

REQUEST FOR PROPOSALS FOR THE SALE OF ERF 8298 STRETFORD EXTENSION 3 FOR BUSINESS PURPOSES

RFP 09/2020

The City of Joburg Property Company (SOC) Ltd (Reg. No 2000/017147/07) ("JPC") as an agent of City of Johannesburg Metropolitan Municipality ("COJ"), hereby invites interested persons to submit proposals for the sale of ERF 8298 Stretford ext.3 for Business Purposes

**THIS DOCUMENT CONSISTS OF 39 PAGES, IT IS THE RESPONSIBILITY OF THE TENDERER/BIDDER
TO SEE THAT ALL PAGES ARE INCLUDED IN THE DOCUMENT**

Name of Bidder: _____

DOCUMENTS TO BE SUBMITTED: 1 ORIGINAL AND 1 COPY

Documents available on: 02 March 2020

Closing date of the Bid: 03 April 2020

Closing Time: 10h30 (Telkom Time)

Document Cost: R200.00 (non-refundable if you purchase a hardcopy from JPC offices) or tender document can be downloaded from JPC, E-tenders and COJ the websites at no cost
www.jhbproperty.co.za, www.etenders.gov.za and www.joburg.org.za



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1. INTRODUCTION

1.1 The Landowner and its Agent

1.1.1 City of Johannesburg (CoJ)

Metro Centre, Civic Boulevard, Braamfontein

In 2000, Johannesburg was restructured to become a single metropolitan authority and elections were held for an executive mayor and unified local government. Again the local municipal boundaries were expanded, this time to include Modderfontein and Midrand. Since then, the City has enjoyed a financial turnaround, with the creation of a credible and stable operating environment. This stability, strong centralised co-ordination and oversight has allowed the City to play a crucial role in building the economy, and implementing policies and structures to support economic growth and poverty alleviation.

1.1.2 The City of Joburg Property Company (SOC) Ltd (JPC)

Reg. No. 2000/017147/07

The City of Joburg Property Company SOC Ltd (JPC) was established in 2000 as a private company and is wholly owned by the City of Johannesburg (CoJ). It was converted into a State-Owned Company after the implementation of the Companies Act of South Africa, 2008 (Act No. 71 of 2008). Consequently, JPC must comply with the legislative framework and reporting requirements applicable to any company in South Africa. This includes, but is not limited to, the Companies Act. The company is also subject to the Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA).

The core functions of JPC are as follows;

- **Asset Management**
- **Property Development**
- **Facilities Management**
- **Property Management**
- **Outdoor Advertising**

JPC MBD 1: TENDER ADVERT

REQUEST FOR PROPOSALS FOR THE SALE OF ERF 8298 STRETFORD EXTENSION 3 FOR BUSINESS PURPOSES

The City of Joburg Property Company (SOC) Ltd ("JPC") (Reg. No 2000/017147/07) as an agent of City of Johannesburg Metropolitan Municipality ("CoJ"), hereby invites interested persons to submit proposals for the alienation of the property stated hereunder:

