



RFP22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

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 22/2024FY/PF

Tender documents can be downloaded from JPC, E-tenders, and the COJ websites at no cost www.ihbproperty.co.za, www.etenders.gov.za, and www.joburg.org.za

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

Closing date of submission: 07 June 2024 at 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: 07 June 2024 at 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. The Opening Register will be uploaded on the JPC website

Non-compulsory briefing session: Non-Non-compulsory briefing session will be held at JPC Offices on **18 April 2024 at 11h00pm**. Address: 33 Hoofd Street, Braam Park. Forum 1. Entrance A Reception Level, Auditorium.

Document Availability Date: 27 March 2024

RFP 22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

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

TABLE OF CONTENTS

SECTION 1

PAGE	NO.
1. Introduction	4
2. Invitation to Bid (MBD 1)	5
3. Tender Advert to Bid (JPC MBD 2)	9
4. Pricing Schedule: Financial Offer (JPC MBD 3)	12
5. Declaration of Interest (MBD 4)	14
6. Declaration for Procurement above R10 Million (All applicable taxes Included) (MBD 5)	18
7. Preference Points Claim Form in terms of the Preferential Procurement Regulations 2001 (MBD 6.1)	20
8. Bidder's Information (JPC MBD 7.1)	25
9. Declaration of Bidders Past Supply Chain Management Practices (MBD 8)	26
10. Certificate of Independent Bid Determination (MBD 9)	28
11. Standard Conditions of Submission (JPC MBD 10)	31
12. Bid Specification and Site/Property Information (MBD 11)	36
13. Evaluation Criteria (JPC MBD 12)	41
14. Experience and Capabilities of Bidder (JPC MBD 13)	50
15. Access to Funding (JPC MBD 14)	54
16. JPC Standard Conditions of Appointment (JPC MBD 15)	56
17. Registration Documents (JPC MBD 16)	59
18. Authority to Submit Bid (JPC MBD 17)	60
19. Payment of Municipal Account (JPC MBD 18)	61
20. Net Present Value (JPC MBD 19)	63
21. Development Proposal (JPC MBD 20)	64
22. Consent and Acknowledgements in Terms of the Protection of Personal Information Act 2013 (POPI) (JPC MBD 21)	67



RFP22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

ANNEXURES

- Annexure A - Template for NPV calculations
- Annexure B – Locality map
- Annexure C – Windeed Report
- Annexure C - Zoning Information

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 have 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 maximizing both social and commercial opportunities for the Council.
- b) Dedicated to finding solutions to the developmental challenges facing the City of Johannesburg, the JPC utilizes 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 the 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.

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:		tenders@jhbproperty.co.za	
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**

1. BID SUBMISSION:
<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>
2. TAX COMPLIANCE REQUIREMENTS
<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 WWW.SARS.GOV.ZA.</p> <p>2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.</p> <p>2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS
<p>3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>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.</p>



RFP22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

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 22/2024FY/PF (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 22/2024FY/PF	SITE SIZE
Bid Description	Request for proposals for the development and long-term lease of Erf 2789 Newlands	2981m ²
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	
Document Cost	The tender document can be downloaded from JPC, E-tenders and the COJ websites at no cost .www.jhbproperty.co.za , www.etenders.gov.za and www.joburg.org.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 ○ 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 ○ Entity valid BBEE Certificate issued by agency accredited by SANAS /Valid Sworn affidavit or valid BBEE certificate JV/Consortium issued by agency accredited by SANAS or Consolidated BBEE 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 / Affidavit stating why an up to date municipal account cannot be submitted / valid lease agreement. 	

