



## RFP26/2022 - REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT AND SALE OF ERVEN 198 AND 199 SUIDEROORD

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

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

### RFP 26/2022

**Note:** Tender document can be downloaded from E-tenders, COJ and the JPC 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)

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

**Closing date of submission: 28 October 2022 10:30** (Telkom Time) – at **Braamfontein, 33 Hoofd Street, Forum 1 (Forum One ), A-Block, 3rd Floor (entrance level)** - no bid received after the closing date and time will be accepted or considered.

**Opening of submissions: 10h30** (Telkom Time) – Bids will be opened in the designated boardrooms at the City of Joburg Property Company (SOC) Ltd, 3<sup>rd</sup> Floor, Forum I, Braampark Office Park, 33 Hoofd Street, Braamfontein.

**Non- compulsory briefing session:** The first non-compulsory briefing session will be held on **09 September 2022** from 12h00pm. The second briefing session will be held on **30 September 2022** from 12h00pm.

**Document availability : 29 August 2022 at 12H00 pm**

**RFP26/2022 - REQUEST FOR PROPOSALS (RFP) FOR THE DEVELOPMENT AND SALE OF ERVEN 198 AND 199 SUIDEROORD.**

**NAME OF BIDDER:**

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

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

**THIS DOCUMENT CONSISTS OF 63 PAGES, IT IS THE RESPONSIBILITY OF THE TENDERER/BIDDER TO SEE THAT ALL PAGES ARE INCLUDED IN THE DOCUMENT**

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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 (RFP) FOR THE DEVELOPMENT AND SALE OF ERVEN 198 AND 199 SUIDEROORD.**

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                                |
|---|---|--|
| <b>RFP 26/2022</b>                              | Request for proposals for the development and sale of Erven 198 and 199 Suideroord  | 3863m <sup>2</sup><br>4946m <sup>2</sup> |
| <b>Non compulsory Briefing session</b>          | The first non-compulsory briefing session will be held on <b>09 September 2022</b> from 12h00pm. The second briefing session will be held on <b>30 September 2022</b> from 12h00pm., City of Joburg Property Company Offices, 3rd floor (entrance level), A - Block, Auditorium, Forum I, Braampark, Braamfontein. COVID 19 PROTOCOLS TO BE OBSERVED.   |  |
| <b>Document Availability</b>                    | <b>29 August 2022 from 12:00pm</b>  |  |
| <b>Document Cost</b>                            | The 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>Closing Date</b>                             | <b>28 October 2022 at 10h30am (Telkom Time),</b><br>CoJ reserves the right to extend the closing date at its sole discretion.   |  |
| <b>Pre- Qualifying criteria</b>                 | Pre-qualification criteria will be used to advance certain designated groups. Bidders will therefore be prequalified on the following basis: <ul style="list-style-type: none"> <li>• Minimum B-BBEE Status (Level 1, Level 2 and Level 3), and/or</li> <li>• The bidding entity must sub-contract a minimum of 30% of the construction cost to an EME or QSE which is at least 51% owned by black people</li> </ul> <b>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.</b>        |  |
| <b>Disqualifying Criteria</b>                   | None  |  |
| <b>Compliance Requirements before an award.</b> | <ul style="list-style-type: none"> <li>• Valid Tax Compliant Verification PIN number issued by SARS.</li> <li>• Proof of registration of the Bidder 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/COR 20.1</li> <li>○ Close Corporation- current copy of CK1 and/or CK2C and/or COR 20.1</li> <li>○ Trust- letter of appointment from the Master of the High Court of SA and deed of trust</li> </ul> </li> </ul> |  |

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|                   |   |
|-------------------|---|
|                   | <ul style="list-style-type: none"> <li>• JV/Consortium- JV/Consortium Agreement plus CIPC and/or ID documents of all JV/Consortium partners</li> <li>• Entity BBBEE Certificate or JV/Consortium Consolidated BBBEE Certificate</li> <li>• Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the individual / Proof that acknowledgements or arrangements have been made to settle arrears / Valid Lease agreement / Affidavit stating why an up to date municipal account cannot be submitted.</li> <li>• 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 Valid Lease agreement / Affidavit stating why an up to date municipal account cannot be submitted</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) / Proof that acknowledgements or arrangements have been made to settle arrears /Valid Lease agreement / Affidavit stating why an up to date municipal account cannot be submitted</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 and a JV / Consortium agreement</li> <li>• Central Supplier Database (CSD) registration valid on tender closing date</li> <li>• Submission of public interest score (PIS) as per Companies Act Regulation 26(2). The public score calculation must be supported by the following: <ul style="list-style-type: none"> <li>○ Audited Annual Financial Statement indicating the latest three financial periods, <b>OR</b></li> <li>○ Latest unaudited annual financial statement used for the calculation of the PIS.</li> </ul> </li> <li>• Bidding Entity resolution.</li> <li>• Signature of the following documents; <ul style="list-style-type: none"> <li>○ Declaration of interest in MBD 4</li> <li>○ Declaration of the Bidder's Past Supply Chain Practices in MBD 8,</li> <li>○ Certificate of Independent Bid Determination in MBD 9, and</li> <li>○ Bidders Information in JPC MBD 7</li> </ul> </li> </ul> |
| <b>Address</b>    | City of Joburg Property Company SOC LTD, 3rd Floor, Forum I Block A, Braam Park Office Park, 33 Hoofd Street, Braamfontein, Johannesburg.   |
| <b>Evaluation</b> | <p><b>Functionality, Price and BBBEE using the 80/20 preference point system, 80 for financial offer and 20 for B-BBBEE status level of contributor</b></p> $Ps = 80 \left( 1 - \frac{P_{max} - Pt}{P_{max}} \right)$   |
| <b>Enquiries</b>  | <a href="mailto:tenders@jhbproperty.co.za">tenders@jhbproperty.co.za</a>  |