BID NUMBERS	TENDER DESCRIPTIONS	SITE SIZE
RFP 09/2020	REQUEST FOR PROPOSALS FOR THE SALE OF ERF 8298 STRETFORD EXTENSION 3 FOR BUSINESS PURPOSES	375m ²
Non – compulsory Briefing sessions	The non-compulsory briefing session will be held on 16 March 2020 from 10 am to 12 pm. Venue for the briefing session will be at JPC, Office No. 33 Hoofd Street, Form 2, 1 st Floor, Braam Park Office Park, Braamfontein, Johannesburg.	
Document Availability	02 March 2020	
Document Cost	Document Cost: R200.00 (non-refundable if you purchase a hardcopy from JPC offices) or tender document can be downloaded from E-tenders, COJ and the JPC websites at no cost www.jhbproperty.co.za , www.etenders.gov.za and www.joburg.org.za.	
Closing Date	03 April 2020 at 10h30 (Telkom Time), CoJ reserves the right to extend the closing date at its sole discretion.	
Disqualifying Criteria	<ul style="list-style-type: none"> Non-signature of the declaration of the Bid Submission in JPC's MBD 7, Bidder's past Supply Chain Practices in MBD 8 and Certificate of Independent Bid Determination MBD 9 Any offer below the reserve price will not be considered <u>NB: Failure to comply with the above will result in the bid not being evaluated.</u> 	
Compliance Requirements before an award is made to the successful Bidder	<ul style="list-style-type: none"> Tax Clearance Certificate, valid on the closing date of the bid, or exemption to pay taxes as issued by the South African Revenue Services (SARS) or Valid Tax Compliant Verification PIN number issued by SARS. Proof of registration of the Entity 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 Close Corporation- current copy of CK1 and/or CK2C Trust- letter of appointment from the Master of the High Court of SA and deed of trust JV/Consortium- JV/Consortium partners Copy of professional indemnity Insurance 	

	<ul style="list-style-type: none"> Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the individual for all his/her properties/ Proof that acknowledgements or arrangements have been made to settle arrears / Affidavit stating why an up to date municipal account cannot be submitted. <p>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.</p> <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 Director (s) or Member (s) for all their properties/ Proof that acknowledgements or arrangements have been made to settle arrears / Affidavit stating why an up to date municipal account cannot be submitted. 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. Completion and signature of all bid documents. Proof of Central Supplier Data Base registration (CSD) valid on tender closing date. Company Resolution / Power of Attorney
Address	City of Joburg Property Company SOC LTD, 1st Floor, Forum II Building, Braam Park Office Park, 33 Hoofd Street, Braamfontein, Johannesburg.
Evaluation	<p>Offer and B-BBEE Level of contributor using 80/20 80 for offer and 20 for B-BBEE status level of contributor</p> $P_s = 80 \left(1 - \frac{P_t - P_{max}}{P_{max}} \right)$
Enquiries	tenders@jhbproperty.co.za

Please note the following conditions of submission:

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

Helen Botes
Chief Executive Officer
City of Joburg Property Company SOC Ltd
1st Floor, Forum II Building, Braam Park
Office Park, 33 Hoofd Street,
Braamfontein Johannesburg

Contact Details

**Supply Chain Management
Department**

Tel: (010) 219-9000

MBD 1
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (CITY OF JOHANNESBURG)					
BID NUMBER:	RFP 09/2019	CLOSING DATE	03 April 2020	CLOSING TIME:	10H30 (Telkom Time)
DESCRIPTION	REQUEST FOR PROPOSALS FOR THE SALE OF ERF 8298 STRETFORD FOR BUSINESS PURPOSES				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO ENTER INTO A SALE AGREEMENT WITH THE CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY					

BID RESPONSE DOCUMENTS MUST BE DEPOSITED IN THE BID BOX SITUATED AT 33 HOOFD STREET, FORUM 2, FLOOR 1, BRAAM PARK, BRAAMFONTEIN, JOHANNESBURG ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED OR AMENDED)

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT <input type="checkbox"/> Yes <input type="checkbox"/> No		
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
SIGNATURE OF BIDDER		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:					
Municipality/Municipal Entity:...City of Joburg Property Company (SOC) LTD Contact Person: Supply Chain Management Tel: 010 219 9000 Email: tenders@jhbproperty.co.za					

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–OR DOWNLOADED ONLINE (NOT TO BE RE-TYPED)**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

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

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

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

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

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID
INVALID.
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

SIGNATURE OF BIDDER:

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

DATE:

PRICING SCHEDULE: FINANCIAL OFFER (JPC MBD 3)

1. This offer is made for the property in accordance with the Property Information stated in **MBD 13** and in accordance with the bid specifications in **JPC MBD 12**.
2. Unless stated otherwise all prices excludes VAT
3. **FINANCIAL OFFER**

Sale Offer	
------------	--

Please note that the minimum acceptable purchase/ reserve price is **R 110 000.00** excluding VAT.

