



RFP 15/2024FY/PF: REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT AND LEASE OF HOLDINGS 3,4,5 AND 6 BRUSHWOOD HAUGH AGRICULTURAL HOLDINGS

Please note: Do not remove the front page of this document. Keep in order as downloaded.

**City of Joburg Property Company (SOC) Ltd
Department of Finance: Supply Chain Management Unit**

RFP 15/2024FY/PF

**Tender document can be downloaded from JPC and E-tenders websites at no cost
www.jhbproperty.co.za and www.etenders.gov.za**

No submission(s) transmitted by fax or other electronic means will be accepted

Closing date of submission: 07 June 2024 10:30 (Telkom Time) – at Braamfontein, 33 Hoofd Street, Forum 1 (Forum One), A-Block, 3rd Floor (entrance level) - no bid received after the closing date and time will be accepted or considered.

Opening of submissions: 10h30 (Telkom Time) – Bids will be opened in designated boardrooms at the City of Joburg Property Company (SOC) Ltd, 3rd Floor, Forum I, Braampark Office Park, 33 Hoofd Street, Braamfontein. All proposals are to be submitted at the JPC offices, on or before the closing date and time. The Opening Register will be uploaded on the JPC website

Non- compulsory briefing session: Non – Compulsory briefing session will be held at JPC Offices on the 18 April 2024 at 11h00am. Address: 33 Hoofd Street, Braam Park. Forum 1. Entrance A Reception Level, Auditorium.

Document availability: 27 March 2024 from 12:00pm

RFP 15/2024 FY/PF: REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT AND LEASE OF HOLDINGS 3,4,5 AND 6 BRUSHWOOD HAUGH AGRICULTURAL HOLDINGS

NAME OF BIDDER:

DOCUMENTS TO BE SUBMITTED: ONE (1) ORIGINAL HARD COPY, ONE (1) COPY PLUS SCANNED VERSION OF THE SUBMISSION INCLUDING ALL ANNEXURES/RETURNABLES IN A USB CLEARLY MARKED IN BIDDER'S NAME

Submissions under sealed cover must be addressed to City of Joburg Property Company (SOC) Ltd endorsed with bid number and description and placed in the tender box no later than the date and time indicated above. City of Joburg Property Company (SOC) Ltd does not take any responsibility for any bids deposited into an incorrect box.

THIS DOCUMENT CONSISTS OF 71 PAGES, IT IS THE RESPONSIBILITY OF THE TENDERER/BIDDER TO SEE THAT ALL PAGES ARE INCLUDED IN THE DOCUMENT



Contents

INVITATION TO BID (MBD1)4

TENDER ADVERT FOR BID: RFP 15/2024 FY/PF (JPC MBD 2).....7

PRICING SCHEDULE: FINANCIAL OFFER (JPC MBD 3)10

DECLARATION OF INTEREST (MBD 4).....12

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED) (MBD: 5)16

.....16

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (MBD 6.1)18

BIDDER’S INFORMATION (JPC MBD 7.1).....23

CONTRACT FORM - TENDER FOR INCOME-GENERATING CONTRACTS MBD 7.324

PART 1 (TO BE FILLED IN BY THE BIDDER)24

CONTRACT FORM - TENDER FOR INCOME-GENERATING CONTRACTS MBD 7.326

PART 2 (TO BE FILLED IN BY THE LESSOR/ SELLER)26

DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES (MBD8) ...27

CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)29

CERTIFICATE OF INDEPENDENT BID DETERMINATION30

STANDARD CONDITIONS OF SUBMISSION (JPC MBD 10).....32

BID SPECIFICATION AND SITE /PROPERTY INFORMATION (MDB: 11)37

EVALUATION CRITERIA (JPC MBD: 12)42

EXPERIENCE AND CAPABILITIES OF BIDDER (JPC MBD 13)50

ACCESS TO FUNDING (JPC MBD 14).....54

REGISTRATION DOCUMENTS (JPC MBD: 15)56

AUTHORITY TO SUBMIT BID (JPC MBD: 16).....57

PAYMENT OF MUNICIPAL ACCOUNT (JPC MBD: 17)58

DEVELOPMENT PROPOSAL (JPC MBD: 19)60

PUBLIC/SOCIAL BENEFIT PROPOSAL (JPC MBD: 21)69

CONSENT AND ACKNOWLEDGMENTS IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 2013 (POPI) (JPC MBD 22)70

ANNEXURES

Annexure A - Template for NPV calculations

1. INTRODUCTION

1.1. The City of Johannesburg

- a) In 2000, Johannesburg was restructured to become a single metropolitan authority and elections were held for an executive mayor and unified local government.
- b) Since then, the City has enjoyed a financial turnaround, with the creation of a credible and stable operating environment. This stability, strong centralised co-ordination and oversight has allowed the City to play a crucial role in building the economy and implementing policies and structures to support economic growth and poverty alleviation.
- c) All urban development in Joburg is guided by the Growth and Development Strategy.

The City of Joburg Property Company (JPC)

- a) The City of Joburg Property Company SOC Ltd (JPC), established in 2000, is a dynamic company mandated to manage and develop the City of Johannesburg's (CoJ) property assets for the purpose of maximising both social and commercial opportunities for the Council.
- b) Dedicated to finding solutions to the developmental challenges facing the City of Johannesburg, the JPC utilises council-owned land assets to leverage private sector investment in public infrastructure. The JPC, on behalf of the CoJ, provides Property Asset Management, Property Management (Commercial), Property Management (Social), as well as Facilities Management and Maintenance Services, and its relevant subsidiary services.
- c) Therefore, the JPC prides itself as the arm responsible for maximising the social, economic and financial value of the CoJ's total property portfolio and enhancing its efficient use of property to drive investment, economic growth and job creation. The JPC aims to achieve its objectives by focusing on the following imperatives:
 - Realising value (social, financial and economic) for the CoJ;
 - Supporting economic development and aligning the CoJ property portfolio with CoJ priorities;
 - Increasing the effectiveness of economically viable municipalities and social use of properties; and
 - Management of risk and return with respect to the property portfolio and property transactions for the CoJ.



INVITATION TO BID (MBD1)

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE CITY OF JOHANNESBURG					
BID NUMBER:	RFP 15/2024FY/PF	CLOSING DATE:	07 June 2024	CLOSING TIME:	10:30 (Telkom Time)
DESCRIPTION	RFP 15/2024 FY/PF: REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT AND LEASE OF HOLDINGS 3,4,5 AND 6 BRUSHWOOD HAUGH AGRICULTURAL HOLDINGS				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7.3).					

BID RESPONSE DOCUMENTS MUST BE DEPOSITED IN THE BID BOX SITUATED AT (AT 33 HOOFD STREET, FORUM 1, BLOCK A, 3RD FLOOR, ENTRANCE LEVEL, BRAAM PARK, BRAAMFONTEIN, JOHANNESBURG. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED OR AMENDED)

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	Supply Chain Management	CONTACT PERSON	
CONTACT PERSON	Supply Chain Management	TELEPHONE NUMBER	
TELEPHONE NUMBER	010 219 9000	FACSIMILE NUMBER	
FACSIMILE NUMBER	010 219 9400	E-MAIL ADDRESS	
E-MAIL ADDRESS	tenders@jhbproperty.co.za		

**PART B
TERMS AND CONDITIONS FOR BIDDING**

<p>1. BID SUBMISSION:</p> <p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p>
<p>2. TAX COMPLIANCE REQUIREMENTS</p> <p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE</p>

WWW.SARS.GOV.ZA.

- 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
- 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?
 YES NO
- 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES
 NO
- 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?
 YES NO
- 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?
 YES NO
- 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?
 YES NO

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.

SIGNATURE OF BIDDER:.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:.....

DATE:.....

TENDER ADVERT FOR BID: RFP 15/2024 FY/PF (JPC MBD 2)

CITY OF JOBURG PROPERTY COMPANY (SOC) LTD (REG. NO 2000/017147/07) (“JPC”), HEREBY INVITES INTERESTED PERSONS TO SUBMIT PROPOSALS FOR THE DEVELOPMENT OF THE PROPERTY STATED HEREUNDER:

Bid Number	RFP 15/2024 FY/PF	SITE SIZE
Bid Description	RFP 15/2024FY/PF: REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT AND LEASE OF HOLDINGS 3,4,5 AND 6 BRUSHWOOD HAUGH AGRICULTURAL HOLDINGS	Total Extent 80 856m²
Briefing Session	<p>Non – Compulsory briefing session will be held at JPC Offices on 18 April 2024 at 11h00</p> <p>Address: 33 Hoofd Street, Braam Park. Forum 1. Entrance A Reception Level, Auditorium.</p>	
Document Availability Date	27 March 2024 from 12:00pm	
Document Cost	The tender document can be downloaded from JPC and E-tenders website at no cost. www.jhbproperty.co.za and www.etenders.gov.za	
Closing Date	07 June 2024 at 10h30 (Telkom time)	
Compliance Requirements before an award is made to the successful Bidder	<ul style="list-style-type: none"> • Valid Tax Compliant Verification PIN number issued by South African Revenue Services (SARS). • Proof of registration of the Bidder as follows: <ul style="list-style-type: none"> ○ Natural persons- certified copy of ID document/ passport (certified copies not older than 6 months. Smart card IDs must be printed on both sides). ○ Partnership- copy of Partnership Agreement plus certified copies of IDs/passport(s) of all partners (certified copies not older than 6 months. Smart card IDs must be printed on both sides). 	

