



City of Johannesburg
Johannesburg Development Agency

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INVITATION TO BID

REQUEST FOR FORMAL WRITTEN PRICED QUOTATIONS

ADVERT DATE: 18 January 2024

COMPULSORY BRIEFING MEETING: 25 JANUARY 2024 AT 12:00PM TO 13:00PM AT NALEDI CLINIC 6693 LETSATS STREET, NALEDI, SOWETO, 1861

CLOSING DATE: 19 FEBRUARY 2024.

CLOSING TIME: 12H00

BID DESCRIPTION: PROVISION OF SHORT-TERM SECURITY SERVICES FOR NALEDI CLINIC FOR A PERIOD OF 12 MONTHS

BID NUMBER: JDA/ SECURITY - NALEDI – 12/2024

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: Yandisa Dinga

E-mail: ydinga@jda.org.za

ANY REQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Department: Project Manager
Contact Person: Rendani Musetsho

E-mail: rmusetsho@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

OFFER

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

BID / RFQ NUMBER.....

BID / RFQ DESCRIPTION

NAME OF BIDDER.....

POSTAL ADDRESS.....

STREET ADDRESS.....

TELEPHONE NUMBER **CODE** **NUMBER**

CELLPHONE NUMBER

FACSIMILE NUMBER **CODE** **NUMBER**

VAT REGISTRATION NUMBER

CSD SUPPLIER NUMBER.....

COMPANY REGISTRATION NUMBER.....

TAX VERIFICATION PIN.....

TOTAL BID PRICE **inclusive Value Added Tax**

TOTAL BID PRICE in words

.....

..... **inclusive Value Added Tax**

SIGNATURE OF BIDDER

CAPACITY UNDER WHICH THIS BID IS SIGNED

DATE

THE TENDER OFFER VALIDITY PERIOD IS NINETY (90) DAYS.

FAILURE TO COMPLETE THE OFFER PAGE IN FULL WILL RESULT TO SUCH A BIDDER BEING DISQUALIFIED.

In terms of Protection of Personal Information Act, 213 (Act 4 of 2013), also called the POPI or POPIA, Johannesburg Development Agency undertakes all reasonable measures to protect personal information and to keep it private and confidential.

The following conditions will apply:

- A valid Tax Pin from SARS must be submitted.
- An original and valid BBBEE status level verification certificate or a certified copy thereof must be submitted.
- 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.
- 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 of 2017 (Act No. 5 of 2000).

Failure to comply with these conditions may invalidate your offer.

To all Stake Holders

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.

Tenders must only be submitted on the tender documentation that is issued. The retyping of the tender document is not permitted.

Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.

The JDA's selection of qualifying tenders will be at the JDA's sole discretion and will be final. The JDA does not bind itself to accept any particular tender. Correspondence will be entered into with the successful tenderer.

"WE ENCOURAGE ALL PEOPLE DOING BUSINESS WITH US TO REPORT ANY CORRUPT OR ILLEGAL PRACTICE, USING THE ANTI-FRAUD HOTLINE NUMBER: 0800 002 587"

COPY OF ADVERT

TENDERING PROCEDURES

Tender Notice and Invitation to Tender

BID DESCRIPTION: PROVISION OF SHORT-TERM SECURITY SERVICES FOR NALEDI CLINIC FOR A PERIOD OF 12 MONTHS

BID NUMBER: JDA/ SECURITY - NALEDI – 12/2024

The Johannesburg Development Agency (JDA) hereby requests experienced and reputable bidders to submit quotations for Security services of newly constructed single – story building in 6693 Letsatsi Street, Naledi, Soweto, 1861

Documents can be downloaded on the **18th of January 2024** from the JDA website: www.jda.org.za and e-Tender portal www.etenders.gov.za . The retyping of the tender document is not permitted.

COMPULSORY BRIEFING MEETING: 25 JANUARY 2024 AT 12:00PM TO 13:00PM AT NALEDI CLINIC 6693 LETSATSI STREET, NALEDI, SOWETO, 1861

The closing date and time for receipt of tenders is **12:00pm on 19 FEBRUARY 2024** to be delivered into the JDA tender box at the offices of the JDA Bus Factory premises at no. 3 Helen Joseph Street, Newtown. Telegraphic, telephonic, telex, facsimile, e-mailed and late tenders will not be accepted.