	<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 Entity / 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. • 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. • 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 BBEE certificate • If the bidder is required by law to prepare annual financial statements for auditing and if the value of the bids exceeds R 10 million (including VAT), copies of the audited annual financial statements for the past 3 (three) years, or since establishment if the bidder was established in the past 3 (three) years, must be submitted as per Regulation 21 Municipal Supply Chain Management Regulations, 2005. <p>OR</p> <ul style="list-style-type: none"> • Submission of Public Interest Score (PIS) as per Regulation 26(2) of the Companies Act Regulations. The Public Score Calculation must be supported by the latest annual financial statement used for the calculation of the PIS, which AFpisS must be compiled, reviewed, or audited as determined by the PIS. • Central Supplier Database (CSD) registration valid on tender closing date. • If the bidder is required by law to prepare annual financial statements for auditing, and if the value of the bids exceeds R 10 million (including VAT), copies of the audited annual financial statements for the past 3(three) years or since establishment, if the bidder was established in the past 3(three) years must be submitted as per Regulation 21 Municipal Supply Chain Management Regulations, 2005 or letter from the Auditor or Accountant. • Close Corporations must prepare financial statements for auditing, and if the value of the bids exceeds R 10 million (including VAT), copies of the annual financial statements for the past 3(three) years or since establishment, and if the bidder was established in the past 3(three) years or letter from the Auditor or Accountant • 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
--	---

	<p>Bidders Information in JPC MBD 7.1</p> <ul style="list-style-type: none"> 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 90/10 preference point system</p> <p>90 for Price and 10 for Specific Goals</p> $Ps = 90 \left(1 + \frac{Pt - Pmax}{Pmax} \right)$
Address	<p>City of Joburg Property Company SOC Ltd, 3rd Floor, Forum I, A-Block reception level, 33 Hoofd Street, Braam Park Office Park, Braamfontein</p>
Enquiries	<p>tenders@jhbproperty.co.za</p>

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 the property 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**

Fixed Rental Offer NPV of future Monthly rental based on the following: (bidders are required to complete Annexure A , which can be accessed on the JPC Website under the RFP) 1. Annual Rental escalation of 8% 2. Discount rate of 10% 3. 50 Year Lease	R
---	---

Template for NPV calculations, Refer to Annexure A.

NB: NPV to be calculated at an annual escalation rate of 8%

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 milestones.

Non-refundable JPC Fee equal in value to 1.5% (one and half percent) of the total proposed development cost (excluding the land value). (Refer to JPC MDB 19 for makeup of Development Cost).	R
---	---

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 (NPV of the Rental Cash flows over the 50 year lease period) 	R
---	---

<ul style="list-style-type: none"> JPC Facilitation Fee (once off) 1.5% of Development Cost 	R
TOTAL (Final Total Offer for Stage 2 Evaluation)	R

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 for a maximum of 50 years.**
- **Bidders must attach a spread sheet showing the NPV calculations (Annexure A) for the maximum of a 50 year period.**
- **An error in calculation will result in the 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](#)

(Annexure A can be accessed on the JPC website under the RFP)

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		
Note	<i>(The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4)</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		

No.	Information	Please provide detail	
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
3.10.1	Name of person in the service of state		
3.10.2	Relationship		
3.11	<i>Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?</i> If yes, please furnish particulars :	Yes	No
3.11.1	Name of director		
3.11.2	Service of state organization		
3.12	Is any spouse, child or parent of the company's director trustees, managers, principle shareholders or stakeholders in service of the	Yes	No

No.	Information	Please provide detail	
	If yes, please furnish particulars:		
3.12.1	Name of director		
3.12.2	Name of relative		
3.12.3	Relationship		
3.13	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	Yes	No
	If yes, please furnish particulars:		
3.13.1	Name of director		
3.13.2	Related company		
Note:	<p>SCM Regulations:</p> <p>“In 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>		



RFP22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

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



RFP22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

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

.....
.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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 system is applicable to invitations to this tender:

- 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

- The applicable preference point system for this tender is the 90/10 preference point system.
- 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
PRICE	90
SPECIFIC GOALS	10
Total points for Price and SPECIFIC GOALS	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: THE 90/10 PREFERENCE POINT SYSTEM

A maximum 90 points is allocated for price on the following basis:

90/10

90 for Price and 10 for Specific Goals

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

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration; and

P_{max} = 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.)

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 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	

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 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.



RFP22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

.....

