



a world class African city



City of Johannesburg
Johannesburg Development Agency

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Johannesburg, 2000

www.jda.org.za
www.joburg.org.za

INVITATION TO BID

REQUEST FOR FORMAL WRITTEN PRICED QUOTATIONS

CLOSING DATE: 02 June 2017

CLOSING TIME: 12H00

BID DESCRIPTION: Requests for bids from a multiple disciplinary team for the AREA BASED MANAGEMENT PLAN FOR THE NOORD STREET PRECINCT

BID DOCUMENTS MUST BE DEPOSITED IN THE BID BOX SITUATED AT:
Offices of the Johannesburg Development Agency, 3 Helen Joseph Street, The Bus Factory, Newtown, Johannesburg, 2000

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (see definition below)

¹*MSCM Regulations: "in the service of the state" means to be –

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Department: Procurement
Contact Person: Ms Claudia Mahlaule
Tel: 011 688 7851
Fax: 011 688 7899
E-mail: cmahlaule@jda.org.za

ANY REQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Department: Development Facilitation
Contact Person: Nicolette Pingo
Tel: 011 688 7865
Fax: 011 688 7899
E-mail: npingo@jda.org.za

PLEASE NOTE: TENDERS MUST BE SUBMITTED ON THE TENDER DOCUMENTATION ISSUED. TENDER DOCUMENTATION MUST NOT BE REPRODUCED OR REARRANGED. ANY ADDITIONAL INFORMATION MUST BE SUBMITTED AS A SEPARATE ATTACHMENT TO THE TENDER DOCUMENT FAILURE TO DO SO WILL RESULT IN YOUR BID BEING DISQUALIFIED.

Building a better city

Directors
Directors

C Coovadia (Chairperson) T Mendrew (CEO) P Masilo L Shole K Govender M Qobo P Zagaretos P Mashele A Steyn N Ngwenya R Shirinda (Company Secretary)
Registration Number: 2001/005101/07

To all our stakeholders

RE: The channels of reporting fraudulent and Corrupt Activities

The City of Johannesburg has a **zero-tolerance approach to Fraud, Theft, Corruption, Maladministration, and Collusion** by suppliers with employees. To reinforce this commitment, more channels have been added to report any Fraudulent and Corrupt activities.

Instances of corporate fraud and misconduct remain a constant threat to service delivery. The City of Johannesburg took a resolution to adopt strategic interventions aimed at combatting fraud and corruption. The City took a decision to centralize the reporting of fraudulent and corrupt activities through the establishment of an independent fraud hotline which is managed by independent service providers.

All people doing business with the Johannesburg Development Agency are encouraged to report any corrupt or illegal practice.

Employees are encouraged to report fraud, waste or other concerns suggestive of dishonest or illegal activities.

Anyone can report fraudulent and corrupt activities through one of the following channels:

- Toll free number.....0800 002 587
- Toll free Fax0800 007 788
- SMS (charged @ R1.50).....32840
- Email Address:.....anticorruption@tip-offs.com
- Web site:.....www.tip-off.com
- Free post:.....Free post, KNZ 138, Umhlanga, 4320



Let's join hands to take up the Fight against Fraud and Corruption in our society.

REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS from A MULTI- DISCIPLINARY PROFESSIONAL TEAM FOR THE AREA BASED MANAGEMENT PLAN FOR THE NOORD STREET PRECINCT

Overview

The City of Johannesburg (COJ) continues to make substantial investment into the Inner City, as part of the implementation of the Inner City Roadmap (2014). The City has been making investments in the Inner City are focused on the public space and streets towards a liveable, walkable neighbourhood, with excellent public transportation, social infrastructure and open space. The Noord Street precinct has and continues to receive investments in the public realm. Integral to the sustainability of these interventions in this precinct is that the area is well-managed and safe to improve its functionality.

To this end the City through the JDA seeks to develop a plan for the long-term sustainability of the area in partnership with residents, NGOs and the private sector. A professional team with qualifications in the built environment, experience in area based management (minimum 5 years) and with knowledge of Noord Street Precinct is requested to submit proposals for an area based management plan for the Noord Street Precinct (as defined below).

