



PART 2/2

REQUEST FOR PROPOSAL: APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE SUITABLE OFFICE ACCOMODATION AND PARKING FACILITIES FOR A LEASE PERIOD OF FIVE (05) YEARS FOR THE NHBC TZANEEN OFFICE.

RFP NO.: NHBC 38/2017

CLOSING DATE: 20 September 2017

TIME: 11:00am

COMPULSORY BRIEFING SESSION

DATE: 05 September 2017

TIME: 11:00 AM

VENUE: 81 Hans Van Rensburg St, Polokwane Central,0699

1. TERMS AND CONDITIONS

This Request for Proposal (RFP) has been compiled by the NHBRC and it is made available to the Bidders on the following basis.

Bidders submitting a Bid in response to this RFP are deemed to do so, on the basis that they acknowledge and accept the terms and conditions set out below:

- 1.1 The NHBRC reserves the right to amend, modify or withdraw this RFP or amend, modify or terminate any of the procedures or requirements set out herein at any time and from time to time, without prior notice and without liability to compensate or reimburse any person.
- 1.2 The NHBRC reserves the right to carry out site inspections or call for supporting documentation in order to confirm any information provided by a Bidder in its Bid.
- 1.3 This RFP is not intended to form the basis of a decision to enter into any transaction involving the NHBRC, and does not constitute an offer or recommendation to enter into such transaction, or an intention to enter into any legal relationship with any person.
- 1.4 A Bid submitted in response to this RFP will constitute a binding offer which will remain binding and irrevocable for a period of 90 Days from the date of submission to the NHBRC. The offer constituted by the Bid will be deemed not to have been accepted and no agreement will be deemed to be reached with any Bidder, unless and until a definitive Agreement and other related transaction documents are concluded between the NHBRC and the Preferred Bidder.
- 1.5 The distribution of this Bid outside the Republic of South Africa may be restricted or prohibited by the laws of other countries. Recipients of this RFP are advised to familiarize themselves with and comply with all such restrictions or prohibitions applicable in those jurisdictions, and neither the NHBRC, nor any of their respective directors, officers, employees, agents, representatives or advisors, accepts liability to any person for any damages arising out of or in connection with the breach of any restriction or provision outside the Republic of South Africa. Persons contemplating submitting a Bid are advised to obtain legal advice as to the possible consequences thereof in terms of the law of the jurisdictions in which they are located.
- 1.6 Recipients of this Bid document may only distribute it to other parties whom they wish to involve as part of their Bidder consortium in submitting a Bid.
- 1.7 Neither the NHBRC nor any of their respective directors, officers, employees, agents, representatives or advisors will assume any obligation for any costs or expenses incurred by any party in or associated with preparing or submitting a Bid in response to the RFP.

- 1.8 No entity may be involved, whether directly or indirectly, in more than one Bid in response to this RFP. A failure to comply with this requirement may, within the sole discretion of the NHBRC, result in disqualification of the relevant entity.
- 1.9 Any material change in the control and/or composition of any Bidder or any core member of a Bidder after submission of a Bid, shall require the prior written approval of the NHBRC, and any failure to seek such approval from the NHBRC shall result in the NHBRC being entitled, in its sole discretion, to exclude the relevant Bidder from any further participation in the bid process. The NHBRC shall be the sole arbiter as to what constitutes a “material change in the control and/or composition of any Bidder”, and as to what constitutes a “core member of a Bidder” for purposes of such approval. Any request for such approval shall be made to the NHBRC’s Supply Chain Management in writing and shall provide sufficient reasons and information to allow the NHBRC to make a decision. The NHBRC reserves the right to accept or reject any such request for approval at its sole discretion.
- 1.10. Briefing Session: Should the briefing session be held, the sharing of information and clarifications of issues related to this Bid, as given by the NHBRC during such session will form part of this Bid and responses.
- 1.11 Any requirement set out in this RFP that stipulates the form and/or content of any aspect of a Bid, is stipulated for the sole benefit of the NHBRC, and save as expressly stated to the contrary, may be waived by the NHBRC in its sole discretion at any stage in the RFP process.
- 1.12 The NHBRC and its advisors may rely on a Bid as being accurate and complete in relation to the information and proposals provided therein by the Bidders.
- 1.13 All Bids submitted to NHBRC will become the property of the NHBRC and will as such not be returned to the Bidder. The NHBRC will make all reasonable efforts to maintain proposals in confidence. Proprietary information should be identified as such in each proposal.
- 1.14 If the NHBRC amends this RFP, the amendment will be sent to each Bidder in writing or publicized as the case maybe. No oral amendments by any person will be considered or acknowledged.
- 1.15 The Bid as submitted by the Bidder shall be consider irregular if they show any omission, alteration Of form, additions, or conditions not called for, or irregularities of any kind. However, the NHBRC reserves the right to waive any irregularities and to make award in the best interest of the Company.
- 1.16. The NHBRC reserves the right to accept or reject in part or whole any bid submitted, and to waive any technicalities for the best interest of the company.
- 1.17 Bids may be rejected, among other reasons, where Bids are received after the closing date and

