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City of Joburg Property Company SOC Ltd.

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25 January 2024

## MUNICIPAL FINANCE MANAGEMENT ACT SECTION 33 INFORMATION STATEMENT

**RFP 06/2023FY/JPC: REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF SUITABLY QUALIFIED SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR THE PROVISION OF LEASED OFFICE SPACE ACCOMMODATION AND PARKING FACILITIES FOR CITY OF JOHANNESBURG LEGISLATURE, IN REGION A, CITY OF JOHANNESBURG, FOR A PERIOD OF 9 YEARS, 11 MONTHS**

**RFP 07/2023FY/JPC: REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF SUITABLY QUALIFIED SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR THE PROVISION OF LEASED OFFICE SPACE ACCOMMODATION AND PARKING FACILITIES FOR CITY OF JOHANNESBURG USER DEPARTMENTS IN REGION E, SANDTON (WITHIN 500 METRES FROM SANDTON CBD), FOR A PERIOD OF 9 YEARS, 11 MONTHS.**

**RFP 08/2023FY/JPC: REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF SUITABLY QUALIFIED SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR THE PROVISION OF LEASED OFFICE SPACE ACCOMMODATION AND PARKING FACILITIES FOR JOHANNESBURG ROADS AGENCY AND TRANSPORTATION IN THE INNER CITY OF THE CITY OF JOHANNESBURG, FOR A PERIOD OF 9 YEARS, 11 MONTHS**

**RFP 09/2023FY/JPC: REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF SUITABLY QUALIFIED SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR THE PROVISION OF LEASED OFFICE SPACE ACCOMMODATION AND PARKING FACILITIES FOR CITY OF JOBURG USER DEPARTMENTS IN REGION A, MIDRAND, FOR A PERIOD OF 9 YEARS, 11 MONTHS.**

**RFP 10/2023FY/JPC: REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF SUITABLY QUALIFIED SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR THE PROVISION OF LEASED OFFICE SPACE ACCOMMODATION AND PARKING FACILITIES FOR CITY OF JOHANNESBURG USER DEPARTMENTS IN REGION F, BRAAMFONTEIN, FOR A PERIOD OF 9 YEARS, 11 MONTHS.**



JOBURG  
PROPERTY COMPANY

Non-Executive Directors: Simon Motha (Chairperson)  
Bettycourt Teffo | Ellen Rakodi | Fulufhelo Ratshikhopha | Londiwe Mthembu |  
Mxolisi Zondo | Ntombikayise Tini | Sabelo Mtolo |  
Tshepang Thatelo

Executive Directors: Helen Botes (Chief Executive Officer)

Company Secretary: Gontse Dlamini  
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**RFP 12/2023FY/JPC: REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF SUITABLY QUALIFIED SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR THE PROVISION OF LEASED OFFICE SPACE ACCOMMODATION AND PARKING FACILITIES FOR DEPARTMENT OF ECONOMIC DEVELOPMENT (DED), IN BRAAMFONTEIN (REGION F), CITY OF JOHANNESBURG, FOR A PERIOD OF 9 YEARS, 11 MONTHS.**

**RFP 13/2023FY/JPC : REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF SUITABLY QUALIFIED SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR THE PROVISION OF LEASED OFFICE SPACE ACCOMMODATION AND PARKING FACILITIES FOR PIKITUP, IN BRAAMFONTEIN (REGION F), CITY OF JOHANNESBURG, FOR A PERIOD OF 9 YEARS, 11 MONTHS**

**RFP 14/2023FY/JPC : REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF SUITABLY QUALIFIED SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR THE PROVISION OF LEASED OFFICE SPACE ACCOMMODATION AND PARKING FACILITIES FOR THE CITY OF JOHANNESBURG OFFICE OF THE OMBUDSMAN , IN BRAAMFONTEIN (REGION F), CITY OF JOHANNESBURG, FOR A PERIOD OF 9 YEARS, 11 MONTHS.**

**RFP 15/2023FY/JPC: REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF SUITABLY QUALIFIED SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR THE PROVISION OF LEASED OFFICE SPACE ACCOMMODATION AND PARKING FACILITIES FOR GROUP INFORMATION, COMMUNICATION AND TECHNOLOGY DEPARTMENT (GICT), IN BRAAMFORNTEIN (REGION F), CITY OF JOHANNESBURG, FOR A PERIOD OF 9 YEARS, 11 MONTHS.**

**RFP 16/2023FY/JPC: REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF SUITABLY QUALIFIED SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR THE PROVISION OF LEASED OFFICE SPACE ACCOMMODATION AND PARKING FACILITIES FOR CITY OF JOHANNESBURG USER DEPARTMENTS IN REGION F, SRINGFIELD, CITY OF JOHANNESBURG, FOR A PERIOD OF 9 YEARS, 11 MONTHS.**

**RFP 17/2023FY/JPC : REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF SUITABLY QUALIFIED SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR THE PROVISION OF LEASED OFFICE SPACE ACCOMMODATION AND PARKING FACILITIES FOR GROUP STRATEGY, POLICY COORDINATION AND RELATIONS (GSPCR), IN BRAAMFORNTEIN (REGION F), CITY OF JOHANNESBURG, FOR A PERIOD OF 9 YEARS, 11 MONTHS**



