



Attention	:	Prospective Bidders
From	:	Supply Chain Management
Date	:	25 March 2024
Bid Number	:	RFP2023/40/NYDA
Number	:	1 st Addendum
Bid Title	:	RE-ADVERTISEMENT OF THE LEASE OF CORPORATE OFFICE SPACE FOR NYDA HEAD OFFICE A PERIOD OF SEVEN (7) YEARS.

YOU ARE HEREBY ADVISED OF THE ADMINISTRATIVE REGULATIONS AND PROCEDURES

- o 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). Collusive Bidding is a per se prohibition meaning that it cannot be justified under any grounds. It undermines the fair determination of a supplier, corruptly eliminating free and open competition. Therefore, it is not allowed.

1. QUESTIONS AND ANSWERS

1.1	Question	: Why is a professional team required before the award of the tender?
	Answer	: A professional team is essential before awarding a tender to ensure that the bidder possesses the necessary expertise for tenant installation, particularly when modifying office space to meet specific NYDA requirements.
1.2	Question	: When will the NYDA's current lease expire,
	Answer	: The procurement timelines are indicated on page 10, of the published tender document to assist the bidder with planning
1.3	Question	: will the NYDA consider a third-party management contract done almost like a JV approach?
	Answer	: Yes, however, as part of the JV condition to tender, a bidder will be required to submit the following documents: - Where bids are consortia / Joint ventures / S-contractors are involved, each party must submit a separate TCS certificate / PIN/ CSD number; - Joint Venture Agreement is signed by the JV Partners and attached to this tender. - Where property practitioners or agents are bidding on behalf of the landlord/property owner, each party must submit proof of registration with the Property Practitioners Regulatory Authority (PPRA) and submit a valid Fidelity Fund Certificate issued by the Property Practitioner's Regulatory Authority. - Where property practitioners or agents are bidding on behalf of the landlord/property owner, the proof of ownership must be supported by a Power of Attorney, from the owner of the property (not property practitioner or Agent) authorizing the JV partners to bid on behalf of the owner, and if successful to collect rentals and the deposit on behalf of the owner/ Landlord, which rentals/ deposit will be held in the Property

		Practitioner's trust account. Tenders who do not meet the requirements above will be immediately disqualified from the tendering process. - Joint Venture / Consortium must also submit a Joint Venture BBEE Verification Certificate.
1.4	Question	If a building is not a stand-alone building and two separate buildings, will the NYDA accept those buildings?
	Answer	: No.
1.5	Question	: Is it possible to come to the NYDA office and listen to the briefing session recording?
	Answer	: No, The NYDA does not share the recording. However, the briefing session presentation will be published as well as the addendum that will cover all questions and clarifications.
1.6	Question	: Will a building that is not within the 5km radius be considered and accepted?
	Answer	: No, a building that is not within the 5 KM radius will not be considered and accepted.
1.6	Question	: In a case whereby the bidder does not have the proof of ownership documentation, will it be appropriate to submit offer to purchase documentation?
	Answer	: No, proof of ownership is required whereby the building has been fully purchased and belongs to the bidding bidder.
1.7	Question	: Whether the seven (7) months of the tenant's installation is the TI value or is the NYDA looking for 7 month's rent-free value towards that contribution?
	Answer	: The successful bidder will be responsible for the tenant installation equivalent to 7 months' rent at no cost to the NYDA, so it is expected that when bidders are doing their pricing these costs are included.
1.8	Question	: Is it possible for the NYDA to share the available budget for this tender?
	Answer	: No.
1.9	Question	: It is possible to attend on behalf of the owner of the building?
	Answer	: Yes, please also provide details of the owner on the Microsoft Teams chats
	Question	NYDA requires only a Title Deed as Proof of Property Ownership. By having this excessive ownership requirement, NYDA is hampering the transformation of the property sector. The NYDA is requested to reconsider the property ownership requirement.
	Answer	The NYDA is not changing its ownership requirement. We still require proof of property ownership in the form of a Title Deed.
	Question	The short timeframe to deliver a comprehensive proposal by closing on the 2 nd of April 2024 and the unreasonable date of occupation by the 1st of June 2024 does not allow time for refitting. This is cause for concern! The NYDA is requested to consider the extension of the procurement timelines including the closing date of this Head Office lease tender?
	Answer	Due to the urgency of this tender, NYDA is not amending the procurement timelines including the closing date.

54 Maxwell Drive | Woodmead North Office Park | Woodmead | 2191
P O Box 982 | Halfway House | Midrand | Johannesburg |
Gauteng | South Africa | 1683 Tel: +27 11 651 7000 | Fax: +27 86
539 6926 | e-mail: info@nyda.gov.za | www.nyda.gov.za

Board Members:

Asanda Luwaca - Chairperson | Karabo Mohale – Deputy Chairperson
Avela Mjajubana | Lebogang Mulaisi | Thulisa Ndlela | Pearl Pillay | Alexandria Procter | Waseem Carrim (CEO)