

# REQUEST FOR PROPOSALS FOR THE LONG TERM LEASE AND DEVELOPMENT OF ERVEN 31 AND 32 ORANGE GROVE.

## RFP 35/2019

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 Long Term Lease and Development of Erven 31 and 32 Orange Grove into a mixed use development with special emphasis on mixed rental residential or affordable student accommodation.

**THIS DOCUMENT CONSISTS OF 61 PAGES, IT IS THE RESPONSIBILITY OF THE TENDERER/ BIDDER TO SEE THAT ALL PAGES ARE INCLUDED IN THE DOCUMENT**

Name of Bidder: \_\_\_\_\_

**Bidder to indicate with an (X) the type of development proposal submitted**

Mixed use development with special emphasis mixed rental residential.

Mixed use development with special emphasis affordable student accommodation.

**DOCUMENTS TO BE SUBMITTED: 1 ORIGINAL AND 3 COPIES**

**Closing date of the Bid: 31 July 2019**

**Closing Time: 10h30 (Telkom Time)**

**Document Cost: R500.00 (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](http://www.jhbproperty.co.za), [www.etenders.gov.za](http://www.etenders.gov.za) and [www.joburg.org.za](http://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 LONG TERM LEASE AND DEVELOPMENT OF ERVEN 31 AND 32 ORANGE GROVE INTO A MIXED USE DEVELOPMENT WITH SPECIAL EMPHASIS ON MIXED RENTAL RESIDENTIAL OF AFFORDABLE STUDENT ACCOMMODATION.

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 development of the property stated hereunder:

BID NUMBERS	TENDER DESCRIPTIONS	SITE SIZE
RFP 35/2019	<b>REQUEST FOR PROPOSALS FOR THE LONG TERM LEASE AND DEVELOPMENT OF ERVEN 31 AND 32 ORANGE GROVE INTO A MIXED USE DEVELOPMENT WITH SPECIAL EMPHASIS ON MIXED RENTAL RESIDENTIAL OR AFFORDABLE STUDENT ACCOMMODATION</b>	1 198 m <sup>2</sup>
<b>Non – compulsory Briefing sessions</b>	<p>The first non-compulsory briefing session will be held on <b>7 May 2019</b> from 10 am to 12 pm. The second non-compulsory briefing session will be held on <b>20 May 2019</b> from 10 am to 12 pm. The third non-compulsory briefing session will be held on <b>3 June 2019</b> from 10 am to 12 pm. The fourth non-compulsory briefing session will be held on <b>10 July 2019</b> from 10 am to 12 pm.</p> <p>Venue for all non-compulsory briefing sessions will be at Old Council Chambers, Ground Floor, CoJ offices, 158 Loveday Street, Braamfontein, Johannesburg.</p>	
<b>Document Availability</b>	<b>30 April 2019 from 12:00pm</b>	
<b>Document Cost</b>	<p><b>Document Cost: R500.00 (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 <a href="http://www.jhbproperty.co.za">www.jhbproperty.co.za</a> , <a href="http://www.etenders.gov.za">www.etenders.gov.za</a> and <a href="http://www.joburg.org.za">www.joburg.org.za</a>.</b></p>	
<b>Pre-qualifying criteria for Preferential procurement</b>	<ul style="list-style-type: none"> <li>• <b>Pre-qualification criteria will be used to advance certain designated groups. Bidders will therefore be prequalified on the following basis</b></li> <li>• Minimum B-BBEE Status (Level 1, Level 2 and Level 3), and/or</li> <li>• an EME or QSE, and/or</li> <li>• Subcontracting a minimum of 30% of the construction costs to an EME or QSE which is at least 51% owned by black people</li> </ul> <p><b>NB: A bids that fail to meet any pre-qualification criteria stipulated above is an unacceptable bid and as such will not be evaluated for Stage 1 and Stage 2.</b></p>	
<b>Closing Date</b>	<p><b>31 July 2019 at 10h30 (Telkom Time),</b> CoJ reserves the right to extend the closing date at its sole discretion.</p>	
<b>Disqualifying Criteria</b>	<ul style="list-style-type: none"> <li>• Non-signature and non-commissioning (full details of the commissioner) of the declaration of the bidder's past Supply Chain Practices in MBD 8 and the Bid Submission in JPC's MBD 7</li> </ul>	

	<ul style="list-style-type: none"> <li>• Regulation 21 of the Municipal Supply Chain Management Regulations, 2005 requires bidders for transactions that exceed 10 million to furnish annual financial statements for the past three financial years. This is required to establish liquidity and financial resources of the bidder to execute the project as indicated in the bid documents and proposals. If the bidder was established within the last three years, the most recent audited financial statements are required to be submitted.</li> <li>• <b><u>NB: Failure to comply with the above will result in the bid not being evaluated for Stage 1 and Stage 2.</u></b></li> </ul>
<b>Compliance Criteria before award</b>	<ul style="list-style-type: none"> <li>• 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.</li> <li>• Proof of registration of the Entity as follows: <ul style="list-style-type: none"> <li>- Natural persons- certified copy of ID document/ passport</li> <li>- Partnership- copy of Partnership Agreement plus IDs of all partners</li> <li>- Company- current CM29</li> <li>- Close Corporation- current copy of CK1 and/or CK2C</li> <li>- Trust- letter of appointment from the Master of the High Court of SA and deed of trust</li> <li>- Proof of registration of NPO or NGO (Copy of Provincial Registration Certificate etc.)</li> </ul> </li> <li>• 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 for all the properties of the directors.  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 for all the properties of the directors.</li> <li>• 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 for all the properties of the directors.</li> <li>• 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 Joint Venture B-BBEE Certificate.</li> <li>• Completion and signature of all bid documents.</li> <li>• Central Supplier Data Base (CSD) registration</li> </ul>