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### Please note the following conditions of submission:

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

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

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

**MBD 2**

**INVITATION TO BID**

|  |  |                     |                        |                      |                            |
|--|--|---------------------|------------------------|----------------------|----------------------------|
| <b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (CITY OF JOHANNESBURG)</b>  |  |                     |                        |                      |                            |
| <b>BID NUMBER:</b>   | <b>RFP26 /2022</b>   | <b>CLOSING DATE</b> | <b>28 October 2022</b> | <b>CLOSING TIME:</b> | <b>10H30 (Telkom Time)</b> |
| <b>DESCRIPTION</b>   | <b>REQUEST FOR PROPOSALS FOR THE DEVELOPMENT AND SALE OF EVEN 198 AND 199 SUIDEROORD</b> |                     |                        |                      |                            |
| <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 1, BLOCK A, 3<sup>RD</sup> FLOOR, 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:  |  | <b>OR</b>                           | CSD No: |   |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]  | <input type="checkbox"/> Yes<br><input type="checkbox"/> No |  | B-BBEE STATUS LEVEL SWORN AFFIDAVIT |         | <input type="checkbox"/> Yes<br><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> |   |  |                                     |         |   |



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|  |       |             |  |
|--|-------|-------------|--|
| <b>SIGNATURE OF BIDDER</b>   | ..... | <b>DATE</b> |  |
| <b>CAPACITY UNDER WHICH<br/>THIS BID IS SIGNED</b>   |       |             |  |
| <b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>   |       |             |  |
| Municipality/Municipal Entity:...City of Joburg Property Company (SOC) LTD<br>Enquiries: Supply Chain Management<br>Tel: 010 219 9000<br>Email: <a href="mailto:tenders@jhbproperty.co.za">tenders@jhbproperty.co.za</a> |       |             |  |



**MBD 2**

**TERMS AND CONDITIONS FOR BIDDING**

**1. BID SUBMISSION:**

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

**2. TAX COMPLIANCE REQUIREMENTS**

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART 3 BELOW.
- 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

**3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

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

**IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO**



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**REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH  
AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.**

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

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

SIGNATURE OF BIDDER: .....

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

DATE: .....

**JPC MBD 3: PRICING SCHEDULE: FINANCIAL OFFER**

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. **RESERVED PRICE**

The reserve price for this property is **R 7 250 000 (Seven Million Two Hundred and Fifty Thousand Rands Only)**, any offer below the the RESERVED PRICE will not be considered and such bids would accordingly be disqualified.

*JPC reserves the right to seek technical advise from an independent professionals.*

**4. THE FINANCIAL OFFER**

|                       |          |
|-----------------------|----------|
| <b>PURCHASE OFFER</b> | <b>R</b> |
|-----------------------|----------|

**5. 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 an agreed milestone.

|   |          |
|---|----------|
| Non-refundable JPC Fee equal in value to 1.5% (one and half percent) of the total proposed development cost (excluding the land value).<br><br>(Refer to MDB17 for makeup of Development Cost). | <b>R</b> |
|---|----------|

**6. DEVELOPMENT COST**

|               |          |
|---------------|----------|
| <b>TOTAL:</b> | <b>R</b> |
|---------------|----------|

**7. TOTAL FINANCIAL OFFER**

|                       |          |
|-----------------------|----------|
| <b>PURCHASE OFFER</b> | <b>R</b> |
| <b>JPC FEE</b>        | <b>R</b> |
| <b>TOTAL</b>          | <b>R</b> |



**8. 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.

| No.   | Information   | Please provide detail |    |
|-------|---|-----------------------|----|
| 3.1   | Full name of bidder or his or her representative  |                       |    |
| 3.2   | Identity number   |                       |    |
| 3.3   | Position occupied in the company (director, trustee, shareholder <sup>2</sup> )   |                       |    |
| 3.4   | Company registration number   |                       |    |
| 3.5   | Tax reference number  |                       |    |
| 3.6   | VAT registration number   |                       |    |
| Note  | <i>(The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4</i> |                       |    |
| 3.7   | Are you presently in the service of the state?  | Yes                   | No |
|       | If yes, please furnish particulars :  |                       |    |
| 3.7.1 | Name of director  |                       |    |

| No.    | Information  | Please provide detail |    |
|--------|--|-----------------------|----|
| 3.7.2  | Service of state organization  |                       |    |
| 3.8    | Have you been in the service of the state for the past twelve months?<br><br>If yes, please furnish particulars :  | Yes                   | No |
| 3.8.1  | Name of director   |                       |    |
| 3.8.2  | Service of state organization  |                       |    |
| 3.9    | Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?<br><br>If yes, please furnish particulars :                               | Yes                   | No |
| 3.9.1  | Name of person in the service of state   |                       |    |
| 3.9.2  | Relationship   |                       |    |
| 3.10   | Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?<br><br>If yes, please furnish particulars : | Yes                   | No |
| 3.10.1 | Name of person in the service of state   |                       |    |
| 3.10.2 | Relationship   |                       |    |
| 3.11   | <i>Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?</i><br><br>If yes, please furnish particulars :   | Yes                   | No |
| 3.11.1 | Name of director   |                       |    |