Queries that are procurement related to this tender document and may be addressed to Mr. Y. Dinga at tel.: (011) 688 7800 or e-mail: ydinga@jda.org.za

Project queries or queries relating to the assignment may be addressed to Ms. R. Musetsho on tel.: (011) 688 7800 or e-mail: rmusetsho@jda.org.za

Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.

The JDA's selection of qualifying tenders will be at the JDA's sole discretion and will be final. The JDA does not bind itself to accept any particular tender and correspondence will be entered into with successful tenderer.

"WE ENCOURAGE ALL PEOPLE DOING BUSINESS WITH US TO REPORT ANY CORRUPT OR ILLEGAL PRACTICE, USING THE ANTI-FRAUD HOTLINE NUMBER: 0800 002 587".

1. INTRODUCTION

The Johannesburg Development Agency (JDA) hereby requests experienced and reputable bidders to submit quotations for Security services of newly constructed single – storey building in 6693 Letsatsi Street, Naledi, Soweto, 1861.

1.1 Background

The newly constructed single storey building called the Naledi Clinic is as yet unready for use either to be occupied by the end user or to offer healthcare services to the surrounding community. The Naledi Clinic - Phase 2 construction will be put on hold until the procurement purpose is complete for the appointment of the new contractor to complete all the additional scope of works in the financial year 2023/24.

Therefore the security service provider will be required during the transition period to conduct security services in the facility until the new contractor is appointed.

The Naledi Clinic facility consists of four wings, namely the chronic wing, the antenatal wing, the acute wing, and the emergency wing.

See pictures below of the Naledi Clinic :





2. SCOPE OF WORK AND DELIVERABLES

The invitation to bid is extended to all experienced, qualified and PSIRA registered service providers who are provide security services. The assignment should be undertaken according to stipulations that will be further outlined in the bid proposal document.

The service provider will be required to conduct active patrols for the duration of the appointment, which will involve both normal office hours and after hours (day and night shifts) including on public holidays, for a twelve months (12) period. The assignment involves monitoring services of the premises and its buildings. Catering for guarding against vandalism, theft and unauthorized intrusions by preventing of invasion of the infrastructure sites that has been developed.

The services should be cost effective as well as of the high quality standard. It is expected that the service provider implements best practices in all aspects of the service delivery and that all of security personnel are adequately trained to fulfil their functions.

The service provider is required to provide personal protective equipment (PPE) for its security personnel on site consistently according to the Health and Occupation standards, on a regular basis.

2.1 Operational and Physical Security required for Naledi Clinic

Provide six (6) armed security guards linked to an armed response to guard the Naledi Clinic for the period of 12 months.

The service provider with at least 5 years' experience and registered with Private Security Industry Regulatory Authority (PSIRA) shall prove to the JDA that they are fully compliant with all the applicable regulations, requirements, ordinances and legislations with respect to security services.

- Day Shift = 4 x security guards with a competency certificate (Grade C)
- Night Shift = 6 x armed security guards (Grade C)
- Day shift = 1 x site supervisor with competency certificate (Grade B)
- Night Shift = 1 x site supervisor with competency certificate (Grade B)

2.2 Supervisor and Security Team

The appointed Security Company must avail a competent and qualified Security professional to fulfil the role as interface between the security company and the JDA responsible personnel.

The Security supervisor will be responsible for the following:

- Must be on-call availability for security management of incidents occurring throughout the 24hrs cycle
- Be aware of security environment around the sites responsible for and advise the JDA of any adverse situation
- Advise the JDA of any significant deterioration of the security environment and in consultation with the JDA recommend actions to minimize risk
- Maintain liaison with local crime prevention, South African Police services, local stakeholders and other security companies in the precinct.
- Immediately notify the project manager of all known major incidents, physical violence or assaults and Co-ordinate site security in line with the requirements of the JDA. In accordance with direction provided to secure the facilities
- Compile monthly reports of incidents that take place in the precinct and conduct monthly meetings and ad-hoc meeting should a need arise,
- Ensure that security personnel are well presentable. To be in full branded uniform to cater for all types of weather conditions.
- The security uniforms to have a name tag as a form of identification.
- Ensure 100% attendance and on time arrivals on duty of all security personnel for the day and night shift. As well as contingency plans to be in place to address any short-comings that might arise. To meet this stipulation.
- Ensure adequate suitable security equipment and resources on and off site.

