



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: 11 DECEMBER 2023**

**CLOSING DATE: 06 February 2024**

**CLOSING TIME: 12H00**

**COMPULSORY BRIEFING SESSION: 15 JANUARY 2024 at 10:00 AM**

CIVIL AND STRUCTURAL ENGINEERS - JDA CSE001/2023		
Category	Estimated Construction value	Tick <input type="checkbox"/>
A	Up to R15 000 000	
B	Above R15 000 000 to R50 000 00	
C	Above R50 000 000	

**NB: BIDDERS ARE ALLOWED TO TENDER FOR MORE THAN ONE CATEGORY HOWEVER SHOULD YOU PREFER TO BID MORE THAN ONE CATEGORY THE FOLLOWING SHALL APPLY**

- FOR EACH CATEGORY A SEPARATED TENDER DOCUMENT MUST BE SUBMITTED.**
- SHOULD BIDDERS SUBMIT ONE TENDER DOCUMENT FOR MORE THAN ONE CATEGORY THE TENDER WILL BE SET ASIDE.**

### **BID DESCRIPTION: APPOINTMENT OF PANEL PROFESSIONAL SERVICE PROVIDERS**

*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.

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

**Department** Procurement

**Contact Person:** Claudia Mahlaule, Lerato Ntuli - [cmahlaule@jda.org.za](mailto:cmahlaule@jda.org.za), [lnntuli@jda.org.za](mailto:lnntuli@jda.org.za)

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

**Department** Development Implementation

**Contact Person:** Freddy Mahandana – [fmahandana@ida.org.za](mailto:fmahandana@ida.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 / RFP NUMBER**

.....

**BID / RFP DESCRIPTION**

.....

**NAME OF BIDDER**

.....

**POSTAL ADDRESS**

.....

**STREET ADDRESS**

.....

**TELEPHONE NUMBER**

**CODE** ..... **NUMBER** .....

**CELLPHONE NUMBER**

.....

**EMAIL ADDRESS**

.....

**VAT REGISTRATION NUMBER**

.....

**SIGNATURE OF BIDDER**

.....

**CAPACITY UNDER WHICH THIS BID IS SIGNED**

.....

**DATE**

.....

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

**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 PANEL PROFESSIONAL SERVICE PROVIDERS**

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**REQUEST FOR PROPOSAL FOR:**

	<b>BID NUMBER:</b>
<b>Civil and Structural Engineers</b>	<b>JDA CSE001/2023</b>

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**December 2023**

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## **ANNEXURES**

<b>A</b>	<b>:</b>	<b>Business Declaration</b>
<b>B</b>	<b>:</b>	<b>Declaration of Interest</b>
<b>C</b>	<b>:</b>	<b>Declaration of Past SCM Practices</b>
<b>D</b>	<b>:</b>	<b>MBD9 Certificate of Independent Bid Determination</b>
<b>E</b>	<b>:</b>	<b>Particulars of Contracts Awarded by an Organ of State</b>
<b>F</b>	<b>:</b>	<b>Form of Agreement _ Appointment of Consultants</b>
<b>G</b>	<b>:</b>	<b>Declaration On State Of Municipal Accounts</b>
<b>H</b>	<b>:</b>	<b>POPI Act</b>

## **TENDERING PROCEDURES**

### **Tender Notice and Invitation to Tender**

#### **Panel of Civil and Structural Engineers**

**Contract Number: JDA CSE001/2023**

The JDA is requesting proposals from experienced and suitably qualified Civil and Structural Engineers who will form a Panel and provide Civil and Structural engineering services for a period of thirty-six (36) months.

Queries relating to procurement matters may be addressed to Ms. Claudia Mahlaule at [cmahlaule@jda.org.za](mailto:cmahlaule@jda.org.za) and Ms. Lerato Ntuli at [Lntuli@jda.org.za](mailto:Lntuli@jda.org.za).

Technical queries or queries relating to the project may be addressed to Freddy Mahandana, e-mail: [fmahandana@jda.org.za](mailto:fmahandana@jda.org.za).

**A compulsory tender briefing session with representatives of the Employer will take place at the Johannesburg Development Agency, The Bus Factory, 3 Helen Joseph Street, Newtown on 15 January 2024 starting at 10h00.**

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 11 December 2023. 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.