| No.    | Information   | Please provide detail |    |
|--------|---|-----------------------|----|
| 3.11.2 | Service of state organization   |                       |    |
| 3.12   | Is any spouse, child or parent of the company's director trustees, managers, principle shareholders or stakeholders in service of the company?<br>If yes, please furnish particulars:   | Yes                   | No |
| 3.12.1 | Name of director  |                       |    |
| 3.12.2 | Name of relative  |                       |    |
| 3.12.3 | Relationship  |                       |    |
| 3.13   | Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are related to the company?<br>If yes, please furnish particulars: | Yes                   | No |
| 3.13.1 | Name of director  |                       |    |
| 3.13.2 | Related company   |                       |    |

| No.   | Information   | Please provide detail |
|-------|---|-----------------------|
| Note: | <p>SCM Regulations:</p> <p>"1In the service of the state" means to be –</p> <ul style="list-style-type: none"> <li>(a) a member of – <ul style="list-style-type: none"> <li>(i) any municipal council;</li> <li>(ii) any provincial legislature; or</li> <li>(iii) the national Assembly or the national Council of provinces;</li> </ul> </li> <li>(b) a member of the board of directors of any municipal entity;</li> <li>(c) an official of any municipality or municipal entity;</li> <li>(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);</li> <li>(e) a member of the accounting authority of any national or provincial public entity; or</li> <li>(f) an employee of Parliament or a provincial legislature.</li> </ul> <p>"2 Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.</p> |                       |

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

| Full Name | Identity Number | State Employee Number |
|-----------|-----------------|-----------------------|
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |
|           |                 |                       |

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

|   |   |
|---|---|
| accept that the state may act against me should this declaration prove to be false. |   |
| <b>NAME OF REPRESENTATIVE</b>   | <b>AUTHORIZED SIGNATURE (UNDERSIGNED)</b> |
|   |   |
| <b>DATE</b>   | <b>CAPACITY</b>                           |



**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

.....

.....



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

**\*YES / NO**

- 4.1 If yes, furnish particulars

.....

.....

**CERTIFICATION**

**I, THE UNDERSIGNED (NAME) .....**

**CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS  
CORRECT.**

**I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE  
TO BE FALSE.**

.....  
Signature Date

.....  
Position

.....  
Name of Bidder

**MBD 6.1**

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

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

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

**1. GENERAL CONDITIONS**

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

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

1.2

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

1.3 Points for this bid shall be awarded for:

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

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

|  | POINTS     |
|--|------------|
| <b>FINANCIAL OFFER</b>   | 80         |
| <b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>                          | 20         |
| <b>TOTAL POINTS FOR FINANCIAL OFFER AND B-BBEE MUST NOT EXCEED</b> | <b>100</b> |

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

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

## 2. DEFINITIONS

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

## 3. POINTS AWARDED FOR FINANCIAL OFFER

### 3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

**80/20**

$$Ps = 80 \left( 1 - \frac{P_{max} - Pt}{P_{max}} \right)$$

Where

Ps = Points scored for financial offer of bid under consideration

Pt = Financial Offer of bid under consideration

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                               | 80                  |
|-------------------------------------|---------------------|
| B-BBEE Status Level of Contribution | Number of Points 20 |
| 1                                   | 20                  |
| 2                                   | 18                  |
| 3                                   | 14                  |
| 4                                   | 12                  |
| 5                                   | 8                   |
| 6                                   | 6                   |
| 7                                   | 4                   |
| 8                                   | 2                   |
| Non –Contributor                    | 0                   |
| Maximum                             | 20                  |
| <b>Total</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 | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

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 least 51% owned by:                | EME<br>√ | QSE<br>√ |
|--|----------|----------|
| Black people ( As defined by the Act B-BBEE Number 46 of 2013 and any amended) |          |          |

## 8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

## 8.7 MUNICIPAL INFORMATION

**Municipality where business is situated:** .....

**Registered Account Number:** .....

**Stand Number:**.....

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

8.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBEE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

### WITNESSES

1. ....

2. ....

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

DATE: .....

ADDRESS .....

.....

**JPC MBD 7: BID SUBMISSION**

**BIDDERS INFORMATION**

|                                   |                                 |       |  |
|-----------------------------------|---------------------------------|-------|--|
| Name of Bidder                    |                                 |       |  |
| ID /Passport/ Registration Number |                                 |       |  |
| Nature of Bidder<br>(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         |                                 |       |  |

|   |  |                |  |
|---|--|----------------|--|
| <b>Please indicate how you became aware of the invitation to submit this Proposal</b> |  |                |  |
| The Star  |  | JPC Web site   |  |
| Sowetan   |  | On site notice |  |
| COJ Website   |  | E- Tenders     |  |

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

|   |  |                                     |                  |
|---|--|-------------------------------------|------------------|
| I accept that the state may act against me should this declaration prove to be false. |  |                                     |                  |
| <b>NAME OF REPRESENTATIVE</b>   |  | <b>AUTHORIZED<br/>(UNDERSIGNED)</b> | <b>SIGNATURE</b> |
|   |  |                                     |                  |
| <b>DATE</b>   |  | <b>CAPACITY</b>                     |                  |
|   |  |                                     |                  |



## **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?<br><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<br><input type="checkbox"/> | No<br><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)?<br><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<br><input type="checkbox"/> | No<br><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<br><input type="checkbox"/> | No<br><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<br><input type="checkbox"/> | No<br><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<br><input type="checkbox"/> | No<br><input type="checkbox"/> |
| 4.7.1       | If so, furnish particulars:  |                                 |                                |

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

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

### **MBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION**

1. This municipal bidding document (MBD) must form part of all bids<sup>1</sup> invited.
2. Section 4(1)(b)(iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a per se prohibition meaning that it cannot be justified under any grounds.
3. Municipal Supply Regulation 38(1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - 3.1. take all reasonable steps to prevent such abuse;
  - 3.2. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - 3.3. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
4. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid rigging.
5. In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

**<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.**

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

## **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

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)

6. I have read and I understand the contents of this Certificate;
7. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
8. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
9. 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;
10. 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
11. 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.
12. 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.