<b>Address</b>	City of Joburg Property Company SOC LTD, 1st Floor, Forum II Building, Braam Park Office Park, 33 Hoofd Street, Braamfontein, Johannesburg.
<b>Evaluation</b>	<b>Functionality, Rental Offer and B-BBEE Level of contributor using 80/20 or 90/10</b>  80/ 90 for rental value and 20/10 for B-BBBEE status level of contributor  $P_S = 80 \left( 1 - \frac{P_t - P_{max}}{P_{max}} \right) \qquad P_S = 90 \left( 1 - \frac{P_t - P_{max}}{P_{max}} \right)$
<b>Enquiries</b>	<a href="mailto:icpr@jhbproperty.co.za">icpr@jhbproperty.co.za</a>

**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.
- ***The applications for rezoning and /or consolidation of the subject properties has been submitted and the award of the projects will only be made subject to approval by the Council.***

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

**Contact Details  
Supply Chain  
Management  
Department  
Tel: (010) 219-9000  
Fax: (010) 219-9400**

**MBD 2  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (CITY OF JOHANNESBURG)</b>					
BID NUMBER:	RF35/2019	CLOSING DATE	31 July 2019	CLOSING TIME:	10H30 (Telkom Time)
DESCRIPTION	REQUEST FOR PROPOSALS FOR THE LONG TERM LEASE AND DEVELOPMENT OF ERVEN 31 AND 32 ORANGE GROVE INTO A MIXED USE DEVELOPMENT WITH SPECIAL EMPHASIS ON MIXED RENTAL RESIDENTIAL OR AFFORDABLE STUDENT ACCOMMODATION.				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO ENTER INTO A DEVELOPMENT SALE AGREEMENT WITH THE CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY</b>					

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)

<b>SUPPLIER INFORMATION</b>					
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
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
SIGNATURE OF BIDDER	.....		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>					
<b>Municipality/Municipal Entity:....City of Joburg Property Company (SOC) LTD</b> <b>Contact Person: Supply Chain Management</b> <b>Tel: 010 219 9000</b> <b>Email: icpr@jhbproperty.co.za</b>					

**TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>
<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. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–OR DOWNLOADED ONLINE (NOT TO BE RE-TYPED)</b></p> <p>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.</p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<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 3 BELOW.</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>
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>
<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><b>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.</b></p>

**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**

Financial Offer	Assumption and Description	Amount
Rental offer (Net Present Value) of rental to JPC	Discount rate is 10% 50 year period Annual Escalation is 8%	
1.5% JPC Development Facilitation fee.	Non-refundable JPC Fee equal to 1.5 % of total development cost, payable to JPC within 14 days from the date of signature of the Development and lease agreement (Refer to JPC MDB for makeup of Development Cost)	
Subsidisations of affordable housing units.	Assume market rental of R4000 per month  Formular per month = (R4000.00 – R900.00) x number of affordable housing units. <ul style="list-style-type: none"> <li>Discount rate is 10 %</li> <li>50 year period</li> <li>Annual Escalation is 8%</li> </ul>	
Affordable student Accomodation.	Maximum amount to be charged for student accommodation to be capped at R3 500 per student per month as per NSFAS rental allowance.  Bidders are to provide at least 50% or more of the development at a rental rate of less than R3 500.00 of the student accommodation floor area	
Total Development Cost excluding TAA (if applicable)		
Cost of developing temporary (if applicable)		

**NB: The following information in line with the above financial offer must be attached to the bid document;**

- The bidder submit working spreadsheet indicating initial rental (first year's monthly rental)*
- The spreadsheet must cover the entire 50 year period.*
- The NPV without the worksheet will be considered as non-responsive.*

**BIDDERS MUST SUBMIT A RENTAL SCHEDULE INDICATING THE NPV CALCULATIONS AND BREAKDOWN OF THE CASH FLOWS.**

#### 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/or transaction will be due on signature of the agreement and payable on agreed milestone

Non-refundable JPC Fee equal to 1.5 % of total development cost, payable to JPC within 14 days from the date of signature of the Development and Lease Agreement (Refer to MDB17 for makeup of Development Cost)	R
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#### 5. TOTAL FINANCIAL OFFER

<b>TOTAL RENTAL OFFER + JPC FEE</b>	<b>R</b>
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#### 6. PAYMENT FOR RATES, TAXES, AND SERVICES

In addition to the above amount the lessee will be required to pay all municipal charges including rates and taxes levied on the property. The rates and taxes will be levied by JPC on behalf of the COJ in accordance with approved tariffs and will become payable from the date the lessee takes possession of the site

## MBD 4: DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
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.**

3.1 Full Name of bidder or his or her representative:.....

3.2 Identity Number: .....

3.3 Position occupied in the Company (director, trustees, shareholder<sup>2</sup>):.....

3.4 Company Registration Number: .....

3.5 Tax Reference Number:.....

3.6 VAT Registration Number: .....

3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated below.

**NB: Please note this is a requirement for all directors, trustees or shareholders whether or not the employee of the State, to provide and fill the form in point 4 below.**

3.8 Are you presently in the service of the state? **YES / NO**

3.8.1 If yes, furnish particulars. ....

.....

<sup>1</sup>MSCM Regulations: "in the service of the state" means to be –

(a) a member of –

(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.

<sup>2</sup> 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.

3.9 Have you been in the service of the state for the past twelve months? ..... **YES / NO**

3.9.1 If yes, furnish particulars.....

.....

3.10 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? ..... **YES / NO**

3.10.1 If yes, furnish particulars.

.....

.....

3.11 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? ..... **YES / NO**

3.11.1 If yes, furnish particulars

.....

.....

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? ..... **YES / NO**

3.12.1 If yes, furnish particulars.

.....

.....

3.13 Are any spouse, child or parent of the company's directors trustees, managers, principle shareholders or stakeholders in service of the state? ..... **YES / NO**

3.13.1 If yes, furnish particulars.

.....

.....

3.14 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. ..... **YES / NO**

3.14.1 If yes, furnish particulars:

.....

.....

