge and background on the construction, assessment, identification and correction of defects.

NB: Failure to meet the above minimum requirements will result in an automatic disqualification.

11. EVALUATION CRITERIA

11.1 The received proposals will be evaluated using the following four-phased approach and the 80/20 Preference Point System shall be applied, all proposals submitted shall be evaluated based on the following criteria:

11.1.1 Administrative Compliance

11.1.1.1 Supply Chain Management (SCM) will conduct a Preliminary Evaluation to confirm and verify compliance of service providers with the administrative requirements of this request and mandatory functional requirements as listed in the Terms of Reference and bidding documentation. Service providers who fail to meet all requirements at this stage of evaluation, will be disqualified from further evaluation.

11.1.2 Phase 2: Functionality Evaluation (100)

11.1.2.1 The evaluation criteria for measuring functionality, and the weighting attached to each criterion is listed in the table below. Only Service providers that has a minimum of 70 score points and above will be considered for phase 3.

Submissions will be evaluated in accordance with the functional criteria as follows

Description of Criteria	Scoring Guide	Max Points	Points Scored								
Reference Signed References Letters contact details & testimonials & details of work undertaken for the relevant reference	<table border="1"> <thead> <tr> <th>Detail</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td>No details submitted</td> <td>0</td> </tr> <tr> <td>Minimum 3 references of similar projects with testimonials from previous clients submitted</td> <td>10</td> </tr> </tbody> </table>	Detail	Points	No details submitted	0	Minimum 3 references of similar projects with testimonials from previous clients submitted	10	10			
Detail	Points										
No details submitted	0										
Minimum 3 references of similar projects with testimonials from previous clients submitted	10										
Company experience related to the RFP Company profile and List of previous due diligence assessments undertaken and completed in the past 8 years – Detailed experience	<table border="1"> <thead> <tr> <th>Detail</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td>No profile or list of projects submitted</td> <td>0</td> </tr> <tr> <td>Company profile submitted and relevant projects - details for last 8 year submitted</td> <td>10</td> </tr> <tr> <td>List of previous due diligence assessments undertaken and completed</td> <td>5</td> </tr> </tbody> </table>	Detail	Points	No profile or list of projects submitted	0	Company profile submitted and relevant projects - details for last 8 year submitted	10	List of previous due diligence assessments undertaken and completed	5	15	
Detail	Points										
No profile or list of projects submitted	0										
Company profile submitted and relevant projects - details for last 8 year submitted	10										
List of previous due diligence assessments undertaken and completed	5										
Project Methodology: Details of how the project is going to be implemented throughout duration. Site visit, intrusive and none	<table border="1"> <thead> <tr> <th colspan="2">Project Methodology</th> </tr> <tr> <th>Guide</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Project Methodology		Guide	Score			35			
Project Methodology											
Guide	Score										

intrusive inspection, investigations and obtaining of relevant documents, presentation to the adhoc committee.	Provided a comprehensive project methodology which covers all the areas as per the requirements and more	35																
	Provided a detailed project methodology, however, did not provide for one of the requirements mandated	20																
	Provided a standard plan which did not adequately provide details on how the methodology will be executed	10																
<p>Capacity – An organogram of the proposed team which will work on the project (who shall be available to undertake the work under the proposed schedule) and the CVs of the key personnel involved.</p> <p>Such CV's shall demonstrate their active participation in the project.</p> <p>Indicate: Number of years of relevant experience.</p> <p>Team composition & qualifications.</p> <p>Accreditation / Registration with the relevant professional institution / regulatory industry body.</p> <p>Please specify and include details of sub-contracted specialist skills.</p>	<p>The following scoring matrix will be used to evaluate this criterion:</p> <table border="1"> <thead> <tr> <th>Detail</th> <th>Points</th> </tr> </thead> <tbody> <tr> <td>Not details submitted</td> <td>0</td> </tr> <tr> <td>Organogram provided</td> <td>5</td> </tr> <tr> <td>Details of staff and role on the project submitted with organogram</td> <td>5</td> </tr> <tr> <td>CV and certificates for staff</td> <td>10</td> </tr> <tr> <td>Details of sub-contracted specialist skills</td> <td>5</td> </tr> <tr> <td>Accreditation and Registration provided</td> <td>5</td> </tr> </tbody> </table>	Detail	Points	Not details submitted	0	Organogram provided	5	Details of staff and role on the project submitted with organogram	5	CV and certificates for staff	10	Details of sub-contracted specialist skills	5	Accreditation and Registration provided	5	30		
Detail	Points																	
Not details submitted	0																	
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CV and certificates for staff	10																	
Details of sub-contracted specialist skills	5																	
Accreditation and Registration provided	5																	
Registration – Service Provider compliance with Professional body (Provide proof of valid registration).	The Following scoring matrix will be used to evaluate this Criterion: Consulting Engineers of South Africa (CESA) 10	10																
	Total Points	100																
	Threshold	70																

1.1.1 Phase 3: Price and BEE Status Contribution Level

1.1.1.1 Only those service provider that scored 70 in overall on Functionality will be considered for this final phase

EVALUATION CRITERIA	SUB-CRITERIA	POINTS
Price	Detailed budget breakdown inclusive of all taxes, and labour NB: Prices are to be kept firm for a period of 90 days	80
BEE points	B-BBEE Status Level of Contributor	20
TOTAL		100

2. SPECIAL CONDITIONS

- 2.1 **Alterations or withdrawal of proposals:** Service Providers may withdraw their proposals by written notification on or before the closing date.
- 2.2 **Costs for preparation of RFP/RFQ proposal:** The costs incurred by the Service Provider in respect of the attendance of any briefing or presentation meetings or costs incurred in preparing any proposal will be borne by the Service Provider and GPL shall in no way be liable to reimburse the Service Provider for such costs incurred.

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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

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.

2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements, or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements, or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are

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.

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.

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

THE END