13. 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.
14. 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.
15. 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-QUALIFICATION CRITERIA FOR PREFERENTIAL PROCUREMENT**

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
- The bidding entity must sub-contract a minimum of 30% of the construction cost to an EME or QSE which is at least 51% owned by black people

**NB: Bids that fails to meet the pre-qualifying criteria above will be deemed non-responsive and as such will not be evaluated on Stage 1 and Stage 2 of the evaluation criteria**

### **DISQUALIFICATION CRITERIA**

NONE

### **COMPLIANCE PRIOR TO AWARD**

Compliance Requirements before an award is made to the successful Bidder

- Valid Tax Compliant Verification PIN number issued by SARS.
- Proof of registration of the Bidder as follows:
  - Natural persons- certified copy of ID document/ passport
  - Partnership- copy of Partnership Agreement plus IDs of all partners
  - Company- current CM29/COR 20.1
  - Close Corporation- current copy of CK1 and/or CK2C and/or COR 20.1
  - Trust- letter of appointment from the Master of the High Court of SA and deed of trust
- JV/Consortium- JV/Consortium Agreement plus CIPC and/or ID documents of all JV/Consortium partners
- Entity BBEE Certificate or JV/Consortium Consolidated BBEE Certificate
- Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the individual / Proof that acknowledgements or arrangements have been made to settle arrears / Valid Lease agreement / Affidavit stating why an up to date municipal account cannot be submitted.

- Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the Entity / Proof that acknowledgements or arrangements have been made to settle arrears Valid Lease agreement / Affidavit stating why an up to date municipal account cannot be submitted
- Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the Director (s) or Member (s) / Proof that acknowledgements or arrangements have been made to settle arrears /Valid Lease agreement / Affidavit stating why an up to date municipal account cannot be submitted
- In the event the bidder is tendering as a Joint Venture/Consortium, all members of the JV/Consortium must submit all required documentation and a JV / Consortium agreement
- Central Supplier Database (CSD) registration valid on tender closing date
- Submission of public interest score (PIS) as per Companies Act Regulation 26(2). The public score calculation must be supported by the following:
  - Audited Annual Financial Statement indicating the latest three financial periods, **OR**
  - Latest unaudited annual financial statement used for the calculation of the PIS.
- Company resolution.
- Signature of the following documents;
  - Declaration of interest in MBD 4
  - Declaration of the Bidder's Past Supply Chain Practices in MBD 8,
  - Certificate of Independent Bid Determination in MBD 9, and
  - Bidders Information in JPC MBD

### **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 1 copy and one (1) a scanned version of the submission including all annexures/returnables in a usb clearly marked in a bidders name.
  - All Proposal documentation received shall be deemed COJ property and shall not be returned or thus requested back by any Bidder.
- Proposals must be sealed, clearly marked with RFP name and number, and addressed to The Chief Executive Officer, City of Joburg Property Company (SOC) Ltd
- Bidder's return address must be clearly indicated at the back of the envelope.
- The fully completed document with annexures must be submitted before the closing date specified on the front cover, and be deposited in the tender box made available by the Client Services Centre of:

The City of Joburg Property Company (SOC) Ltd  
Forum I Block A, Braampark, 3<sup>rd</sup> Floor  
33 Hoofd Street, Braamfontein, Johannesburg

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

### **OPENING OF PROPOSALS**

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

### **EVALUATION OF PROPOSALS**

- JPC reserves the right 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
- Proposal(s) 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:

3rd Floor, Forum I, Block A.Braampark, 33 Hoofd Street, Braamfontein, Johannesburg

Fax: (010) 219 9400

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

### **PROHIBITIONS**

- The COJ and JPC will not, subject to such amendments to the Act and Regulations and any exemptions as the Minister may promulgate from time to time, award contracts to Bidder(s) who are owned directly or indirectly by the following categories of persons:-
- defined as an employee or public servant in the service of the state working for Local, Provincial and National Government; or
- defined as an employee in the service of a government owned entity including the municipal entities;  
if the employee mentioned above is actively or inactively a director, manager or principal shareholder of the service provider concerned (refer to GN44 in GG 28411 of 18 January 2006 for the exemption); is a member of the board of directors of a municipal entity within its area of jurisdiction (refer to GN44 in GG 28411 of 18 January 2006 for the exemption);
- who is an advisor or consultant contracted to the JPC for the purposes of assisting the JPC with defining of requirements, drafting of specifications or evaluation of the Proposals.

- The COJ and JPC will not award Proposals to any Bidder(s) owned directly or indirectly by politicians serving as councillors for any municipality.
- The COJ and JPC will not award Proposals to any Bidder(s) owned directly or indirectly by politicians serving in National Assembly, Provincial Legislatures and National Council of Provinces.
- Failure by the above mentioned persons to comply with the above shall lead to cancellation of the contract.