	<ul style="list-style-type: none"> ○ Company- current CM29/COR 20.1 ○ Close Corporation- current copy of CK1 and/or CK2C and/or COR 20.1 ○ Trust- letter of appointment from the Master of the High Court of SA and deed of trust ○ JV/Consortium- JV/Consortium Agreement including all parties plus CIPC and/or certified copies of IDs /passport(s) of all JV/Consortium partners (certified copies not older than 6 months. Smart card IDs must be printed on both sides). ○ Entity valid BBBEE Certificate issued by agency accredited by SANAS /Valid Sworn affidavit, or valid BBBEE certificate JV/Consortium issued by agency accredited by SANAS or Consolidated BBBEE Certificate from CIPC. <ul style="list-style-type: none"> ● Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the individual / Proof that acknowledgements or arrangements have been made to settle arrears. In the event the bidder is tendering as a Joint Venture/Consortium, all members of the JV/Consortium must submit the municipal account statement. Affidavit stating why an up-to-date municipal account cannot be submitted / valid lease agreement. ● Up to date Municipal Account not older than three (3) months from bid closing date and not over three (3) months in arrears for the Entity / Proof that acknowledgements or arrangements have been made to settle arrears. In the event of a Joint Venture/Consortium, all entities in the JV/Consortium must submit the municipal account statement Affidavit stating why an up-to-date municipal account cannot be submitted / valid lease agreement. ● Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the Director (s) or Member (s) / Proof that acknowledgements or arrangements have been made to settle arrears / Affidavit stating why an up-to-date municipal account cannot be submitted / valid lease agreement. ● If the director does not own any property a valid lease agreement or certified affidavit need to be provided. ● In the event the bidder is tendering as a Joint Venture/Consortium, all members of the JV/Consortium must submit all required documentation, a JV / Consortium agreement including all parties and a consolidated BBBEE certificate. ● Submission of Public Interest Score (PIS) as per the Companies Act Regulations 26(2). The Public Interest Score Calculation must be supported by the following: <ul style="list-style-type: none"> ○ Audited Annual Financial Statements indicating the latest three financial periods, OR ○ Latest unaudited annual financial statement used for the calculation of the PIS. ● Central Supplier Database (CSD) registration valid on tender closing date.
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	<ul style="list-style-type: none"> • Company resolution for bid signing powers. • The following documents must be duly completed and signed <ul style="list-style-type: none"> ○ Declaration of interest in MBD 4, ○ Declaration of the Bidder's Past Supply Chain Practices in MBD 8, ○ Certificate of Independent Bid Determination in MBD 9, and Bidders Information in JPC MBD 7.1 • If the bid document is not fully completed and/or signed by the bidder, the bidder will be regarded as non-responsive. • If the entity or any of its directors are listed on the National Treasury register of defaulters, the bid will be rejected.
Evaluation Criteria	<p>Functionality, Price and Specific Goals using the 80/20 or 90/10 preference point system, 80 Price and 20 Specific Goals and 90 for Price 10 for Specific Goals.</p> $Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \quad \text{or} \quad Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$
Address	City of Joburg Property Company SOC Ltd, 3 rd Floor, Forum I, A-Block reception level, 33 Hoofd Street, Braam Park Office Park, Braamfontein
Enquiries	tenders@jhbproperty.co.za

Please note the following conditions of submission:

- No late proposals will be considered. It is recommended that bids be submitted the day prior to the closing date as JPC will not approve any request for condonation of late submissions due to any unforeseeable reason resulting in such late submissions.
- The City of Joburg Property Company (SOC) Ltd and or City of Johannesburg Metropolitan Municipality reserves the right not to accept any proposals or to withdraw the call for proposals or award some of the properties herein listed.

Helen Botes
 Chief Executive Officer
 City of Joburg Property Company SOC Ltd
 3rd Floor, Forum I Building, Braampark
 Office Park, 33 Hoofd Street,
 Braamfontein Johannesburg

Contact Details

**Supply Chain
 Management
 Department**

Tel: (010) 219-9000





PRICING SCHEDULE: FINANCIAL OFFER (JPC MBD 3)

1. This offer is made for the property in accordance with the Property Information stated in JPC MBD 11 and in accordance with the bid specifications indicated in this MBD.
2. Unless stated otherwise all prices exclude VAT
3. **THE FINANCIAL OFFER**

RENTAL OFFER

The Bidder to demonstrate the rental offer in the table below:

<p>Fixed Rental Offer</p> <p>NPV of future Monthly rental based on the following assumptions(bidder are required to complete Annexure A, which can be accessed on the JPC Website under the RFP)</p> <ol style="list-style-type: none"> 1. Annual Rental escalation of 8% or CPI (Whichever is higher) 2. Discount rate of 10% 3. 30 Year Lease 	R
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BIDDERS MUST SUBMITT A RENTAL SCHEDULE INDICATING THE NPV CALCULATIONS

4. NON-REFUNDABLE JPC FEE

In addition to the above offer, the preferred bidder shall pay to JPC a non-refundable JPC Fee equal in value to 1.5% (one and half percent) of the total proposed development cost (excluding the land value), for facilitating the project and must be payable on agreed milestone.

Non-refundable JPC Fee equal to 1.5 % of total development cost, payable to JPC within 14 days from the date of signature of the Development and Lease Agreement (Refer to MDB17 for makeup of Development Cost)	R
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5. DEVELOPMENT COST (REFER TO JPC MBD 19)

TOTAL DEVELOPMENT COST:	R
--------------------------------	---

6. TOTAL FINANCIAL OFFER

<ul style="list-style-type: none"> Total rental offer (1st 12 months) JPC Facilitation Fee (once off 15% of the Development cost) 	R + R
TOTAL (Final Total Offer for Stage 2 Evaluation)	R

NB: BIDDERS MUST SUBMIT A RENTAL SCHEDULE INDICATING THE NPV CALCULATIONS

- **Template for NPV calculations, Refer to Annexure A**
- **For comparison NPV rental offers will be calculated using a 10% discounted rate.**
- **The lease period is 30 years.**
- **Bidders must attach a spread sheet showing the NPV calculations for the entire 30-year period.**
- **An error in calculation may result in your bid becoming non-responsive.**

7. PAYMENT FOR RATES, TAXES AND SERVICES

In addition to the above amounts the bidder will be required to pay all municipal charges including rates and taxes levied on the property.

- 8. NPV calculation template link below:**
[NPV Working Template-Annexure A.xlsx](#)

DECLARATION OF INTEREST (MBD 4)

1. No bid will be accepted from persons in the service of the state¹.
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.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

No.	Information	Please provide detail
3.1	Full name of bidder or his or her representative	
3.2	Identity number	
3.3	Position occupied in the company (director, trustee, shareholder ²)	
3.4	Company registration number	
3.5	Tax reference number	
3.6	VAT registration number	



No.	Information	Please provide detail	
Note	<i>(The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.)</i>		
3.7	Are you presently in the service of the state? If yes, please furnish particulars:	Yes	No
3.7.1	Name of director		
3.7.2	Service of state organization		
3.8	Have you been in the service of the state for the past twelve months? If yes, please furnish particulars:	Yes	No
3.8.1	Name of director		
3.8.2	Service of state organization		
3.9	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? If yes, please furnish particulars:	Yes	No
3.9.1	Name of person in the service of state		
3.9.2	Relationship		
3.10	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? If yes, please furnish particulars:	Yes	No



No.	Information	Please provide detail	
3.10.1	Name of person in the service of state		
3.10.2	Relationship		
3.11	<p><i>Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?</i></p> <p>If yes, please furnish particulars:</p>	Yes	No
3.11.1	Name of director		
3.11.2	Service of state organization		
3.12	<p>Is any spouse, child or parent of the company's director trustees, managers, principal shareholders or stakeholders in service of the state?</p> <p>If yes, please furnish particulars:</p>	Yes	No
3.12.1	Name of director		
3.12.2	Name of relative		
3.12.3	Relationship		
3.13	<p>Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract?</p> <p>If yes, please furnish particulars:</p>	Yes	No
3.13.1	Name of director		
3.13.2	Related company		

No.	Information	Please provide detail
Note:	<p>SCM Regulations:</p> <p>“1In the service of the state” means to be –</p> <ul style="list-style-type: none"> (a) a member of – <ul style="list-style-type: none"> (i) any municipal council; (ii) any provincial legislature; or (iii) 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; or (f) an employee of Parliament or a provincial legislature. <p>“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.</p>	

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

Full Name	Identity Number	State Number	Employee

5. I, the undersigned certify that the information furnished on this declaration form is correct.

I accept that the state may act against me should this declaration prove to be false.	
NAME OF REPRESENTATIVE	AUTHORIZED SIGNATURE (UNDERSIGNED)
DATE	CAPACITY



DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED) (MBD: 5)

For all procurement expected to exceed R10 million (all applicable taxes included), bidders must complete the following questionnaire:

1 Are you by law required to prepare annual financial statements for auditing? **YES / NO**

1.1 If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.

.....

2 Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than three months or any other service provider in respect of which payment is overdue for more than 30 days?

YES / NO

2.1 If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than three months or other service provider in respect of which payment is overdue for more than 30 days.

2.2 If yes, provide particulars.

.....

3 Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract?

YES / NO

3.1 If yes, furnish particulars

.....

4. Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic?

***YES / NO**

4.1 If yes, furnish particulars

.....

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (MBD 6.1)

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, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- The 80/20 90/10 system for requirements with a Rand value up to R50 000 000 (all applicable taxes included);

OR

- The 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included); and

1.2 To be completed by the organ of state

- a) The applicable preference point system for this tender is the 80/20 or 90/10 preference point system.
- b) The 80/20 or 90/10 preference point system will be applicable in this tender. The highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS	POINTS
PRICE	80	90
SPECIFIC GOALS	20	10
TOTAL POINTS FOR PRICE AND SPECIFIC GOALS	100	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state 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 organ of state and a third party that produces revenue for the organ of state, 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; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.1. POINTS AWARDED FOR PRICE

A maximum of 80 points is allocated for price on the following basis:

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

Where

- P_s = Points scored for price of tender under consideration;
- P_t = Price of tender under consideration; and
- P_{max} = Price of highest acceptable tender.