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

DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES (MBD 8)

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. willfully 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:		

Item	Question	Yes	No
4.2	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)? 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.	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, communication, agreement or arrangement with any competitor. However communication



RFP22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

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
 - 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
 - Entity valid BBEE Certificate issued by agency accredited by SANAS /Valid Sworn affidavit or valid BBEE certificate JV/Consortium issued by agency accredited by SANAS or Consolidated BBEE 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 / 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 Entity / 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.
- 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.
- 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 and a consolidated BBEE certificate

- If the bidder is required by law to prepare annual financial statements for auditing and if the value of the bids exceeds R 10 million (including VAT), copies of the audited annual financial statements for the past 3 (three) years, or since establishment if the bidder was established in the past 3 (three) years, must be submitted as per Regulation 21 Municipal Supply Chain Management Regulations, 2005.

OR

- Submission of Public Interest Score (PIS) as per Regulation 26(2) of the Companies Act Regulations. The Public Score Calculation must be supported by the latest annual financial statement used for the calculation of the PIS, which AFS must be compiled, reviewed, or audited as determined by 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 JPC MBD 4,
 - Declaration of the Bidder's Past Supply Chain Practices in JPC MBD 8,
 - Certificate of Independent Bid Determination in JPC MBD 9, and
 - Bidders Information in JPC MBD 7.1
- 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 the 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 the 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 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

COJ/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/JPC or its agent deems appropriate.

- The preferred Bidder(s) may be required to make presentations to the COJ/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 COJ/JPC. COJ/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 **120 (one-hundred and twenty days) 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

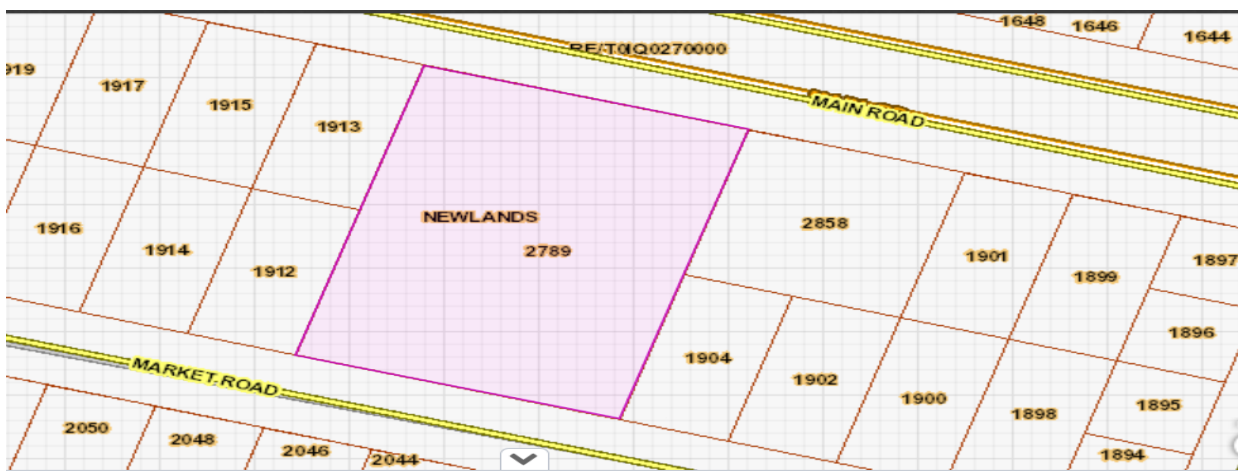
BID SPECIFICATION AND SITE /PROPERTY INFORMATION (MBD: 11)

1. BACKGROUND

Erf 2789 Newlands is located on Market Road, Newlands, Region B, Ward 82. It is zoned Public Open Space and measures approximately 2981m². The property has two single-storey buildings with two sets of carports which include tarmac-covered surfaces, steel access gate as well and concrete palisade fencing. The Townships that are close to the property are Bergbron, Delarey Claremont, and Martindale. Newlands is primarily a middle-income residential area with commercial properties located along Main Road. Access to the property is gained from Market Street.