Bidders are requested to provide proof of available funding as per **JPC MBD 17**

4. **PAYMENT FOR RATES, TAXES, AND SERVICES**

In addition to the above amount the bidder will be responsible for the payment of all municipal services and all other costs deemed necessary on the property, including rates and taxes levied on the property including electricity, water, sewerage and sanitation and refuse removal, which are levied on the property.

5. Admin fee R1 950.00

MBD 4: DECLARATION OF INTEREST

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 below.)</i>	
3.7	Are you presently in the service of the state?	Yes No
	If yes, please furnish particulars :	
3.7.1	Name of director	
3.7.2	Service of state organization	

No.	Information	Please provide detail	
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 state? If yes, please furnish particulars:	Yes	No
3.12.1	Name of director		

No.	Information	Please provide detail	
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 bidding for this contract? If yes, please furnish particulars:	Yes	No
3.13.1	Name of director		
3.13.2	Related company		
Note:	<p>SCM Regulations:</p> <p>"¹In the service of the state" means to be –</p> <ul style="list-style-type: none"> (a) a member of – <ul style="list-style-type: none"> (i) any municipal council; (ii) any provincial legislature; or (iii) the national Assembly or the national Council of provinces; (b) a member of the board of directors of any municipal entity; (c) an official of any municipality or municipal entity; (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999); (e) a member of the accounting authority of any national or provincial public entity; or (f) an employee of Parliament or a provincial legislature. <p>"² Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.</p>		

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

Full Name	Identity Number	State Employee Number

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

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

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

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

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

.....

.....

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

YES / NO

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

2.2 If yes, provide particulars.

.....

.....

.....

.....

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

YES / NO

3.1 If yes, furnish particulars

.....

.....

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

***YES / NO**

- 4.1 If yes, furnish particulars

.....

.....

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

MBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to this bid:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

1.2

- a) The value of this bid could not be determined, therefore the highest acceptable tender will be used to determine the applicable preference point system; or
- b) Either the 80/20 preference point system will be applicable to this tender.

1.3 Points for this bid shall be awarded for:

- (a) Financial Offer; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
FINANCIAL OFFER	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
TOTAL POINTS FOR FINANCIAL OFFER AND B-BBEE MUST NOT EXCEED	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in

terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“Functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR FINANCIAL OFFER

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 is allocated for financial offer and 20 is allocated for BBBEEE status level contributions on the following basis:

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

Where

P_s	=	Points scored for price offer of bid under consideration
P_t	=	Price of bid under consideration
P_{max}	=	price for the highest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

Price	80
B-BBEE Status Level of Contribution	Number of Points 20
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non - Contributor	0
Maximum	20
Total	100

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: . =(maximum of 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES		NO	
-----	--	----	--

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted.....%

ii) The name of the sub-contractor.....

iii) The B-BBEE status level of the sub-contractor.....

iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
-----	--	----	--

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people (As defined by the Act B-BBEE Number 46 of 2013 and any amended)		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
 - ☐ One person business/sole propriety
 - ☐ Close corporation
 - ☐ Company
 - ☐ (Pty) Limited
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
 - ☐ Supplier
 - ☐ Professional service provider
 - ☐ Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

8.7 MUNICIPAL INFORMATION

Municipality where business is situated:

.....

Registered Account Number:

Stand Number:.....

8.8 Total number of years the company/firm has been in business:.....

8.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBEE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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

WITNESSES

1.