OR

A maximum 90 points is allocated for price on the following basis: (90 P_{max})

90/10

$$Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

- Ps = Points scored for price of tender under consideration;
 Pt = Price of tender under consideration; and
 Pmax = Price of highest acceptable tender.

4. 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 tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend 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, an organ of state 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 organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

	DESIGNATED GROUP	80/20	Number of points claimed (80/20 system) (To be completed by the tenderer)
HDI	Business owned by 51% or more – Black People	5	
	Business owned by 51% or more – Women	10	
Promotion of local economy	Enterprises located within the City of Johannesburg Metropolitan Municipality for work to be done or services to be rendered in that region.	5	

Goals	The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)
Specific goal 1 – HDI	Business owned by 51% or more – women	3	
	Business owned by 51% or more – Black People	2	
Specific Goal 2- Promotion	Enterprises located within the City of Johannesburg Metropolitan Municipality for work to be done or services to be rendered in that region.	5	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) 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;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the



RFP 15/2024FY/PF: REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT AND LEASE OF HOLDINGS 3,4,5 AND 6 BRUSHWOOD HAUGH AGRICULTURAL HOLDINGS

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.

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....



BIDDER'S INFORMATION (JPC MBD 7.1)

Name of Bidder			
ID /Passport/ Registration Number			
Nature of bidder (tick one)	Natural Person/ Sole Proprietor		
	School/NGO/Trust		
	Company/ CC/ Partnership		
	Joint Venture (JV)		
Postal Address		Tel	
		Cell	
		Email	
		Fax	

BIDDER BANKING DETAILS

Name of bidder's Banker	
Contact details of banker	

Please indicate how you became aware of the invitation to submit this Proposal

The Star		JPC Web site	
Sowetan		E- Tenders	
JPC Social Media Accounts			

I, the undersigned certify that the information furnished on this declaration form is correct.

I accept that the state may act against me should this declaration prove to be false.	
NAME OF REPRESENTATIVE	AUTHORIZED SIGNATURE (UNDERSIGNED)
DATE	CAPACITY

CONTRACT FORM - TENDER FOR INCOME-GENERATING CONTRACTS¹ MBD 7.3

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL BIDDER (PART 1) AND THE LESSOR/ SELLER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SUCCESSFUL BIDDER AND THE LESSOR/ SELLER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to lease property/ purchase all or any of the goods and/or services described in the attached bidding documents from (name of institution) in accordance with the requirements stipulated in (bid number) at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the seller during the validity period indicated and calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Proof of tax compliance status;
 - Pricing schedule(s);
 - Preference claim form for Preferential Procurement in terms of the Preferential Procurement Regulations;
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) quoted covers the leased property/ all the goods and/or services specified in the bidding documents; that the price(s) cover all my obligations and I accept that any mistakes regarding price(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
5. I undertake to make payment for the leased property/ goods/services as specified in the bidding documents.
6. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
7. I confirm that I am duly authorised to sign this contract.

¹ "Tender for income-generating contracts" has the same meaning as defined in the Preferential Procurement Regulations, 2022.



RFP 15/2024FY/PF: REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT AND LEASE OF HOLDINGS 3,4,5 AND 6 BRUSHWOOD HAUGH AGRICULTURAL HOLDINGS

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1
2.
DATE:	



CONTRACT FORM - TENDER FOR INCOME-GENERATING CONTRACTS MBD 7.3

PART 2 (TO BE FILLED IN BY THE LESSOR/ SELLER)

- I..... in my capacity as..... accept your bid under reference numberdated.....for the leasing of property/ purchase of goods/services indicated hereunder and/or further specified in the annexure(s).
- I undertake to make the leased property/ goods/services available in accordance with the terms and conditions of the contract.

ITEM NO.	DESCRIPTION	PRICE (ALL APPLICABLE TAXES INCLUDED)	TOTAL PREFERENCE POINTS CLAIMED	POINTS CLAIMED FOR EACH SPECIFIC GOAL

- I confirm that I am duly authorized to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1.

2.

DATE

DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES (MBD8)

1. This municipal bidding document must form part of all bids invited.
2. It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
3. The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - 3.1. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - 3.2. been convicted for fraud or corruption during the past five years;
 - 3.3. wilfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - 3.4. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No. 12 of 2004).
4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this database were informed in writing of this restriction by the accounting officer / authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website www.treasury.gov.za and can be accessed by clicking on its link at the bottom of the home page</p>	Yes	No
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No. 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website www.treasury.gov.za by clicking on its link at the bottom of the home page.</p>	Yes	No



Item	Question	Yes	No
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes	No
4.3.1	If so, furnish particulars:		

I, the undersigned certify that the information furnished on this declaration form is correct.

I accept that the state may act against me should this declaration prove to be false.	
NAME OF REPRESENTATIVE	AUTHORIZED SIGNATURE (UNDERSIGNED)
DATE	CAPACITY



CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)

1. This municipal bidding document (MBD) must form part of all bids¹ invited.
2. 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).² Collusive bidding is a pe se prohibition meaning that it cannot be justified under any grounds.
3. Municipal Supply Regulation 38(1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - 3.1. take all reasonable steps to prevent such abuse;
 - 3.2. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - 3.3. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
4. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid rigging.
5. In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.



CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation,



RFP 15/2024FY/PF: REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT AND LEASE OF HOLDINGS 3,4,5 AND 6 BRUSHWOOD HAUGH AGRICULTURAL HOLDINGS

communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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 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.

10. 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 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.

.....
Signature

.....
Date

.....

.....

Position

Name of Bidder

STANDARD CONDITIONS OF SUBMISSION (JPC MBD 10)

The following conditions apply to all bids submitted:

- All bids must be submitted in compliance with the Bid Specifications specified in JPC MBD 11
- The property is made available in accordance with the information and stipulations contained in
- The bidder(s) will be deemed to be familiar with the state, real rights registered against the property, the zoning and locality of the property.

COMPLIANCE REQUIREMENTS BEFORE AN AWARD IS MADE TO THE SUCCESSFUL BIDDER

- Valid Tax Compliant Verification PIN number issued by South African Revenue Services (SARS).
- Proof of registration of the Bidder as follows:
 - Natural persons- certified copy of ID document/ passport (certified copies not older than 6 months. Smart card IDs must be printed on both sides).
 - Partnership- copy of Partnership Agreement plus certified copies of IDs/passport(s) of all partners (certified copies not older than 6 months. Smart card IDs must be printed on both sides).
 - Company- current CM29/COR 20.1
 - Close Corporation- current copy of CK1 and/or CK2C and/or COR 20.1
 - Trust- letter of appointment from the Master of the High Court of SA and deed of trust
 - JV/Consortium- JV/Consortium Agreement including all parties plus CIPC and/or certified copies of IDs /passport(s) of all JV/Consortium partners (certified copies not older than 6 months. Smart card IDs must be printed on both sides).
 - Entity valid BBBEE Certificate issued by agency accredited by SANAS /Valid Sworn affidavit, or valid BBBEE certificate JV/Consortium issued by agency accredited by SANAS or Consolidated BBBEE Certificate from CIPC.
- Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the individual / Proof that acknowledgements or arrangements have been made to settle arrears. In the event the bidder is tendering as a Joint Venture/Consortium, all members of the JV/Consortium must submit the municipal account statement. Affidavit stating why an up-to-date municipal account cannot be submitted / valid lease agreement.
- Up to date Municipal Account not older than three (3) months from bid closing date and not over three (3) months in arrears for the Entity / Proof that acknowledgements or arrangements have been made to settle arrears. In the event of a Joint Venture/Consortium, all entities in the JV/Consortium must submit the municipal account statement Affidavit stating why an up-to-date municipal account cannot be submitted / valid lease agreement.

- Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the Director (s) or Member (s) / Proof that acknowledgements or arrangements have been made to settle arrears / Affidavit stating why an up-to-date municipal account cannot be submitted / valid lease agreement.
- If the director does not own any property a valid lease agreement or certified affidavit need to be provided.
- In the event the bidder is tendering as a Joint Venture/Consortium, all members of the JV/Consortium must submit all required documentation, a JV / Consortium agreement including all parties and a consolidated BBBEE certificate.
- Submission of Public Interest Score (PIS) as per the Companies Act Regulations 26(2). The Public Interest Score Calculation must be supported by the following:
 - Audited Annual Financial Statements indicating the latest three financial periods, OR
 - Latest unaudited annual financial statement used for the calculation of the PIS.
- Central Supplier Database (CSD) registration valid on tender closing date.
- Company resolution for bid signing powers.
- The following documents must be duly completed and signed
 - Declaration of interest in MBD 4,
 - Declaration of the Bidder's Past Supply Chain Practices in MBD 8,
 - Certificate of Independent Bid Determination in MBD 9, and
 - Bidders Information in JPC MBD 7.1
- If the bid document is not fully completed and/or signed by the bidder, the bidder will be regarded as non-responsive.
- If the entity or any of its directors are listed on the National Treasury register of defaulters, the bid will be rejected.

SUBMISSION OF PROPOSALS

- Bidder(s) are invited to submit their Proposals by completing the returnable Municipal Bidding Documents (MBDs) and JPCs' MBDs contained in this document.
- In this regard:
 - No other form of Proposal will be accepted. The MBDs must not be construed as an offer.
 - The Bidder(s) must submit one (1) original hard copy, one (1) copy plus scanned version of the submission including all annexures/returnables in a USB clearly marked in bidder's name.
 - All Proposal documentation received shall be deemed COJ property and shall not be returned or thus requested back by any Bidder.