Most of the surrounding neighborhoods are mixed-use in nature, offering mostly high-density residential properties with a focus on small retail shops, showrooms, and commercial and light industrial use along Market Road. The property has good accessibility with major routes such as Main Road and Ontdekkers Road that leads to all the necessary amenities such as businesses, schools, shops, public worship institutions, educational institutions, etc. Newlands is also connected via the Rea Vaya and Metro public bus services. The property is vandalized and has unfortunately fallen into disrepair.

2. LOCALITY MAP



3. AERIAL MAP



4. SITE /PROPERTY INFORMATION

Property Information

Property Description	Erf 2789 Newlands
Size (approximate)	2981m ²
Zoning	Public Open Space The successful bidder will have to rezone the property to (Business 1)
FAR	As per land use scheme 1.2
Coverage	As per land use scheme 50%
Height	3 storeys as per the land use scheme
Building Lines	3m between the building line and street boundary
Parking	To conform to the Town Planning Scheme requirements
Highest and Best Use	The highest and best use for the property is Business
Primary use (Business 1)	The primary land use right allows shops, residential buildings, place of instruction, social halls, restaurant, car sales lot, motor showrooms, showrooms, offices, public or private parking area, institutions, religious purposes, dwelling units, warehouse, subject to approval of the rezoning application.

5. VISION FOR THE PROPERTY

That the property be developed for the purpose of residential or commercial development. The proposed development must harness and compliment the characteristics of the area i.e. high density residential units or commercial/retail.

The Property in its entirety shall be made available by means of a Development Lease Agreement.

The following Specifications apply to this bid:

1. Property Tenure: The Property shall be made available by means of a development and long-term lease in accordance with JPC's standard agreement. The following terms of the contract are non-negotiable:
 - a. The property is being released for development and lease, the lease period will be for a maximum of 50 years.

- b. 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 an agreed milestone.
 - c. Upon expiry or termination of the development and lease agreement, possession of the property will revert back to the City of Johannesburg without any compensation.
2. Specifications for use and development of the Property:
- That the property be developed for the purpose of residential or commercial development. The proposed development must harness and complement the characteristics of the area i.e. high-density residential units or commercial/retail.
 - The successful bidder(s) should conform to the SDF 2040 and sound Urban Design Principles for the development.
 - The successful bidder(s) should ensure that access to the proposed development is to the satisfaction of the Council.
 - The successful bidder(s) shall be liable for all costs involved in the removal of restrictive conditions, rezoning and consolidation applications, and any park closure as may be required by all relevant Town Planning Scheme requirements as a condition to the lease of the property.
3. Bidders are expected to support the goals and objectives of the National Government's Expanded Public Works Program (EPWP). In this regard, the successful proposer 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.
 4. The successful bidder(s) will be responsible for and shall bear all costs related to the development of the property including bulk services.
 5. The successful bidder will be responsible for the cancellation or relocation of all servitudes which may be registered over the property (if any).
 6. 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 MBD14).
 7. The property is made available in accordance with the site information made available in JPC MBD11.
 8. The successful bidder will be responsible to obtain all statutory approvals (Rezoning, Environmental, Site Development Plan, Building Plan, etc) that are required for the development of the property.
 9. Any changes to the proposal document after submission must be endorsed by both parties



RFP22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

10. Bidders to demonstrate a maintenance plan broken down annually for the duration of the lease period.
11. 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.
12. The Lessee shall maintain and safeguard the Property for the duration of the lease in accordance with the provisions of regulation 45(2)(a)(v) of the Asset Transfer Regulations.