2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

JPC MBD 7: BID SUBMISSION**BIDDERS INFORMATION**

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 Website	
Sowetan		E- Tenders	
COJ Website			

I,

.....
 ("The Bidder").

in my capacity as

.....

hereby submit a proposal in the preceding document. I have read the Proposal Call Document in full and hereby submit the MBDs in accordance with the conditions stated in the document, and further declare under oath that the information contained in the MBDs is to the best of my knowledge true and correct. I further state as follows:

Signed and sworn at _____ on this _____ day of _____
 by the

Bidder (s) who has stated that:

- He/she knows and understands the contents hereof and that it is true and correct;
- He/she has no objection to taking the prescribed oath; and
- That he /she regards the prescribed oath as binding on his/her conscience
- That the provisions of the regulations contained in Government Notice R1258 of 21st July 1972 (as amended) have been complied with.

Bidder (s)

MBD 8: DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

MBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

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 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

JPC MBD 10: STANDARD CONDITIONS OF SUBMISSION

The following conditions apply to all bids submitted:

- All bids must be submitted in compliance with the Bid Specifications specified in JPC MBD 12
- The property is made available in accordance with the information and stipulations contained in JPC MBD 13
- 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.

DISQUALIFICATION CRITERIA

- Non-signature of the declaration of the Bid Submission in JPC's MBD 7, Bidder's past Supply Chain Practices in MBD 8 and Certificate of Independent Bid Determination MBD 9
- **Any offer below the reserve price will not be considered**

NB: Failure to comply with the above will result in the bid not being evaluated.

COMPLIANCE PRIOR TO AWARD

- Tax Clearance Certificate, valid on the closing date of the bid, or exemption to pay taxes as issued by the South African Revenue Services (SARS) or Valid Tax Compliant Verification PIN number issued by SARS.
- Proof of registration of the Entity as follows:
 - Natural persons- certified copy of ID document/ passport
 - Partnership- copy of Partnership Agreement plus IDs of all partners
 - Company- current CM29
 - Close Corporation- current copy of CK1 and/or CK2C
 - Trust- letter of appointment from the Master of the High Court of SA and deed of trust
 - JV/Consortium- JV/Consortium partners
- Copy of professional indemnity Insurance
- Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the individual for all his/her properties/ Proof that acknowledgements or arrangements have been made to settle arrears / Affidavit stating why an up to date municipal account cannot be submitted.

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.

- 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) for all their properties/ Proof that acknowledgements or arrangements have been made to settle arrears / Affidavit stating why an up to date municipal account cannot be submitted.

- 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.
- Completion and signature of all bid documents.
- Proof of Central Supplier Data Base registration (CSD) valid on tender closing date.
- Company Resolution / Power of Attorney

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 and one (1) copy of the of the completed Bid document.
 - 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
Forum II Building, Braampark, 1st Floor
33 Hoofd Street, Braamfontein, Johannesburg

- **PROPOSALS WHICH ARE NOT SUBMITTED IN A PROPERLY SEALED AND MARKED ENVELOPE AND DEPOSITED IN THE BOX BEFORE THE CLOSING DATE, 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. Bidders, who fail to provide such information to the satisfaction of the COJ and/or JPC, will be disqualified.

OPENING OF PROPOSALS

- Proposals will be opened immediately after the closing time on the closing date at the offices of JPC at the mentioned address. The RFP number, property description and the name of each Bidder(s) will be announced and recorded in a register.

- Bidder's return address must be clearly stipulated or indicated on the back of the envelope.

EVALUATION OF PROPOSALS

- JPC reserves the right to seek clarification or further information from Bidder(s) and to appoint professionals to advise and verify information on aspects of the Proposals submitted in a manner that the COJ or its agent deems appropriate.
- The preferred Bidder(s) may be required to make presentations to the JPC.
- The Bidder(s) shall be deemed to know and understand the content of the Proposal Call document and a submission of the MBDs 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 non-acceptance or variation of any of the conditions, or the inclusion of any other conditions in the Proposal Call document by the Bidder(s) will be treated as a qualified bid and will be disqualified.