time as specified.

1.18. Potential service provider(s) shall be disqualified and their Bids not considered, among other reasons, for any of the following specific reasons:

- Mandatory Documents not submitted (as per checklist on page 13 part 2);
- Bids containing irregularities

1.19 The NHBRC reserves the right to require that any Bidder provide a formal presentation of its Bid at a date and time to be determined by the NHBRC. The NHBRC shall provide all instructions and clarification regarding the purpose and scope of the demonstration. All expenses must be borne by the Bidder.

1.20 All costs associated with the preparation and submission of the Bid is the responsibility of the service provider(s). The costs shall not be chargeable to the NHBRC by the successful or any unsuccessful Bidder.

1.21 This document is released for the sole purpose of responding to this RFP and must be considered confidential. In addition, the use, reproduction or disclosure of the requirements, specifications or other material in this RFP is strictly prohibited.

1.22 All Bids must be formulated and submitted in accordance with the requirements of this RFP.

2. ABOUT NHBRC

2.1 Mandate of the NHBRC in terms of the Housing Consumers Protection Measures Act.

2.1.1 The National Home Builders Registration Council (NHBRC) has a mandate through the Housing Consumer Protection Measures Act (Act No. 95 of 1998) providing warranty protection against defects in new homes. The Act state that the objects of the Council are, inter alia:

- Section 3(b) “to regulate the home building industry”;
- Section 3(d) “to establish and promote ethical and technical standards in the home building industry”; and
- Section 3(e) “to improve structural quality in the interests of housing consumers and the home building industry”;

The Council is furthermore empowered by the Act:

- Section 5(5) (a) “to engage in undertakings to promote improved structural quality of homes constructed in the Republic;
- Section 5(5) (b) ”to engage in undertakings to improve ethical and technical standards in the home building industry;
- Section 5(5) (c) “to keep a record of competent persons”; and
- Section 5(h) “to generally do all things necessary or expedient to achieve its objects and the objectives of this Act.”

3. NHBRC’S MANDATE FOR RISK MANAGEMENT

3.1 The NHBRC's primary mandate is to manage the risk of structural defects in the home building industry and in so doing, protect the housing consumer. A prime activity of the NHBRC to manage its risk exposure in terms of the warranty scheme, in order to ensure that it is not unduly exposed to claims.

The current risk management tools being used by the Council include the Registration of Home Builders, Enrolment and Inspection of homes, the Home Building Manual which incorporates design And construction rules and the appointment of competent persons by the Home Builder to perform certain tasks.

4. BUSINESS OVERVIEW

4.1 The National Home Builders Registration Council is a statutory body with the responsibility to provide warranty cover (protection) and regulatory services to the home-building industry. This is done in terms of the Housing Consumers Protection Measures Act (No 95 of 1998). It is the NHBRC’s mandate to provide protection to housing consumers against defined defects and to regulate the home

building industry. Our mandate determines our scope of business as well as the principles and area of business in which we operate. As a consequence our business is focused on specific business models in defined geographical areas with specific business objectives for all South African Housing Consumers.

- 4.2 The NHBRC is a medium sized organization with a staff complement of approximately 580 employees. The NHBRC's head office is located in Sunninghill, Gauteng with 7 regional offices of varying size, and 14 satellite offices. .