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

Full Name	Identity Number	State Employee Number

.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

.....  
**Name of Bidder**

**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
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

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 or 90/10 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	POINTS
FINANCIAL OFFER	80	90
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20	10
TOTAL POINTS FOR FINANCIAL OFFER AND B-BBEE MUST NOT EXCEED	100	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 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for financial offer on the following basis:

**80/20**

**or**

**90/10**

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

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

Where

Ps = Points scored for financial offer of bid under consideration

Pt = Rand value of bid under consideration (Net Present Value of the rental amount over the 50 year lease period discounted at 10%)

Pmax = Financial Offer of 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	90	80
B-BBEE Status Level of Contribution	Number of Points 10	Number of Points 20
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non - Contributor	0	0
Maximum	10	20
<b>Total</b>	<b>100</b>	<b>100</b>

#### 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 10 or 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 .....

.....

**BIDDERS INFORMATION**

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	
<b>BIDDER BANKING DETAILS</b>			
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	
Citizen			
Business day			
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 21<sup>st</sup> July 1972 (as amended) have been complied with.

---

Bidder (s)

Signed before me

---

COMMISSIONER OF OATHS

## MBD 8: DECLARATION OF BIDDER'S 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:
  - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
  - b. been convicted for fraud or corruption during the past five years;
  - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
  - d. 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	Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector? <b>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
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)? <b>(To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>

4.3.1	If so, furnish particulars:		
<b>Item</b>	<b>Question</b>	<b>Yes</b>	<b>No</b>
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

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 21<sup>st</sup> July 1972 (as amended) have been complied with.

---

Bidder (s)

Signed before me

---

COMMISSIONER OF OATHS



## MBD 9: 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:

The City of Joburg Property Company (SOC) Ltd (Reg. No 2000/017147/07) ("JPC") as an agent of  
City of Johannesburg Metropolitan Municipality ("COJ")

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)

11. I have read and I understand the contents of this Certificate;
12. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
13. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
14. 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;
15. 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
16. 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 consortium<sup>3</sup> will not be construed as collusive bidding.

17. 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.
18. 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.
19. 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.
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

<sup>3</sup> 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.

## **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.

### **PRE-QUALIFYING CRITERIA**

**Pre-qualification criteria will be used to advance certain designated groups. Bidders will therefore be prequalified on the following basis**

- Minimum B-BBEE Status (Level 1, Level 2 and Level 3), and/or
- an EME or QSE, and/or
- Subcontracting a minimum of 30% of the construction costs to an EME or QSE which is at least 51% owned by black people

**NB: A bid that fails to meet any pre-qualification criteria stipulated above is an unacceptable bid and as such will not be evaluated for Stage 1 and Stage 2.**

### **DISQUALIFICATION CRITERIA**

- Non-signature and non-commissioning of the declaration of the bidder's past Supply Chain Practices in MBD 8 and the Bid Submission in JPC's MBD 7
- Regulation 21 of the Municipal Supply Chain Management Regulations, 2005 requires bidders for transactions that exceed 10 million to furnish annual financial statements for the past three financial years. This is required to establish liquidity and financial resources of the bidder to execute the project as indicated in the bid documents and proposals. If the bidder was established within the last three years, the most recent audited financial statements are required to be submitted.

**NB: Failure to comply with the above will result in the bid not being evaluated for Stage 1 and Stage 2.**

### **COMPLIANCE PRIOR TO AWARD**

- 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
  - Proof of registration of NPO or NGO (Copy of Provincial Registration Certificate etc.)
- 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 for all the properties of the directors.
- 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 for all the properties of the directors.
- 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 for all the properties of the directors.
  - In the event the bidder is tendering as a Joint Venture/Consortium, all members of the JV/Consortium must submit all required documentation and a JV / Consortium agreement
  - Completion and signature of all bid documents.
  - Central Supplier Data Base (CSD) registration

## **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 three (3) copies 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:

- **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:

1<sup>st</sup> 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 [icpr@jhbproperty.co.za](mailto:icpr@jhbproperty.co.za)

A two-stage evaluation will be applied to the evaluation of the bid as follows:

***Should the bidder wish to bid for mixed use development with emphasis on mixed rental residential development, the following evaluation criteria will apply;***

### 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
<b>1. CAPACITY AND EXPERIENCE</b>	<b>30</b>	
<b>Professional Team</b>  Provide CVs and Proof of Registration documents for the following: <ul style="list-style-type: none"> <li>Architect (registration with relevant institutions/statutory bodies and traceable references = <b>2 points</b>)</li> <li>Quantity Surveyor (registration with relevant institutions/statutory bodies and traceable references) = <b>2 points</b></li> <li>Engineers (registration with relevant institutions/statutory bodies and traceable references) = <b>2 points</b></li> <li>Project Manager (registration with relevant institutions/statutory bodies and traceable references) = <b>2 points</b></li> <li>Facilities Managers/Property Manager (registration with relevant institutions/statutory bodies and traceable references) = <b>1 points</b>.</li> <li>Accredited green building consultant = <b>1 point</b>.</li> </ul>	<b>10</b>	CV's of the professional team and proof of registration with professional bodies where requested. The professional team must demonstrate its experience in projects of a similar nature with traceable references.
<b>Construction Team</b>  Bidder to submit, profiles, experienced and qualifications (with a minimum of 5 years experience) of: <ul style="list-style-type: none"> <li>Site Manager = <b>2 points</b></li> <li>Registered Health &amp; Safety Officer = <b>2 points</b></li> <li>Social Facilitator = <b>2 points</b></li> <li>Main contractor- Evidence of at least 3 or more Completed Projects of a similar nature (i.e. Multi-Storey Development/ Building Conversion/Refurbishment)= <b>4 points</b></li> </ul> 0 points will be awarded for contractors who have completed less than three (3) projects of a similar nature	<b>10</b>	Completion certificates for the Main contractor  CVs of the Site Manager, registered Health and Safety Officer and Social Facilitator
<b>Development Experience of the bidding entity (10)</b>  Bidder to indicate total value of development projects completed.  Scoring will be based on the total value of development.  R35 million and above = <b>10 points</b>  Below R35 million to R25 million = <b>8 points</b>	<b>10</b>	Bidder to complete JPC MBD 20 and provide any verifiable documents to demonstrate its experience including contactable references for completed



