



a world class African city



City of Johannesburg
Johannesburg Development Agency

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Date: 31 October 2012

REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS

Kindly furnish me with a written quotation for the supply of the following goods/ services

Occupational Health and Safety for the Rehabilitation of Hoy, Griffiths and Eric streets between the Underpass road and Bessie Street in Newclare

Project Overview

The Johannesburg Development Agency (JDA) has been appointed by the City of Johannesburg (CoJ) to facilitate the implementation on the 'Bus Rapid Transit (BRT) – Rea Vaya' facility. The BRT is the simple, yet efficacious idea of creating rail-like performance using road based technologies, which are affordable to most cities. As outlined in the BRT framework the following critical issues shall be addressed through the process:

- Urban Management, safety and security
- Economic development
- Fast, comfortable and cost effective urban mobility

This section scope of works entails:

- Construction of a new road section
- Widening of existing roads
- Installation of street lighting and traffic lights and
- Implementation of speed calming measures

The JDA requires the services of a suitably qualified and registered professional Occupational Health and Safety firm to assist in facilitating and ensuring compliance with occupational health and safety regulations in accordance with the latest Occupational Health and Safety Act. In addition the Occupational Health and Safety Consultant will be responsible for developing a comprehensive health and safety specification applicable to specific project, undertaking risk identification assessments, evaluation and approval of occupational health and safety plan.

The scope overview of Occupational Health and Safety services required is as follows:

- Prepare the Health and Safety specification for the building construction work and provide any principal contractor who is making a bid or appointed to perform construction work for the client with same.
- Take reasonable steps to ensure that each Principal contractor's health and safety plan as determined in regulation 5(1) (where is this stated?) is implemented and maintained on the

Building a better city

G. Simelane (Chairperson) N. Lila B. Majola P. Mashiane D. Naidu P. Masilo W. Thwala P. Kubu A. Rajah T. Mendrew (Acting CEO)
A. Goldsmith (Company Secretary)
Registration Number: 2001/005101/07

construction site: Provided that steps taken shall include audits at intervals mutually agreed upon between the client and Principal contractor, but at least once every month.

- The client, through the appointed health and safety consultant, shall discuss and negotiate with the principal contractor the contents of the health and safety plan contemplated in regulation 5(1) and thereafter finally approve the health and safety plan for implementation.
- The client may appoint an agent in writing to act as his or her representative and where such an appointment is made, the responsibilities as are imposed by these regulations upon a client, shall as far as reasonably practicable, apply to the agent so appointed.

The project duration is estimated to be five (5) months.

The quotation must be submitted on the letterhead of your business and delivered - by hand not later than **12h00 on 9 November 2012** – to the JDA's offices, Ground Floor, The Bus Factory, 3 President Street, Newtown, Johannesburg.

The following conditions will apply:

- A valid Tax Clearance Certificate must be submitted
- Original and Valid B-BBEE status level verification certificate or a certified copy thereof.
- Copy of the latest municipal account
- 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 inclusive 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.
- The Declaration of Interest and the MBD9 are enclosed and must be scrutinized, completed and submitted together with your quotation.

POINTS AWARDED FOR B-BBEE STATUS LEVEL

The points allocated to a tenderer will be in accordance with the **Preferential Procurement Regulations, 2011** published in *Government Gazette No. 34350 dated 8 June 2011*.

The Preference Point System will be applied as follows.

- 80 points are assigned to price
- Up to 20 points are assigned to B-BBEE status

The following table is applicable.

B-BBEE Status Level Of Contributor	Number of Points
	80/20
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0

Notes :

1. "B-BBEE status level of contributor" means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act (Act No.53 of 2003).
2. Tenderers must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating. Certificates issued by either verification agencies accredited by the South African Accreditation System (SANAS) or by registered auditors approved by the Independent Regulatory Board for Auditors (IRBA) are acceptable.
3. Bidders with annual total revenue of R5 million or less qualify as Exempted and must submit a certificate ; issued by a registered auditor, accounting officer or an accredited verification agency.
4. The submission of such certificates must comply with the requirements of instructions and guidelines issued by the National Treasury and be in accordance with notices published by the Department of Trade and Industry in the Government Gazette.
5. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
6. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate tender.
7. A person will not be awarded points for B-BBEE status level if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of

the contract to any other enterprise that does not qualify for at least the points that such a tenderer qualifies for.

