



INVITATION TO BID

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REQUEST FOR FORMAL WRITTEN PRICED QUOTATIONS

ADVERT DATE: 09 December 2020

CLARIFICATION MEETING: Due to Covid –19 Pandemic, all enquiries with regards to this RFQ must be forwarded to Vincent Mtsweni – email: VMtsweni@jda.org.za; Bobby Johnston – e-mail: BJohnston@jda.org.za; and Dudu Skhosana – e-mail: dskhosana@jda.org.za

CLOSING DATE: 17 December 2020

CLOSING TIME: 12H00

BID DESCRIPTION: RE- ADVERTISEM OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA

BID NUMBER: JDA/RISK/BCM/002/2020

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 7807
Fax: 011 688 7899
E-mail: cmahlaule@jda.org.za

ANY REQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Department: Risk and Compliance Management
Contact Person: Mr Bobby Johnston
Tel: 011 688 7851
Fax: 011 688 7899
E-mail: bjohnston@jda.org.za

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

OFFER

**THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO WILL RESULT IN YOUR BID BEING DISQUALIFIED)**

BID / RFQ NUMBER:

BID / RFQ DESCRIPTION:

BIDDER/COMPANY NAME:

POSTAL ADDRESS:

STREET ADDRESS:.....

TELEPHONE NUMBER: CODE NUMBER

CELLPHONE NUMBER:

E-MAIL ADDRESS:

FACSIMILE NUMBER: CODE NUMBER

VAT REGISTRATION NUMBER:

CSD SUPPLIER NUMBER: MAAA.....

COMPANY REGISTRATION NUMBER:

TAX VERIFICATION PIN:

TOTAL BID PRICE: R..... excluding Value Added Tax

TOTAL BID PRICE in words:

.....

.....

..... excluding Value Added Tax

SIGNATURE OF BIDDER :

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

THE ABOVE PARTICULARS MUST BE FURNISHED. FAILURE TO DO SO WILL RESULT IN THE BID BEING DISQUALIFIED

SUPPLIERS DATABASE REGISTRATION

National Treasury launched the National Central Supplier Database (NCSD) with effect from 1 September 2015.

This will enable prospective suppliers to register their companies on the following website

www.csd.gov.za **Transitional Period (1 September 2015 to 30 June 2016)**

1. During the transitional period suppliers are requested to register on the website where all their essential information such as Tax Clearance Certificates, VAT, Company Registration Numbers and CIPC business status will be verified.
2. When conducting business with the JDA, you will be requested to provide us with the following:
 - Supplier Number (MAAA???) and;
 - Supplier Registration Security Code so we can print your real time information;
 - Banking details with bank Stamp and;
 - Certified BBBEE Certificate.

Once a supplier has registered on NCSD, it will no longer be a requirement to provide the JDA with an Original Tax Clearance Certificate or any other registration documents.

After Transitional Period 1 July 2016

Effective 1 July 2016, the JDA will only award business to suppliers who are registered on NCSD and suppliers will no longer be required to provide information as stipulated above.

For more information on registration, please:

Ms. Kgadi Mphela on 011 688 7813

The following conditions will apply:

- A valid Tax Clearance Certificate must be submitted, copies or certified copies will not be accepted.
- An original and valid BBBEE status level verification certificate or a certified copy thereof must be submitted.
- A copy of the bidder's current municipal account in the name of the bidder or alternatively in the names of the directors / partners of the bidding entity must be submitted.
- Price(s) quoted must be valid for at least thirty (30) days from date of your offer.
- Price(s) quoted must be firm and must be exclusive of VAT.
- If the price quoted is above R 30 000 (inclusive of VAT), the quotation will be evaluated in terms of the 80/20 preference point system as prescribed in the Preferential Procurement Framework Act (No. 5 of 2000).

Failure to comply with these conditions may invalidate your offer.

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.

1. LOCATION

The Business Continuity Management Support should be undertaken at the successful bidder's offices/ JDA.

2. SCOPE OF WORK

The critical aspects are as follows but not necessarily limited to:

- 2.1 Annual Disaster Recovery testing (Recovery Site and Data Backups both on-site and off-site)
- 2.2 Assist the JDA to institutionalize a culture of Business Continuity
- 2.3 Create Business Continuity awareness
- 2.4 Reporting on findings and further BCM recommendations

3. DURATION

The Business Continuity Management Support is expected to be completed and a report generated by the 12 February 2021.

4. THE DELIVERABLES

- 4.1 Comprehensive report which contains the methodology applied findings, recommendations and conclusions.
- 4.2 Evidence attached to report with clear references to findings, if applicable.
- 4.3 Present report to EXCO.

5. PROPOSAL CONTENT

The bidder's submission must provide the JDA with sufficient information to enable the employer to make a sound and fair evaluation of the proposal. It must clearly indicate the **relevant** previous experience, capability, and capacity of the bidding entity to undertake the project. The proposal should **use the same item numbers as below**.