Security Team

The security personnel are expected to actively monitor the site through walkabouts, to be linked to control room and law enforcement services for infringements. Plus guard against any breach of the perimeter of the defined depots sites. As well as any other risks that will be identified in the assessment of potential threats around the various sites.

- Render effective access control for the active facilities under security management
- The security guards on duty will be required to clock in at hourly intervals to confirm on-site presence through a mechanism that the security company must put in place.
- Provide an area base radio station to communicate with the control center from the various work sites.
- Security personnel must initiate corrective actions when incidences occur, emergencies or other unlawful activities. These actions may include but are not limited to notifying the South African Police Services, Emergency services, JMPD, the JDA etc.
- Ensure monitoring the peripheral areas and activities that could affect the Naledi Clinic.

2.3 Deployment plan

The indicative deployment plan is outlined below. To also be finalized at the inception of the successful bidder(s). However the JDA reserves the right to reallocate security within the project to best meet the safety objectives : *Site Supervisor must Patrol the entire building at regular intervals during each shift.*

Staff compliment on site per shift: **Naledi Clinic**

| Site | Location | Day Shift | Night Shift |
|---------------|--------------------------------|-----------|-------------|
| Naledi Clinic | 6693 Letsatsi , Naledi, Soweto | 4 | 6 |
| | | | |

3. COMPULSORY CLARIFICATION

Naledi Clinic situated on a site which is 11 785,1 square meters at **6693 Letsatsi Street , Naledi, Soweto, 1861**. The compulsory briefing will be held :

Date : 25 January 2024
Time : 12:00pm – 13:00pm

4. NOTES FOR PRICING

The basis for fee proposals is outlined in item 4.1 below. Tenderers are to replicate the table below and submit as part of their fee proposal and the total fee must be carried to the **“Offer”** page. Failure to price as required will result in the tender being disqualified for non-compliance.

PLEASE NOTE : PART A PRICING = THE RATE OR THE PRICE PER MONTH OF A SECURITY GUARD MUST BE OF EQUIPPED PERSONNEL . MEANING AN EQUIPPED GUARD MUST HAVE A BATON, PEPPER SPRAY, TWO WAYS RADIO, HANDCUFFS, A GUN IF IT IS A NIGHT SHIFT GUARD, FLASHLIGHT, PEN AND PAPER, CLOTHING AND APPAREL , CELLPHONE AND etc.

PRICING TABLE

| 12-MONTH PERIOD | | | | |
|-------------------------------------|--|------------------------------------|------------|--------------------------------|
| Part – A | | | | |
| No. Of Resources | Deployment plan of Guards | Fee/Amount Excluding VAT per Month | Quantities | Total for 12 Months - Excl VAT |
| 4 x | Dayshift Guards Grade C | R | 12 | R |
| 6 x | Nightshift guard Grade C | R | 12 | R |
| 1 x | Day shift Supervisor B | R | 12 | R |
| 1 x | Night Shift Supervisor B | R | 12 | R |
| Part – B | | | | |
| QTY | Material & Equipment | Rate / Unit Price (vat excl) | | Price (vat excl) |
| 1 x | Supply and installation of a Wooden Guard House that is all inclusive of all necessary items to cater and accommodate the security personnel in a suitable manner: Specification: <ul style="list-style-type: none"> • High Walls 1.8m • Walls - 65mm wide X12mm thick • Floor - Planks: 100mm wide X 22mm thick • Base Frame: 50mm X 38 mm • Wall frame: 38mm X 38mm | R | 1 | R |
| | Provision of four (4) portable waterproof flood lights with power generator functionality. As well as mounting stands. Minimum 100Watts for a period of (12) months | R | sum | R |
| 1x | Supply of 1 chemical toilets to be strategically positioned on the site and serviced adequately for the contract duration. Plus associated supplies for a period of (12) months | R | SUM | R |
| Total amount (excluding VAT) | | | | R |
| Add VAT | | | | R |
| TOTAL AMOUNT INCLUDING VAT | | | | R |

The GRAND TOTAL (INCLUDING VAT) must be carried to the “Offer” page. Failure to price as indicated above will lead to tenderers bids being disqualified.

