



City of Johannesburg  
Johannesburg Development Agency

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## INVITATION TO BID

**YOU ARE HEREBY INVITED TO BID FOR PROFESSIONAL SERVICE PROVIDERS**

**ADVERT DATE: 10 April 2024**

**COMPULSORY BRIEFING SESSION 12 APRIL 2024 AT 10:00**

**CLOSING DATE: 17 April 2024**

**CLOSING TIME: 12H00**

**BID DESCRIPTION: APPOINTMENT OF PROFESSIONAL ENVIRONMENTAL SPECIALISTS FOR KAALFONTEIN MULTI PURPOSE CENTRE FOR 12 MONTHS.**

**BID NUMBER: KAALMPC / SD\_ENVIRONSPEC 008**

*BID DOCUMENTS MUST BE DEPOSITED IN THE BID BOX SITUATED AT*

Offices of the Johannesburg Development Agency, 3 Helen Joseph (former President 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)**

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.

(g)

**ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:**

**Department** Supply Chain Management

**Contact Person:** Yandisa Dinga

[YDinga@jda.org.za](mailto:YDinga@jda.org.za)

**ANY ENQUIRIES REGARDING THE PROJECT MAY BE DIRECTED TO:**

**Department** Projects Implementation

**Contact Person:** Tanduxolo Ntoyi

[TNtoyi@jda.org.za](mailto:TNtoyi@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.**

THE OFFER

THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO WILL RESULT IN YOUR BID BEING DISQUALIFIED)				
BID / RFP NUMBER		KAALMPC / SD _ENVIRONSPEC 008		
BID / RFP DESCRIPTION		ENVIRONMENTAL SPECIALIST SERVICES FOR KAALFONTEIN MULTI PURPOSE CENTRE		
NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
CSD SUPPLIER NUMBER <sup>1</sup>				
COMPANY REGISTRATION NUMBER				
TAX VERIFICATION PIN				
SUBTOTAL BID PRICE (Excluding Vat)		R		
VAT @15		R		
TOTAL BID PRICE (including vat)				
TOTAL BID PRICE IN WORDS (Including Vat)				
SIGNATURE OF BIDDER				
CAPACITY UNDER WHICH THIS BID IS SIGNED				
DATE				

**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 our stakeholder**

**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 combating fraud and corruption. The City took a decision to centralized 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 Fax ..... 0800 007 788
- SMS (charged @ R1.50).....32840
- Email Address:..... anticorruption@tip-offs.com
- Web site:..... www.tip-off.com
- Free post:.....Free post, KZN 138, Umhlanga, 4320



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

**APPOINTMENT OF ENVIRONMENTAL SPECIALIST**

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**REQUEST FOR PROPOSALS FROM:**

**ENVIRONMENTAL SPECIALIST**

Contract Number: KAALMPC / SD \_ENVIRONSPEC 008

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## **ANNEXURES**

- A : BUSINESS DECLARATION
- B : DECLARATION OF INTEREST
- C : DECLARATION OF PAST SCM PRACTICES
- D : MBD9 CERTIFICATE OF INDEPENDENT BID DETERMINATION
- E : PARTICULARS OF CONTRACTS AWARDED BY AN ORGAN OF STATE
- F : FORM OF AGREEMENT FOR APPOINTMENT OF CONSULTANTS – NOT  
FOR COMPLETION – for information only
- G : APPENDICES TO CONTRACT
- H : DEMO TAX COMPLIANCE STATUS PIN LETTER
- I : ORGANOGRAM
- J : SCHEDULE OF SIMILAR COMPLETED CONTRACTS
- K : DECLARATION ON STATE OF MUNICIPAL ACCOUNTS

## TENDERING PROCEDURES

### Tender Notice and Invitation to Tender

#### RFP - ENVIRONMENTAL SPECIALIST SERVICES FOR KAALFONTEIN MULTI PURPOSE CENTRE

#### Contract Number: KAALMPC / SD \_ENVIRONSPEC 008

The JDA is requesting proposals from experienced service providers for Appointment of a Environmental Specialist Consultants for a period of 12 months.