The closing time for receipt of tenders is 12:00pm on 06 February 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. INTRODUCTION

### 1.1. JDA background

The Johannesburg Development Agency (JDA) is a City of Johannesburg owned entity and plays a critical role as an area-based agency and implementing agent for the implementation of capital expenditure for multiple City departments.

### 1.2. JDA's Development Outcomes

<b>What we aim to achieve:</b>	JDA is a city development agency of the City of Johannesburg that manages and facilitates area based developments in efficient and innovative ways to build an equitable, sustainable and resilient city.
<b>How we operate:</b>	Employing sustainable and resilient city strategies in strategic neighbourhoods to transform the space economy in the City Region
<b>Guiding Principles</b>	<b>Strategic Mid-Term Objectives</b>
Create great places	<ul style="list-style-type: none"> <li>• Restructure the city by developing defined, strategic geographic areas around the city and the movement corridors that link them.</li> <li>• Encourage sustainable energy consumption and land-use in the city by developing strategic transit nodes and corridors.</li> </ul>
Catalyse growth and investment	<ul style="list-style-type: none"> <li>• Promote economic growth by creating efficient and competitive business environments that cluster industries and functions in these areas.</li> <li>• Turn around declining investment trends in these areas by upgrading public space, generating shared visions for future development, and encouraging urban management partnerships.</li> </ul>
Connect people to opportunities	<ul style="list-style-type: none"> <li>• Develop local economic potential in marginalised areas to promote access to jobs and markets.</li> <li>• Promote economic empowerment through the structuring and procurement of JDA developments.</li> </ul>
Co-produce solutions	<ul style="list-style-type: none"> <li>• Support productive development partnerships and co-operation between all stakeholders in these areas.</li> </ul>
<u>C</u> ontinuously improve	<ul style="list-style-type: none"> <li>• To strengthen and improve the JDA's corporate governance and operations to ensure that it remains an effective, efficient, sustainable and well-governed organisation</li> </ul>

### **1.3. Purpose of this Request for Proposal**

The JDA to achieve its area based agency mandate, requires the services of technical professionals to assist in all pre-development work including planning, designing and implementation of its Capital Expenditure (CAPEX) and Operational Expenditure (OPEX) project for the next three financial years. The aim is to allow the JDA to draw on the skills of professional services to fast-track the in packaging and implementation of catalytic interventions across priority development areas of the City.

The Johannesburg Development Agency (JDA therefore requests interested professional service providers (companies, firms and joint ventures) to apply to be appointed for a period of three years. Over the three year period, deliverables will be requested through an instruction to perform work only when the services are required.

Individual appointments are invited from following professional services:

- Civil and Structural Engineers

Proposals for this contract are invited by public tender.

## **2. PROJECT INFORMATION**

### **2.1. Background of the Assignment**

The requirement is for Civil and Structural Engineers to provide full engineering services for JDA CAPEX and OPEX programmes as and when required through a quotation basis.

### **2.2. General Scope of Services**

A more detailed indicative scope of works is provided below in line with the Engineering Council of South Africa (ECSA) gazette No. 44333 of 26 December 2021 (or whichever other latest version at time of RFP/ RFQ). This Request for Proposal (RfP) must be read together with the ECSA guidelines. The scope will involve the following:

#### **□ Planning, Studies, Investigations and Assessments**

These typical services relate to carrying out studies and investigations as well as the preparation and submission of reports embodying preliminary proposals or initial feasibility studies and will normally be remunerated on a time and cost basis.

- Consultation with the client or client's authorized representative.
- Inspection of the site of the project.
- Developing a scope of work where required.
- Preliminary investigation, route location, planning and a level of design appropriate to allow decisions on feasibility and the selection of the most desirable project option.
- Assessments of existing built environment elements with a view to informing the project options, the scope of work and how to refurbish and/or integrate new works with existing works.
- Consultation with authorities having rights or powers of sanction as well as consultation with the public and stakeholder groups.
- Advise the client as to regulatory and statutory requirements, including environmental screening management and the need for surveys, analyses, tests and site or other

investigations, as well as approvals, where such are required for the completion of the report, and arranging for these to be carried out at the client's expense.

- Searching for, obtaining, investigating and collating available data, drawings and plans relating to the works.
- Investigating financial and economic implications relating to the proposals or feasibility studies.
- Investigating financial and economic implications relating to the proposals or feasibility studies.
- Bullet point nine (9) does not normally apply to civil and structural services on Building Projects, where these services are provided by a Quantity Surveyor, except as far as the interpretation of cost figures in respect of the Engineer's scope of work is concerned.