<p>Below R25 to R15 million = <b>6 points</b>.</p> <p>Below R15 million to R10 million = <b>4 points</b>.</p> <p>R10 million and below = <b>2 points</b></p>		<p>projects. (e.g. bidder must submit a signed completion certificate as proof of project completion and completion testimonial.)</p>
<b>2. DEVELOPMENT PROPOSAL</b>	<b>25</b>	
<p><b>Conformity of the Development Proposal to the vision for the property as expressed in JPC MBD 12.</b></p> <p>The development proposal must clearly illustrate how the development would address affordable housing needs (minimum 30% of the whole development, sustainable mixed tenure communities, densification, functional urban design and sustainability (environment and technology)</p> <p><b>Development Concept (10)</b></p> <ul style="list-style-type: none"> <li>Detailed level conceptual design outlining the intended uses, ratios and typologies <b>(2)</b></li> <li>Integration of multiple uses within the development including parking if required <b>(2)</b></li> <li>Floor area and elevations <b>(1)</b></li> <li>Sustainability (Green building elements: modelling and benchmarking of consumption and long term operational costs) <b>(4)</b></li> <li>Urban form <b>(1)</b></li> </ul> <p><b>Development Programme (5)</b></p> <ul style="list-style-type: none"> <li>High level development programme including Inception Stage, Planning, Design, Construction and Commissioning</li> </ul> <p><b>Proposed Rentals (10)</b></p> <ul style="list-style-type: none"> <li>Development costs <b>(2)</b></li> <li>Proposed rentals <b>(4)</b></li> <li>Return on Investment <b>(2)</b></li> <li>Respond to target market <b>(2)</b></li> </ul> <p>Bidders are to provide the designs that include all of the above in order to obtain full points</p>	<p><b>10</b></p> <p><b>5</b></p> <p><b>10</b></p>	<p><b>DEVELOPMENT PROPOSAL - JPC MBD 17</b></p> <p>In addition to providing the information on MBD 17, the bidder must submit a development proposal that include all the information as outlined on this page.</p>
<b>3. EMPOWERMENT PLAN AND SOCIAL BENEFIT</b>	<b>20</b>	

<p>Job Creation Plan</p> <ul style="list-style-type: none"> <li>- During construction (Short Term) = <b>2 points</b></li> <li>- After construction (Long Term) = <b>3 points</b></li> </ul> <p>Enterprise Development (during and after construction) = <b>3 points</b></p> <p>Training and Development Programmes (throughout the lifecycle of the project) = <b>3 points</b></p> <p>Demonstrate how the development will benefit the local community and/or community based organisations = <b>3 points</b></p> <p>Procurement of Material from Local Suppliers = <b>3 points</b></p> <p>Partnership with Women, Youth and People with disabilities Owned Companies = <b>3 points</b></p>		<p><b>PROPOSED EMPOWERMENT PLAN – JPC MBD 18 and 19</b></p> <p>The bidder is expected to provide a detailed plan outlining how it would empower SMME's and individuals through the design and implementation of the project. Where possible, the bidder must identify potential local suppliers and women owned companies that could be part of the project.</p>
<b>4. FINANCIAL CAPABILITY</b>	<b>15</b>	
<p>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</p> <p>The bidder to demonstrate proof of availability of 100% of the funding required for the development. This must include written support from verifiable funding institutions.</p> <ul style="list-style-type: none"> <li>• If the letter from the registered funder reflects the full amount of the development cost or;</li> <li>• If there is a shortfall and the bidder shows how they fund the shortfall or;</li> <li>• If the funder demonstrate access to equity to cover the development cost or;</li> <li>• If the AFS reflect cash and cash equivalents or;</li> <li>• If the bidder submits a letter from the funder.</li> </ul>		<p><b>JPC MBD 21</b></p> <p><b>Copy of stamped bank statements showing availability of funds.</b></p> <p><b>Signed letter from registered funding institutions confirming funding for the project</b></p> <p><b>An original current (not older than three months on date of submission) letter from the bank confirming the developer's working capital available.</b></p>
<b>5. INVESTMENT VALUE</b>	<b>10</b>	
<p>Total realistic monetary investment value into the project based on the similar projects backed by the QS report and a financial feasibility.</p> <p>These will be measured against the investment analysis to be conducted by JPC.</p>		<p><b>MBD17 The Financial Viability that is requested as part of the Development Proposal would also be assessed.</b></p>
<b>TOTAL</b>	<b>100</b>	

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

***Should the bidder wish to bid for mixed development with an emphasis on affordable student accommodation, the following evaluation criteria will apply;***

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:

<b>FUNCTIONAL CRITERIA</b>	<b>Points</b>	<b>Returnable documents to be used in evaluation</b>
<b>1. CAPACITY AND EXPERIENCE</b>	<b>30</b>	
<b>Professional Team</b>  Provide CVs and Proof of Registration documents for the following: <ul style="list-style-type: none"> <li>• Architect (registration with relevant institutions/statutory bodies and traceable references = <b>2 points</b>)</li> <li>• Quantity Surveyor (registration with relevant institutions/statutory bodies and traceable references) = <b>2 points</b></li> <li>• Engineers (registration with relevant institutions/statutory bodies and traceable references) = <b>2 points</b></li> <li>• Project Manager (registration with relevant institutions/statutory bodies and traceable references) = <b>2 points</b></li> <li>• Facilities Managers/Property Manager (registration with relevant institutions/statutory bodies and traceable references) = <b>1 points</b>.</li> <li>• Accredited green building consultant = <b>1 point</b>.</li> </ul>	<b>10</b>	CV's of the professional team and proof of registration with professional bodies where requested. The professional team must demonstrate its experience in projects of a similar nature with traceable references.
<b>Construction Team</b>  Bidder to submit, profiles, experienced and qualifications (with a minimum of 5 years' experience) of: <ul style="list-style-type: none"> <li>• Site Manager = <b>2 points</b></li> <li>• Registered Health &amp; Safety Officer = <b>2 points</b></li> <li>• Social Facilitator = <b>2 points</b></li> <li>• Main contractor- Evidence of at least 3 or more Completed Projects of a similar nature (i.e. Multi-Storey Development/ Building Conversion/Refurbishment)= <b>4 points</b></li> </ul> 0 points will be awarded for contractors who have completed less than three (3) projects of a similar nature	<b>10</b>	Completion certificates for the Main contractor  CVs of the Site Manager, registered Health and Safety Officer and Social Facilitator
<b>Development Experience of the bidding entity (10)</b>  Bidder to indicate total value of development projects completed.  Scoring will be based on the total value of development.  R35 million and above = <b>10 points</b>  Below R35 million to R25 million = <b>8 points</b>	<b>10</b>	Bidder to complete JPC MBD 20 and provide any verifiable documents to demonstrate its experience including contactable references for completed