8. A person awarded a contract will not be permitted to sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned.

Assessment Criteria

Submissions will be evaluated on the following criteria:

- Technical
- Price/B-BBEE Status Level (80/20)

The Preference Point System assigns a score to each bidder based on the bid price and on the bidder's B-BBEE status. These scores are combined to determine an overall score of the bid.

The technical assessment is based on:

Responsiveness

Bidders will be assessed on the completeness and quality of the information requested.

Capability

The qualifications and experience of the key staff identified in the Proposed Project Organisational Chart and recorded in their CVs will be evaluated in the context of the requirements of the proposed project.

Past experience

The bidder's past experience in delivering projects of a similar nature and scale.

Capacity

The evaluation of the bidder's current commitments, available resources, financial standing and overall ability to deliver the project on time and to specification.

NB: No quotations will be considered from persons in the service of the stateⁱ

Failure to comply with these conditions may invalidate your offer.

Yours faithfully

Siyabonga Genu
Development Manager
011 688 7823/073 208 5527
sgenu@jda.org.za

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.

All procurement processes are done in terms of the JDA Supply Chain Management Policy and Municipal Finance Management Act and its regulations as issued by the National Treasury. Suppliers are encouraged to familiarize themselves with the documents as stated above before doing business with us.

The JDA Supply Chain Management Policy can be viewed on the JDA web site, www.jda.co.za and www.treasury.gov.za

PRESENTATION OF QUOTATIONS

Submissions are to consist of a short (not to exceed 30 pages) and comprehensible report that must provide the JDA with sufficient information to make a sound and fair evaluation of the quotation as well as the experience and capability of the applicant to undertake and manage the project successfully. The report should **use the same item numbers as below** for the required sections of the report. The following information must be clearly spelt out :

1. Company Background, lists of **similar** (not all) projects including client name, contact person and telephone number, list of projects awarded by an Organ of State over the last five years.
2. Provide an organogram of the **individuals to be involved on this project** and note their designations. Attach detailed résumé's of **said individuals**. A company profile showing all members CV's is not acceptable.
3. Tenderers are to illustrate where the proposed team is currently committed and what percentage of their time is spent on said commitments. The value of each commitment must also be declared as well as a percentage estimate of the time planned to be dedicated to this project.
4. Applicants are required to submit detailed quotations based on identifiable deliverables defined in rand terms. Applicants are to submit a cash flow which illustrates the fee proposal linked to deliverables. All disbursements, etc are to be **included** in the quotations. Tenderers are to provide a detailed summary of their proposed services.
5. The applicant's SMME status.

To all our stakeholder

RE: The channels of reporting fraudulent and Corrupt Activities

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

We encourage all people doing business with the Johannesburg Development Agency to report any corrupt or illegal practice.

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

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1. Free confidential Ethics Line: 0800 555 836 (24 hour, seven days a week)
 2. E-Mail address: fraud@kpmg.co.za
 3. Confidential fax line: 0800 200 796
 4. Posted free-of-charge to : KPMG Hotpots, BNT371, P O Box 14671, Sinoville, 0129



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

DECLARATION OF INTEREST

1. No bid / quotation 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/quote. In view of possible allegations of favouritism, should the resulting bid/quote, 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 and/or take an oath declaring his/her interest.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid/ quotation.

3.1 Full Name:

3.2 Identity Number:

3.3 Company Registration Number:

3.4 Tax Reference Number:

3.5 VAT Registration Number:

3.6 Are you presently in the service of the state*

YES / NO

3.6.1 If so, furnish particulars.

.....

.....

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

3.7.1 If so, furnish particulars.

.....
.....

3.8 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/ quotation?

YES / NO

3.8.1 If so, furnish particulars.

.....
.....

3.9 Are you, aware of any relationship (family, friend, other) between a bidder and any
persons in the service of the state who may be involved with the evaluation and or
adjudication of this bid/ quotation?

3.9.1 If so, furnish particulars

.....
.....

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

3.10.1 If so, furnish particulars.

.....
.....

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

3.11.1 If so, furnish particulars.

.....
.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.
I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS

DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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:

INITIALS & SURNAME

AUTHORISED SIGNATURE

DATE

MBD 9 CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a pe se prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
5. 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 consortium³ 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

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 OF COMPLETION
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Company Name:.....

SIGNATURE: **DATE:**
(of person authorised to sign on behalf of the organisation)