NHBRC Offices

#	OFFICE
1	Head Office (Sunninghill)
2	Pretoria Regional Office.
3	Eric Molobi Soshanguve.
4	Kwa-Zulu Natal Durban-Regional Office.
5	New Castle
6	Western Cape-Regional Office
7	Limpopo (Polokwane) – Regional Office
8	Tzaneen
9	Bela Bela
10	Thulamela Thohoyandou (Municipality)
11	Mpumalanga (Nelspruit) – Regional Office
12	Witbank
13	Free State (Bloemfontein) – Regional Office
14	Bethlehem
15	Northern Cape (Kimberly)
16	Eastern Cape Port Elizabeth-Regional Office
17	East London
18	George
19	North West Rustenburg-Regional Office
20	Mafikeng
21	Klerksdorp

5. TECHNICAL INFORMATION TO BE SUBMITTED BY BIDDER(S)

5.1 PURPOSE

To invite and find suitably qualified bidders to submit proposals for the provision of leased office space with parking facilities for the National Home Builders Registration Council (NHBRC) Tzaneen office, for a period of five (5) years with an option to renew for an additional five (5) years or any period deemed fit by the NHBRC entirely at the sole discretion of the NHBRC. The leased building must be located in Tzaneen CBD and be accessible by public transport.

5.2 NHBRC REQUIREMENTS

The National Home Builders Registration Council (NHBRC) is seeking office space with secure parking facilities in a secure environment and located in the Tzaneen CBD.

5.2.1 The building must be in a secure environment that promotes the safety of the NHBRC's employees, stakeholders and visitors and must have provision for access for people with disabilities.

5.2.2 Onsite parking for staff and customers.

5.2.3 Provision or accessibility to the Telkom fibre optic network within a 5KM radius must be made available.

5.2.4 The building should be situated in an accessible area where public transport such as taxis and busses are available and next to major routes.

5.2.5 NHBRC requires the office premises to be customized to fit its image and suit its functions.

5.2.6 The building should be compliant with SANS10400 in terms of facilities for persons with disabilities.

5.2.7 All building related issues such as Zoning rights, Servitudes, The Greater Tzaneen Municipality regulations, environmental requirements, Occupational Health and Safety requirements and compliance certificates, and other applicable statutory requirements must be complied with.

5.2.8 The Building must be a minimum of 190.2m² and maximum of 200 m²

5.2.9 The landlord must provide a standby generator with the capacity to supply power to the office and its equipment (including air coms) during power outage.

5.3 GRADING OF BUILDING

The building should meet the following statutory requirements:

5.3.1 Maximum Grade B Building

5.3.2 The building should not be older than fifteen (15) years or must have undergone a major renovation within the last fifteen (15) years,

5.3.3 Occupational Health and Safety Act 85 of 1993

5.3.4 National Building Regulations and Building standards Act, 1977(Act No.103 of 1977)

5.3.6 SANS 10400 for facilities for persons with disabilities, establishes requirements for external and internal circulation routes, including doors and doorways, ramps, stairways, handrails, lifts, toilet facilities, auditoriums and halls, obstructions in the path of travel, parking and indication of facilities.

5.3.7 Drainage, plumbing, sanitation and water disposal to be provided according to SANS 10400-PART P

5.3.8 National Environmental Management Act (No. 14 of 2009).

An undertaking from the bidder to ensure that these requirements can be accommodated prior to occupation may be considered, supporting documents in this regard must be submitted with proposal.

5.4 SECURITY REQUIREMENTS

The building must be adequately secured with the following security measures;

5.4.1 Burglar proofing for ground floor offices, entrances etc.

5.4.2 Security electric fencing if applicable

5.4.3 Parking area must be well lit

5.4.4 Alarm system

5.4.5 Stand-alone guard/security

5.5 BUILDING AMENITIES

The proposed office space should have the following:

5.5.1 Well-functioning air-conditioning systems in individual offices, meeting rooms and server rooms with full service history and maintenance plan.