<p>Below R25 to R15 million = <b>6 points.</b></p> <p>Below R15 million to R10 million = <b>4 points.</b></p> <p>R10 million and below = <b>2 points</b></p>		<p>projects. (e.g. bidder must submit a signed completion certificate as proof of project completion/ completion testimonial.)</p>
<b>6. DEVELOPMENT PROPOSAL</b>	<b>25</b>	
<p><b>Conformity of the Development Proposal to the vision for the property as expressed in JPC MBD 12.</b></p> <p>The development proposal must clearly illustrate how the development would address affordable housing needs (minimum 30% of the whole development, sustainable mixed tenure communities, densification, functional urban design and sustainability (environment and technology)</p> <p><b>Development Concept (9)</b></p> <ul style="list-style-type: none"> <li>Detailed level conceptual design outlining the intended uses, ratios and typologies <b>(2)</b></li> <li>Integration of multiple uses within the development including parking if required <b>(2)</b></li> <li>Sustainability (Green building elements: modelling and benchmarking of consumption and long term operational costs) <b>(4)</b></li> <li>Urban form and Floor area and elevations <b>(1)</b></li> </ul> <p><b>Proposed Rentals (16)</b></p> <ul style="list-style-type: none"> <li>Development costs <b>(1)</b></li> <li>Proposed rentals <b>(15)</b></li> </ul> <p>Maximum amount to be charged for student accommodation to be capped at R3 500 per student per month as per NSFAS rental allowance.</p> <p>Bidders are to provide at least 50% or more of the development at a rental rate of less than R3 500.00 of the student accommodation floor area <b>(15)</b></p> <ul style="list-style-type: none"> <li>➤ 81 % to 100 % of total affordable student accommodation below R3 500.00 = <b>(15)</b></li> <li>➤ 61 % to 80 % of total affordable student accommodation below R3 500.00 = <b>(10)</b></li> <li>➤ 50% to 60 % of total affordable student accommodation below R3 500.00 = <b>(5)</b></li> </ul> <p>Bidders are to provide the designs that include all of the above in order to obtain full points</p>	<p><b>9</b></p> <p><b>16</b></p>	<p><b>DEVELOPMENT PROPOSAL - JPC MBD 17</b></p> <p>In addition to providing the information on MBD 17, the bidder must submit a development proposal that include all the information as outlined on this page.</p>
<b>7. EMPOWERMENT PLAN AND SOCIAL BENEFIT</b>	<b>20</b>	

<p>Job Creation Plan</p> <ul style="list-style-type: none"> <li>- During construction (Short Term) = <b>2 points</b></li> <li>- After construction (Long Term) = <b>3 points</b></li> </ul> <p>Enterprise Development (during and after construction) = <b>3 points</b></p> <p>Training and Development Programmes (throughout the lifecycle of the project) = <b>3 points</b></p> <p>Demonstrate how the development will benefit the local community and/or community based organisations = <b>3 points</b></p> <p>Procurement of Material from Local Suppliers = <b>3 points</b></p> <p>Partnership with Women, Youth and People with disabilities Owned Companies = <b>3 points</b></p>		<p><b>PROPOSED EMPOWERMENT PLAN – JPC MBD 18 and 19</b></p> <p>The bidder is expected to provide a detailed plan outlining how it would empower SMME's and individuals through the design and implementation of the project. Where possible, the bidder must identify potential local supplier and women owned companies that could be part of the project.</p>
<b>FINANCIAL CAPABILITY</b>	<b>15</b>	
<p>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</p> <p>The bidder to demonstrate proof of availability of 100% of the funding required for the development. This must include written support from verifiable funding institutions.</p> <ul style="list-style-type: none"> <li>• If the letter from the registered funder reflects the full amount of the development cost or;</li> <li>• If there is a shortfall and the bidder shows how they fund the shortfall or;</li> <li>• If the funder demonstrate access to equity to cover the development cost or;</li> <li>• If the AFS reflect cash and cash equivalents or;</li> <li>• If the bidder submits a letter from the funder.</li> </ul> <p>If the bidder submits a letter from the funder without any amount-delete</p>		<p><b>JPC MBD 21</b></p> <p><b>Copy of stamped bank statements showing availability of funds.</b></p> <p><b>Signed letter from registered funding institutions confirming funding for the project</b></p> <p><b>An original current (not older than three months on date of submission) letter from the bank confirming the developer's working capital available.</b></p>
<b>INVESTMENT VALUE</b>	<b>10</b>	
<p>Total realistic monetary investment value into the project based on the similar projects backed by the QS report and a financial feasibility.</p> <p>These will be measured against the investment analysis to be conducted by JPC.</p>		<p><b>MBD 17</b></p> <p><b>The Financial Viability that is requested as part of the Development Proposal would also be assessed.</b></p>
<b>TOTAL</b>	<b>100</b>	

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

## **STAGE 2: EVALUATION FINANCIAL OFFER & B-BBEE STATUS LEVEL CONTRIBUTION**

- The bidder obtaining the highest number of points will be awarded the contract.
- Preference points shall be calculated after financial offers have been brought to a comparative basis.
- Points scored will be rounded off to 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.
- A maximum of 90 or 80 points is allocated for financial offer on the following basis:

$$s = 80 \left( 1 - \frac{P_{max} - P_t}{P_{max}} \right) \quad P_s = 90 \left( 1 - \frac{P_{max} - P_t}{P_{max}} \right)$$