- Proposals must be sealed, clearly marked with RFP name and number, and addressed to The Chief Executive Officer, City of Joburg Property Company (SOC) Ltd
- Bidder's return address must be clearly indicated at the back of the envelope.

The fully completed document with annexures must be submitted before the closing date specified on the front cover, and be deposited in the tender box made available by the Client Services Centre of:

The City of Joburg Property Company (SOC) Ltd
33 Hoofd Street, Forum 1 Block A, 3rd Floor, Braampark,
Braamfontein, Johannesburg

- **PROPOSALS WHICH ARE NOT SUBMITTED IN A PROPERLY SEALED AND MARKED ENVELOPE AND DEPOSITED IN THE BOX BEFORE THE CLOSING DATE AND TIME, WILL NOT BE OPENED.**
- The information required in the MBDs must be provided accurately and honestly. All details provided by the Bidder(s) will be regarded as material representations, which the COJ and/or its agent, JPC, base the evaluation of the Proposal on. Any misrepresentation will be treated as material and will result in the disqualification of the Proposal by the COJ and/or its agent, JPC.

OPENING OF PROPOSALS

- All proposals are to be submitted at the JPC offices, on or before the closing date and time. After which as a precautionary measure (as a result of the Covid – 19 pandemic) the Opening Register will be uploaded on the JPC website.
- Bidder's return address must be clearly stipulated or indicated on the back of the envelope.

EVALUATION OF PROPOSALS

- JPC reserves the right at its discretion to seek clarification or further information from Bidder(s) and to appoint professionals to advise and verify information on aspects of the Proposals submitted in a manner that the COJ or its agent deems appropriate.
- The preferred Bidder(s) may be required to make presentations to the JPC.
- The Bidder(s) shall be deemed to know and understand the content of this Proposal Call document and a submission of the bid will indicate the Bidder(s) unconditional acceptance of all the terms and conditions contained in the Proposal Call document.
- The Bidder(s) shall be deemed to have satisfied itself as to all of the conditions, procedures and performance and discharge of the obligations required in terms of the Proposal Call documents.
- The Proposal(s) will be evaluated by the JPC. JPC may accept any Proposal in whole or in part and is not bound to accept any Proposal.
- Proposals will be evaluated using the evaluation criteria stated in JPC MBD 12.
- The Proposal(s) will be adjudicated by the COJ's Executive Adjudication Committee and awarded in terms of the City's Supply Chain Management Policy for Land.

- The COJ and/or the JPC will not be held responsible or liable for any costs whatsoever and /or losses incurred or suffered by the Bidder(s) or any other party or parties for whatsoever reason as a result of the Proposal.
- Any Proposal in the name of a partnership or joint venture or consortium will, on acceptance, be deemed as joint and several agreements with all parties.
- All proposals shall remain valid for a period of **one hundred and twenty (120) days** after the closing date, provided that bidders may extend the validity of the proposal on request of COJ specifically in the event that a contract with the preferred bidder fails.

RESOLUTIONS OF DISPUTES

- Persons or bidders who are aggrieved by decisions or actions taken in the implementation of Supply Chain Management system or in the awarding of the bid, may within 20 (twenty) days of the awarding of the bid, lodge a written complaint containing the details of the dispute arising to the Chief Executive Officer of JPC at the following address or telefax number:

3rd Floor, Forum 1, Braampark, 33 Hoofd Street, Braamfontein, Johannesburg
Fax: (010) 219 9400
- The written complaint must contain the following information:
 - The bid reference number;
 - The section of the Policy, Regulations or Act that has been violated;
 - The details of the violation;
 - The City Department or Municipal Owned Entity involved;
 - Relief sought.
- The Chief Executive Officer may appoint an independent person, from outside or within the City or JPC, to investigate and propose a dispute resolution mechanism to address the complaint. The person so appointed will be someone who was not involved in the transaction in question.

PROHIBITIONS

- The COJ and JPC will not, subject to such amendments to the Act and Regulations and any exemptions as the Minister may promulgate from time to time, award contracts to Bidder(s) who are owned directly or indirectly by the following categories of persons:-
- defined as an employee or public servant in the service of the state working for Local, Provincial and National Government; or
- defined as an employee in the service of a government owned entity including the municipal entities;
- if the employee mentioned above is actively or inactively a director, manager or principal shareholder of the service provider concerned (refer to GN44 in GG 28411 of 18 January 2006

for the exemption); is a member of the board of directors of a municipal entity within its area of jurisdiction (refer to GN44 in GG 28411 of 18 January 2006 for the exemption);

- who is an advisor or consultant contracted to the JPC for the purposes of assisting the JPC with defining of requirements, drafting of specifications or evaluation of the Proposals.
- The COJ and JPC will not award Proposals to any Bidder(s) owned directly or indirectly by politicians serving as councillors for any municipality.
- The COJ and JPC will not award Proposals to any Bidder(s) owned directly or indirectly by politicians serving in National Assembly, Provincial Legislatures and National Council of Provinces.
- Failure by the above-mentioned persons to comply with the above shall lead to cancellation of the contract.

CONSIDERATION OF PROPOSALS FROM CLOSE FAMILY MEMBERS OF PERSONS IN THE SERVICE OF THE STATE

- The COJ and JPC does not encourage awarding of contracts to close family members of employees in decision-making positions.
- The bidder must declare and state whether a spouse, child or parent of the bidder or of a director, manager or shareholder is in the service of the City of Johannesburg Municipality or has been in the service of the state in the previous twelve months.

GENERAL ENQUIRIES

Only email enquiries will be accepted, such enquiries must be directed to tenders@jhbproperty.co.za

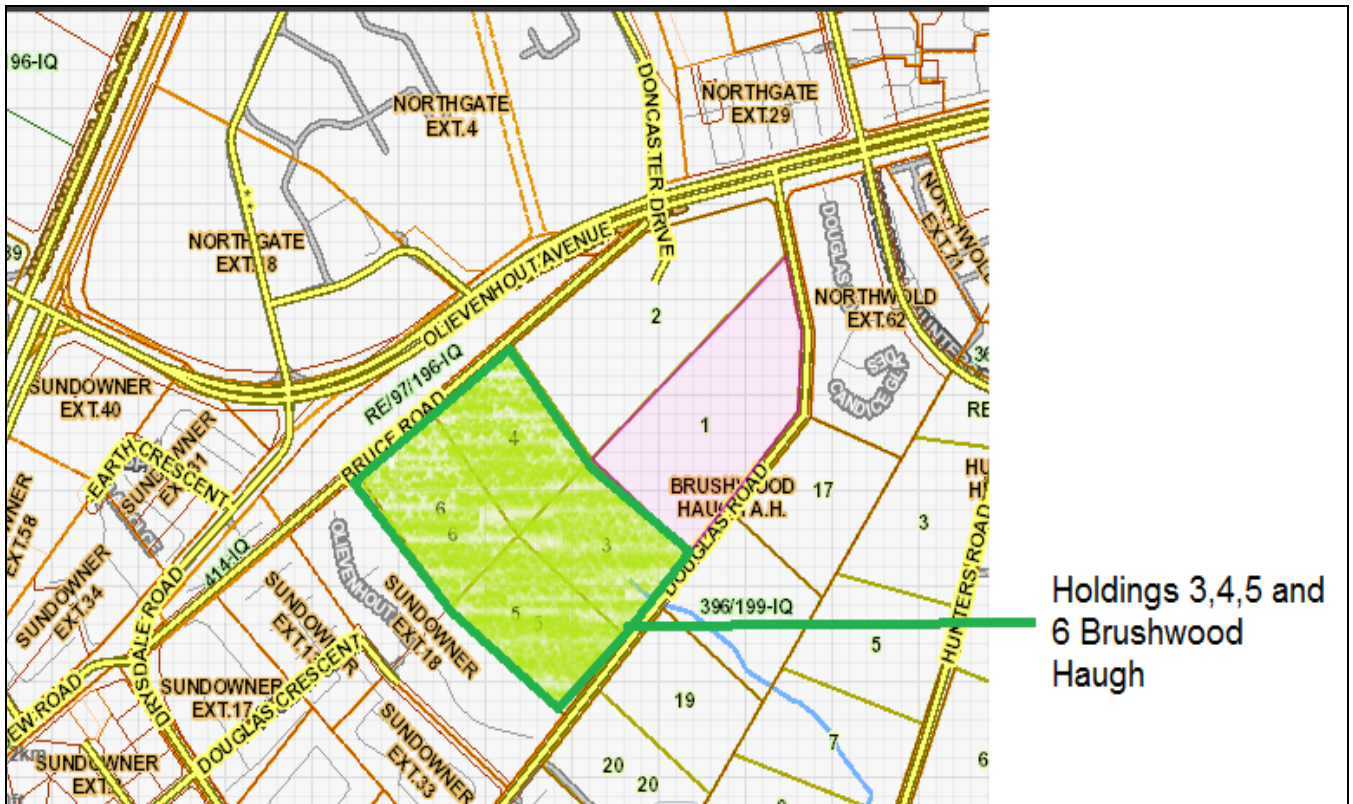
BID SPECIFICATION AND SITE /PROPERTY INFORMATION (MDB: 11)