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

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

**GENERAL ENQUIRIES**

Only email enquiries will be accepted, such enquiries must be directed to [tenders@jhbproperty.co.za](mailto:tenders@jhbproperty.co.za)

## **JPC MBD 11: EVALUATION CRITERIA**

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>CAPACITY AND EXPERIENCE OF BIDDER AND THE PROFESSIONAL TEAM</b>   | <b>30</b>     | <b>Returnables to be attached under JPC MBD 20</b>  |
| <b>CAPACITY AND EXPERIENCE BIDDER AND PROFESSIONAL TEAM</b><br><b>Capacity and experience of the Bidder's professional team in delivering projects of a similar nature: 20 points:</b> <ul style="list-style-type: none"> <li>• <b>Architect: 4 points:</b> <ul style="list-style-type: none"> <li>- 7 and above submission of proof of experience with large mixed-use projects (greater than R30m): (3)</li> <li>- 5 large mixed use projects (amounting to R20 m) = (2)</li> <li>- 3 Larger mixed use projects (amounting to R10 m) ( (1)</li> <li>- Projects less than R30 M will be scored (0)</li> <li>- <b>Submission of proof of registration with the relevant council (1)</b></li> </ul> </li> <li>• <b>Civil, Structural and Electrical Engineers with green building design experience and proof of registration with the relevant professional councils: 4 points</b> <ul style="list-style-type: none"> <li>- Proof of registration with the relevant professional councils</li> <li>- Civil (1)</li> <li>- Structural (1)</li> <li>- Electrical (1)</li> <li>- Demonstrate successful completion of 2 or more green projects (1)</li> </ul> </li> </ul> | <b>20</b>     | <b>CV's of the professional team ( Architect, Quantity Surveyor, Engineers and Project Manager and Environmentalist) proof of registration with professional bodies where requested.</b><br><br><b>The professional team must demonstrate its experience in projects of a similar nature. (multi-storey developments)by submitting testimonials/ signed and dated reference letters with traceable/ contactable references.</b> |

|  |                 |  |
|--|-----------------|--|
| <ul style="list-style-type: none"> <li>• <b>Project Manager: 4 points:</b> <ul style="list-style-type: none"> <li>- Proof of registration with relevant council (1)</li> <li>- Experience of 8 years and more = (3)</li> <li>- Experience of 7 - 4 years = (2)</li> <li>- Experience of 4 – 2 years = (1)</li> <li>- Experience of less than 2 years = (0)</li> </ul> </li> <li>• <b>Property Management: 2 points</b> <ul style="list-style-type: none"> <li>- Experience in Property Management, 3 years and above (2)</li> <li>- Experience in Urban Management, 3 years and above (1)</li> <li>- Less than 3years (0)</li> </ul> </li> <li>• <b>Quantity Surveyor: 2 points</b> <ul style="list-style-type: none"> <li>- Proof of registration with the relevant council (1)</li> <li>- Experience of 8 years and above (1)</li> <li>- Experience of Less than 8 years = (0)</li> </ul> </li> <li>• <b>Urban Designer: 1 points</b> <ul style="list-style-type: none"> <li>- Urban designer with experience of more than 8 years (1)</li> <li>- Experience of Less than 8 years = (0)</li> </ul> </li> <li>• <b>Stakeholder Consultant (Social Facilitation) (2)</b> <ul style="list-style-type: none"> <li>- Experience in Stakeholder Consulting 3 years and above (1)</li> <li>- Demonstrate experience with stakeholder mapping, community mobilisation/awareness campaigns (1)</li> </ul> </li> <li>• <b>Landscape Architect: (1)</b> <ul style="list-style-type: none"> <li>- Experience of 3 projects over R100m (1)</li> </ul> </li> </ul> |                 | <p>CV's of the professional team ( Architect, Quantity Surveyor, Engineers and Project Manager and Environmentalist) proof of registration with professional bodies where requested.</p> <p>The professional team must demonstrate its experience in projects of a similar nature. (multi-storey developments)by submitting testimonials/ signed and dated reference letters with traceable/ contactable references.</p> |
| <p><b>Development Experience of the bidding entity in delivering projects of a similar nature (5)</b></p>  | <p><b>5</b></p> | <p><b>Returnables to be attached under JPC MBD 20</b></p>  |

|  |    |  |
|--|----|--|
| <p><b>The bidder must demonstrate its experience in delivering building projects. The value of the projects must be clearly stated. Scoring will be based on the total value of development projects successfully completed.</b></p> <p>Above 100 million =5 points<br/> Below R 100 million – R 80 million=4 points<br/> Below R 80 million – R60 million = 3 points<br/> Below R 60 million – R 40 million = 2 points<br/> Below R 40 million – 20 million =1 points<br/> Less than 20M = 0 points</p> <p>0 points will be awarded for failure to submit the required documents (i.e. a signed completion certificate as proof of project completion and completion testimonial.</p> |    | <p><b>Bidder to complete JPC MBD 20 and provide any verifiable documents to demonstrate its experience.</b></p> <p><b>Letters of reference stating the project name, project value, completion year and contactable/ traceable reference must be attached.</b></p> <p><b>Completion certificates as proof of completion of projects.</b></p> |
| <p><b>Development Experience of the bidder's proposed professional team in delivering projects of a similar nature (5)</b></p>   | 5  | <p><b>Returnables to be attached under JPC MBD 20</b></p>  |
| <p>The bidder's professional team must demonstrate its cumulative experience in delivering large scale building projects. The value of the projects must be clearly stated. Scoring will be based on the total value of development projects successfully completed</p> <p>Above 400 million = 10 points<br/> R350million up to below R 400 million= 8 points<br/> R250 million up to below 350 million = 6 points<br/> R 200 million up to below 250 million = 4 points<br/> Below R 200 million = 2 points</p>   |    | <p><b>Bidder to complete JPC MBD 20 and provide any verifiable documents to demonstrate its experience.</b></p> <p><b>Letters of reference stating the project name, project value, completion year and contactable/ traceable reference must be attached.</b></p> <p><b>Completion certificates as proof of completion of projects.</b></p> |
| <p><b>2. DEVELOPMENT PROPOSAL</b></p>  | 25 |  |
| <p><b>Conformity of the Development Proposal to the vision for the property</b></p> <p><b>Development Concept (10)</b></p> <ul style="list-style-type: none"> <li>High level conceptual design outlining the intended uses</li> </ul>  |    | <p><b>DEVELOPMENT PROPOSAL - JPC MBD 17</b></p> <p><b>In addition to providing the</b></p>   |