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**RFP 18/2023FY/JPC : REQUEST FOR PROPOSALS FOR THE APPOINTMENT OF SUITABLY QUALIFIED SERVICE PROVIDERS TO SUBMIT PROPOSALS FOR THE PROVISION OF LEASED OFFICE SPACE ACCOMMODATION AND PARKING FACILITIES FOR The City of Johannesburg Group Forensic and Investigation Services (GFIS) and Group Risk Assurance Services (GRAS) IN BRAAMFONTEIN (REGION F), CITY OF JOHANNESBURG, FOR A PERIOD OF 9 YEARS, 11 MONTHS.**

**RFP 23/2023FY/JPC: REQUEST FOR THE PROVISION OF LEASED OFFICE SPACE ACCOMMODATION AND PARKING FACILITIES FOR CITY OF JOBURG USER DEPARTMENTS (DECANTED FROM METRO CENTRE) IN BRAAMFONTEIN AND/OR THE INNER CITY, FOR A PERIOD OF 9 YEARS AND 11 MONTHS.**

## 1. OBJECTIVE

The City of Johannesburg Metropolitan Municipality (including some of its entities) (“COJ”) seeks the provision of office accommodation and parking facilities from the private sector through competitive bidding process, in terms of a lease for a period of 9 years, 11 months.

The proposed lease agreement for office accommodation and parking facilities will be for a period of more than three (3) years and will impose financial obligations on the COJ for more than three (3) years, thus the COJ must therefore comply with Section 33 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (“MFMA”); Section 4(3) of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) as well as Section 21A of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

The objective of this Information Statement is to inform the community and any other interested parties and stakeholders of the proposed leases for the provision of office accommodation and parking facilities to the COJ.

## 2. PROJECT BACKGROUND



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The COJ's Metro Centre is a building approximately 50 years old, providing office accommodation and parking to some staff belonging to the COJ's Legislative, Executive and Administrative arm, as well as, some of the COJ's key departments. A building of this age requires refurbishment every 15 years, to keep its structure and operating components at optimum performance levels. Furthermore, there are a host of legislation and regulations in place that further pronounces on building standards and infrastructure requirements that when complied with certify a building for occupancy.

Over the years, due to budget priorities insufficient budget was allocated to Metro Centre to ensure that, the building remains in a habitable and safe state for the COJ personnel and the public. In 2019, JPC commissioned a detailed study undertaken by engineers and other professionals. The assessment report confirmed the hazardous state of Metro Centre and confirmed JPC's internal assessment of the hazardous state of the building.

### 3. SUMMARY OF PROCUREMENT PROCESS TO DATE

The City Manager appointed the Bid Specification Committee members in April 2023 as empowered in terms of Regulation 26(1)(b) of the Municipal Supply Chain Management Regulations as amended ("**SCM Regulations**").

The specifications for the RFPS were approved and advertised for 30 days in line with the SCM Regulations.

The invitation for the Request for Proposals advert for the RFPS was published on 25 May 2023 in a national newspaper namely, The Star, including JPC Website and Etenders.

The bids closed on 03 July 2023 at 10h30 am (Telkom Time), and bids were opened in the presence of the relevant officials from the JPC, GFIS, GRAS and members of the public on the 3rd floor, Forum I Building, 33 Hoofd Street Braampark Office Park.

On tender closing date, bids were recorded on the tender closing register for the RFPS 23/2 and the bidders were read out at the opening of the bid and were recorded in the bid closing register.

The tender validity period for the RFPS is 120 days, and necessary extensions for the bid validity period were issued to enable the COJ/JPC to complete the tender process.

The City Manager appointed the Bid Evaluation Committee members in April 2023 as empowered in terms of Regulation 26(1)(b) of the SCM Regulations.



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The Bid Evaluation Committee evaluated the bid proposals in accordance with the specifications and requirements set out in the tender document. The evaluation process was subject to, inter alia, the provisions of the MFMA; SCM Regulations; the Preferential Procurement Framework Policy Framework Act, 2000 (Act No. 5 of 2000); the Preferential Procurement Regulations of 2002; and the COJ's Supply Chain Management Policy.

In terms of the RFP the CoJ would incur certain obligations, including financial and contractual obligations, as per the relevant bid documents. These obligations would form the mainstay of the Lease Agreements, which the CoJ shall conclude with the Landlords, in line with the resolutions of the Executive Adjudication Committee of the CoJ and subsequent to the finalisation of the Section 33 legislative process.

Some of these CoJ financial and contractual obligations of the proposed contract of leave, are summarised, in accordance with section 33 (1) (a) (i) (aa), below. Section 33 (1) (a) (i) (aa) provides that:

A municipality may enter into a contract, which will impose financial obligations on the municipality beyond a financial year, but if the contract will impose financial obligations on the municipality beyond the three years covered in the annual budget for that financial year, it may do so only-

(a)

(i) has, in accordance with section 21A of the Municipal Systems Act –

(aa) **made public the draft contract and an information statement summarising the municipality's obligations in terms of the proposed contract...**

#### 4. DRAFT AGREEMENT

In accordance with section 33 of the MFMA draft contract for the above-mentioned RFPS is attached hereto for comments or representations. The draft and all comments and views received relevant to the contract will be assessed and included in the report to be presented to the COJ Council for the final decision as to whether to enter into lease agreement for the provision of office accommodation and parking facilities for City of Johannesburg and its entities.



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