Where

Ps = Points scored for Financial Offer of bid under consideration  
 Pt = Rand value of bid under consideration (Net Present Value of the rental amount over the 50 year lease period discounted at 10% and JPC Fee)

Pmax = Financial Offer of highest acceptable bid

- ✓ Only those bids that attain the minimum threshold score of 70 Points in Stage 1 will be evaluated in this stage. Bids will be evaluated as follows:

<b>EVALUATION CRITERIA</b>	<b>WEIGHT 80/20</b>	<b>WEIGHT 90/10</b>
<b>Broad Based Black Economic Empowerment</b>	<b>20 points</b>	<b>10 points</b>
<b>Financial Offer</b>	<b>80 points</b>	<b>90 points</b>
<b>Total</b>	<b>100 points</b>	<b>100 points</b>

- ✓ Points for Broad Based Black Economic Empowerment will be awarded as follows:

<b>Price</b>	<b>90</b>	<b>80</b>
<b>B-BBEE Status Level of Contribution</b>	<b>Number of Points 10</b>	<b>Number of Points 20</b>
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non - Contributor	0	0
Maximum	10	20
<b>Total</b>	<b>100</b>	<b>100</b>

The following Specifications apply to this bid:

### 1. Property Information

Property Description	Erf 31 Orange Grove	Location:	<i>2 Twelfth Street</i>
		Size:	<i>481 m<sup>2</sup></i>
		Zoning:	<i>Residential 1</i>
		Current Use:	<i>Dwelling Unit</i>
Property Description	Erf 32 Orange Grove	Location:	<i>1 Eleventh Street</i>
		Size:	<i>717 m<sup>2</sup></i>
		Zoning:	<i>Residential 1</i>
		Current Use:	<i>Dwelling Unit</i>

### 2. Overview

Orange Grove is predominantly a medium density residential area consisting mainly of single dwelling properties. The area is located east of the Johannesburg CBD in close proximity to a number of amenities such as educational institutions, businesses and various transport modes.-

### 3. Vision For The Area

Introduction of higher density and affordable housing development that would cater for a range of income groups thus stimulating the local business market in line with the Louis Botha: Strategic Area Framework (SAF) that envisages developments linked to existing amenities in accordance with the following;

- ✓ CoJ Urban regeneration strategies and the surrounding urban form.
- ✓ The development must deliver social and utility that will support the residents of the building and also cater for people with disabilities.
- ✓ The developments should also aim to include sustainable features that contribute to environmental sustainability such as increased energy, water efficiency and recycling etc.
- ✓ Indicate conformity to urban design principles and guidelines of the Louis Botha TOD Area Development Framework.

### 4. Vision for the Property

- ✓ The development should seek to achieve a balance with the potential land use rights in order to realise highest yield in terms of a mixed typology of housing.
- ✓ The built form must integrate with and enhance the character and urban quality of the surrounding area.



## SPECIFICATIONS FOR USE AND DEVELOPMENT OF THE PROPERTY

The property is made available in accordance with the site information made available in **MBD13** based on the proposed Development Controls subject to Council approval.

### 1. Property Tenure

The Property shall be made available by means of a long-term lease agreement in accordance with JPC's standard agreement. The following terms of contract are non-negotiable:

- 1.1 The lease period will be for a period of 50 (fifty) years. Upon expiry or termination of the Development and Lease agreement, possession of the property will revert to the City of Johannesburg without any compensation.
- 1.2 On signature of the agreement 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/or transaction up to the stage of signature of the agreement;
2. Bidders are required to submit a proposal outlining a plan to achieve a minimum 5 star Green Star rating for the development in line with the guidelines as specified in the Green Building Council of South Africa. Certification for green star rating is subject to review every 2 years.
3. The development must follow the use of green building technology and energy saving practices aimed at achieving the highest rating possible while meeting the target market, the beneficiary's income brackets thus ensuring the modelling and benchmarking of energy water and waste consumption.
4. All new buildings developed must apply resource efficient design and construction principles that will result in at least a 20% reduction for water, energy and energy embedded in materials. This will be evaluated as part of the Building Plan approval process. The builder is also required to submit a life cost analysis illustrating the initial costs, the project operational costs and maintenance costs of the building.
5. 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.
6. Local Area spending target must be in accordance with the Empowerment Plan JPC **MBD 19**.
7. The successful bidder(s) will be responsible for and shall bear all costs related to the development of the property including bulk services.
8. Should the successful bidder's proposal include land use rights over and above the allowable proposed land uses, costs of acquiring consents for additional land uses will be for the bidders account.
9. The successful bidder will be responsible for the cancellation, protection and/or relocation of all servitudes that may be registered over the property.
10. Bidders are required to demonstrate their ability and capacity to deliver and manage the

proposed development.

11. The successful bidder will be responsible to obtain all statutory approvals (Environmental, Water Use Licence, Site Development Plan/s, Building Plan/s, etc.) which are required for the development of the property.
12. Development shall be subject to all related legislation and Municipal by-Laws.
13. The successful bidder will be required to seek approval from the Provincial Heritage Resources Authority Gauteng (PHRA-G) prior to development if the building falls under the protection of the National Heritage Resources Act 1999 (act 25 of 1999).
14. 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.
15. Bidders are to submit an annual break down of the maintenance plan for the duration of the lease.
16. The development proposal will be evaluated based on the proposed use in accordance to the property's highest and best use analysis.
17. Where applicable, the bidder will be required to provide Temporary Alternative Accommodation (TAA) for hijacked buildings/ illegally occupied properties, for the bidder's expense.

***18. Should the bidder wish to bid for mixed use development with emphasis on mixed rental residential development, the following additional specifications will apply;***

- 18.1 The property shall be developed into mixed income residential development with a minimum of 30% of the development targeted for low income earners (with an income bracket of R1 500.00 to R3 500.00 per month) with a maximum of R 900 per room per month excluding municipal services.