|  |                  |  |
|--|------------------|--|
| <ul style="list-style-type: none"> <li>• Sustainability - (demonstrate use of green building principles that are environmentally responsible and resource efficient)</li> <li>• Intergration of multiple uses within the development including parking if required</li> <li>• High level concept design</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> <li>• Detailed breakdown of timelines</li> </ul> <p><b>Operational Plan(10)</b></p> <p>Operational Plan Indicating intended management and maintenance</p> <ul style="list-style-type: none"> <li>• Pre-construction (indicate all activities to be undertaken pre construction)</li> <li>• During Construction</li> <li>• Stakeholder engagement</li> </ul> |                  | <p>information on MBD 17, the bidder must submit a development proposal that include all the information as outlined on this page.</p> <p>Bidder to provide a detailed breakdown of timelines</p> <p>The vision for the property is expressed in JPC MBD12</p>   |
| <p><b>3. EMPOWERMENT PLAN AND SOCIAL BENEFIT</b></p>   | <p><b>15</b></p> |  |
| <p>Job Creation Plan (during and after construction) = <b>3 points</b></p> <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>2 points</b></p> <p>Procurement of Material from Local Suppliers = <b>2 points</b></p> <p>Partnership with Women Owned Companies = <b>2 points</b></p> <p><b>NB: Bidders who fail to submit a comprehensive empowerment plan will be scored accordingly</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.</p> <p>Where possible, the bidder must identify potential local supplier and women owned companies that could be part of the project.</p> |
| <p><b>FINANCIAL CAPABILITY</b></p>   | <p><b>20</b></p> |  |

|  |                   |   |
|--|-------------------|---|
| <p>The bidder must be able to demonstrate proof of availability/ access to the funding required to execute the development</p> <ul style="list-style-type: none"> <li>- As stipulated in MBD 21, the bidder must provide a funding plan stating the sources of funding required for the development (6)</li> </ul> <p><b>PROOF OF FUNDING AVAILABILITY : (6)</b></p> <ul style="list-style-type: none"> <li>- Bidder must provide proof of availability of all non-debt financing and/or,</li> <li>- Bidder to provide proof of all equity funding (in the form of bank statements or by way of a written undertaking of an equity funder and/or,</li> <li>- Bidder to provide proof of availability of debt funding from a financial institution</li> <li>- Bidder to provide a project plan with cash flows(6)</li> <li>- Bidder to demonstrate availability of 1.5% of the development value to cover the JPC facilitation fee (2)</li> </ul> |                   | <p><b>JPC MBD 21</b><br/> <b>Detailed funding model backed by and signed off by a QS and accountant and,</b></p> <p><b>copy of stamped bank statements showing availability of funds and,</b></p> <p><b>Signed letter from registered funding institutions confirming funding for the project and,</b></p> <p><b>An original current (not older than three months on date of submission) letter from the bank confirming the working capital available and,</b></p> <p><b>Proof of own equity funding in relation to equity contribution. Proof of sound equity partners and their financials if relying in equity funding.</b></p> |
| <p><b>INVESTMENT VALUE (BACKED BY FINANCIAL FEASIBILITY AND SUSTAINBABILITY)</b></p>   | <p><b>10</b></p>  |   |
| <p>A realistic monetary investment value pledged to the project backed by a QS Report <b>(2)</b></p> <p>Development feasibility report with financial ratios and cash flow projections for at least the first 10 years <b>(8)</b></p>  |                   | <p><b>JPC MBD17:</b><br/> <b>Development feasibility report supported by ratios and cash flow analysis for the first 10 years</b></p>   |
| <p><b>TOTAL</b></p>  | <p><b>100</b></p> |   |

**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 80 points is allocated for financial offer on the following basis:

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

Where

$P_s$  = Points scored for Financial Offer of bid under consideration

$P_t$  = Financial Offer of bid under consideration

$P_{max}$  = 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<br/>80/20</b> |
|---|-------------------------|
| <b>Broad Based Black Economic Empowerment</b> | <b>20 points</b>        |
| <b>Financial Offer</b>                        | <b>80 points</b>        |
| <b>Total</b>                                  | <b>100 points</b>       |



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

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

**JPC MBD 12: BID SPECIFICATIONS**

**The following Specifications apply to this bid:**

|   |   |
|---|---|
| Property Description                              | Erven 198 and 199 Suideroord  |
| Ownership   | City of Johannesburg Metropolitan Municipality  |
| Locality  | The site is located between Swartgoud and Le Roux Road in Suideroord.   |
| Land Size   | 3863m <sup>2</sup><br>4946m <sup>2</sup>  |
| Zoning  | Erf 198 - Residential 3<br>Erf 199 - Business 4   |
| FAR   | 2.1   |
| Coverage  | 60%<br>70%  |
| Height  | 2Storeys<br>3 Storeys   |
| Building Lines                                    | 3 Metres  |
| Heritage  | It is not known whether the site has any heritage significance. It is will be the responsibility of the developer to determine as to whether the site have any heritage significance.   |
| Geotechnical conditions                           | Any geotechnical conditions will be the responsibility of the Developer.  |
| Other Requirements                                | A Site Development Plan shall be submitted to the Local Authority<br>Any further town planning Proposals and or rezoning shall be the responsibility of the Developer.<br><br>The bidder is required to comply will all relevant building regulation laws, including but not limited to SPLUMA, NEMA, Municipal By-laws etc.<br><br>It was discovered that there might be a 20% of wetland within the property. |
| Bulk services and external services contributions | The developer must ensure that these services are available at their own costs and expense.   |