1. Location

The precinct focused on the core of the Noord Street precinct and is bounded as follows: Noord Street in the north, Quartz Street in the east, Lilian Ngoyi in the south and Wanderes Street in the west. The area is complex and the area based management plan must focus on mechanisms to ensure sustain management of informal trade, taxis, business and residential environments and large number of pedestrian commuters.



2. Duration

The estimated period of the plan has been scheduled for 8 weeks from the date of the receipt of the Purchase Order/Appointment Letter to final output delivery.

3. Professional Team

It is expected that the professional team will have a variety of skills and experience which should include, but is not limited to:

- Area Management Specialist as Team Lead (with relevant Built Environment or property qualification and at least 5 yrs experience)
 - Demonstrated Research Skills
 - Community Participation
 - Financial modeling and budgeting
 - Knowledge of managed areas policy and practices
 - Activation of community sites
 - Community driven projects
 - Events/workshops facilitation
 - Knowledge of the workings of the City service delivery systems and departments

4. Scope of Works

The area based management plan must take a holistic view of the management of the wider area as a critical component of its growth and transformation, thus although an emphasis will be on the first principles of ensuring a safe, clean environment opportunities for economic development and use of City of Johannesburg employment programmes.

A. Status Quo:

- Provide detailed status quo analysis of the urban management challenges and resources for in the Noord Street Precinct
- Provide detailed status quo analysis of social, education and recreational programming existing in the study area (primary compilation of existing information)
- Provide public safety analysis with a focus on contact crimes and, property related crimes in collaboration with key CoJ departments

B. Area Based Management Plan (including):

- Provide detailed plans to address challenges in the study area utilizing existing city and private resources, this should include:
 - i. Cleaning services plan for each part of the study area
 - ii. Security plan for each part of the study area

Must include identification of key hotspots, prevention strategies (for both cleaning and security) as well as opportunities for placemaking and activation initiatives

- iii. Provide detailed plan for improved urban management of the informal trade, in particular King George and Noord Streets
- iv. Financial analysis of resources required and income generation scenarios. Innovative income generation mechanisms are required to ensure sustainability of urban management in the area, this should include potential for outdoor advertising, leasing agreements for specific uses, as well as potential for Corporate Social Investment and sponsorship etc.

C. Place making and activation plan:

- **Social and educational programming requirements and opportunities to enhance the area linked to tourism, economic or urban management**

- **Place making and activation resources:** Provide detailed list of potential additional resources or programmes and scenarios how they could be applied to increase area based management efforts in the Corridor (both city and private resources).
- D. **Institutional framework** for the integration of area based urban management and placemaking and activation:
- i. highlight all associations, fora, departments, committees who could play a role in area based management in the corridor,
 - ii. indicate the role each of stakeholders could play
 - iii. suggest the ways in which these stakeholders can work together to address area based management
- E. Action plan for how the plans will be implemented with key responsibilities delegated to relevant parties.
- F. Workshops with COJ and private players on plan buy-in and implementation

5. DELIVERABLES

- a) Status Quo Document
- b) Urban Management Plan (including details on Quartz street Market)
- c) Activation and placemaking plan
- d) Institutional framework
- e) Action/ Implementation Plan
- f) Workshops with stakeholders on implementation of the plan

6. PRICING

| Item | Deliverable | PRICING |
|------|--|---------|
| a. | Status quo analyses of the study area: <ul style="list-style-type: none"> • Area based management • Placemaking and activation | |
| b. | Draft plan using existing city and private sector resources including sector specific plans: <ol style="list-style-type: none"> 1. Cleaning 2. Security focus on the principles of Crime Prevention Through Environmental Design (CPTED) 3. Detailed analysis of urban management on Noord and King George Streets 4. Financial plan | |
| d. | Draft place making Plan geared towards encouraging the use or of a space to increase community socialisation. | |
| e. | Draft Institutional framework | |
| f. | Complete area based management plan, including all above elements | |

| Item | Deliverable | PRICING |
|---|--|---------|
| g. | Complete implementation/action plan | |
| h. | Present draft plan to relevant JDA and COJ stakeholders | |
| i. | 3x presentation to draft plan to internal COJ Noord Street technical forum members | |
| j. | 5 x presentation to external stakeholders in the area (throughout process) | |
| j. | Revised plans based on input from presentation sessions | |
| k. | Final plan after final JDA comments included | |
| GRAND TOTAL (excl. VAT) to be carried to the "OFFER PAGE" failing which will disqualify your tender. | | |

7. PRESENTATION OF QUOTATIONS

Submissions are to consist of a short (**not to exceed 15 pages**) and comprehensible report that must provide the JDA with sufficient information to make a sound and fair evaluation of the quotation as well as the experience and capability of the applicant to undertake and manage the project successfully. The report should **use the same item numbers as below** for the required sections of the report.