Deliverables will typically include:

- Collation of information.
- Reports on options and technical and financial feasibility and related implications.
- List of consents and approvals.
- Schedule of required surveys, tests, analyses, site and other investigations.

#### **□ Normal Services**

The services listed below are applicable to projects where the nature, form and function of the project has been defined through previous investigations and reports and the engineering services are required to take the project through to successful completion of construction.

Unless otherwise communicated in writing prior to the commencement of any work, part of the normal services of the consulting civil and structural engineer on all projects includes the provision of services related to all financial matters such as calculation of quantities, cost estimates, cost control and the procurement process

The only exceptions, where financial services do not form part of the normal services of the consulting engineer are in the following cases:

- a) Structural and civil engineering services related to building and multi-disciplinary projects, and where such services form part of the quantity surveyor's scope of services.
- b) Where the civil and structural consulting engineer is required to give assistance with such services, these shall be treated as an additional service remunerated on a time and cost basis, In the case of building and multi-disciplinary projects where the scope of works forms part of the principal building contract (for example a domestic subcontract) and where such financial administration services form part of the quantity surveyor's scope of services.

**(i) Stage 1 – Inception**

- Assist in developing a clear project brief.
- Attend project initiation meetings.
- Advise on procurement policy for the project.
- Advise on the rights, constraints, consents and approvals.
- Define the services and scope of work required.
- Conclude the terms of the agreement with the client.
- Inspect the site and advise on the necessary surveys, analyses, tests and site or other investigations where such information will be required for Stage 2 including the availability and location of infrastructure and services.
- Determine the availability of data, drawings and plans relating to the project.
- Advise on criteria specific to own scope of work that could influence the project life cycle cost significantly.
- Provide necessary information within the agreed scope of the project to other consultants involved.

Deliverables will typically include:

- Agreed services and scope of work.
- Signed agreement. Report on project, site and functional requirements.
- Schedule of required surveys, tests, analyses, site and other investigations.
- Schedule of consents and approvals and related lead times.

**(ii) Stage 2 - Concept and Viability (also termed Preliminary Design)**

- Agree documentation programme with principal consultant and other consultants involved. Attend design and consultants' meetings.
- Establish the concept design criteria.
- Prepare initial concept design and related documentation.
- Advise the client regarding further surveys, analyses, tests and investigations which may be required.
- Establish regulatory authorities' requirements and incorporate into the design.
- Refine and assess the concept design to ensure conformance with all regulatory requirements and consents.
- Establish access, utilities, services and connections required for the design.
- Coordinate design interfaces with other consultants involved.
- Prepare preliminary process designs; preliminary designs, and related documentation for approval by authorities and client and suitable for costing.
- Provide cost estimates and comment on life cycle costs as required.
- Liaise, co-operate and provide necessary information to the client, principal consultant and other consultants involved. Typical deliverables will include: Concept design. Schedule of required surveys, tests and other investigations and related reports. Process design. Preliminary design. Cost estimates as required.

### **(iii) Stage 3 - Design Development (also termed Detail Design)**

- Review documentation programme with principal consultant and other consultants involved.
- Attend design and consultants' meetings.
- Incorporate client's and authorities' detailed requirements into the design.
- Incorporate other consultants' designs and requirements into the design.
- Prepare design development drawings including draft technical details and specifications. Review and evaluate design and outline specification and exercise cost control.
- Prepare detailed estimates of construction cost.
- Liaise, co-operate and provide necessary information to the principal consultant and other consultants involved.
- Submit the necessary design documentation to local and other authorities for approval.

Typical deliverables will include:

- Design development drawings.
- Outline specifications.
- Local and other authority submission drawings and reports.
- Detailed estimates of construction costs.

### **(iv) Stage 4 - Documentation and Procurement**

- Attend design and consultants' meetings.
- Prepare specifications and preambles for the works.
- Accommodate services design.
- Check cost estimates and adjust designs and documents if necessary to remain within budget. Formulate the procurement strategy for contractors or assist the principal consultant where relevant. Prepare documentation for contractor procurement.
- Review designs, drawings and schedules for compliance with approved budget.
- Call for tenders and/or negotiation of prices and/or assist the principal consultant where relevant.
- Liaise, co-operate and provide necessary information to the principal consultant and the other consultants as required.
- Evaluate tenders.
- Prepare contract documentation for signature
- Assist in pricing, documentation and tender evaluation as required when the detailed services for these activities are provided by others.
- Assess samples and products for compliance and design intent.