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 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 (Engineering Council of South Africa ECSA) = 1 point • Structural Engineer (Engineering Council of South Africa ECSA) = 1 point • Electrical (Engineering Council of South Africa ECSA) = 1 point • Architect (The South African Council for the Architectural Profession (SACAP) = 1 point • Project Manager (Project Management South Africa (PMSA) = 1 point • Quantity Surveyor (South African Council for Quantity Surveying Profession (SACQSP) = 1 point • Town Planner (The South African Council for Planners (SACPLAN) = 1 point <p>1.2 Town Planner: 8 points</p> <ul style="list-style-type: none"> • Experience of 10 years and more = 8 points • Experience of 8 years to less than 10 years = 6 points • Experience of less than 8 years = 1 point 		<p>Bidder to complete JPC MBD 13. Failure to submit the completed JPC MBD13 document will result in no points being awarded.</p> <p>The following applies to numbers 1.1 to 1.8</p> <p>Certified copies of Proof of Registration with professional bodies should clearly indicate the status of the certificate and the expiry of the validity period, should not be older than 3 months.</p> <p>Individuals in the professional team should</p>

<p>1.3 Architect: 3 points:</p> <ul style="list-style-type: none"> • Experience of 10 years and more = 3 points • Experience of 8 year to less than 10 years = 2 points • Experience of less than 8 years = 1 point <p>1.4 Project Manager = 3 points</p> <ul style="list-style-type: none"> • Project Management Experience of 10 years and more = 3 points • Project Management Experience of 8 years to less than 10 years = 2 points • Project Management Experience of Less than 8 years = 1 point <p>1.5 Property Manager: 3 points</p> <ul style="list-style-type: none"> • Experience in Property Management above 8 years = 3 points • Experience in Property Management of less than 8 years = 2 point <p>1.6 Quantity Surveyor = 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 point <p>1.7 Urban Designer = 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 = 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>submit CV's /Entities in the professional team should submit Company Profiles reflecting the number of years and relevant experience be submitted.</p> <p>Failure to submit the documents will result in no points being awarded.</p>
---	---



<p>2. Cumulative Development 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 R200 million and above = 5 points • Cumulative Projects of R100 million and less than R200 million = 4 points • Cumulative Projects of R80 million and less than R100 million = 3 points • Cumulative Projects of R50 million and less than R80 million = 2 points • Cumulative Projects of less than R50 million = 1 point 		<p>Bidder to complete JPC MBD 13.</p> <p>Failure to submit the completed JPC MBD 13 document will result in no points being awarded.</p> <p>Appointment letter(s) and completion certificate/Reference Letters for similar nature projects must be on the letterhead of the client with contactable details, email or telephone number indicating the Value of Project.</p> <p>Failure to submit the documents will result in no points being awarded.</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 R300 million and above = 5 points • Combined Cumulative Projects of R200 million and less than 		<p>Bidder to complete JPC MBD 13.</p> <p>Failure to submit the completed JPC MBD 13 document will result in no points being awarded.</p>

<p>R300 million = 4 points</p> <ul style="list-style-type: none"> • Combined Cumulative Projects of R100 million and less than R200 million = 3 points • Combined Cumulative Projects of R50 million and less than R100 million = 2 points • Combined Cumulative Projects of less than R50 million = 1 point 		<p>Appointment letter(s) and Completion certificate/Reference Letters for similar nature projects must be on the letterhead of the client with contactable details, (email or telephone number), indicating the Value of the Project. (Reference letters for JV/Consortium partners will be accepted)</p> <p>Failure to submit the documents that is not on a letterhead of the client and without contactable details and or without the value of the project will result in no points being awarded.</p>
---	--	---

4. DEVELOPMENT PROPOSAL (PROJECT PLAN)	20	
<p>Conformity of the Development Proposal to the vision for the property:</p> <p>A. DEVELOPMENT CONCEPT (7 points)</p> <ul style="list-style-type: none"> • High-level conceptual design outlining the intended uses (residential or commercial development) in line with the vision of the property and the integration of multiple uses within the development = 3 points • High level detailed plan demonstrating how the bidder will deliver on the projects vision (residential or commercial development) = 2 points • Sustainability- (demonstrate use of green building principles that are environmentally responsible and resource efficient) = 2 points <p>B. DEVELOPMENT PROGRAMME (5 points)</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 points)</p> <p>Approach and Methodology:</p> <ul style="list-style-type: none"> • Operational Plan pre construction = 1 point • Operational Plan during construction = 1 point • Operation, Management and Maintenance Plan post construction = 2 points • Estimated Operating Cost = 2 points • Stakeholder engagement = 2 points 		<p>Bidder to complete JPC MBD 19 and submit a detailed development proposal and project plan</p> <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) and to submit a gantt chart</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>