**The following Specifications apply to this bid:**

1. The following specifications apply to this bid
  - a. The properties are identified as Erven 198 and 199 Suideroord;
  - b. Property Tenure: The Property shall be made available by means of a development and sale in accordance with JPC's standard agreement. The following terms of contract are non-negotiable:
  - c. Non-refundable JPC Fee equal in a value of 1.5% (one and half percent) of the total proposed development cost (excluding the land value), for facilitating the project and/or transaction will be due and payable and/or must be payable on an agreed milestone.
2. Specifications for use and development of the Property (Vision for the Property)
  - 2.1. Erf 198 zoned residential 3 and erf 199 is zoned "Business 4(permitting offices, restaurant and canteen plus residential units and buildings by consent); and Residential 3" for hotel and purposes incidental thereto. The subject Erven are located directly adjacent a shopping node, being Columbine Square. There are also townhouse development, a McDonald and a Sasol Garage adjacent the Erven. The property is affected by slight wetland.
  - 2.2. It is envisaged that the property shall be developed into a mixed used development that preferable caters for well established shopping centre, commercial offices, multi storey residential or motor industry(automotive aftermarket), there is a gap on these automotive areas: Support services that will include motor spares shop, car service centre, wheel services(tyre change/sales, wheel alignment and balancing) tracker installation centre, insurance assessment center and any other services that fits with the vision. The design must include parking.
  - 2.3. Bidders must note that this bid is not restricted to only the above vision. The vision is meant to be a guide and by no means seen as a prescription.
  - 2.4. Bidders are expected to submit a detailed rational for the proposed development.
  - 2.5. 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
  - 2.6. 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
3. The development should also aim to include sustainable features that contribute to environmental sustainability such as energy & water efficiency and recycling etc.
4. 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 an agreed milestone.

5. Additional rights are not guaranteed and is subject to approval by relevant City of Johannesburg Departments.
6. 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.
7. The bidder is expected to submit an empowerment plan demonstrating the following:

- Job Creation Plan (during and after construction)
- Enterprise Development (during and after construction)
- Training and Development Programmes (throughout the lifecycle of the project)
- Demonstrate how the development will benefit the local community and/or community based organisations
- Procurement of Material from Local Suppliers
- Partnership with Women Owned Companies

Bidders are expected to advise and provide a detailed plan and how the numbers are achieved

**Note: Bidders who fail to submit a detailed plan will be penalised, not withstanding the targets as set out on JPC MBD 19**

8. Local Area spending target must be in accordance with the Empowerment Plan JPC MBD 19.
9. The successful bidder(s) will be responsible for and shall bear all costs related to the development of the property including bulk services
10. The successful bidder will be responsible for the cancellation or relocation of all servitudes which may be registered over the property
11. 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
12. The property is made available in accordance with the site information made available in MBD13.
13. The successful bidder will be responsible to Rezone the property into and consolidation of the properties in line with the proposed use
14. The successful bidder will be responsible to obtain all statutory approvals (Rezoning, Environmental, Water Use Licence, Site Development Plan, Building Plan, etc) which are required for the development of the property.
15. Any changes to the proposal document after submission must be endorsed by both parties

## JPC MBD 13: PROPERTY INFORMATION

### 1. LOCALITY MAP

The site is located between Swardgoud and Le Roux Road in Suideroord. The area has a good macro access via establishment routes such as Columbine Road, Swartgoud Road and Kliprivier Drive which has links joining the N12 Highway, a major arterial providing access to different parts of Gauteng Province and outer conurbations of Mpumalanga and North West.

The Glen Shopping Centre and Columbine Square boasting a mixture of retail, banking and other types of amenities is located within easy reach from the subject property, schools, hospital, service stations and emergency facilities are available within a 5km radius for the subject properties.

The N1, N3 and the N17 Highways, providing access to different parts of Gauteng and Major destinations such as Durban, Bloemfontein, Secunda and Polokwane are easily accessible from the subject property.



### 2. AERIAL MAP



## **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) |
|   |  |  |  |  |
|   |  |  |  |  |
|   |  |  |  |  |
|   |  |  |  |  |
|   |  |  |  |  |
|   |  |  |  |  |



## **JPC MBD 17: DEVELOPMENT PROPOSAL**

### **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, 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> |
|--|------------------------------|
|  |                              |
|  |                              |
|  |                              |
|  |                              |
|  |                              |
| <b>TOTALS</b>                                    |                              |

### **1.2 Proposed Development Summary**

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

### **1.3 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 |

#### 1.4 Include development Methodology Writeup

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

#### 1.5 Maintenance and Operational Plan

#### 1.6 Estimated Cost of Development

| <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 Cost              | R                                     |
| 6   | External/Bulk Services Contributions | R                                     |
| 7   | Orther                               | 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 |  |
| 1. 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**

| <b>DESCRIPTION</b>  | <b>TARGET</b>               | <b>Bidders Commitment in numbers of persons</b> |
|---|-----------------------------|---|
| <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          |   |
| <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  |   |
| <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