1. BACKGROUND

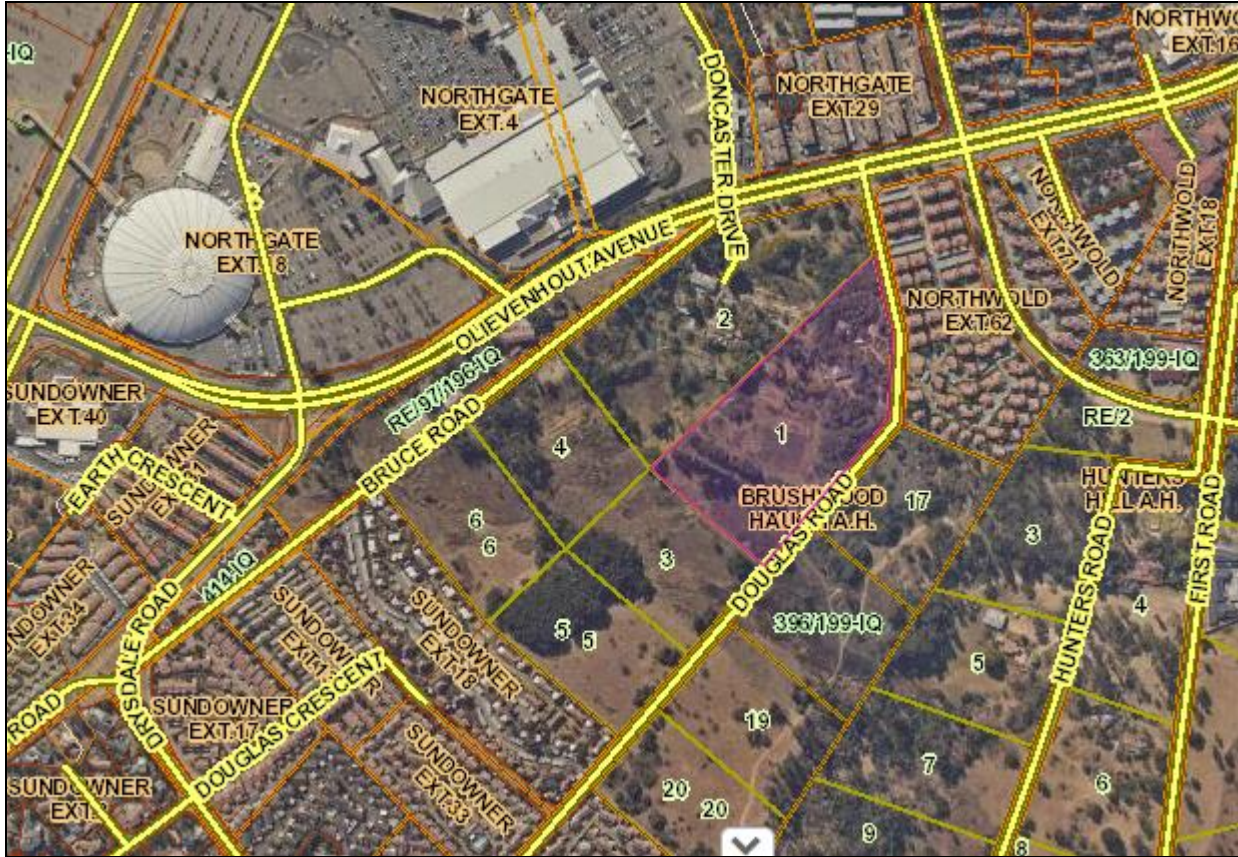
The property is located along Olievenhout Avenue. The properties are within the well-developed residential and commercial developments in close proximity to the Northgate Shopping Centre, Bel Air Shopping Centre and Sharonlea Primary School and can be easily accessed via Malibongwe Drive or Northumberland Avenue. The residential neighbourhoods are located mostly along Olievenhout Avenue with the Dome being the most significant landmark.

Holdings 1 and 2 Brushwood Haugh have been reserved for City Parks and Zoo for the repurposing and upkeep of a park.

2. LOCALITY MAP



AERIAL MAP



4. BID SPECIFICATIONS

Property Information

Property Description	Holdings 3,4,5 and 6 Brushwood Haugh
Ownership	City of Johannesburg Metropolitan Municipality
Locality	The properties are located along Olievenhout Avenue in close proximity to North gate Shopping Centre
Land Size	Holding 3 = 20 214m ² Holding 4 = 20 214m ² Holding 5 = 20 214m ² Holding 6 = 20 214m ² Total Extent 80 856m²
Zoning	Institutional
Heritage	It is not known whether the sites have any heritage significance. It will be the responsibility of the developer to determine as to whether the site has any heritage significance.
Geotechnical conditions	Any geotechnical conditions assessments will be the responsibility of the Developer.
Other Requirements	A Site Development Plan shall be submitted to the Local Authority by the developer Any further Town Planning proposals and or rezoning shall be the responsibility of the Developer. The bidder is required to comply will all relevant building regulation laws, including but not limited to SPLUMA, NEMA, Municipal By-laws etc.
Bulk services and external services contributions	The developer must ensure that these services are available at their own costs and expense.

5. VISION OF THE PROPERTY

The following Specifications apply to this bid:

- a. The properties are identified as Holdings 3,4,5 and 6 Brushwood Haugh
- b. Property Tenure: The Property shall be made available by means of a development and lease for a period not more than 30 years in accordance with JPC's standard agreement. The following terms of contract are non-negotiable:
- c. Non-refundable JPC Fee equal in a value of 1.5% (one and half percent) of the total proposed development cost (excluding the land value), for facilitating the project and/or transaction will be due and payable and/or must be payable on an agreed milestone. Specifications for use and development of the Properties (Vision for the Properties):

6. Specifications for use and development of the Property (Vision for the Property)

- a. It is envisaged that the developer would develop the property into a retirement village with ancillary uses such as medical facilities physiotherapy rooms and hydrotherapy facility etc.

NB! Bidders must note that this bid is not restricted to only the above vision. The proposed vision is meant to be a guide and by no means to be seen as a prescription.

- b. In addition to the above offer, the preferred bidder shall pay to JPC a non-refundable Facilitation Fee equal in value to 1.5% (one and half percent) of the total proposed development cost (excluding the land value), for facilitating the project and must be payable on an agreed milestone.
- c. Bidders are expected to submit a detailed rational for the proposed development.
- d. Bidders who fail to submit a detailed plan will not be scored on HDI, notwithstanding the targets as set out on JPC MBD 19
- e. Bidders are expected to support the goals and objectives of the National Government's Expanded Public Works Program (EPWP). **In this regard, the successful bidder will be required to keep the required records and provide regular reports to JPC as required by the EPWP.** In addition, hereto, bidders are expected to support the relevant enterprise development programmes of the City of Johannesburg.
- f. The successful bidder(s) will be responsible for and shall bear all costs related to the development of the property including bulk services.
- g. The successful bidder will be responsible for the cancellation or relocation of all servitudes which may be registered over the property.

RFP 15/2024FY/PF: REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT AND LEASE OF HOLDINGS 3,4,5 AND 6 BRUSHWOOD HAUGH AGRICULTURAL HOLDINGS

- h. Bidders are required to demonstrate their ability and capacity to deliver and manage the proposed development by submitting a detailed profile of the professional team and their successfully completed development. They must further demonstrate their ability to secure funds required to carry out the project. (refer to JPC MBD 14)
- i. The property is made available in accordance with the site information made available in MBD11.
- j. The successful bidder will be responsible to obtain all statutory approvals (Rezoning, Environmental, Water Use Licence, Site Development Plan, Building Plan, etc.) which are required for the development of the properties.
- k. The bidder shall maintain and safeguard the Property for the duration of the development in accordance with the provisions of regulation 45(2) (a) (v) of the Asset Transfer Regulations.
- l. The successful bidder must immediately after the award come up with an interim plan to protect the property against invasion and the interim use of the property before the SDP approvals and the construction commencement.
- m. The Lessee shall at all times during the term of this lease keep in full force and effect a policy of public liability and property damage insurance of an amount not less than the replacement cost value



EVALUATION CRITERIA (JPC MBD: 12)

A TWO-STAGE EVALUATION WILL BE APPLIED TO THE EVALUATION OF THE BID AS FOLLOWS:

STAGE 1: FUNCTIONALITY EVALUATION

Bids will be evaluated in order to establish whether they meet a minimum threshold score of 70 points out of 100 for functionality, based on the following criteria:

FUNCTIONAL CRITERIA	POINTS	RETURNABLE DOCUMENTS TO BE USED IN EVALUATION
1. CAPACITY AND EXPERIENCE OF BIDDER'S PROFESSIONAL TEAM	30	
<p>Capacity and Experience of the Bidder's s professional team in delivering projects of a similar nature: 30 Points</p> <p>1.1 Proof of Registration with the relevant professional bodies for the following professionals: 7 points to be allocated as follows:</p> <ul style="list-style-type: none"> • Civil Engineer= 1 point • Structural Engineer= 1 point • Electrical = 1 point • Architect = 1 point • Project Manager = 1 point • Quantity Surveyor = 1 point • Town Planner = 1 point <p>1.2 Town Planner: Max 9 points</p> <ul style="list-style-type: none"> • Experience of 10 years and more = 9 points • Experience of 8 years but less than 10 years = 6 points • Experience of less than 8 years = 1 point <p>1.3 Architect: Max3 points</p> <ul style="list-style-type: none"> • Experience of 10 years and more = 3 points • Experience of 8 year but less than 10 years = 2 points • Experience of less than 8 years = 1 point <p>1.4 Project Manager = Max 3 points</p> <ul style="list-style-type: none"> • Project Management Experience of 10 years and more = 3 points 		<p>Bidder to complete JPC MBD 13.</p> <p>The following applies to numbers 1.1 to 1.8</p> <p>Certified copies of Proof of Registration with professional bodies (certified copies must not be older than 6 months from the bid closing date).</p> <p>CV's/Company Profiles reflecting the number of years of relevant experience</p>