		Failure to submit the documents will result in no points being awarded.
5. INVESTMENT VALUE (BACKED BY FINANCIAL FEASIBILITY AND SUSTAINABILITY REPORT)	20	
<p>A realistic monetary investment value pledged to the project backed by a QS Report (10 points)</p> <p>Development feasibility report with financial ratio's and cash flow projections for at least 50 years (10 points)</p>		<p>QS Report reflecting project cost and estimates, and the development feasibility report on a QS letter. The letter must be stamped or signed off by QS.</p> <p>Failure to submit the documents will result in no points being awarded.</p>
6. FINANCIAL CAPABILITY	20	
<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 : (20 points)</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 = 10 		<p>Copy of 3 months bank statements showing availability of 4 million and above Agreed issued within 1 month of tender closure or</p> <p>Credit line with the building materials supplier (one supplier) or</p> <p>Letter from the funder (s) stating that they will fund the project supported by three months bank</p>

<p>points</p> <ul style="list-style-type: none"> • Bidder provides proof of 40% own equity = 7 points • Bidder provides proof of 30% own equity = 4 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"> • Bidder provides proof of 50% or more debt equity = 10 points • Bidder provides proof of 40% debt equity = 7 points • Bidder provides proof of 30% debt equity = 4 points • Proof of debt equity below 30% = 0 points <p>Or</p> <p>C. Bidder to provide proof of availability of 100% of debt funding from a financial institution or equity funding. (20 points)</p>		<p>statement with the funder or</p> <p>Bank overdraft facility</p> <p>Or approved proof of credit availability from accredited financial institution on their letter head and signed and attach under Form FF.</p> <p>NB. No bank codes letters will be accepted.</p> <p>Failure to submit the documents will result in no points being awarded.</p>
TOTAL	100	

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
PRICE	90
SPECIFIC GOALS	10
Total points for Price and SPECIFIC GOALS	100

A maximum of 10 points will be awarded to a tenderer for the specific goals specified.

A maximum of 90 points is allocated for price on the following basis:

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

Where

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

- A maximum of 10 points will be awarded to a tenderer for the specific goals specified.
- The points scored for the specific goal will be added to the points scored for price and the total will be rounded off to the nearest two decimal places.
- **Price will be calculated by adding NPV of the rental cash flow over the 50 year lease period plus JPC Facilitation Fee.**
- 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)	90/10
Maximum Points:			10
HDI	Business owned by 51% or more – Women	CSD, Valid BBBEE 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 BBBEE 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	CSD and proof of municipal account/letter from the Ward Council confirming the business address.	5



RFP22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

	be done or services to be rendered in that region.		
--	--	--	--

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



RFP22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

Total rand value of developments		R		

5.3.2.3. Details of fees earned by key members bidders proposed professional team

(PLEASE EXPAND TABLE IF REQUIRED)

NB: DO NOT ATTACH A SEPARATE TABLE

KEY DISCIPLINE (PROFESSIONAL TEAM)	NAME OF TEAM MEMBER	CV attached? Yes/No	NUMBER OF YEARS OF EXPERIENCE	TOTAL PROJECT VALUE TO DATE
PROJECT MANAGER				R
ARCHITECT				R
TOWN PLANNER				R
PROPERTY MANAGER				R
ELECTRICAL ENGINEER				R
CIVIL ENGINEER				R
STRUCTURAL ENGINEER				R
QUANTITY SURVEYOR				R
URBAN DESIGNER				R
STAKEHOLDER CONSULTANT/SOCIAL FACILITATOR				R
TOTAL				R

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

ACCESS TO FUNDING (JPC MBD 14)

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

Bidder to provide proof of availability of debt funding from a financial institution

or

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

Please note that the following definitions will be used in assessing the proof of availability of finance:

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

<p>Source of Debt Finance</p> <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>	

JPC STANDARD CONDITIONS OF APPOINTMENT (JPC MBD 15)

1. **Appointment in Force and Authorised Signatories:** This appointment is considered to have come into force immediately after all the necessary signatures have been appended.
2. **Independent Contractor:** The Service Provider is appointed as an independent contractor and no contract of agency and/or employment is created. Save as may be expressly authorised by JPC from time to time in writing, the Service Provider shall not hold itself out to be the agent of JPC and/or commit JPC to any contract or obligation of whatever nature.
3. **Alterations:** Should circumstances arise which call for modifications of the appointment, these may be made by mutual consent given in writing. Proposals in this respect from one party shall be given due consideration by the other party.
4. **Assignment:** The Service Provider shall not without the prior written consent of JPC, cede or assign any of the benefits and obligations under this appointment.
5. **Sub-Contracts:** Any sub-contracts or modifications or termination thereof relating to the performance of the services by the Service Provider shall be made only with the prior written consent of JPC.
6. **Compliance with Laws, By-laws and Ordinance:** The Service Provider shall comply strictly with every applicable law, by-law and ordinance including every regulation, code of conduct or other directive to which the Service Provider may be subject in its professional capacity. In this regard, the Service Provider's particular attention is drawn to the requirements of the Occupational Health and Safety Act (OHSA) and its regulations as well as to the Financial Intelligence Centre Act (FICA).
7. **Insurance:** If applicable, the Service Provider shall at its own cost and expense maintain professional indemnity insurance and public liability insurance with an insurer approved of by JPC in an amount and for duration as specified in the letter of appointment to which these general conditions of appointment relate.
8. **Postponement and Termination:** JPC may give written notice to the Service Provider at any time of its intention to abandon the services, in whole or in part, or to terminate this appointment. The effective termination date of this appointment shall not be less than fourteen (14) days after receipt of such notice, or such other shorter or longer periods as may be agreed between the parties. Upon receipt of such notice, the Service Provider shall take immediate steps to bring the services to a close and to reduce expenditure to a minimum.

Upon termination of the appointment the Service Provider shall deliver to JPC the originals of all documents in the possession of the Service Provider relating to and/or in connection with the appointment in both hard copy and (insofar applicable) electronic format.
9. **Force Majeure:** The Service Provider shall promptly notify JPC, in writing, of any situation or event arising from circumstances beyond its control and which he could not reasonably foresee, which makes it impossible for the Service Provider to carry out in whole or in part, his obligations under this appointment. Upon the occurrence of such a situation or event, the services shall be deemed to be postponed for a period of time equal to the delay caused by the Force Majeure and a reasonable period not exceeding two weeks.
10. **Claims for Default:** Any claims for damages arising out of default and termination, shall be agreed between JPC and the Service Provider, or failing agreement, shall be referred to

dispute resolution in accordance with clause 20.