Queries relating to procurement matters may be addressed to Yandisa Dinga, e-mail: [YDinga@jda.org.za](mailto:YDinga@jda.org.za)

Technical queries or queries relating to the panel may be addressed to Tanduxolo Ntoyi, e-mail: [TNtoyi@jda.org.za](mailto:TNtoyi@jda.org.za)

Documents may be downloaded from the JDA's website as follows: [www.jda.org.za](http://www.jda.org.za) as well as on [www.etenders.gov.za](http://www.etenders.gov.za) from **10 April 2024**. Tenders must only be submitted on the tender document that is downloaded from the stipulated websites only. The retyping of the tender document is not permitted.

A compulsory site clarification meeting with the representatives of the employer will take place on the 12 April 2024 at 10:00 - 11:00 on site, Kaalfontein MPC located in the corner of Archerfish Drive and Angelfish Streets in Kaalfontein, Midrand, Coordinates (25°59'23.05"S, 28°10'27.31"E).

The closing time for receipt of tenders is 12:00pm on **17 April 2024**. Telegraphic, telephonic, telex, facsimile, e-mail, and late tenders will not be accepted.

The physical address for the delivery of tender documents is Johannesburg Development Agency, Ground Floor Reception Area, The Bus Factory, 3 Helen Joseph Street (formerly President Street), Newtown 2000

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. BACKGROUND**

### **1.1 Introduction**

The City of Johannesburg, Community Development Department has appointed the JDA to assist with the planning, design and implementation of its capital works programme. This programme entails the provision of communal facilities that will enhance the quality of life through the provision of multi-purpose centers (MPC) that caters for recreation, education and communal spaces.

The JDA commenced with the Kaalfontein MPC project in the 2019. The project is being implemented in two phases i.e. Phase 1 and 2 due to a limitation. The scope of works for phase 1 entails the construction of the perimeter fence, platforms, guardhouse and the services for the facility. Phase 2 scope includes building works consisting of a library, office space, community hall and outdoor pool, multi-purpose court, and a soccer pitch.

The JDA requests the services of a Environment Specialist to complete Environmental Studies application to support the implementation of the MPC.

### **1.2 Purpose of this Request for Proposal**

The purpose of this RFP is to appoint professional Environmental Specialist Consultant to assist with the Kaalfontein Multi Purpose Environmental Studies.

## 2. PROJECT INFORMATION

### 2.1 Location

The Kaalfontein MPC is located in the corner of Archerfish Drive and Angelfish Streets in Kaalfontein, Midrand, Coordinates (25°59'23.05"S, 28°10'27.31"E). The project is situated on Stand 3118, and has an area extent of 10463m<sup>2</sup>.

Figure 1: Kaalfontein Map



Figure 2: Kaalfontein Map

Include the component  
Blocks  
Attenuation pond

### 2.2 Scope of Services:

**The project scope is as follows:**

The successful bidder will be required to conduct:

- A due diligence on each site to identify environmental requirements
- Conduct Site Visits when necessary
- Provide a screening report for each site
- Stakeholder engagement processes and focus group related to interested and affected parties.
- Draft an Environmental Management Plan in line with the City Integrated Waste Management Plan
- Support the work of the professional project team on environmental compliance during all design and implementation stages
- Maintain ongoing frequent communication with the City of Joburg Infrastructure and Environmental Service and Provincial Department to track approvals, where required
- Identify and submit any environmental management application processes required for the JDA to proceed with construction of the necessary facilities on each identified site.
- Advise on downstream services that may emanate from the screening and due diligence report

**2.1 Inception Document**

- Interpretation of Brief,
- Project Process,
- Project Timelines,
- Milestone and Deliverables

**2.2 Screening Report**

- Due Diligence on environmental requirements
- Status quo of the sites
- Site Visits
- Stakeholder Engagement and Focus Group Meetings

**2.3 Environmental Management Plans**

- Draft Environmental Management Plan in line with City's Integrated Waste Management Plan (IWMP) applicable for all ranks, compiled as one plan.

**2.4 Additional Services**

- Input into other design consultants work in line with environmental requirements and management plan
- Advise on downstream services, unknown to the Client at present, that may emanate from the screening and due diligence report, may include but not limited to:
  - Basic assessments of the sites, where necessary
  - Environmental Impact Assessment, where necessary
  - Water Use Licence applications, where required
  - Environmental Compliance Officer, where required

## 2.5 DATA OWNERSHIP AND CRITICAL MILESTONES

### 2.5.1 Data Ownership

All milestone products, developed for the purpose of this project, in addition to the final document and all associated map work, shall remain the property of the JDA.