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

|   |  |
|---|--|
|   | <ul style="list-style-type: none"> <li>○ <b>Simple work package and medium to high skill</b><br/>Where simple work package and medium to high - the use of suppliers within the City of Joburg is encouraged and promoted.</li> <li>○ <b>Simple work package and Specialized skills</b><br/>Where simple work package and specialized skills - the use of suppliers in the Gauteng province is encouraged and promoted.</li> <li>○ <b>Mixed work package and no skills required</b><br/>Where mixed work package and no skill required - the use of COJ regional suppliers is primary.</li> <li>○ <b>Mixed work package and medium low skill required</b><br/>Where mixed work package and medium to low skill required - the use of suppliers within the City of Joburg is encouraged and promoted.</li> <li>○ <b>Mixed work package and medium high skill</b><br/>Where mixed work package and medium high - the use of suppliers in the Gauteng province is encouraged and promoted.</li> <li>○ <b>Mixed work package and Specialized skill</b><br/>Where mixed work package and specialized skill - the use of national vs International suppliers is primary.</li> <li>○ <b>Complex work package and no skill required</b><br/>Where complex work package and no skill required - the use of suppliers within the City of Joburg is encouraged and promoted.</li> <li>○ <b>Complex work package and medium low skill</b><br/>Where mixed work package and medium low skill - the use of suppliers in the Gauteng province is encouraged and promoted.</li> <li>○ <b>Complex work package and medium high skill</b><br/>Where mixed work package and medium high skill - the use of national vs International suppliers is encouraged and promoted.</li> <li>○ <b>Complex work package and Specialized skills required</b><br/>Where complex work package and specialized skill required - the use of nationally assembled products is encouraged and promoted.</li> </ul> |
| <p><b>"Enterprise &amp; Supplier Development"</b></p> | <p>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</p>  |
| <p><b>"Localisation"</b></p>                          |  |

|  |   |
|--|---|
| <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:<br>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:<br><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<br>Entities with a turnover of less than R35 M   |
| <b>"Unemployed Black people"</b>                     | means:<br>(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<br>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:<br><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                    |

### Annexure B

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

| <b>Details of development experience completed <u>by bidder, acting as developer</u> OR <u>by bidder's principals, acting as developer / development manager</u> but not under the name of the bidder.</b> |                |                      |                              |                          |
|--|----------------|----------------------|------------------------------|--------------------------|
| (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  |
| URBAN DESIGNER                              |                     | R  |
| ENGINEERING                                 |                     | R  |
| QUANITITY SURVEY                            |                     | R  |
| OTHER (e.g. Town planner; environmentalist) |                     | R  |
| <b>TOTAL</b>                                |                     | <b>R</b>   |

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

**JPC MBD 21: ACCESS TO FUNDING**

***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

- Development Cost (Total Investment Value)
- Projected Income

Financial Ratios

|   |   |
|---|---|
| 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> |   |

## **CONSENT AND ACKNOWLEDGMENTS IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 2013 (POPI)**

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

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

### **1. What is personal information?**

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

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

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

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

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

### **3. How will JPC process personal information?**

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

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

### **4. To whom will personal information be disclosed?**

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

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

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

### **5. Consent and Permission to process personal information:**

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

- I understand that withholding of or failure to disclose personal information will result in JPC being unable to perform its functions and/or any services or benefits I may require from JPC.
- Where I shared personal information of individuals other than myself with JPC I hereby provide consent on their behalf to the collection, use and disclosure of their personal

information in terms of this personal information policy and I warrant that I am authorised to give this consent on their behalf.

- To this end, I indemnify and hold JPC not responsible and harmless in respect of any claims by any other person on whose behalf I have consented, against JPC should they claim that I was not so authorised.
- I understand that in terms of POPIA and other laws of the country, there are instances where my express consent is not necessary in order to permit the processing of personal information, which may be related to police investigations, litigation or when personal information is publicly available.
- I will not hold JPC responsible for any improper or unauthorised use of personal information that is beyond its reasonable control.

#### **6. Rights regarding the processing of personal information:**

- The individual may withdraw consent to the processing of personal information at any time, and should they wish to do so, must provide JPC with reasonable notice to this effect. Please note that withdrawal of consent is still subject to the terms and conditions of any contract that is in place. Should the withdrawal of consent result in the interference of legal obligations, then such withdrawal will only be effective if JPC agrees to same in writing. JPC specifically draws to the attention that the withdrawal of consent may result in it being unable to provide the requested information and/or services and/or financial or other benefits.
- In order to withdraw consent, please contact the JPC Information Officer/SCM
- Individuals are encouraged to ensure that where personal information has changed in any respect to notify JPC so that our records may be updated. JPC will largely rely on the individual to ensure that personal information is correct and accurate.
- The individual has the right to access their personal information that JPC may have in its possession and are entitled to request the identity of which third parties have received and/or processed personal information for the purpose. Please note however, that any request in this regard may be declined if:
  - the information comes under legal privilege in the course of litigation,
  - the disclosure of personal information in the form that it is processed may result in the disclosure of confidential or proprietary information,
  - giving access may cause a third party to refuse to provide similar information to JPC,
  - the information was collected in furtherance of an investigation or legal dispute, instituted or being contemplated,
  - the information as it is disclosed may result in the disclosure of another person's information,



**RFP: 26/2022 - REQUEST FOR PROPOSALS (RFP) FOR THE  
DEVELOPMENT AND SALE OF ERVEN 198 AND 199 SUIDEROORD.**

- the information contains an opinion about another person and that person has not consented, and/or
- the disclosure is prohibited by law.

**7. Queries relating to breach of personal information:**

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

|            |       |
|------------|-------|
| Signature: | Date: |
|------------|-------|