5.5.2 A comprehensive list of all fixtures installed, and maintenance history where applicable.

5.5.3 Minimum: 2 Male Toilets with 2 Cubicles, 2 urinals and 2 wash basins

5.5.4 Minimum: 2 Female Toilets with 2 Cubicles and 2 wash basins

5.5.5 A Disabled Toilet with a hand Rail and wash basin as per SANS 10400 requirements

5.5.6 A kitchen with cupboards, adequate space to accommodate a fridge, urn and microwave, adequate plug points, a sink with hot and cold taps

5.5.7 A fully functional lift with a full service history and maintenance plan in a building with more than one (01) floor

5.5.8 A boardroom that can accommodate ten (10) to twenty (20) people.

5.6 PARKING REQUIREMENTS

5.6.1 A minimum of ten (10) covered parking bays are required for staff members

5.6.2 Five (5) covered/uncovered parking bays are required for customers and visitors

5.7 FIRE PROTECTION AND RISK MANAGEMENT

The building should comply with SANS 10400 part T and the following risk management requirements:

5.7.1 Smoke detectors

5.7.2 A designated smoking area

5.7.3 Emergency assembly point

5.7.4 Approved emergency escape doors

5.7.5 Automatic sprinkler (Exclude server room)

5.7.6 Waste disposal area

5.7.7 Separate kitchen

- 5.7.8 Fire proof store rooms and filing rooms
- 5.7.9 Approved emergency alarm systems.
- 5.7.10 Serviced fire extinguishers and hoses
- 5.7.11 Health and Safety signs

An undertaking from the bidder to ensure that these requirements can be accommodated prior to occupation may be considered, supporting documents in this regard must be submitted with proposal.

5.8 IT REQUIREMENTS

A Suitable location for a server room with the following requirements should be provided for by the service provider:

- 5.8.1 Brick walls or fire retardant dry walling
- 5.8.2 Space for two server cabinets
- 5.8.3 Anti-static flooring in the server room.
- 5.8.4 The server room must not have windows
- 5.8.5 Fire rated door.
- 5.8.6 Serviced fire extinguisher (inside and outside).
- 5.8.7 FM200 gas in the server room.
- 5.8.8 The NHBRC must be able to add an access control system to the server room door.
- 5.8.9 Dedicated single phase generator feed from the main generator DB board to the UPS.
- 5.8.10 10000 BTU operational air-conditioner in the server room with service and maintenance plan attached.
- 5.8.11 Suitable route for network reticulation to the server room. The bidder must provide upfront approval should core drilling need to be done to allow installation of a new fibre network link
- 5.8.12 Available trunking in the building for network reticulation (dedicated power plug and Normal power plug per workstation).
- 5.8.13 Telkom requires full access to the building at least 75 days prior to occupation or networking purposes

An undertaking from the service provider to ensure that these requirements can be accommodated prior to occupation may be considered, supporting documents in this regard must be submitted with proposal.

5.9 TENANT INSTALLATION

The Bidder must submit a list of items as well as a total amount that will form part of a standard tenant installation that will be covered by the landlord where applicable.

The Bidder is required to incorporate this into the Pre-Occupation Plan.

5.10 PRE-OCCUPATION REQUIREMENTS

The Bidder must:

- 5.10.1 Make provision for a suitable route for network reticulation to the server room. In the absence of the fibre network link, allow reasonable access to the premises prior to commencement of occupation for installation thereof by Telkom; Telkom requires at least 75 working days' notice.
- 5.10.2 Ensure that the building has adequate ventilation and provide the NHBRC with the appropriate layout plan/certification. In the absence of air conditioners, prior to occupation make provision for supplying, installation and maintenance thereof;
- 5.10.3 Ensure that the building has approved facilities for people with disabilities including toilets and entrance facilities
- 5.10.4 Ensure that there is space allocated for NHBRC branding and Signage that is visible to the public
- 5.10.5 Ensure that municipal rates and taxes are up to date
- 5.10.6 The building is maintained and serviced in terms of, but not limited to electrical, mechanical and structural and is insured against all liabilities
- 5.10.7 The operational costs are proportionally borne by the NHBRC and other clients in cases where there is shared area must be declared upfront and included in the Total Bid Price
- 5.10.8 Provide a turn-key service which will include all repairs and maintenance requirements, these estimated costs should be clearly included in the Total Bid Price
- 5.10.9 Ensure the use of appropriately qualified, competent, skilled and experienced employees for undertaking the maintenance and repairs of the property.
- 5.10.10 Ensure there is a Compliance Certificate (Fire) – issued by a competent authority in terms of SANS 1475-1998 (please attach a copy)
- 5.10.11 Ensure that there is a Certificate of Compliance for Electrical Installations - Issued by the Electrical Contracting Board in terms of the Occupational Health and Safety Act and SANS 10142-1 (please attach a certified copy)
- 5.10.12 Ensure there is ventilation Layout/Certificate– as per 'as built' building plan