### 2.5.2 Critical Milestones

The critical milestones for this project shall be delivered as illustrated in Table 1. Due to the changing nature of project processes all the following timelines are indicative and subject to confirmation.

• **Table 1: Critical Milestones and delivery timelines**

No.	Milestone	Delivery Timeline
1	A Inception Report	4 weeks after appointment
2	Screening Report	8 weeks after appointment
3	Environmental Management Plans	12 weeks after appointment
4	Additional Environmental Services	Ongoing

**PLEASE NOTE:** These are only estimated timelines, which will need to be refined after Inception.

## FORMAT OF FINAL OUTPUTS

### Draft documents

- **Hard copy:** 1 colour hard copy of the draft documents (bound, may be printed double-sided)
- **Soft copy:** Soft Copy to be provided in PDF (Acrobat) and MS Word file format

It is the responsibility of the service provider to identify specialist studies that may be required in order to ensure that the site is in compliance with City of Joburg town planning schemes.

Service providers must supply sufficient information and must:

Demonstrate the professional qualifications of principal(s)/employed staff to be appointed.

- Demonstrate the professional experience of principal(s)/employed staff to be appointed.
- Respond to this request for proposal and ensure that all forms are completed in full, together with all annexures and signed by authorised representatives.
- Ensure that all details, as required in this request for proposal and forms are complete, that the furnished information is correct and that the required returnable documents are attached to the proposal. Incomplete applications will not be considered for appointment as service providers.
- Nominate a single point of contact that will be responsible for all deliverables stemming from the contract.

Submissions from service providers will be vetted through a compliance process to determine that all the required information is provided and correct and thereafter evaluated for capacity and capability to render services applied for.

**To note:**

- Applicants herein consent to any investigation the JDA deems necessary in validating any particulars presented in this request for proposal.
- The service provider will be removed as professional service providers if the required professional registration is not maintained, or for any other reason that causes the service provider to become ineligible after having been appointed.
- The appointment of this service provider will be valid for a period of months.

### **3.0 APPOINTMENT**

The JDA is requesting proposals from the following professional services.

- Environmental Specialist

The scope and nature of works anticipated to be undertaken under this appointment includes the services as required for civil, building, and structural engineering projects and studies.

#### **3.1 Notes**

- Multi-year appointments will be dependent on satisfactory performance and budget availability.
- Applicants are to ensure that they have adequate resources to undertake the work under stringent timeframes.
- The JDA reserves the right to ask the tenderer to replace any member/s of the proposed members of the service provider if they do not meet the JDA requirements.
- Successful tenderer will be required to sign the JDA's Standard Form Agreement and appendices which are attached as Annexure J for information purposes.

- The JDA reserves the right to invite any bidder to an interview. The interview will form part of the tender evaluation process.
- Tenderers must note that they will be required, at short notice, as and when necessary to attend (a) presentations at the JDA, COJ, and other local stakeholders; (b) consultations with relevant persons and authorities including site visits. This needs to be taken into consideration in the tenderer's fee proposal.
- Tenderers must also note that revisions to any deliverable may be required following feedback received from relevant stakeholders and / or approving authorities which may necessitate some rework, additional presentations, and meetings. This needs to be taken into consideration in the tenderer's fee proposal.
- Tenderers will be required to take cognisance of the role of the other professionals as described in this proposal call and work coherently with them where required.
- All milestone products in addition to the final document and all associated map work, models and statistical work will become the property of the Johannesburg Development Agent and City of Joburg.
- Regarding any conflict of interest, the JDA abides by National Treasury SCM regulations<sup>1</sup>:
- Consultants are required to provide professional, objective and impartial advice at all times and hold the client's interests paramount, without any consideration for future work and strictly avoid conflicts with other assignments or their own corporate interests. Consultants should not be hired for any assignment that would be in conflict with their prior or current obligations to other clients, or that may place them in a position of not being able to carry out the assignment in the best interest of the State. Without limitation on the generality of this rule, consultants should not be hired under the following circumstances:
  - A firm, which has been engaged by the accounting officer/authority to provide goods or works for a project and any of its affiliates, should be disqualified from providing consulting services for the same project. Similarly, a firm hired to provide consulting services for the preparation or implementation of a project and any of its affiliates, should be disqualified from subsequently providing goods or works or services related to the initial assignment (other than a continuation of the firm's earlier consulting services as described below) for the same project, unless the various firms (consultants, contractors, or suppliers) are performing the contractor's obligations under a turnkey or design-and-build contract;
  - Consultants or any of their affiliates should not be hired for any assignment which, by its nature, may be in conflict with another assignment of the consultants. As an example, consultants hired to prepare an engineering design for an infrastructure project should not be engaged to prepare an independent environmental assessment for the same project, and consultants