NOTES :

- 4.1 Applicants are to ensure that they have adequate resources to mobilise for commencing with the operations to undertake the work under stringent timeframes. Which could approximately be within a week after confirmation of appointment.
- 4.2 The JDA reserves the right to ask tenderers to replace any member/s of the proposed team if they do not meet the JDA requirements.
- 4.3 Tenderers must note that they will be required as and when necessary to attend
- (a) prepare and conduct presentations to JDA, and stakeholders;
 - (b) attend site meetings and inspections; and
 - (c) consultations with relevant persons and authorities.
- This needs to be taken into consideration in the tenderer's fee proposal.
- 4.4 The JDA reserves the right to appoint a single or two different security providers through this bidding process. For the security services required.
- 4.5 Compliance to Regulations: The Service Provider, Management, Supervisor and Security Officers should be registered with the Private Security Industry Regulations Authority (PSIRA) and payment of the security officers to be in terms of the PSIRA rate

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" (excl vat) 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 separate detailed fee proposal based on the requirements set out in item 4 above indicating the calculation basis. Plus to ensure that the final GRAND TOTAL FEE is correctly transferred to the "OFFER" PAGE. Any bidder who fails to do so will be disqualified.**
- 5.3 A 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 between R10 million and R 50 million or less; and
 - Level of black ownership
- 5.4 Any misrepresentation in terms of bullet point above constitutes a criminal offence as set out in the B-BBEE Act as amended.
- 5.5 Company registration documents.
- 5.6 A certified copy of the bidder's **Public liability Insurance certificate** indicating the

maximum value per claim in an insurance period, the applicable excess, and the expiry date. A minimum cover of R5m is required for this project.

- 5.7 A copy of the bidding entity's current municipal rates account in the name of the bidding entity or alternatively in the names of the directors / partners of the bidding entity. (*lease agreement*)
- 5.8 An Audited financial statements for the past three years.
- 5.9 Details of directors / partners / members and shareholders with certified copies of their identity documents.
- 5.10 The bidding entity's certificates of membership/s to industry bodies.
- 5.11 The forms A to G annexed, must be scrutinized, completed in full and submitted together with your quotation.
- 5.12 A company profile alternatively **a brief summary** of the entity's background.
- 5.13 Provide information on the individuals who will be assigned to manage **this project (NOT the entire company)** from supervisor to company director level. The following **must** be addressed:
- Organogram (service provider to provide)
 - role/s and responsibility/ies on this project
 - relevant qualifications and attach proof hereof
 - number of years of relevant experience in the industry **and** in the proposed role
 - detailed CV's for each member of the team noting their specific relevant project experience [**project description, role and responsibilities, project value**]
 - individual memberships to industry associations and attach proof hereto.
- 5.14 A schedule of completed contracts of a **similar** nature to this project i.e. provision of security services in a public facilities or public infrastructure properties.
- 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 project/services
 - Fee obtained for services
 - Date of completion
 - Letter of reference on the client's letterhead or with the client's company stamp that confirms project scope of work, service rendered and project value
- 5.15 A schedule of current contracts. 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
 - Fee to be obtained for services
 - Expected date of completion

Tenderers are to submit 2 copies of their proposal (1 original plus 1 copy).

FAILURE TO COMPLY WITH THE REQUIREMENTS IN ITEM 5 WILL RESULT IN TENDERERS BEEN DISQUALIFIED FOR NON-COMPLIANCE OR NEGATIVELY SCORED IN THE TECHNICAL ASSESSMENT.

Note for consortium and joint ventures

- **EACH** party to a consortium and joint venture is to submit the requisite documents and / or information as requested in item 5
- An Agreement or Heads of Terms recording the arrangement between the parties to the consortium / joint venture is to be submitted.
- A trust, consortium or joint venture will qualify for points for their BBBEE status level as an unincorporated entity, provided that the entity submits their consolidated BBBEE scorecard as if they were a group structure and that such a consolidated BBBEE scorecard is prepared for every separate tender. `

The attached forms A to F as annexures, must be scrutinized, completed, signed and submitted together with your quotation.

6. ASSESSMENT CRITERIA

Submissions will be evaluated on the criteria to follow:

- Compliance
- Technical Competence
- Price and Empowerment
- Risk Tolerance

6.1 Compliance

Bidder's will be disqualified:

- Failure to provide valid PSIRA certificate for the company
- Failure provide a valid PSIRA certificate for each security personnel as per the indicated compliment,
- If any of its directors are listed on the Treasury register of defaulters;
- 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. Or the contract was terminated.
- Who did not complete, in full, the tender offer page (i.e. priced, all registration numbers provided and signed);
- Who's tender document has been completed in pencil;
- Who's tender document has been faxed;
- Who's tender document has been received after the closing time;
- Who failed to price as required i.e. as stipulated in item 4 here in.
- Who did not comply with any other requirement as set out in the tender specifications.
- Who is in the employment of the state.
- Who does not have a registered and compliant control room.