The following information must be clearly spelt out:

- 7.1. **BRIEF** company background, lists of **SIMILAR (not all)** projects (including client name, contact person, telephone number, value of the project, and the consulting fee value, nature of the project, required deliverables).
- 7.2. Provide an organogram for the **individuals who will be assigned to THIS PROJECT (not the entire company)**, note their roles for this project, as well as their relevant qualifications and the number of years of experience in the field. Include detailed CV's of **SAID INDIVIDUALS only** noting their specific relevant project experience [project description, role and responsibilities, project value]. **DO NOT** send copies of certificates, testimonials etc.
- 7.3. A copy of a valid Tax Clearance Certificate and Tax Compliant Letter from SARS.
- 7.4. A copy of the tenderer's municipal rates account for the month of April 2016 in the name of the tenderer or alternatively in the names of the Directors / Partners of the tendering entity. Copies of lease agreements or accounts from a lessor **will NOT be accepted**.
- 7.5. An original and valid BBBEE status levels verification certificate or a certified copy thereof, substantiating the bidding entities BBBEE rating. Only certificates issued by verification agencies accredited by the South African Accreditation System (SANAS), or by registered auditors approved by the Independent Regulatory Board of Auditors (IRBA) will be accepted. An EME must submit a sworn affidavit confirming the following:
 - Annual Turnover Revenue of R10 million or less; and
 - Level of Black ownership

- Any misrepresentation in terms of bullet point above constitutes a criminal offence as set out in the B-BBEE Act as amended.
- 7.6. A **CERTIFIED COPY** of the organisation's Professional Indemnity Insurance indicating the value per claim, excess, and expiry date. If applicable.
- 7.7. An original letter from the tenderer's bank confirming account information.
- 7.8. A statement from an independent auditor / accountant regarding the tenderer's financial standing to undertake this project.
- 7.9. Bidders are required to submit detailed quotations based on the required deliverables [item 5] defined in rand terms. Applicants are to illustrate the fee proposal linked to deliverables. All disbursements, etc. are to be **included** in the quotations. Applicants must ensure that the **TOTAL FEE IS CORRECTLY CALCULATED AND TRANSFERRED TO THE OFFER PAGE.**
- 7.10. The attached forms A to F annexed, must be scrutinized, completed and submitted together with your quotation.

Failure to comply with the requirements in item 7 will result in tenderers been negatively scored for responsiveness or disqualified for non-compliance.

Note for consortium and joint ventures

- The items above are to be addressed and completed by **EACH** member of the consortium or joint venture.
- An agreement between all parties of the consortium or joint venture is to accompany the tender submission
- A lead consultant is to be appointed and noted in the submission

Failure to comply with these conditions may invalidate your offer.

8. ASSESSMENT CRITERIA

Submissions will be evaluated on the criteria to follow:

- Technical
- BBEE status
- Price / BBEE

9. TECHNICAL

The technical assessment is based on the criteria set-out below.

9.1 Technical

The technical assessment is based on the criteria set-out below namely (i) key returnable documents, (ii) capability of the proposed key team members (Capability), (iii) the experience of the company and (iv) contactable references

Tenderers will have to submit compliant documents and score a minimum number of points in the technical evaluation in order to be considered further in the evaluation process.