<ul style="list-style-type: none"> • Project Management Experience of 8 years but less than 10 years = 2 points • Project Management Experience of Less than 8 years = 1 point <p>1.5 Property Manager: Max 2 points</p> <ul style="list-style-type: none"> • Experience in Property Management above 8 years = 2 points • Experience in Property Management of less than 8 years = 1 point <p>1.6 Quantity Surveyor: Max 2 points</p> <ul style="list-style-type: none"> • Quantity Surveyor experience of more than 10 years and above = 2 points • Quantity Surveyor experience of less than 10 years = 1 <p>1.7 Urban Designer: Max 2 points</p> <ul style="list-style-type: none"> • Urban design with experience of more than 8 years = 2 points • Urban design experience of less than 8 years = 1 point <p>1.8 Stakeholder Consultant/Social Facilitator: Max 2 points</p> <ul style="list-style-type: none"> • Experience in Stakeholder Consulting of 3 years and above = 2 points • Experience in Stakeholder Consulting less than 3 years = 1 point 		
<p>2. CUMULATIVE DEVELOPMENT COMPANY EXPERIENCE OF THE BIDDING ENTITY IN DELIVERING PROJECTS OF A SIMILAR NATURE (5)</p>	<p>5</p>	

<p>The bidder must demonstrate its experience in delivering building projects of similar nature. The value of the projects must be clearly stated. Scoring will be based on the total value of development projects successfully completed.</p> <ul style="list-style-type: none"> • Cumulative Projects of R300 million and above = 5 points • Cumulative Projects of R200 million and less than R300 million = 4 points • Cumulative Projects of R100 million and less than R200 million = 3 points • Cumulative Projects of R90 million and less than R100 million = 2 points • Cumulative Projects of less than R90 million = 1 point 		<p>Bidder to complete JPC MBD 13.</p> <p>Reference Letters for similar nature projects must be signed and on the letterhead of the client for which work was done with contactable details, email or telephone number indicating the Value of Project. Reference letters for JV/Consortium partners will be accepted.</p>
<p>3. COMBINED CUMULATIVE DEVELOPMENT EXPERIENCE OF THE BIDDER'S PROPOSED PROFESSIONAL TEAM IN DELIVERING PROJECTS OF A SIMILAR NATURE (5)</p>	<p>5</p>	
<p>The bidder's professional team must demonstrate its experience in delivering similar nature projects. The value of the projects must be clearly stated. Scoring will be based on the total value of development projects successfully completed.</p> <ul style="list-style-type: none"> • Combined Cumulative Projects of R500 million and above = 5 points • Combined Cumulative Projects of R400 million and less than R500 million = 4 points • Combined Cumulative Projects of R300 million and less than R400 million = 3 points • Combined Cumulative Projects of R200 million and less than R300 million = 2 points • Combined Cumulative Projects of less than R200 million = 1 point 		<p>Bidder to complete JPC MBD 13.</p> <p>Reference Letters for similar nature projects must be signed and on the letterhead of the client for which work was done with contactable details, email or telephone number indicating the Value of Project. Reference letters for JV/Consortium partners will be accepted.</p>
<p>4. DEVELOPMENT PROPOSAL (PROJECT PLAN)</p>	<p>20</p>	
<p>Conformity of the Development Proposal to the vision for the property:</p> <p>A. DEVELOPMENT CONCEPT (7)</p>		<p>Bidder to complete JPC MBD 19 and submit a detailed development proposal and project plan</p>

<ul style="list-style-type: none"> • High level conceptual design outlining the intended uses in line with the zoning and the integration of multiple uses within the development including parking, if required (Business 3) = 3 points • Sustainability- (demonstrate use of green building principles that are environmentally responsible and resource efficient) = 2 points • High level detailed plan demonstrating how the bidder will deliver on the projects vision (including accommodation of informal Arts and Craft Traders = 2 points <p>B. DEVELOPMENT PROGRAMME (5)</p> <ul style="list-style-type: none"> • High level development programme including inception Stage, Planning, Design, Construction and Commissioning = 3 points • Detailed breakdown of project timelines = 2 points <p>C. OPERATIONAL PLAN (8)</p> <p>Approach and Methodology:</p> <ul style="list-style-type: none"> • Operational Plan pre-construction = 1 points • Operational Plan during construction = 1 points • Operation, Management and Maintenance Plan post construction = 2 points • Estimated Operating Cost = 2 points • Stakeholder engagement = 2 points 		<p>NB: The following applies to all sub sections of item number 4.</p> <p>In addition to providing the information on JPC MBD 19, the bidder must submit a development proposal that includes all the information as outlined on this section.</p> <p>Bidder to provide a detailed breakdown of timelines (Project Plan)</p> <p>Detailed Operational Plan outlining how the property, facilities management and maintenance aspects will be undertaken during all 3 phases of the project. This plan must outline the operational cost and the stakeholder engagement plan.</p>
<p>5. INVESTMENT VALUE (BACKED BY FINANCIAL FEASIBILITY AND SUSTAINABILITY REPORT)</p>	<p>15</p>	
<p>A realistic monetary investment value pledged to the project backed by a QS Report (5)</p> <p>Development feasibility report (10)</p>		<p>QS Report reflecting project cost, estimates and the development feasibility report stamped / signed off by a QS.</p>
<p>6. FINANCIAL CAPABILITY</p>	<p>25</p>	

<p>The bidder must be able to demonstrate proof of availability/ access to the funding (debt and own equity) required to execute the development. The bidder must provide a funding plan stating the sources of funding required for the development in line with JPC MBD 14 : (25)</p> <p>PROOF OF FUNDING AVAILABILITY</p> <p><i>Note: The Equity Contribution (A) and the Debt Contribution (B) must be equal to 100%. The scoring of A and B below will be scored interchangeably to achieve the total funding combination of 100% between debt and own equity.</i></p> <p>A. Bidder to provide proof of all equity funding (in the form of bank statements or by way of a written undertaking of an equity funder)</p> <ul style="list-style-type: none"> • Bidder provides proof of 50% or more own equity = 14 points • Bidder provides proof of 40% own equity = 12 points • Bidder provides proof of 30% own equity = 9 points • Proof of own equity below 30% = 0 points <p>B. Bidder to provide proof of availability of debt funding from a financial institution</p> <ul style="list-style-type: none"> • Proof of debt equity below 50% = 0 points • Bidder provides proof of 50% or more debt equity = 11 points • Bidder provides proof of 60% debt equity = 13 points • Bidder provides proof of 70% debt equity = 16 points <p>Or</p> <p>C. Bidder to provide proof of availability of 100% of debt funding from a financial institution or equity funding. (25)</p>		<p>Copy of stamped bank statements showing availability of funds issued by the financial institution not older than 3 months from the bid closing date.</p> <p>Signed letter from registered funding institutions confirming funding for the project</p> <p>An original letter from the bank confirming the working capital available (not older than three months on date of submission)</p> <p>Proof of own equity funding in relation to equity contribution.</p> <p>Proof of sound equity partners and their financials if relying in equity funding. (not older than 3 years)</p> <p>If the Bidder is to rely on equity funding, Bidder must submit a confirmation letter (on equity funder's letter head) from equity funder as well as proof of availability of funds in the funder's name NB: (i.e Letters of approval issued by the financial institution only subject to tender award)</p> <p>JPC may verify the authenticity of the letter with the third party.</p>
<p>TOTAL</p>	<p>100</p>	

Bids that do not meet the minimum threshold of 70 points will not be considered further.

STAGE 2: PRICE & SPECIFIC GOALS

Only those tenderers that attain the minimum threshold score of 70 Points in Stage 1 will be evaluated in this stage. Tenders will be evaluated as follows:

	POINTS	POINTS
PRICE	80	90
SPECIFIC GOALS	20	10
Total points for Price and SPECIFIC GOALS	100	100

A maximum of 80 points is allocated for financial offer on the following basis:

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

Where

- P_s = Points scored for price of tender under consideration;
- P_t = Price of tender under consideration; and
- P_{max} = Price of highest acceptable tender.

A maximum of 20 points will be awarded to a tenderer for the specific goals specified.

OR

A maximum 90 points is allocated for price on the following basis: (90 P_{max})

90/10

$$P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

- P_s = Points scored for price of tender under consideration;
- P_t = Price of tender under consideration; and

Pmax = Price of highest acceptable tender.

- A maximum of 10 or 20 points will be awarded to a tenderer for the specific goals specified for this tender.
- The points scored for the specific goal will be added to the points scored for price (**Total rental offer plus JPC Facilitation Fee**) and the total will be rounded off to the nearest two decimal places.
- The contract will be awarded to the tenderer scoring the highest points.
- If two or more tenderers score an equal total number of points, the contract will be awarded to the tenderer that scored the highest points for specific goals.

POINTS FOR SPECIFIC GOALS WILL BE AWARDED AS FOLLOWS:

	DESIGNATED GROUP	MEANS OF VERIFICATION (BIDDERS TO ATTACH THE FOLLOWING DOCUMENTS)	80/20
Maximum Points:			20
HDI	Business owned by 51% or more – Black People	CSD, Valid BBEE Certificate/Affidavit Sworn under oath, ID copy of owners/s of the business and Shareholder’s certificate.	5
	Business owned by 51% or more – Women	CSD and ID copy of owner/s of the business and Shareholder’s certificate	10
Promotion of local economy	Enterprises located within the City of Johannesburg Metropolitan Municipality for work to be done or services to be rendered in that region.	CSD and proof of municipal account/letter from the Ward Council confirming the business address.	5

Or

	DESIGNATED GROUP	MEANS OF VERIFICATION (BIDDERS TO ATTACH THE FOLLOWING DOCUMENTS)	90/10
Maximum Points:			10
HDI	Business owned by 51% or more – Women	CSD, Valid BBEE Certificate/Affidavit Sworn under oath, ID copy of owners/s of the business and Shareholder’s certificate.	3
	Business owned by 51% or more – Black People	CSD, Valid BBEE Certificate/Affidavit Sworn under oath, ID copy of owners/s of the business and Shareholder’s certificate.	2
Promotion of local economy	Enterprises located within the City of Johannesburg Metropolitan Municipality for work to be done or services to be rendered in that region.	CSD and proof of municipal account/letter from the Ward Council confirming the business address.	5



EXPERIENCE AND CAPABILITIES OF BIDDER (JPC MBD 13)

Experience of bidder, bidder’s principals and professional team to be stated below and supporting information to be supplied in tables below.