6.2 Technical Competence

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

- (i) Key returnable documents,
- (ii) Company experience (in line with item 5.14 above)
- (iii) Company registration
- (iv) Key personnel (in line with item 5.13 above) and
- (v) Contactable references (must be for the same projects as indicated item (ii) Company experience above will be consider)

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

Total points = 125 and bidders required to score a minimum of 88 points (70% of 125) to proceed to next evaluation stage

| (i) KEY RETURNABLE | Total Points | Criteria | Description of Criteria | Points |
|-----------------------|--------------|---|--|--------|
| | | Company registration documents | Key returnable documents to be submitted | N/A |
| | | Current municipal account | | N/A |
| | | 3 Years of audited financial statements | | N/A |
| | | Certified copies of directors / partners identity documents | | N/A |
| | | Forms A to G - completed in full and Signed | | N/A |

| (ii) COMPANY EXPERIENCE | Total Points | Criteria | Description of criteria | Points |
|---|--------------|--|---|--------|
| Company Completed Projects and Reference Letters Experience and | 50 | <u>Five projects completed with the supporting client letters references</u> | Points will only be allocated for Public infrastructures or Public facilities | 50 |

| | | | | |
|---|---------------------|--|---|---------------|
| <p>Track record on provision for security services in public facilities or public infrastructure properties</p> <p>Contactable reference (on client letter head) confirming provision Security services that are for the same projects indicated and scale of assignment.</p> <p>Company competency should be elaborated on the above.</p> | | <p><u>Four projects completed with the supporting client letters references</u></p> | <p>To be detailed on current or previous experience information.</p> <p>Points will only be allocated for references on similar projects in terms of resourcing requirements, scale and multiple sites.</p> <p>References <u>must</u> be on the client's letterhead or on a document stamped by the client and <u>must</u> confirm the project description, services rendered.</p> | 40 |
| | | <p><u>Three projects completed with the supporting client letters references</u></p> | | 30 |
| | | <p><u>Two projects completed with the supporting client letters references</u></p> | | 20 |
| | | <p><u>One Project completed with the supporting client letter reference</u></p> | | 10 |
| | | | | |
| Regulatory bodies for security services | 10 | Company should be registered with COIDA, UIF, and proof of insurance or a letter of intent for insurance provided. | All valid certificates must be attached in the submission to score full points | 10 |
| Valid Fire Arm License | 10 | Fire Arm licenses must be valid. | Proof of valid license not provided, or not certified or not compliant will score zero(0) | 10 |
| | | | | |
| (iii) KEY PERSONNEL | Total Points | Criteria | Description of criteria | Points |
| Provide individual detailed CVs and | 20 | | Bidder must provide all the required info to | 20 |

| | | | | |
|--|-----------|--|--|-----------------------|
| qualifications of 10 staff to be deployed | | Attached CV's, demonstrate relevant experience | score full points. Zero points will be allocated where a bidder has not provided all the necessary information | 0 |
| | | With a minimum of a Matric and Grade C Certificate(Documents must be certified) | Bidder must provide all the required info to score full points. | 5 |
| | | | No relevant qualifications | 0 |
| Provide individual detailed CVs and valid Grade B PSIRA for the both shift <u>Site supervisor</u> | 15 | Attached valid PSIRA certified certificate of proposed team members | Bidder must include detailed CV of proposed team members and valid PSIRA certificate / qualification for the security supervisor personnel. Zero points will be allocated where a bidder has not provided all the necessary information | 15 0 |
| Supervisor experience with minimum of Matric Certificate | 20 | 5 years experience or more in the supervisory level in the security industry managing sites. | 5 years or more 4 years' experience Less than 4 years Bidder proposed resource has the relevant qualification Bidder resource does not have the relevant qualifications will scored zero(0) | 20 10 0 |

The Security Company will be required to score a minimum of 88 points out of a possible 125 in order to be considered for price.