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<sup>1</sup> <http://www.treasury.gov.za/divisions/ocpo/sc/Guidelines/SCM%20Jan900-Guidelines.pdf>

assisting a client in the privatization of public assets should not purchase, nor advise purchasers of such assets.

- Unsuccessful bidders will have the opportunity to query the award within 14 working days of the publication of the successful bidder on the JDA website.

## 4.0 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 experience, capability and capacity of the bidding entity to undertake the project/s.

The following minimum documentation and information must be provided.

- 4.1 On appointment a certified copy of the bidder's Professional Indemnity Insurance certificate indicating the maximum value of a claim in an insurance period, the applicable excess and the expiry date.
- 4.2 A 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.
- 4.3 A statement from an independent auditor / accountant regarding the tenderer's financial standing to undertake this project AND audited financial statements for the past three years.
- 4.4 Details of Director's/Partner's/Members and Shareholders.
- 4.5 A schedule of completed contracts of a similar nature. Details to be provided in the schedule must include:
  - Description of the project
  - Name of Employer/Client and representative with contact details (company email Address and on company letter head))
  - Cost of the works
  - Fee for services
  - Date of completion
- 4.6 A schedule of current contracts of a similar nature with details as enumerated.
- 4.7 A schedule of contracts awarded by an organ of state during the past five (5) years with details.
- 4.8 A detailed project organogram identifying the entity's management structure and all staff resources to be employed on the project/s and the percentage time allocation of the staff to the project/s. The curricula vitae of the proposed personnel are to accompany the organogram and are to include certificates of professional qualifications.
- 4.9 Company registration documents.
- 4.10 The forms A to K annexed, must be scrutinized and completed in full.
- 4.11 Tenderers are to submit 2 copies of their proposal/s (1 original plus 1 electronic copy)

### Notes in respect of Consortiums and Joint Ventures

- Each party to a Consortium and Joint Venture is to submit the requisite document and/or information requested in items above.
- An Agreement or Heads of Terms recording the arrangement between the parties to the Consortium/Joint Venture is to be submitted with the proposal.
- The lead consultant must be identified in the proposal.



## 5.0 ASSESSMENT CRITERIA

Submissions will be evaluated on the following criteria:

- Compliance
- Technical
- Price and BBBEE
- Risk tolerance

### 5.1 Compliance

Bidder's will be disqualified for the following cases:

- If any of its directors are listed on the JDA register of defaulters.
- In the case of a bidder who during the last five years has been terminated on previous contracts with the JDA.
- Who did not complete, in full, the tender offer page (ie. 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's tender document has not been deposited in the tender box at the time of closing;
- Who did not comply with any other requirement as set out in the tender specifications.
- Who is in the employment of the state.
- Failure to attend the compulsory briefing session

### 5.2 Technical

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

- (i) key returnable documents,
- (ii) capability of the proposed key team members (ie. experience, qualifications, and professional registration and
- (iii) the experience of the company, and references

*Note that duplication of resources / personnel on the designations indicated in the criteria will result in zero points being awarded for one criteria.*

Tenderers will have to submit compliant documents and score a minimum of **105 points (70%) out of possible 150 points** in the technical evaluation in order to be considered further in the evaluation process.