Summary of Developer and Team	
Value of Developments completed <u>by bidder, acting as “Developer”</u>	R
Value of Developments completed <u>by bidder’s principals, acting as developer / development manager.</u> <i>NOTE: Any experience as “Developer” to be duplicated here</i>	R
Total combined value of FEEs earned to date by all key members of bidders proposed professional team.	R

Total rand value of developments		R		
<p>.3.2.3. Details of fees earned by key members bidders proposed professional team</p> <p>(PLEASE EXPAND TABLE IF REQUIRED)</p> <p>NB: DO NOT ATTACH A SEPARATE TABLE</p>				
KEY DISCIPLINE (PROFESSIONAL TEAM)	NAME OF TEAM MEMBER			



5/2024FY/PF: REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT AND LEASE OF HOLDINGS 3,4,5 AND 6
WOOD HAUGH AGRICULTURAL HOLDINGS

NB: CV's/ Company Profiles and Certified Copies of Professional Registration documents must be attached as supporting documents.



ACCESS TO FUNDING (JPC MBD 14)

In the event that 70% of the development cost will be financed via debt finance (development bond loan).

The bidder must however submit proof of the availability of finance to fund 30% of the development cost through equity funding

or

Bidder to provide proof of availability of 100% of debt funding from a financial institution or Equity funding

1. Proof of available funds (bank statements or financial statements of the bidder)
2. Provide funding model to incorporate how and where the funding will be sourced/raised and it must include collateral to be pledged against such funding if required.
3. Provide detailed financial facility of the proposed development including all financial ratios
4. Financial Viability (Including Financial Sustainability)
 - Development Cost (Total Investment Value)
 - Projected Income

Financial Feasibility Ratios

- IRR (Internal Rate of Return)
- ROI (Return on Investment)
- NPV of projected income (Net Present Value)

Total Development Cost	R
Debt Finance	R
Equity Investments	R
Source of Debt Finance	



<ul style="list-style-type: none">• Letter confirming access to debt funding <p>(Bidder to state the name of the financier and attach a letter confirming debt financing from the financial institution)</p>	
<p>Source of Equity Finance</p> <ul style="list-style-type: none">• Bidder to provide a written confirmation of equity funding <p>(Bidder to state the source of equity finance and provide proof of availability of equity finance in the bidding entity's name or equity funder's name)</p> <p><u>Note</u>: this source must <u>not</u> be a bank loan or a promissory note).</p>	

The following documents must be attached

- *Natural persons- certified copy of ID document/ passport*
- *Partnership- copy of Partnership Agreement plus IDs of all partners*
- *Company- current CM29/COR 20.1*
- *Close Corporation- current copy of CK1 and/or CK2C and/or COR 20.1*
- *Trust- letter of appointment from the Master of the High Court of SA and deed of trust*
- *JV/Consortium- JV/Consortium Agreement including all parties plus CIPC and/or ID documents of all JV/Consortium partners*



AUTHORITY TO SUBMIT BID (JPC MBD: 16)

If bidder is a legal entity, a company resolution /Power of Attorney must be attached (these documents must authorise the named person to submit this application and to enter into agreements with the City of Johannesburg should the application be successful)

Is a company resolution attached?	YES	NO
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Is the bidder a natural person?	YES	NO
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Is a certified ID copy attached?	YES	NO
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Is a copy of the bidder's power of attorney attached?	YES	NO
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PAYMENT OF MUNICIPAL ACCOUNT (JPC MBD: 17)

It is a requirement that bidding entity or individual provide proof that no undisputed rates and taxes are owed to the local authority in the form of one of the following:

	An Up-to date Municipal Account for all their properties	Proof that acknowledgements or arrangements have been made to settle arrears	Affidavit stating reasons for not submitting up to date municipal accounts	Copy of Lease agreement with affidavit (if leasing premises)
INDICATE TYPE OF PROOF OF COMPLIANCE WHICH IS ATTACHED TO THE BID SUBMITTED.				

It is a further requirement that proof that no undisputed rates and taxes are owed to the local authority for all directors of the bidding entity, in the form prescribed above.

NAME OF DIRECTOR OF BIDDING ENTITY	INDICATE TYPE OF PROOF OF COMPLIANCE PER DIRECTOR WHICH IS ATTACHED TO THE BID SUBMITTED.			
	An Up-to date Municipal Account	Proof that acknowledgements or arrangements have been made to settle arrears	Affidavit stating reasons for not submitting up to date municipal accounts	Copy of Lease agreement with affidavit (if leasing premises)



NET PRESENT VALUE (RENTAL OFFER) (JPC MBD 18)

Rental Offer	R
Proposed Monthly Rental	R
Annual Rental (calculated at 12 months)	R
Escalation 8% p.a or CPI (whichever is higher)	R
Discount Rate@ 10% p.a	R
Number of years (30)	



DEVELOPMENT PROPOSAL (JPC MBD: 19)

1.1 Development Proposal:

Bidders are required to submit a concise development proposal for the site. The development proposal must include a concept Site Development Plan, an Architectural concept of the proposed development, proposed tenanting, and the approach to the rehabilitation and preservation of the natural environment

The development proposal must contain the following:

Bidder's proposed vision for the property:
.....
.....
.....
.....

Concept Site Development Plan (Proposed land use and Tenanting)	Total Floor area (m2)
TOTALS	

1.1 Proposed Development Summary

Use	Total Floor area (m2)
TOTALS	

1.3. Estimated development time frames

<p>Estimated time, in months, from date of signature of development agreement to date of start of construction.</p>	<p>Months:</p>
<p>Estimated time, in months, from start of construction to completion of construction.</p>	<p>Months:</p>

1.4. Include development Methodology write-up

The bidder must illustrate an understanding of delivering a development plan for the property, outline the various uses and how they will integrate with one another.

1.5. Maintenance and Operational Plan

1.6 Estimated Cost of Development

A breakdown of all costs to be incurred by the bidder in the preparation of the site must be provided. The cost provided in this section will form a critical part of the evaluation of proposals and will be a contractual condition of the development agreement awarded.

No.	Item Description	Estimated cost (Including vat)
1	Civil and Electrical Services	R
2	Civil Works	R
3	Top Structure (Building) Costs	R
4	Professional Fees	R
5	Sundry Development Costs	R
6	External/Bulk Services Contributions	R
7.	Other	R
Total cost		R
Plus (1.5%) JPC FEE		R
Grand Total		R

PROPOSED EMPOWERMENT PLAN (JPC MBD 20)

The City of Johannesburg (COJ) is and will remain deliberate about transformation and its economic empowerment goals and is committed to empowerment agenda as an integral part to nation building.

The successful bidder will be required to champion the entrenchment of true economic transformation and empowerment in its spheres of influence. The successful bidder will be required to go beyond redressing historical imbalances and towards intrinsic true value that will result in active deliberate facilitation of sustainable and meaningful participation of Black people in the mainstream of the economy through its assets, investments and projects.

The bidder is required to commit to the achievement of the following specific targets by completing the table below. The commitments made in this MBD will be measured against the targets and used in the evaluation of the functional compliance evaluation.

The commitments made in this table will form part of the contractual obligations of the successful bidder

EMPOWERMENT TARGETS

DESCRIPTION	TARGET	Bidders Commitment in numbers of persons and values
Job Creation & Job intensive plan		
Total number of jobs to be created in the project	Total jobs created	
Number of jobs to be created for unemployed black people in this project	60% of total jobs	
Number of jobs to be created for black people in this project	30 % of total jobs	
Training & Development programme		
Proposed number of black people to be trained in some aspect of the project	60% of workforce	
Proposed number of black youth to be trained in some aspect of the project	50% of black people trained	
Proposed number of black women to be trained in some aspect of the project	40% of black people trained	

Proposed number of black disabled people to be trained in some aspect of the project	3% of black people trained	
Localisation		
Rand value of spend to local SMMEs that have black ownership in line with the approved "Delivery Pipeline Management Matrix" (overleaf)	50% of project value	R
Full use of locally sourced or locally assembled material and/or products in line with the approved "Delivery Pipeline"	70% of project value	R
Enterprise and supplier Development		
Number of Local SMMEs to be supported in terms of the Enterprise and supplier development plan for this project, including Demonstration graduation of suppliers in this project		

INTERPRETATIONS

"Black-empowered enterprise" means an enterprise that is 50,1% black-owned and where there is substantial management control

"Black Designated Groups" means:

- (a) employed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;
- (b) Black people who are youth as defined in the National Youth Commission Act of 1996;
- (c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;
- (d) Black people living in rural and underdeveloped areas;
- (e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;

"Black People" - Is a generic term which means African, Coloureds, Indians and Chinese

- (a) who are citizens of the Republic of South Africa by birth or decent;

or

- (b) who became citizens of the Republic of south Africa by naturalisation -
 - (i) before 27 April 1994;
 - (ii) on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to that date.