11. **Rights and Liabilities of Parties:** *Termination of this appointment for whatever reason shall not prejudice or affect the accrued rights or claims and liabilities of either party to this appointment.*
12. **Confidentiality:** The Service Provider shall maintain all information relating to the appointment in the strictest confidence.
13. **Indemnity:** The Service Provider indemnifies JPC and holds JPC harmless against any loss or damage that may be suffered by JPC (including and without limiting the generality of the a foregoing any claim that may be brought or threatened against JPC by any third party) arising from or by reason of the failure by the Service Provider to comply with its obligation in terms hereof.
14. **Skill, Care and Diligence:** The Service Provider shall exercise all reasonable skill, care and diligence in the performance of the services under the appointment and shall carry out all his responsibilities in accordance with recognised professional standards. If any documentation prepared or submitted by the Service Provider to JPC is approved by JPC such approval shall not limit the professional liability of the Service Provider in respect thereof. The Service Provider shall remain professionally liable in respect of such documentation notwithstanding the approval thereof by JPC.
15. **Faithful Advisor:** The Service Provider shall, in all professional matters, act as a faithful advisor to JPC and, in so far as his duties are discretionary, act fairly as between JPC and third parties.
16. **Indirect Payments:** The remuneration of the Service Provider charged to JPC, shall constitute his only remuneration in connection with the appointment and neither he nor his personnel shall accept any trade commission, discount, allowance or indirect payment or other consideration with or in relation to the appointment or to the discharge of his obligations thereunder.
17. **Royalties:** The Service Provider shall not have the benefit, whether directly or indirectly, of any royalty on or of any gratuity or commission in respect of any patented article or process used on or for the purposes of the appointment, unless it is agreed to by JPC in writing that he may.
18. **Ownership of Equipment, Materials, Supplies and Facilities:** Equipment, materials, supplies and facilities furnished to the Service Provider by JPC or purchased by the Service Provider with funds wholly supplied or reimbursed by JPC shall be the property of JPC and shall be so marked. Upon completion or termination of the services under this appointment, the Service Provider shall furnish to JPC, inventories of the equipment and materials referred to above as it then remains and dispose of same as directed by JPC.
19. **Copyright:** All copyright in and to all documents, plans, designs and other material of whatever nature prepared or produced by the Service Provider in the course and scope of its appointment shall be and remain vested in JPC for which purpose the Service Provider cedes to JPC all such copyright.
20. **Dispute Resolution:**
 - a. Any dispute arising between the Parties in respect of this appointment shall in the first instance be referred in writing to the senior executives of the Parties by either Party for resolution. The senior executives of the Parties shall meet within five (5) business days.
 - b. after receiving the aforesaid written referral and shall use their best endeavours to resolve the dispute within the time foregoing.
 - c. If the senior executives fail to meet within five (5) business days after a dispute has been referred to them or fail to resolve the dispute within the time in paragraph (a) above, then either Party shall be entitled to immediately institute legal proceedings from a competent court.

d. Notwithstanding anything to the contrary contained in this paragraph 20, any party shall be entitled to approach a competent court for an appropriate relief.

21. *Sequestration or Liquidation of Service Provider:* In the event of an order being made for the sequestration of the Service Provider's estate, whether provisional or final, or in the event of an application being made for such order, or in the event of the Service Provider making application for the surrender of his estate, or if he shall enter into, make or execute any deed of assignment or other composition or arrangement with, or assignment for the benefit of his creditors, or purport to do so, or if the Service Provider, being a company, shall pass a resolution, or if the Court shall make an order for the liquidation of such company, the Council shall have the right, summarily and without recourse to law, to determine the contract without payment of any compensation to the Service Provider, and without prejudice to the right of the Council to sue the Service Provider for any damages sustained by it in consequence of one or other of the aforementioned events.

REGISTRATION DOCUMENTS (JPC MBD: 16)

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: 17)

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
-----------------------------------	-----	----

Is the bidder a natural person?	YES	NO
---------------------------------	-----	----

Is a certified ID copy attached?	YES	NO
----------------------------------	-----	----

Is a copy of the bidder's power of attorney attached?	YES	NO
---	-----	----

PAYMENT OF MUNICIPAL ACCOUNT (JPC MBD: 18)

RFP22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

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)



RFP22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

NET PRESENT VALUE (RENTAL OFFER) (JPC MBD 19)

Rental Offer	R
Proposed Monthly Rental	R
Annual Rental	R
Escalation 8% p.a	R
Discount Rate@ 10% p.a	R
Number of years (50)	

DEVELOPMENT PROPOSAL (JPC MBD: 20)

1.1 Development Proposal:



RFP22/2024FY/PF: REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND LONG-TERM LEASE OF ERF 2789 NEWLANDS

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 tenancing, and the approach to the rehabilitation and preservation of the natural environment

The development proposal must contain the following:

Bidder's proposed vision of the property:
<p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

Concept Site Development Plan (Proposed land use and Tenancing)	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 writeup

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

CONSENT AND ACKNOWLEDGMENTS IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 2013 (POPI) (JPC MBD 21)

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 (transborder 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:
------------	-------