The following minimum documentation must be provided:

- 5.1. **THE "OFFER" PAGE MUST BE COMPLETED IN FULL AND SIGNED. Any bidder who fails to do so will be disqualified.**
- 5.2. **Tenderers are required to submit a detailed fee proposals based on the requirements set out in item 4 above and to ensure that the final TOTAL FEE IS CORRECTLY TRANSFERRED TO THE "OFFER" PAGE. Any bidder who fails to do so will be disqualified.**
- 5.3. Company registration documents.

- 5.4. A certified valid BBBEE status level verification certificate, 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. **FAILURE TO SUBMIT AS REQUIRED WILL RESULT IN THE BIDDER SCORING ZERO (0) POINTS FOR BBBEE.**
- 5.5. A certified copy of the bidder's Professional Indemnity Insurance certificate indicating the maximum value per claim in an insurance period, the applicable excess, and the expiry date. A minimum cover of R1m is required for this project. (If applicable)
- 5.6. Latest copy of the bidding entity's municipal rates account in the name of the bidding entity or alternatively in the names of the directors / partners of the bidding entity.
- 5.7. A statement from an independent auditor / accountant regarding the tenderer's financial standing to undertake this project.
- 5.8. Details of directors / partners / members and shareholders.
- 5.9. Certificates of membership/s to industry bodies.(If applicable)
- 5.10. A corporate brochure. Alternatively a brief summary of the entity's background.
- 5.11. A schedule of completed contracts of a **similar** nature to this project. The following details **must** be included on the schedule :
- Description of the project
 - Service rendered
 - Name of employer / client and their representative's contact details
 - Cost of the works (project construction value)
 - Fee obtained for services
 - Date of completion
- 5.12. Provide information on the individuals who will be assigned to **this project (NOT the entire company)**. The following **must** be addressed :
- role/s and responsibility/ies on this project
 - relevant qualifications
 - number of years of relevant experience in the industry and in the proposed role
 - a percentage estimate of the time planned to be dedicated to this project by each person
 - detailed CV's for each member of the team noting their specific relevant project experience [project description, role and responsibilities, project value].

- 5.13. A detailed approach and methodology statement wherein the approach to be followed in each stage of the design and construction process is outlined with clear identification of the deliverables in each stage. This section should show the tenderer's understanding of the process and input required towards the completion of the required services.
- 5.14. The forms A to F annexed, must be scrutinized, completed in full and submitted together with your quotation.

Failure to comply with the requirements in item 5 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
- 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.

FAILURE TO COMPLY WITH THE REQUIREMENTS LISTED IN ITEM 5 ABOVE WILL RESULT IN YOUR PROPOSAL BEING NEGATIVELY SCORED FOR RESPONSIVENESS OR DISQUALIFIED FOR NON-COMPLIANCE.

5.15 Disqualifying Criteria

Bidders will be disqualified in the following instances:

- If any of its directors are listed on the register of defaulters;
- In the case of a bidder who during the last five years has failed to perform satisfactorily on previous contracts with the JDA or any other organ of state after written notice was given to that bidder that performance was unsatisfactory;
- Bidders who did not complete, in full, the tender offer page (i.e. priced, all registration numbers provided and signed);
- Bidders whose tender document has been completed in pencil;
- Bidders whose document has been faxed;
- Bidders whose tender document has been received after the closing time;
- Bidders whose tender document has not been deposited in the tender box at the time of closing;
- Bidders who fail to price as required i.e. as stipulated in item 3 herein;
- Bidders who did not comply with any other requirement as set out in the tender specifications;
- Bidders who failed to attend the compulsory tender briefing session;

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA

- Bidders who have any directors in the employment of the state;
- No award will be made to any bidder whose tax matters are not in order with the receiver of revenue (SARS);
- No award will be made to any bidder who is not registered on the National Treasury Central Supplier Database (CSD);

Tenderers will have to adhere to the compliance items above in order to be considered further in the evaluation process.

6. NOTES FOR PRICING

The bidder is to quote a comprehensive price based on the Scope of work to be done as highlighted in **Section 2** of this document

A: SERVICE PROVIDER COST SCHEDULE			Cost (excluding VAT)
No.	Item	Deliverable / Activities	
1	Business Continuity Management Report	As per project scope (section 2)	
TOTAL			R

TOTAL FEE TO BE TRANSFERRED TO THE OFFER PAGE

7. ASSESSMENT CRITERIA

Submissions will be evaluated on the criteria to follow:

- Compliance
- Technical
- Price / BBBEE

7.1 Technical

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

The technical assessment is based on the criteria set-out below namely (i) key returnable documents, (ii) key personnel qualifications (iii) key personnel experience, (iv) company experience in BCM Support services, (v) contactable reference letters in BCM Support services.

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.