The Bidder is required to compile a 30 Day Plan on how Pre-Occupancy arrangements will be handled

5.11 SPACE REQUIREMENTS

NHBRC TZANEEN						
OFFICE SPACE REQUIREMENTS						
NO	POSITION	NUMBER OF PEOPLE SHARING	NUMBER OF OFFICES REQUIRED	DIMENSION OF OFFICES		TOTAL OFFICE SPACE REQUIRED(M ²)
1	PROVINCIAL MANAGER	1	1	3	7	21
2	RECEPTION	1	1	5	6	30
3	ADMINISTRATION OFFICER	1	1	3	4	12
4	HOME INSPECTORS	4	1	4	7	28
5	KITCHEN	1	1	3	3	9
6	STOREROOM	1	1	3	4	12
7	FILING ROOM	1	1	3	6	18
8	SERVER ROOM	1	1	3	3	9
9	BOARDROOM	1	1	4	7	28
10	ABLUTION : MALE	2	2	3	2.7	8.1
11	ABLUTION (DISABLED)	1	1	2.5	2.8	7
12	ABLUTION : FEMALE	2	2	3	2.7	8.1
TOTAL OFFICE SPACE REQUIRED				190.2 M²		
1. PARKING REQUIREMENTS						
SECURITY PARKING : STAFF		10				
PARKING: CLIENTS		5				

6. TECHNICAL EVALUATION CRITERIA

6.1. EVALUATION CRITERIA

6.1.1 In accordance with the NHBRC Supply Chain Management Policy, the bid evaluation process shall be carried out in three (3) stages namely:

Stage 1: Compliance check of Mandatory Documents

Stage 2: Functionality in terms of the set technical evaluation criteria

- **Paper Based Evaluation (Site Visit will be conducted to physically verify if building meets the minimum requirements as stipulated in Section 5 of the Bid document)**

The minimum threshold for functionality is 70 out of 100 points. Bidders who fail to meet minimum of 70 will be disqualified and not considered for a physical site inspection

Stage 3: Price and Preference points

All bids will be evaluated on a 80/20 preference point system

6.1.2 Stage 1: Compliance check of Mandatory Requirements

6.1.2.1 The service provider(s) must indicate compliance with mandatory requirements by ticking under “Comply” or “Not comply”. Failure to comply with the mandatory requirements on the table listed below will invalidate your bid

6.1.2.2 In order to be considered each service provider is required to submit the following **mandatory** documentation:

Mandatory Documentation - Responsive Check

DOCUMENTS TO BE SUBMITTED			Yes/No
No.		Please note; the items marked with an (X) are mandatory requirements and failure to meet the requirements will result in your bid being disqualified.	
1.	X	SBD1 (Invitation to bid) (Make sure it is signed and fully completed)	
2.	X	Annexure A - Pricing schedule. (including a detailed costing breakdown of all costs and escalations. i.e. Tenant Installation cost(once off), Total lease amount for 5 years)	
3.	X	SBD 4 (Declaration of interest) (Make sure it is signed and fully completed)	
4.	X	SBD 6.1 (Preference claim form) Must be signed regardless if points are claimed or not. (Make sure it is signed and thoroughly completed). Kindly attach certified copy of B-BBEE Certificate or an original Sworn affidavit- B-BBEE Exempted Micro Enterprise	
5.	X	SBD 8 (Declaration of Bidder’s past supply chain management practices) (Make sure it is signed and fully completed)	
6.	X	SBD 9 (Certificate of independent bid determination – Make sure it is signed and fully completed)	
7.	X	Rates and taxes for water and electricity (please attach municipal bill not older than 3 months)	
8.	X	Lift service history in a building with more than one (1) floor	
9.	X	Certificate of Occupancy – issued by Local Authority in terms of the National Building Regulations and Building Standards Act or issued by a registered Architect (please attach a certified copy)	
10.	X	Title Deed (copy of proof of ownership)	