Points will only be allocated for key returnable documents submitted

**ENVIRONMENTAL SPECIALIST SERVICES FOR KAALFONTEIN MULTI PURPOSE CENTRE**

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<b>A. Key Returnable Documents</b>	<b>Points</b>
Valid BBBEE status level certificate	No
Company registration documents	No
CTS letter from SARS	No
Current municipal rates account / affidavit	No
2 Years audited financial statements	No
Certified copies of identity documents	No
Annexure A completed in full and signed	No
Annexure B completed in full and signed	No
Annexure C completed in full and signed	No
Annexure D completed in full and signed	No
Annexure E completed in full and signed	No
Annexure F completed in full and signed	No

**Technical Competence**

The technical assessment is based on the criteria set-out below. Tenderers will have to submit compliant documents and score a minimum score of **105 out of a possible 150 points (70%)** in the technical evaluation in order to be considered further in the evaluation process.

<b>A</b>	<b>RELEVANT PROFESSIONAL EXPERIENCE</b>	<b>50</b>
1	<b>Project Leader: Environmental Specialist</b>	10 Years more experience
	CV's must show projects, values, roles played and period. If any information is not contained in the CV or Annexure G then zero points will be awarded.	
2	<b>Lead Environmental Assessment Practitioner</b> A minimum qualification of a Bachelor's Degree in Environmental Science	Certified proof of qualification must be provided in tender document to obtain the points

	<b>Lead Environmental Assessment Practitioner</b> Professional Registration with SACNASP	Proof of registration must be provided to obtain points	10
<b>B</b>	<b>PROJECT EXPERIENCE OF THE LEAD ENVIRONMENTAL ASSESSMENT PRACTITIONER</b>		<b>50</b>
	<b>Number of Statutory Environmental Assessment Processes <u>Completed and Approved</u></b>		
	Only the following types of processes will be counted as valid for scoring: - Screening Assessments - Scoping Assessments - Basic Assessments - Environmental Impact Assessments which may include: - General Authorisations Assessments - Water Use Licence Applications - Environmental Management Programmes and Plans - Environmental Compliance Officer Duties	5 or more processes completed and approved	50
		3 to 4 processes completed and approved	30
		1 to 2 processes completed and approved	10
<b>C</b>	<b>REFERENCES</b>		<b>50</b>
1	Each Reference <b>MUST be</b> matched to the list of completed work provided in the category above Each Reference Letter <b>MUST</b> : - Appear on the clients letterhead OR be stamped by the client - Be signed by the client - Name the Project - Provide the date of completion - Provide the Project Value - Include comment on the client’s satisfaction with the work done - Provide client’s e-mail and telephone contact details	5 or more relevant references	50
		3 to 4 relevant references	30
		1 to 2 relevant references	10
		<b>MAXIMUM POSSIBLE POINTS – TOTAL</b>	<b>150</b>
		<b>(MINIMUM SCORE REQUIRED to PROCEED TO PRICE/BBBEE Evaluation)</b>	<b>105</b>

**POINTS FOR PRICE AND PREFERENCE**

Only companies who have met the minimum threshold for technical criteria will then be evaluated on the 3<sup>rd</sup> Stage of the evaluation which is Price and Preference point system.

The Preference Point System assigns a score to each tenderer based on the tender price and on the tenderer’s score for specific goals. These scores are combined to determine an overall score for the bidder. The tenderer with the highest score will be considered for acceptance.

The Preference Point System will be applied as follows.

For tenders below R50 million

80 points are assigned to price.

Up to 20 points are assigned to B-BBEE status for specific goals.

For tenders of R50 million and above:

- 90 points are assigned to price.
- Up to 10 points are assigned to specific goals.

Points scored will be rounded off to the nearest 2 decimal places.

**POINTS AWARDED FOR SPECIFIC GOALS**

Bids will be evaluated on Price / Specific Goals) points basis in terms of the Preferential Procurement Policy Framework Act of 2000, Preferential Procurement Regulation 2022.

The following table is applicable in terms of specific goals.