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA**Total points 300, Minimum points required 210 which is 70%**

(i) Key returnable documents	Total Points	Criteria	Description of Criteria	Points
A	10	Company registration documents	Points will only be allocated for key returnable documents submitted	N/A
		Latest municipal account / Lease agreement		N/A
		A statement from an independent auditor / accountant regarding the tenderer's financial standing to undertake this project.		N/A
		Certified copies of directors / partners identity documents		N/A
		Forms A to F completed in full and signed		10
(ii) Capability of the project team	Total Points	Criteria	Description of Criteria	Points
Project Team				
		Project Leader		
B	190	Seven (7) years post qualification experience in Audit, Risk Management, Information Technology or Business Continuity Management Support	Points will only be allocated for qualification stated in the CVs.	50
		Postgraduate qualification in Audit, Risk Management Information Technology and or any other related governance postgraduate qualification.		40
		Bachelor's Degree/ BTech in Audit, Risk Management, Information Technology or any related governance qualification.		30
		National Diploma/ Certificate in Audit, Risk Management or Information Technology		20
		Certified Business Continuity Professional		10
		Senior Consultants		
		5- 6 years post qualification experience in Audit, Risk Management, Information Technology or Business	CV's must show similar projects, role played and period. If any information is not	45

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA

		Continuity Management Support,	obtained in the CV, zero points will be implemented.	
		Postgraduate qualification in Audit, Risk Management Information Technology and or any other related governance postgraduate qualification.	Certified copies of the qualifications must be provided to obtain the points	35
		Bachelor's Degree/ BTech in Audit, Risk Management, Information Technology or any related governance qualification.		25
		National Diploma/ Certificate in Audit, Risk Management or Information Technology		20
		Certified Business Continuity Professional	Proof of certification must be provided to obtain points.	10
((iii)Company Experience	Total Points	Criteria	Description of criteria	Points
D Company Experience and Track record for BCM Support Services	50	Five or more projects completed.	Points will only be allocated for experience on similar projects that have to be listed / completed on annexure D of the RFQ document and must be supported by same similar reference letters. NB: Bidders must note that, company experience and reference letters must talk to each other and failing which, zero point will be awarded	50
		Three to four projects completed		40
		Two to three t projects completed.		30
(v) Contactable References	Total Points	Criteria	Description of criteria	Points
E Contactable reference (on client letterhead) in relation to C (BCM Support)	50	Five or more satisfactory references	Points will only be allocated for references letters on similar projects as listed in the annexure	50
		Three to four satisfactory references		40
		Two to three satisfactory references		30

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA

			<p>D of the RFQ document.</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 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>	
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7.2 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:

- 7.2.1 "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).
- 7.2.2 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. **FAILURE TO SUBMIT AS REQUIRED WILL RESULT IN THE BIDDER SCORING ZERO (0) POINTS FOR BBEE**

- 7.2.3 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.
- 7.2.4 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.
- 7.2.5 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.
- 7.2.6 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.
- 7.2.7 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.
- 7.2.8 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.

7.3 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 BBEE 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 BBEE status per the table under item 6.2

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

PP = P_s + P_{bee} 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

8. CLOSING DATE, TIME AND VENUE FOR SUBMISSIONS

The words “**RE – ADVERTISEMENT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA**” 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 17 December 2020.

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:

Contact Person: Bobby Johnston

E-mail: bjohnston@jda.org.za

ANNEXURE A: BUSINESS DECLARATION

Tender/RFQ Number:

Tender/RFQ 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

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA

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

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.

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA

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

.....
.....

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA

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

.....
.....

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA

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

FULL NAME	IDENTITY NUMBER	STATE EMPLOYEE NUMBER

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.

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA**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"/>

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA

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

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA

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

***** 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



December 2020

Page No.26

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA

ANNEXURE E: CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA

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

RE- ADVERTISEMT OF RFQ: BUSINESS CONTINUITY MANAGEMENT SUPPORT FOR THE JDA

- (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

ANNEXURE F: DECLARATION ON STATE OF MUNICIPAL ACCOUNTS

A Any bid will be rejected if:
Any municipal rates and taxes or municipal service charges owed by the bidder or any of the directors to the municipality or a municipal entity, or to any other municipality or municipal entity, are in arrears for more than three months.

B Bid Information

- i. Name of bidder:
- ii. Registration Number:
- iii. Municipality where business is situated
- iv. Municipal account number for rates:
- v. Municipal account number for water and electricity:
- vi. Names of all directors, their ID numbers and municipal account number.
 - 1
 - 2
 - 3
 - 4
 - 5
 - 6
 - 7

C Documents to be attached.

- i. A copy of municipal account mentioned in B (iv) & (v) (Not older than 3 months)
- ii. A copy of municipal accounts of all directors mentioned in B(vi) (Not older than 3 months)
- iii. Proof of directors

I/We declare that the abovementioned information is true and correct and that the following documents are attached to this form:

.....
.....

Signature

Date