The Proposal(s) will be evaluated by the JPC. JPC may accept any Proposal in whole or in part and is not bound to accept any Proposal

- Proposals will be evaluated using the evaluation criteria stated in JPC MBD 11
- 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** 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:

1st Floor, Forum 2, 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

JPC MBD 11: EVALUATION CRITERIA

The bids will be evaluated as follows:

Evaluation on Price & B-BBEE Status Level of Contribution

- Bidders must submit proof of their B-BBEE status level of contributor.
 - Preference points shall be calculated after price has been brought to a comparative basis.
 - Points scored will be rounded off to the nearest 2 decimal places.
 - In the event of equal points scored, the bid will be awarded to the bidder scoring the highest number of points for specified goals as per the PPPFA regulations.
 - The points scored by the Bidder for B-BBEE contribution will be added to the points scored for price.
 - A maximum of 80 points is allocated for price on the following basis:

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

Where

P_s = Points scored for price offer of bid under consideration

P_t = Price of bid under consideration

P_{max} = price for the highest acceptable bid

B-BBEE Status Level of Contribution	Number of Points 20
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non – Compliant Contributor	0
Maximum	20

JPC MBD 12: BID SPECIFICATIONS

The following Specifications apply to this bid:

The Property referred to in the Proposal call is defined as **ERF 8298 Stretford for Business Purposes**, zoned Business measures 375m².

1. Bidders are required to make an offer not less than the minimum acceptable offer for the purchase of the property as indicated in the **JPC MBD13**.
2. The Property in its entirety shall be made available by means of a Sale Agreement.
 - 3.1. Any development to be pursued must align with the CoJ Town Planning Regulations.
 - 3.2. The successful bidder will be responsible to obtain all statutory approvals (Rezoning, Environmental, Water Use Licence, Site Development Plan, Building Plans, etc) which are required for any development of the property.
 - 3.3. The successful bidder will be responsible for the registration, protection, and/ or relocation of all servitudes over the property.
 - 3.4. The successful bidder(s) will carry all the responsibility and risks from the date of transfer.
 - 3.5. All administrative and incidental costs relating to the drafting of the sale and transfer of the property shall be for the bidders account.
 - 3.6. The property is made available in accordance with the site information made available in **JPC MBD13**.

JPC MBD 13: PROPERTY INFORMATION

1. LOCALITY MAP

The site is located in Stretford as indicated on the plan below: The site is best described as ERF 8298 Stretford Ext 3.



2. SITE INFORMATION

Property Description	ERF 8298
Region	G
Size (approximate)	375m ² respectively
Zoning	Business
Sale Amount	R65 000.00 excluding VAT

JPC MBD 14: REGISTRATION DOCUMENTS

The following documents must be attached

- *Natural persons, Sole proprietors and JVs – copy of ID document/passport*
- *Schools – copy of Provincial School registration certificate*
- *NGO – copy of Provincial registration certificate*
- *Society Club/ Association – copy of Constitution / founding document*
- *Partnership -copy of partnership agreement plus IDs of all partners*
- *Closed Corporation - Copy of CK1 and/or CK2 and members agreement*
- *Company – current CM29,*
- *Trust – letter of appointment from the Master of the High Court of SA and deed of trust*
- *Joint Venture / Consortiums– JV agreement plus ID documents/ company Registration document of all members of JV/ Consortiums.*

JPC MBD 15: AUTHORITY TO SUBMIT BID

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

JPC MBD 16: PAYMENT OF MUNICIPAL ACCOUNT

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)

**JPC MBD 17: PROPOSAL FOR THE SALE OF ERF 8298
STRETFORD FOR BUSINESS PURPOSES**

ACCESS TO AVAILABLE FUNDING

<p>The bidder to demonstrate proof of availability of 100% of the purchase price.</p> <p>The following documents are required:</p> <ul style="list-style-type: none">• Copy of bank statement showing availability of funds; or• Letter from a registered funding institutions confirming funding for the purchase of the property.	
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