***19. Should the bidder wish to bid for mixed development with an emphasis on affordable student accommodation, the following additional specifications will apply;***

- 19.1 The successful bidder will be required to comply with the minimum standard stipulated in the Policy on the minimum norms and standards for student Housing at Public Universities in line with the Higher Education Act, 1997 (Act No. 101 of 1997).
- 19.2 The proposed rental amounts should not be above the student rates as determined by the National Student Financial Aid Scheme (NSFAS) i.e. R3 000.00 per room sharing and R3 500.00 single rooms.

## 1. LOCALITY MAP



## 2. AERIAL MAP



## PROPOSED DENSITY MIX (SUBJECT TO COUNCIL APPROVAL)

Property Description	Erven 31 and 32 Orange Grove
Submitted Application	Consolidation of all erven & Rezoning ( <b><i>Status of Rezoning and Consolidation applications attached as Annexure B</i></b> )
Size (approximate)	1 198 m <sup>2</sup>
Proposed Zoning	Residential 4
<b>Density</b>	150 ha
<b>No of units</b>	17
<b>Height</b>	3 Storey
<b>Coverage</b>	50%
<b>FAR</b>	1.5
<b>Floor Area</b>	1797 m <sup>2</sup>
<b>Parking ratios</b>	0,5 parking Bays per dwelling unit, and 0,3 parking bays per unit per visitor.
Servitudes	<p>There are no known servitudes, however should there be any unprotected municipal servitudes found, relocation should be to the satisfaction of Council approval for the cost to the Developer.</p> <p>A 3 meter building line is required from the streets.</p> <p>Sewerage or water and other municipality services along the property boundaries will be the responsibility of the Developer.</p>
Geotechnical conditions	Any geotechnical conditions will be the responsibility of the Developer.
Services	The services (water, sewer, storm water and electricity) are availability up to the boundary of the property. CoJ does not warrant that these services are sufficient or immediately available for connection and use. Any further upgrades required for any of the services will be for the successful bidder's account
Heritage	It is not known whether the site has any heritage significance. It will be the responsibility of the developer to determine as to whether the site have any heritage significance
Other Requirements	A Site Development Plan shall be submitted to the Local Authority Any further town planning Proposals and or rezoning shall be the responsibility of the Developer. 12. Bidder must comply with all relevant legislations, by laws including but not limited to regulations, Environment, NEMA, SPLUMA and Municipal by laws and spatial and land use management act etc.
Highest and Best Use	The development proposals will be evaluated based on the proposed use in accordance to the property's highest and best use analysis.

## 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)
<b>INDICATE TYPE OF PROOF OF COMPLIANCE WHICH IS ATTACHED TO THE BID SUBMITTED.</b>				

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.

<b>NAME OF DIRECTOR OF BIDDING ENTITY</b>	<b>INDICATE TYPE OF PROOF OF COMPLIANCE PER DIRECTOR WHICH IS ATTACHED TO THE BID SUBMITTED.</b>			
	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)

**1.1 Development Proposal:**

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

The development proposal must contain the following:

<b>Concept Site Development Plan (Tenancing)</b>	<b>Total Floor area (m2)</b>
Building Footprint	
Public Spaces	
Parking (Number of bays)	
Landscaping	
Other	
<b>TOTALS</b>	

**1.2 Proposed Development Summary - Demonstrating different housing typologies and affordability**

<b>Use</b>	<b>Total Floor area (m2)</b>
<b>TOTALS</b>	



**1.3 Indicate conformity to urban design principles and guideline of the Louis Botha TOD Area Development Framework**


#### 1.4 Include development Methodology write-up

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

#### 1.5 Maintenance and Operational Plan

## 2. GREEN INFRASTRUCTURE AND BUILDING PROPOSAL

It is a requirement that bidding entity or individual should demonstrate how the building will have green and sustainable interventions in their designs:

<b>Environmental benefits :</b> <ul style="list-style-type: none"><li>○ <b>Conserve and restore natural environments</b></li><li>○ <b>Enhance and protect biodiversity and ecosystems</b></li><li>○ <b>Improve air and water quality</b></li><li>○ <b>Reduce waste streams</b></li></ul>	
<b>Economic benefits:</b> <ul style="list-style-type: none"><li>○ <b>Reduce operating costs</b></li><li>○ <b>Improve occupant productivity and well being</b></li><li>○ <b>Optimise life cycle economic performance</b></li></ul>	
<b>Social benefits</b>	

<ul style="list-style-type: none"> <li>○ <b>Enhance occupant comfort and health</b></li> <li>○ <b>Minimise strain on local infrastructure</b></li> <li>○ <b>Improve overall quality of life</b></li> </ul>	
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**Detailed green infrastructure and building plan for the proposed development to be attached**

**b. Estimated development time frames**

Estimated time, in months, from date of signature of development agreement to date of start of construction.	Months
Estimated time, in months, from start of construction to completion of construction.	Months

**1.6 Estimated Cost of Development**

<b><i>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.</i></b>		
<b>No.</b>	<b>Item Description</b>	<b>Estimated cost (Including vat)</b>
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
	<b>Total</b>	<b>R</b>

## JPC MBD 18: PUBLIC/SOCIAL BENEFIT PROPOSAL

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

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

## JPC MBD: 19 PROPOSED EMPOWERMENT PLAN

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

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

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

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

### **EMPOWERMENT TARGETS**

DESCRIPTION	TARGET	Bidders Commitment in numbers of persons
<b>Job Creation &amp; Job intensive plan</b>		
Total number of jobs to be created in the project	Total jobs created	
Number of jobs created for unemployed black people in this project	60% of total jobs	
Number of job created for black people in this project	30 % of total jobs	
Number of jobs created for unskilled people within the Ward	100 % of unskilled labourers.	
<b>Training &amp; Development programme</b>		
Number of black people Trained in some aspect of the project	60% of workforce	
Number of black youth Trained in some aspect of the project	50% of black people trained	
Number of black women Trained in some aspect of the project	40% of black people trained	
Number of black disabled people Trained in some aspect of the project	3% of black people trained	
Demonstrate how low level employees will be incorporated		
<b>2.3 localisation</b>		
Rand value of spend to local SMMEs that have black ownership in line with the approved "Delivery Pipeline Management Matrix" (overleaf)	50% of project value	R
Full use of locally sourced or locally assembled material and/or products in line with the approved "Delivery Pipeline	70% of project value	