6.3. Price and Empowerment

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

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

Preference points shall be based on the Specific Goal as per below:

Table B1: Awards UP TO R50 mil (VAT Inclusive)

| The specific goals allocated points in terms of this tender | Number of points allocated (80/20 system) (To be completed by the organ of state) | Number of points claimed (80/20 system) (To be completed by the tenderer) | Evidence |
|---|---|---|---|
| Race – people who are Black, Coloured or Indian (ownership)* More than 51% black ownership | 5 | | <ul style="list-style-type: none"> • B-BBEE certificate or QSE/EME Affidavit; • Company Registration Certification • Certified Identification Documentation. • CSD report |

| | | | |
|--|-----------|--|--|
| Gender are women (ownership)* More than 50% women ownership | 5 | | <ul style="list-style-type: none"> • Company Registration Certification • Certified Identification Documentation • CSD report |
| SMME (EME or QSE) | 5 | | <ul style="list-style-type: none"> • BBBEE Certificate / Affidavit • CSD registration |
| Locality within City of Johannesburg Region D. | 5 | | Municipal Account or Proof of Residence sign by local councillor |
| Total Points | 20 | | Failure to attach evidence will lead to scoring zero points |

7. RISK TOLARENCE FRAMEWORK

The JDA has adopted a Risk Tolerance Framework (RTF) which directs the JDA to consider its risk exposure to contractors/Service Providers in terms of the number of contracts awarded to a single Contractor/service provider or the total value of contracts awarded to a single Contractor/service provider in a particular year.

In terms of the Risk Tolerance Framework, the JDA determine the risk exposure as excessive in instances where the value of the contracts for individual **Professional Service providers e.g. Project manager, Engineers, Quantity Surveyor and Consultants**) is either:

1. The greater of **R8 million** or four contracts/ projects in the current financial year or
2. The greater of **R12 million** or six contracts/projects over two financial years (current year and previous financial year).

And

For **multi-disciplinary professional teams** in instances where the value of the contracts awarded is (e.g. more than one discipline being provided by the same bidder) is either:

1. The greater of **R12 million** or six contracts/ projects in the current financial year or
2. The greater of **R20 million** or nine contracts/projects over two financial years (current year and previous financial year)

A risk analysis shall be undertaken on the bidder with the highest number of points obtained, to determine whether the tenderer does not exceed the JDA's risk framework criteria as stated above, in other words whether it falls within the ambit of the Risk Tolerance Framework as acceptable. JDA reserves the right to award a contract to a bidder who has exceeded the threshold as stated above.

Over and above the number of projects and values, bidders will be further evaluated on commercial risks which will include but not limited to the following: Financial capability to undertake the project such as capital required to implement the project in line with CIDB s, poor performance on previous

projects, available resources for the project, unduly high or unduly low tendered rates, significant arithmetical errors and omissions in the tender offer.

The above may impact the outcome of the evaluation

- JDA reserves the right to award a contract to a bidder who has exceeded the threshold as stated above.
- Shortlisted bidders may be requested to attend interviews should there be a need for clarity
- Bidders are to note that JDA does not bind itself to accept the lowest priced bid

8. CLOSING DATE, TIME AND VENUE FOR SUBMISSIONS

The words “**RFQ – PROVISION OF SHORT-TERM SECURITY SERVICES FOR NALEDI CLINIC FOR A PERIOD OF 12 MONTHS**”

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 16H00.

The RFQ closes at 12h00 on the 19 FEBRUARY 2024.

NO LATE / E-MAILED/ 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:

Procurement:

Yandisa Dinga

E-mail: ydinga@jda.org.za

Technical:

Rendani Musetsho

E-mail: rmusetsho@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

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

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"/> |
| 4.5.1 | 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**

(In the event of insufficient space, kindly attach documentation)

| EMPLOYER | 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



City of Johannesburg
Johannesburg Development Agency

No 3 Helen Joseph Street PO Box 61877 Tel +27(0) 11 688 7851 (O)
The Bus Factory Marshalltown Fax +27(0) 11 688 7899/63
Newtown 2107 E-mail: info@jda.org.za
Johannesburg, 2000

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

ANNEXURE E: CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

RFQ - PROVISION OF SHORT-TERM SECURITY SERVICES FOR NALEDI CLINIC FOR A PERIOD OF 12 MONTHS

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

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

ANNEXURE G: SCHEDULE OF COMPLETED CONTRACTS

The tenderer shall list below a **maximum of 5 projects completed in the past 5 years of a similar nature to this project i.e., Security services**

| CLIENT Company name and contact person's name, tel, cell & e-mail address | PROJECT Name and description | SERVICE RENDERED | PROJECT VALUE | COMPLETION DATE |
|---|------------------------------|------------------|---------------|-----------------|
| | | | | |
| | | | | |
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| | | | | |

NOTE: Contactable references for the above listed projects must be provided. Said references MUST be on the client's letter head or on a document stamped and signed by client and must confirm the name of the project, description of the project, description of the service rendered, the value of the project, the completion date, and it must rate the service rendered.