"Localisation" - Locally produced can be defined using the approved local matrix Determines the meaning of locally produced/supplier depending on Complexity of the work package and skill required.

- o **Simple work package and no skills required**

Where simple work package and no skill required - the use of immediate communities is primary.

- o **Simple work package and medium to low skill required**

Where simple work package and medium to low skill required - the use of COJ regional

suppliers is primary.

- **Simple work package and medium to high skill**

Where simple work package and medium to high - the use of suppliers within the City of Joburg is encouraged and promoted.

- **Simple work package and Specialized skills**

Where simple work package and specialized skills - the use of suppliers in the Gauteng province is encouraged and promoted.

- **Mixed work package and no skills required**

Where mixed work package and no skill required - the use of COJ regional suppliers is primary.

- **Mixed work package and medium low skill required**

Where mixed work package and medium to low skill required - the use of suppliers within the City of Joburg is encouraged and promoted.

- **Mixed work package and medium high skill**

Where mixed work package and medium high - the use of suppliers in the Gauteng province is encouraged and promoted.

- **Mixed work package and Specialized skill**

Where mixed work package and specialized skill - the use of national vs International suppliers is primary.

- **Complex work package and no skill required**

Where complex work package and no skill required - the use of suppliers within the City of Joburg is encouraged and promoted.

- **Complex work package and medium low skill**

Where mixed work package and medium low skill - the use of suppliers in the Gauteng province is encouraged and promoted.

- **Complex work package and medium high skill**

Where mixed work package and medium high skill - the use of national vs International

<p>suppliers is encouraged and promoted.</p> <ul style="list-style-type: none"> ○ Complex work package and Specialized skills required <p>Where complex work package and specialized skill required - the use of nationally assembled products is encouraged and promoted.</p>	
"Enterprise & Supplier Development"	Means monetary and Non-Monetary contribution carried out for the benefit of suppliers with the objectives of contribution to development, sustainability and financial and operation independence of the beneficiaries
"Majority Black owned and Controlled Company"	means a juristic person, having shareholding or similar members interest, in which black participants enjoy a right to Exercisable Voting Rights that is at least 51% of the total such rights measured using the Flow Through Principle; and means an enterprise that is 51% black-owned and where there is substantial management control
"Partnership"	means a juristic person, having shareholding or similar members interest, in which black participants enjoy a right to Exercisable Voting Rights that is at least 25% and an enterprise that is 25% black-owned and where there is substantial management control
"Person with disability"	means Black people who are persons with disabilities as defined in the employment of people with disabilities issued under the Employment Equity Act;
"SMME"	means Small Micro Medium Enterprises Entities with a turnover of less than R35 M
"Unemployed Black people"	means: (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;
"SMME"	means Small Micro Medium Enterprises Entities with a turnover of less than R10M
"Wholly Black Owned"	Means: 100% black ownership and at least 30% of the ownership must be women and/or designated groups.
"Youth"	means: Black people who are youth as defined in the National Youth Commission Act of 1996.
"100% Black Owned"	Means : 100% black ownership made up by any combination of black owners

Delivery Pipeline Management Matrix

		SKILLS REQUIRED			
		UNSKILLED	SEMI-SKILLED	SKILLED	EXPERT
AVAILABILITY OF LOCAL SUPPLIERS	COMMON/MANY	Wholly Black Owned	100% Black owned	Majority Black owned and Controlled	Partnership with 25% Black owned and controlled
	LIMITED	100% Black owned	Majority Black owned and Controlled	Partnership with 25% Black owned and controlled	Enterprise & Supplier Development
	RARE/FEW	Majority Black owned and Controlled	Partnership with 25% Black owned and controlled	Enterprise & Supplier Development	Knowledge Transfer programme
INTERNATIONAL SUPPLIERS	INTERNATIONAL/ NO-LOCAL SUPPLIER	Partnership with 25% Black owned and controlled	Enterprise & Supplier Development	Knowledge Transfer programme	Knowledge Transfer programme

		CIDB GRADE /SKILLS			
		CIDB 1-3 No Skill	CIDB 4-5 Medium Low	CIDB 6-7 Medium High	CIDB 8-9 Specialized Skills
LEVEL OF COMPLEXITY	Simple	Immediate Communities suppliers	Region Specific suppliers	City of Joburg suppliers	Gauteng suppliers
	Mixed	Region Specific suppliers	City of Joburg suppliers	Gauteng suppliers	National suppliers
	Complex	City of Joburg suppliers	Gauteng suppliers	National Suppliers	Locally Assembled products



PUBLIC/SOCIAL BENEFIT PROPOSAL (JPC MBD: 21)

It is a requirement that bidding entity or individual should demonstrate the following social benefits:

1. Demonstrate how the development will benefit disadvantaged communities, youth, women and people with disabilities	
2. Demonstrate how the development will benefit the local community and/or community-based organisations	

CONSENT AND ACKNOWLEDGMENTS IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 2013 (POPI) (JPC MBD 22)

This section sets out how personal information will be collected, used and protected by the City of Joburg Property Company SOC Ltd (hereinafter referred to as “JPC”), as required by the Protection of Personal Information Act.

The use of the words “the individual” for the purposes of this document shall be a reference to any person, with reference to the bidder and its directors/shareholders/personnel, communicating with JPC and/or concluding any agreement, registration or application, with the inclusion of each of those individuals referred to or included in terms of such agreement, registration or application.

1. What is personal information?

The personal information that JPC may require relates to names and surnames, birth dates, identity numbers, passport numbers, demographic information, education information, occupation information, health information, addresses, memberships, and personal and work email and contact details.

2. What is the purpose of the collection, use and disclosure (the processing) of personal information?

JPC is legally obligated to collect, use and disclose personal information for the purposes of:

- reporting initiatives to the City of Johannesburg Metropolitan Municipality;
- reporting all contracts awarded to National Treasury;
- obtaining information related to Tax Compliance information from SARS;
- verifying information on the National Treasury database of defaulters;
- evaluating and processing applications for registration on the database;
- compiling statistics and other reports;
- providing personalised communication in respect of the tender/quotation submitted;
- complying with the law; and/or
- for a purpose that is ancillary to the above.
- for the evaluation and adjudication of Quotations, Request for Proposals and Panel of service providers
- posting all awards for Request for Proposals and Panel on the JPC website

Personal information will not be processed for a purpose other than what is identified (the purpose) above without obtaining consent beforehand.

3. How will JPC process personal information?

JPC will only collect personal information for the purpose as stated above. Information will be collected in the following manner:

- directly from the individual
- through the documents submitted with the tender/quotation;
- from service providers who provided services or goods to JPC;
- from JPC's own records relating to previous supply of services or goods; and/or
- from a relevant public or equivalent entity.

4. To whom will personal information be disclosed?

The personal information may be disclosed to other relevant public or other entities on whose behalf we act as intermediaries, other third parties referred to above in relation to the purpose or who are sources of personal information, service providers such as professional bodies who operate across the borders of this country (trans border flow of information), where personal information must be sent in order to provide the information and/or services and/or benefits requested or applied for.

In the event of another party/ies acquiring all of or a portion of JPC's mandate or functions, personal information will be disclosed to that party, but they will equally be obliged as we are, to protect personal information in terms of this policy and the law.

In respect of Request for Proposals and Panel to the Bid Evaluation and Adjudication Committee members

5. Consent and Permission to process personal information:

I hereby agree with the policy and provide authorisation to JPC to process the personal information provided for the purpose stated:

- I understand that withholding of or failure to disclose personal information will result in JPC being unable to perform its functions and/or any services or benefits I may require from JPC.
- Where I shared personal information of individuals other than myself with JPC I hereby provide consent on their behalf to the collection, use and disclosure of their personal information in terms of this personal information policy and I warrant that I am authorised to give this consent on their behalf.
- To this end, I indemnify and hold JPC not responsible and harmless in respect of any claims by any other person on whose behalf I have consented, against JPC should they claim that I was not so authorised.
- I understand that in terms of POPIA and other laws of the country, there are instances where my express consent is not necessary in order to permit the processing of personal information, which may be related to police investigations, litigation or when personal information is publicly available.
- I will not hold JPC responsible for any improper or unauthorised use of personal information that is beyond its reasonable control.

6. Rights regarding the processing of personal information:

- The individual may withdraw consent to the processing of personal information at any time, and should they wish to do so, must provide JPC with reasonable notice to this effect. Please note that withdrawal of consent is still subject to the terms and conditions of any contract that is in place. Should the withdrawal of consent result in the interference of legal obligations, then such withdrawal will only be effective if JPC agrees to same in writing. JPC specifically draws to the attention that the withdrawal of consent may result in it being unable to provide the requested information and/or services and/or financial or other benefits.
- In order to withdraw consent, please contact the JPC Information Officer/SCM
- Individuals are encouraged to ensure that where personal information has changed in any respect to notify JPC so that our records may be updated. JPC will largely rely on the individual to ensure that personal information is correct and accurate.
- The individual has the right to access their personal information that JPC may have in its possession and are entitled to request the identity of which third parties have received and/or processed personal information for the purpose. Please note however, that any request in this regard may be declined if:
 - the information comes under legal privilege in the course of litigation,
 - the disclosure of personal information in the form that it is processed may result in the disclosure of confidential or proprietary information,
 - giving access may cause a third party to refuse to provide similar information to JPC,
 - the information was collected in furtherance of an investigation or legal dispute, instituted or being contemplated,
 - the information as it is disclosed may result in the disclosure of another person's information,
 - the information contains an opinion about another person and that person has not consented, and/or
 - the disclosure is prohibited by law.

7. Queries relating to breach of personal information:

Please submit queries relating to the breach of personal information to the JPC's information officer and SCM in writing as soon as the breach is discovered.

Signature:	Date:
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