<b>2.4 Enterprise and supplier Development</b>		
Number of Local SMMEs to be supported in terms of the Enterprise and supplier development plan for this project, including Demonstration graduation of suppliers in this project		

## INTERPRETATIONS

<p><b>"Black-empowered enterprise"</b> where</p>	<p>means an enterprise that is 50,1% black-owned and there is substantial management control</p>
<p><b>"Black Designated Groups"</b></p>	<p>means:</p> <ul style="list-style-type: none"> <li>(a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;</li> <li>(b) Black people who are youth as defined in the National Youth Commission Act of 1996;</li> <li>(c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act;</li> <li>(d) Black people living in rural and under developed areas;</li> <li>(e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;</li> </ul>
<p><b>'Black People'</b></p>	<p>Is a generic term which means African, Coloureds, Indians and Chinese</p> <ul style="list-style-type: none"> <li>(a) who are citizens of the Republic of South Africa by birth or decent; or</li> <li>(b) who became citizens of the Republic of south Africa by naturalisation - <ul style="list-style-type: none"> <li>(i) before 27 April 1994;</li> <li>(ii) on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to that date.</li> </ul> </li> </ul>
<p><b>"Localisation"</b> local matrix that  depending on</p>	<p>locally produced can be defined using the approved</p> <p>Determines the meaning of locally produced/supplier</p> <p>Complexity of the work package and skill required.</p> <ul style="list-style-type: none"> <li>○ <b>Simple work package and no skills required</b>  Where simple work package and no skill required - the use of immediate communities is primary.</li> <li>○ <b>Simple work package and medium to low skill required</b>  Where simple work package and medium to low skill required - the use of COJ regional suppliers is primary.</li> <li>○ <b>Simple work package and medium to high skill</b>  Where simple work package and medium to high - the use of suppliers within the City of Joburg is encouraged and promoted.</li> </ul>

- **Simple work package and Specialized skills**

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

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

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

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

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

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

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

- **Mixed work package and Specialized skill**

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

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

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

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

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

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

Where mixed work package and medium high skill - the use of national vs International suppliers is encouraged and promoted.

- **Complex work package and Specialized skills required**



	Where complex work package and specialized skill required - the use of nationally assembled products is encouraged and promoted.
<b>"Enterprise &amp; Supplier Development"</b>	Means monetary and Non-Monetary contribution carried out for the benefit of suppliers with the objectives of contribution to development, sustainability and financial and operation independence of the beneficiaries
<b>"Localisation"</b>	
<b>"Majority Black owned and Controlled Company"</b>	means a juristic person, having shareholding or similar members interest, in which black participants enjoy a right to Exercisable Voting Rights that is at least 51% of the total such rights measured using the Flow Through Principle; and means an enterprise that is 51% black-owned and where there is substantial management control
<b>"Partnership"</b>	means: means a juristic person, having shareholding or similar members interest, in which black participants enjoy a right to Exercisable Voting Rights that is at least 25% and an enterprise that is 25% black-owned and where there is substantial management control
<b>"Person with disability"</b>	means: <b>Black people who are persons with disabilities</b> as defined in the employment of people with disabilities issued under the Employment Equity Act;
<b>"SMME"</b>	Small Micro Medium Enterprises Entities with a turnover of less than R35 M
<b>"Unemployed Black people"</b>	means: (a) <b>unemployed black people</b> not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution;
<b>"SMME"</b>	Small Micro Medium Enterprises Entities with a turnover of less than R10M
<b>"Wholly Black Owned"</b>	Means: 100% black ownership and at least 30% of the ownership must be women and/or designated groups.
<b>"Youth"</b>	means: <b>Black people who are youth</b> as defined in the National Youth Commission Act of 1996.
<b>"100% Black Owned"</b>	Means : 100% black ownership made up by any combination of black owners

# Delivery Pipeline Management Matrix

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

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

## JPC MBD 20: EXPERIENCE AND CAPABILITIES OF BIDDER

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

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

**Details of development experience completed by bidder, acting as developer OR by bidder's principals, acting as developer / development manager but not under the name of the bidder.**

(PLEASE EXPAND TABLE IF REQUIRED )

NB: DO NOT ATTACH A SEPARATE TABLE

Name of Development	Year completed	Value of Development	Bidder / Bidders' Principals	Client & contact Numbers
Total value of developments				

**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	NAME OF TEAM MEMBER	TOTAL VALUE OF FEES EARNED TO DATE IN PREVIOUS PROJECTS.
PROJECT MANAGEMENT		R
ACHITECTURE		R
ENGINEERING SERVICES (Civil and Electrical)		R
QUANTITY SURVEY		R
OTHER (e.g. Town planner; environmentalist)		R
<b>TOTAL</b>		<b>R</b>

**THE BIDDER MUST INCLUDE TRACABLE REFERENCES FOR EACH PROFFESION**

***It is assumed that 70% of the development cost will be financed via debt finance (development bond loan).***

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

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

Proof of available funds (bank statements or financial statements of the bidder)

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.

Provide detailed financial feasibility of the proposed development including all financial ratios

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 (Nett Present Value)

Total Development Cost	R
Debt Finance	R
Equity Investments (if any)	R
Source of Debt Finance <ul style="list-style-type: none"> <li>• Letter confirming access to debt funding</li> </ul>	
Source of Equity Finance <ul style="list-style-type: none"> <li>• Written confirmation of equity funding</li> </ul> <p>(Note: this source may <u>not</u> be a bank loan).</p>	