<b>SPECIFIC GOAL 1: HDI</b>	<b>MEANS OF VERIFICATION</b>	<b>80/20</b>
<b>Maximum points:</b>		<b>10</b>
Business owned by 51% or more - <b>Black People</b>	CSD, Valid BBEE Certificate / Affidavit Sworn under oath, ID copy of owner/s of the business and Shareholder's certificate.	5
Business owned by 51% or more — <b>Women</b>	CSD, ID copy of owner/s of the business and Shareholder's certificate.	5

<b>SPECIFIC GOAL 2: PROMOTION OF LOCAL ECONOMY</b>	<b>MEANS OF VERIFICATION</b>	<b>80/20</b>
<b>Maximum points:</b>		<b>10</b>
Enterprises located within the City of Johannesburg Metropolitan Municipality.	CSD and proof of municipal account.	10

	<b>POINTS</b>
PRICE	80
SPECIFIC GOALS	20
TARGETED GROUP	
Business owned by 51% or more — <b>Black People</b>	5
Business owned by 51% or more — <b>Women</b>	5
Enterprises located within the City of Johannesburg <b>Metropolitan Municipality/Gauteng.</b>	10
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

## 6.0 PRICING INSTRUCTIONS

It is important to note the following:

- a) The table to follow must be completed and submitted together with the Offer Page. A price must be submitted for each item listed in the table.
- b) Failing to price as required will result in the tender being disqualified.
- c) For every tangible deliverable, three (3) hard copies and one electronic copy must be issued, the cost of which must be included in the offer price.
- d) Please also be reminded as per the original tender for the appointment of Environmental Specialist service providers that:

4.1.1.4. Standard disbursements such as typing, drawings, reproduction, copying, and binding of documents, telephonic/electronic and facsimile communications, and courier should be accrued by a service provider. Additional disbursements must have the prior written agreement of the JDA, unless specifically contained in an agreed RFP.

4.1.1.5. No disbursement costs (such as local travel and accommodation) should be accrued by a service provider without prior written agreement of the JDA, unless specifically contained in by an agreed RFP

have the prior written agreement of the JDA, unless specifically contained in an agreed RFP.

4.1.1.5. No disbursement costs (such as local travel and accommodation) should be accrued by a service provider without prior written agreement of the JDA, unless specifically contained in by an agreed RFP.

e) Please note that Pricing should take note of the resources, as per the original submission to be on the JDA Co-production. Therefore, two resources, preferably those indicated in the bidder's original submission or with the same qualifications and experience should be provided for the duration of the project. One Senior Environmental and one Junior Environmental Specialist required to be always involved fully. Please complete the organogram below.

f) **Bidders are to use the Department of Public Service and Administration: Guide on Hourly Fee Rates for Consultants – 1 July 2020. The salary band applicable for Environmental (Specialist Consultant) should be 13/14 and for Junior Town Planner (Administrative/Secretariat Staff) should be 6 to 8.**

**Pricing Schedule:**

Item	Description	Unit of Measure	Quantity	Unit Price	Total Amount
<b>1.</b>	<b>INCEPTION DOCUMENT</b>				
1.1.	Inception Document	SUM	1	R	
<b>2.</b>	<b>SCREENING ASSESSMENTS AND REPORTS</b>				
2.1.	Due Diligence on environmental requirements	SUM	1	R	
2.2.	Status quo of the sites	SUM	1	R	
2.3.	Site Visits	SUM	1	R	
2.4.	Stakeholder Engagement and Focus Group Meetings	SUM	1	R	
2.5.	Final Report	SUM	1	R	
<b>3.</b>	<b>ENVIRONMENTAL MANAGEMENT PLAN(S)</b>				
3.1.	Environmental Management Plan(s)	SUM	1	R	
<b>4.</b>	<b>ADDITIONAL SERVICES</b>				
*4.1.	Environmental Complaint Officer ( Monthly)	Months	12	R	
4.2	Environmental Input into other design consultants work	Hours	72	R	
<b>5.</b>	<b>REPORTING</b>				
5.1.	Meetings (Planned minimum 2 hours a meetings)	No	72	R	
<b>6.</b>					
6.1.	Disbursements	%	%	R	

6.3.	VAT (15%)		R	
<b>7.</b>	<b>TOTAL INCLUDING VAT</b>		<b>R</b>	

Service Providers must ensure that the final TOTAL FEE is correctly carried to the “offer” page. The value recorded on the offer page will be regarded as the quoted amount.

**7.0 RISK TOLERANCE FRAMEWORK**

The JDA has adopted a Risk Tolerance Framework (RTF) which enjoins 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 in a particular 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.

The JDA has adopted a Risk Tolerance Framework (RTF) which enjoins 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 in a particular year.