11.	X	Attendance of Compulsory Briefing Session	
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Evaluation Requirements: (Paper Based + Site Visit)

CRITERIA	WEIGHTS
<p>COMPLIANCE TO MINIMUM REQUIREMENTS</p> <p>A Site Visit will be conducted to physically verify if building meets the minimum requirements as stipulated in Section 5.2 – 5.8 of the Bid document</p> <p>Scoring Guide : Does not meet the minimum requirements = 1 Complies with the minimum requirements = 3 Exceeds the minimum requirements = 5</p>	60
<p>PRE-OCCUPATION AND TENANT INSTALLATION</p> <p>The bidder must clearly demonstrate in their proposal, how the pre-occupation arrangements and tenant installation will be carried out as per sections 5.9 and 5.10 of the Bid Document. This must include defined tasks with clearly defined timeframes.</p> <p>Scoring Guide : No information provided = 0 A clearly defined plan submitted with acceptable timeframe (exceeding more than 50 days) = 1 A clearly defined plan submitted with acceptable timeframe (between 31 -50 days) timeframe = 3 A clearly defined plan submitted with acceptable timeframe(within 30 days) timeframe = 5</p>	40
TOTAL	100
MINIMIUM ACCEPTABLE SCORE	70

Each panel member will rate the above-mentioned criteria using the following values:

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Value	Description
5 – Excellent	Meets and exceeds NHBRC functionality requirements
4 – Very Good	Above average compliance to requirements
3 – Good	Satisfactory and should be adequate for stated element
2 – Average	Below average compliance to requirements
1 – Poor	Unacceptable, does not meet criteria
0 - Unacceptable	No Information Provided

The points for the panel members will be added and expressed as a fraction of the best possible score for each particular criterion as set out per the functionality requirement above.

Stage 3: PRICE AND PREFERENCE POINTS EVALUATION

Only bids that achieve minimum qualifying score (**70 points**) for **Stage 2 (Functional Requirements)** will be evaluated further.

The contract will be awarded in terms of Regulations 4 of the Preferential Procurement Regulations pertaining to the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000) and Preferential Procurement Regulations, 2017 and bids will be adjudicated in terms of a (80/20) preference point system in terms of which points are awarded to bidders on the basis of:

80/20 Preference point system (for acquisition of services, works or goods with a Rand value not more than R50 000 000.00) (all applicable taxes included)

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

Where;

P_s = Points scored for comparative price of bid or offer under consideration

P_t = Comparative price of bid or offer under consideration

P_{min} = Comparative price of lowest acceptable bid or offer.

The points scored will be rounded off to the nearest two decimal places.

The points will be awarded to a Bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

BBBEE Level	80/20
Level 1	20
Level 2	18
Level 3	14
Level 4	12
Level 5	8
Level 6	6
Level 7	4
Level 8	2
Non-Compliant Contributor	0

The points scored for price will be added to the points scored for B-BBEE status level to obtain the Bidders total points scored out of 100 points.

7. GENERAL

7.1 Regular Building Inspections

Assessments of the building in terms of the occupational Health and Safety Act will be conducted regularly.

8. AVAILABILITY OF THE RFP DOCUMENT

8.1 Bid documents can be downloaded on the NHBRC Website (www.nhbrc.org.za/current-tenders/) from the **30 August 2017**

9. RFP CLOSING DATE AND ADDRESS

9.1 Bid documents should be marked for Attention: Supply Chain Manager, and deposited into the Bid boxes at the NHBRC Head Office 5 Leeuwkop road Sunninghill Sandton on or before the **20 September 2017 at 11h00am**. No emailed or faxed Bids will be accepted. The Bid document should be supplied in a sealed envelope and clearly marked with the Bid number and the full name of the service provider(s).

Enquiries should be directed to:

Administrative

Contact Person: Mphasha Kgare

E-mail address: mphasak@nhbrc.org.za

10. SUBMISSION OF PROPOSALS:

10.1 Only one **(01)** original submission/proposal and **(04)** copies in a clearly marked envelope and deposited into the bid box is essential.

10.2 All costs and expenses incurred by the Bidder relating to the participation in, and preparation of this proposal process shall be borne by the Bidder exclusively. All documentation and manuals submitted in respect of this RFP shall be retained by NHBRC, whether or not the proposal is accepted.