Total points 100

Minimum points required 60 which is 60%

| (i) KEY RETURNABLE DOCUMENTS | Total Points | Criteria | Description of Criteria | Points |
|-------------------------------------|---------------------|--|--|---------------|
| A | 20 | Original or Certified Copy of BBEE Certificate | Points will only be allocated for key returnable documents submitted | 2 |
| | | Company registration documents | | 2 |
| | | Current municipal account | | 2 |
| | | 3 Years of audited financial statements | | 2 |
| | | Certified copies of directors / partners identity documents | | 2 |
| | | Forms A to E completed in full and signed | | 10 |
| (ii) Capability | | | | |
| C1 Capability | 20 | The bidder is to submit a detailed CVs for all team members demonstrating experience in the requisite skills as per 3. Professional Team | Points will only be allocated for providing the Relevant skills | 40 |
| | | Lead with built Environment Qualification and 5 years experience | | 5 |
| | | Demonstrated Research Skills | | 5 |
| | | Community | | 5 |

| | | | | |
|--|---------------------|--|--|---------------|
| | | Participation | | |
| | | Financial modeling and budgeting | | 5 |
| | | Experience in of managed areas policy and practices | | 5 |
| | | Activation of community sites | | 2.5 |
| | | Community driven projects | | 5 |
| | | Events/workshops facilitation | | 2.5 |
| | | Knowledge of the workings of the City service delivery systems and departments | | 5 |
| (iv) COMPANY EXPERIENCE | Total Points | Criteria | Description of criteria | Points |
| C2 Company Experience and Track record in Area Based Management Planning and functioning | 30 | Five or more projects completed | Points will only be allocated for experience in related projects as listed in the schedule requested in item 3.12 Project information contained elsewhere in the tender submission will not be considered. | 15 |
| | | Three to four projects completed | | 10 |
| | | One to two project completed | | 5 |
| | | | | |
| (v) Contactable references | Total Points | Criteria | Description of criteria | Points |
| C3 Contactable reference (on client letter head) as per | 10 | Five or more satisfactory references | Points will only be allocated for references on similar projects as listed in the scheduled | 5 |
| | | Only three to four satisfactory references | | 3 |
| | | Only one to two satisfactory references | | 2 |

| | | | | |
|---|--|--|--|--|
| <p>the development of area based management plan</p> | | | <p>requested</p> <p>References must be on the client's letterhead or on a document stamped by the client and must confirm the project description, services rendered and values in order to obtain the points.</p> <p>If any of the required information does not appear in the reference, zero points will be awarded.</p> | |
|---|--|--|--|--|

9.2 BBEE Status

Having completed a technical evaluation, points will be awarded for empowerment (BBEE), in accordance with the Preferential Procurement Regulations 2017 published in Government Gazette No. 40553 dated 20 January 2017. The following table is applicable in this regard:

| B-BBEE Status Level Of Contributor | Number of Points |
|------------------------------------|---------------------------|
| | Tenders up to R50 million |
| 1 | 20 |
| 2 | 18 |
| 3 | 14 |
| 4 | 12 |
| 5 | 8 |
| 6 | 6 |
| 7 | 4 |
| 8 | 2 |
| Non-Compliant contributor | 0 |

Notes:

- 9.2.1 "B-BBEE status level of contributor" means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act (Act No.53 of 2003).

- 9.2.2 Tenderers must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating. Certificates issued by either verification agencies accredited by the South African Accreditation System (SANAS) or by registered auditors approved by the Independent Regulatory Board for Auditors (IRBA) are acceptable.
- 9.2.3 An EME must submit a sworn affidavit confirming the following:
- Annual Turnover Revenue of R10 million or less; and
 - Level of Black ownership
 - Any misrepresentation in terms of bullet point above constitutes a criminal offence as set out in the B-BBEE Act as amended.....
- 9.2.4 The submission of such certificates must comply with the requirements of instructions and guidelines issued by the National Treasury and be in accordance with notices published by the Department of Trade and Industry in the Government Gazette.
- 9.2.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 9.2.6 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate tender.
- 9.2.7 A person will not be awarded points for B-BBEE status level if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a tenderer qualifies for.
- 9.2.8 A person awarded a contract will not be permitted to sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned.

9.3 Price and Empowerment

Having completed a technical evaluation, the procedure for the evaluation of technically qualifying tenders is Method 2 (Price and Preferences). The Preference Point System assigns a score to each tenderer based on the tender price and on the tenderer's BBBEE status. These scores are combined to determine an overall score for the tender. The tender with the highest score will be considered for acceptance.