In terms of the Risk Tolerance Framework, the JDA determines the risk exposure as excessive in instances where the value of the contracts for individual professional service providers (eg. project managers / engineers / quantity surveyors / consultants) is either :

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

And in instances where the value of contracts for multi-disciplinary professional service providers (eg. more than one discipline / service is provided by the same bidder) is either :

The greater of R12 million or six contracts / projects in the current financial year or  
 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.

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: poor performance on previous projects, available resources for the projects, unduly high or unduly low tendered offers, significant arithmetical errors and omissions in the pricing table.

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

Unsuccessful bidders will have an opportunity to query the award within 14 calendar days after regret letters have been issued to the unsuccessful bidder(s)

Bidders are to note that JDA does not bind itself to accept the lowest priced bid

Bidders may be required to attend interviews should there be a need for clarity.

### **8.0 CLOSING DATE TIME AND VENUE FOR SUBMISSIONS**

The completed tender document shall be placed in a sealed envelope.

The words / Ref:

**BID DESCRIPTION: APPOINTMENT OF PROFESSIONAL ENVIRONMENTAL SPECIALISTS FOR KAALFONTEIN MULTI PURPOSE CENTRE FOR A PERIOD OF 12 MONTHS.**

**KAALMPC / SD \_ENVIRONSPEC 008 - 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, Newtown** only between the hours of 08H00 and 17H00, but at 12H00 on the day of closure.

**This tender will close on the 17 APRIL 2024**

**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:

<b>Department:</b>	Supply Chain Management
<b>Contact Person:</b>	Yandisa Dinga <a href="mailto:YDinga@jda.org.za">YDinga@jda.org.za</a>
<b>Department:</b>	Projects Implementation
<b>Contact Person:</b>	Tanduxolo Ntoyi <a href="mailto:TNtoyi@jda.org.za">TNtoyi@jda.org.za</a>



**Form A: Business Declaration**

Tender/RFP Number : .....

Tender/RFP Description : .....

Name of Company : .....

Postal Address : .....

Physical Address : .....

Telephone : .....

Fax : .....

Contact Person : .....

Cell Phone 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 firm 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. What is the enterprise's latest annual turnover (excl. VAT): R.....

8. List the personnel or firms who provide the following services:

SERVICE	NAME	CONTACT PERSON	TELEPHONE
ACCOUNTING			
LEGAL			
AUDITING			
BANKING			
INSURANCE			

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

CONTRACT DESCRIPTION	LOCATION	COMPANY/ EMPLOYER	CONTRACT AMOUNT	EXPECTED COMPLETION ( MONTH & YEAR)


SIGNATURE : .....

NAME IN FULL : .....

CAPACITY : .....

DULY AUTHORIZED TO SIGN ON BEHALF OF: .....

DATE : .....

**BANK DETAILS**

I/We hereby request and authorize 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 authorized 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: .....

**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** : .....

**FORM 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

**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.



**FORM 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? <b>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <b>(To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		

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

**CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME) .....  
**CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM 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**

.....  
**DATE**

.....  
**POSITION**

.....  
**NAME OF BIDDER**

**FORM D: CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by:

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
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<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or

(f) bidding with the intention not to win the bid.

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

.....  
Date

.....  
Position

.....  
Name of Bidder



EMPLOYER	COMMUNITY PARTICIPATION CONSULTANT	NATURE OF WORK	VALUE OF WORK	YEAR OF COMPLETION

.....  
**SIGNATURE**

(of person authorised to sign on behalf of the Tenderer)

.....  
**DATE**

**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



## **FORM F: 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?**

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 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.

Bidder Signature:	Date:
-------------------	-------

**FORM G: 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) 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:

	<b>POINTS 80/20</b>
<b>PRICE</b>	80
<b>SPECIFIC GOALS</b>	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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:

$$Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmin} \right) \quad \text{or} \quad Ps = 90 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

#### 3.3.

**3.3.1. POINTS AWARDED FOR PRICE**

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

$$Ps = 80 \left( 1 + \frac{Pt - Pmax}{Pmax} \right) \text{ or } Ps = 90 \left( 1 + \frac{Pt - Pmax}{Pmax} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = 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 (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Business owned by 51% or more - Black People	5	
Business owned by 51% or more — Women	5	
Enterprises located within the City of Johannesburg Metropolitan Municipality	10	

**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.

..... <b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....
	.....