.....
Signature

.....
Position

.....
Name of Bidder

.....
Date

ANNEXURE G: ORGANOGRAM

The tenderer shall list below the key personnel proposed for this project in the discipline and designation being tendered for.

| DESIGNATION | NAME AND NATIONALITY | SUMMARY OF QUALIFICATIONS & EXPERIENCE |
|-------------|----------------------|--|
| | | |
| | | |
| | | |
| | | |

NOTE: Detailed Curriculum Vitae (CV's) of the above proposed candidates must be provided. Said CV's MUST indicate the name and description of the project, role played in the project, project value, and the start and end dates of the project. In addition proof of relevant qualifications and of memberships to relevant professional associations must also be provided for the above proposed candidates.

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

| | POINTS |
|---|--------|
| PRICE | |
| SPECIFIC GOALS | |
| Total points for Price and SPECIFIC GOALS | 100 |

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

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

2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) & \mathbf{or} & P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) \end{array}$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) & \mathbf{or} & P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) \end{array}$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

| The specific goals allocated points in terms of this tender | Number of points allocated (90/10 system) (To be completed by the organ of state) | Number of points allocated (80/20 system) (To be completed by the organ of state) | Number of points claimed (90/10 system) (To be completed by the tenderer) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|---|--|--|--|--|
| Business owned by 51% or more - Black People | N/A | 5 | N/A | |
| Business owned by 51% or more — Women | N/A | 5 | N/A | |
| SMMEs – QSE or EME | N/A | 5 | N/A | |
| Locality within City of Johannesburg Region A | N/A | 5 | N/A | |

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
 - One-person business/sole propriety
 - Close corporation
 - Public Company
 - Personal Liability Company
 - (Pty) Limited
 - Non-Profit Company
 - State Owned Company
- [TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

| | |
|--------------------------|---|
| | SIGNATURE(S) OF TENDERER(S) |
| SURNAME AND NAME: | |
| DATE: | |
| ADDRESS: | |
| | |
| | |
| | |

Form B17: 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 Johannesburg Development Agency hereinafter referred to as “JDA”, 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 individual (bidder) communicating with JDA 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 JDA requires relate to names and surnames, birth dates, identity numbers, passport numbers, demographic information, education information, occupation information, health information, addresses, memberships, personal and work email and contact details.

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

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

- reporting initiatives to the City of Johannesburg Municipality;
- reporting to National Treasury all contracts awarded;
- 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 communications;
- complying with the law; and/or
- for a purpose that is ancillary to the above and as may be directed by our POPI manual/Policy. Personal information will not be processed for a purpose other than what is identified (the purpose) above without obtaining consent beforehand.

3. How will JDA process personal information?

JDA will only collect personal information for the purpose as stated above and for such specific purpose. Information will be collected in the following manner:

- directly from the individual;
- from service providers who provided with services or goods to JDA;
- from JDA’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?

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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 JDA'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.

5. Consent and Permission to process personal information:

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

- I understand that withholding of or failure to disclose personal information will result in JDA being unable to perform its functions and/or any services or benefits I may require from JDA.
- Where I shared personal information of individuals other than myself with JDA, 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 JDA not responsible in respect of any claims by any other person on whose behalf I have consented, against JDA 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 JDA 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 JDA 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 JDA agrees to same in writing. JDA 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 JDA Information Officer/SCM
- A copy of the full JDA policy is available.
- Individuals are encouraged to ensure that where personal information has changed in any respect to notify JDA so that our records may be updated. JDA 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 JDA may have in its possession and are entitled to request the identity of which third parties have received and/or processed

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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 JDA,
- 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,
- 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 JDA's information officer and SCM in writing as soon as the breach is discovered.

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| Bidder Signature: | Date: |
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