The Preference Point System will be applied as follows:

- 80 points are assigned to price
- Up to 20 points are assigned to BBBEE status per the table under item 9.2

The total preference points for a tender are calculated with the formula

$$PP = P_s + P_{bee} \text{ Where}$$

PP is the total number of preference points scored by the tenderer

P_s is the points scored for the comparative price of the tenderer, and

P_{bee} is the number of points awarded to the tenderer based on his certified B-BBEE status level

Formula for scoring tender price

The following formula will be used to calculate the points for price.

$$P_s = X \left[1 - \frac{(P_t - P_{min})}{P_{min}} \right]$$

Where

P_s = Points scored for comparative price of tender under consideration

P_t = Comparative price of tender under consideration

P_{min} = Comparative price of lowest acceptable tender

X = **Points** assigned to price

10. CLOSING DATE, TIME AND VENUE FOR SUBMISSIONS

The words “**AREA BASED MANAGEMENT PLAN FOR THE NOORD STREET PRECINCT**” must be written / typed clearly on the envelope. The envelope must be deposited in the tender box at the **Johannesburg Development Agency, Ground Floor, The Bus Factory, 3 Helen Joseph Street (formerly known as President) and Newtown** only between the hours of 08H00 and 12H00.

The RFQ closes at 12h00 on Friday 02 June 2017.

NO LATE / TELEPHONIC / FAXED / POSTAL TENDERS WILL BE ACCEPTED OR CONSIDERED.

The Johannesburg Development Agency's selection of qualifying tenders shall be in the Johannesburg Development Agency's sole discretion and shall be final. The Johannesburg Development Agency does not bind itself to accept any particular Tender and no correspondence will be entered into.

Queries can be addressed in writing to:
Nicolette Pingo
E-mail: npingo@jda.org.za

ANNEXURE A: BUSINESS DECLARATION

Tender/RFP Number:

Tender/RFP Description:

Name of Company:

Contact Person:

Postal Address:

.....

Physical Address:

.....

Telephone Number:

Fax Number:

Cell Number:

E-mail Address:

Company/enterprise Income

Tax Reference Number :

(Insert personal income tax number if a one person business and personal income tax numbers of all partners if a partnership)

VAT Registration Number:

Company Registration Number:

1. Type of firm

- Partnership
- One person business/sole trader
- Close corporation
- Public company
- Private company

(Tick one box)

2. Principal business activities

.....
.....
.....

3. Total number of years company has been in business:

4. Detail all trade associations/professional bodies in which you have membership

.....
.....
.....

5. Did the firm exist under a previous name?

- Yes
- No

(Tick one box)

If yes, what was its previous name?

.....

6. How many permanent staff members are employed by the firm:

Full Time :

Part Time :

7. In the case of a firm which renders services for different disciplines, how many permanent staff members are employed by the firm in the discipline for which you are tendering:

Full Time :

Part Time :

8. What is the enterprise's annual turnover for the last two years and what is the estimated turnover of current commitments.

R Year

R Year

R Year

9. List all contracts which your company is engaged in and have not yet completed:

| CONTRACT DESCRIPTION | LOCATION | COMPANY/ EMPLOYER | PROJECT VALUE | ESTIMATED FEES | EXPECTED COMPLETION (MONTH & YEAR) |
|----------------------|----------|-------------------|---------------|----------------|-------------------------------------|
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10. Banking details

I/We hereby request and authorise you to pay any amounts which may accrue to me/us to the credit of my/our account with the mentioned bank.

I/We understand that the credit transfers hereby authorised will be processed by computer through a system known as the “ACB Electronic Fund Transfer Service” and

I/We also understand that no additional advice of payment will be provided by my/our bank, but details of each payment will be printed on my/our bank statement or any accompanying voucher.

This authority may be cancelled by me/us giving **30 days'** notice in writing.

BANK :

BRANCH :

BRANCH CODE :
ACCOUNT NUMBER :

ACCOUNT HOLDER :

TYPE OF ACCOUNT :

CONTACT PERSON :

CONTACT NUMBER :

PLEASE INCLUDE ORIGINAL SIGNED AND STAMPED LETTER FROM THE BANK CONFIRMING THE COMPANY'S BANKING DETAILS, PHOTOSTAT COPIES AND LETTERS BEARING ELECTRONIC SIGNATURES WILL NOT BE ACCEPTABLE.

The undersigned, who warrants that he/she is duly authorised to do so on behalf of the company, affirms that the information furnished in response to this request for proposal is true and correct:

SIGNATURE :

NAME IN FULL :

CAPACITY :

DULY AUTHORIZED TO SIGN ON BEHALF OF:

DATE :

COMPANY STAMP

ANNEXURE B: DECLARATION OF INTEREST

- 1. No bid will be accepted from persons in the service of the state*.

- 2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name:

3.2 Identity Number:

3.3 Position occupied in the company (director, trustees, shareholder**)

3.4 Company Registration Number:

3.5 Tax Reference Number:

3.6 VAT Registration Number:

3.7 The names of all directors / trustees / shareholders / members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

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

If yes, furnish particulars

.....
.....

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

If yes, furnish particulars

.....
.....

3.10 Do you, have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

If yes, furnish particulars

.....
.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

If yes, furnish particulars

.....
.....

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

If yes, furnish particulars

.....
.....

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

If yes, furnish particulars

.....
.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders or stakeholders of this company have any interest in any other related companies or businesses whether or not they are bidding for this contract? **YES / NO**

If yes, furnish particulars

.....
.....

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

| FULL NAME | IDENTITY NUMBER | STATE EMPLOYEE NUMBER |
|-----------|-----------------|-----------------------|
| | | |
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CERTIFICATION

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

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

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Position

.....
Name of Bidder

.....
Date

- * MSCM Regulations: "in the service of the state" means to be –
 - (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
 - (b) a member of the board of directors of any municipal entity;
 - (c) an official of any municipality or municipal entity;
 - (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
 - (e) a member of the accounting authority of any national or provincial public entity; or
 - (f) an employee of Parliament or a provincial legislature.

** "Stakeholder" 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.

ANNEXURE C: 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? (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). | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.1.1 | If so, furnish particulars: | | |
| 4.2 | Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (To access this Register enter the National Treasury’s website, www.treasury.gov.za, 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). | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.2.1 | If so, furnish particulars: | | |

| Item | Question | Yes | No |
|-------|--|---------------------------------|--------------------------------|
| 4.3 | Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.3.1 | If so, furnish particulars: | | |
| 4.4 | Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.4.1 | If so, furnish particulars: | | |
| 4.5 | Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.7.1 | If so, furnish particulars: | | |

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

.....

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

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature

.....
 Position

.....
 Name of Bidder

.....
 Date

ANNEXURE D: PARTICULARS OF CONTRACTS AWARDED BY AN ORGAN OF STATE*** DURING THE LAST 5 YEARS cont.

| EMPLOYER | CONSULTING ENGINEER | NATURE OF WORK | VALUE OF WORK | YEAR COMPLETED |
|----------|---------------------|----------------|---------------|----------------|
| | | | | |
| | | | | |
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| | | | | |

*** Organ of State means-

- ◆ a) a national or provincial department;
- ◆ b) a municipality;
- ◆ c) a constitutional institution defined in the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- ◆ d) Parliament;
- ◆ e) a provincial legislature;
- ◆ f) any other institution or category of institutions included in the definition of “organ of state” in section 239 of the Constitution and recognised by the [Minister](#) by notice in the *Government Gazette* as an institution or category of institutions to which [this Act](#) applies

.....
 Signature
 (of person authorised to sign on behalf of the organisation)

.....
 Position

.....
 Name of Bidder

.....
 Date



a world class African city



ANNEXURE E: CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

Noord Street Precinct Area Based Management Plan

in response to the invitation for the bid made by:

Johannesburg Development Agency

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

I certify, on behalf of:

_that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraph 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation);
 - (c) methods, factors or formulas used to calculate prices;

- (d) the intention or decision to submit or not to submit a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No. 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or any other applicable legislation.

.....

| | |
|-----------|----------|
| Signature | Position |
|-----------|----------|

.....

| | |
|----------------|------|
| Name of Bidder | Date |
|----------------|------|