### **(v) Stage 5 - Contract Administration and Inspection**

- Attend site handover.
- Issue construction documentation in accordance with the documentation schedule including, in the case of structural engineering, reinforcing bending schedules and detailing and specifications of structural steel sections and connections.
- Carry out contract administration procedures in terms of the contract.
- Prepare schedules of predicted cash flow.
- Prepare pro-active estimates of proposed variations for client decision making.
- Attend regular site, technical and progress meetings.
- Review the Contractor's quality control programme and advise and agree a quality assurance plan.
- Inspect the works for quality and conformity to contract documentation, on average once
- Review the outputs of quality assurance procedures and advise the contractor and client on the adequacy and need for additional controls, inspections and testing.

- Adjudicate and resolve financial claims by contractor(s).
- Assist in the resolution of contractual claims by the contractor.
- Establish and maintain a financial control system.
- Clarify details and descriptions during construction as required.
- Prepare valuations for payment certificates to be issued by the principal agent.
- Instruct, witness and review all tests and mock ups carried out both on and off site.
- Check and approve contractor drawings for design intent.
- Update and issue drawings register.
- Issue contract instructions as and when required.
- Review and comment on operation and maintenance manuals, guarantee certificates and warranties.
- Inspect the works and issue practical completion and defects lists.
- Arrange for the delivery of all test certificates, statutory (regulatory) and other approvals, as built drawings and operating manuals

Typical deliverables will include:

- Schedules of predicted cash flow.
- Construction documentation.
- Drawings register.
- Estimates for proposed variations.
- Contract instructions.
- Financial control reports.
- Valuations for payment certificates.

#### **(vi) Stage 6 - Close- Out**

- Inspect and verify the rectification of defects.
- Receive, comment and approve relevant payment valuations and completion certificates
- Facilitate and/or procure final operations and maintenance manuals, guarantees and warranties.
- Prepare and/or procure as-built drawings and documentation.
- Conclude the final accounts where relevant.

Typical deliverables will include:

- Valuations for payment certificates.
- Works and final completion lists.
- Operations and maintenance manuals, guarantees and warranties.
- As-built drawings and documentation.
- Final accounts.

#### **☐ Additional Services**

- Site traffic surveys
- Geotechnical investigations
- Sampling and Laboratory testing
- Topographical and land surveys
- Supply of specific equipment
- Specialist sub-consultants
- Environmental investigations and studies, and management plans
- Institutional service delivery and social consultants
- Land acquisitions, expropriation, way leaves and servitudes.

### **2.3. Management of this Assignment**

Once appointed, each professional will act as the service provider when a need arises for the particular service they have been appointed for. A request for quotation will be issued for specific projects, for companies on the panel to respond to, where the successful service provider will then be given an Instruction to Perform Works ("IPW").

This implies that even when successfully appointed as a professional service provider on the panel, it does not guarantee that the appointed service provider will be awarded any contract by the JDA. **Work will be allocated on an as-and-when practice and a rotational basis.**

2.3.1. For this submission, bidders will be evaluated on technical functionality and capability.

Upon being invited to provide a request for quotation, a further evaluation on Compliance, availability of suitable qualified and experienced resources, Price and Preference will be undertaken. Bidders will be required to submit CV's and qualifications of the proposed team when responding to an RFQ. Experience and qualifications must be equivalent to the submission made during the appointment of the panel.

Service providers will be categorised by value of works for different projects as more fully set out below and the service providers must supply sufficient information in the respective service categories or category applied for. Service providers that wish to be appointed as professional service providers must:

- Demonstrate the professional registration of principal(s)/employed staff to be appointed.
- 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 a service provider.
- Nominate a single point of contact that will be responsible for all deliverables stemming from the Instruction to Perform Work (IPW) for entire duration of 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 as and when required.

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 provider 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 each professional service provider will be valid for a period of thirty-six (36) months, starting from date of acceptance of letter of appointment.
- POPI Act Consent must be completed in full.

When a need arises for these services an "Instruction to Perform Work" or "IPW" will be issued to service provider for a specific service or deliverable. Each IPW:

- Will be agreed finalised and signed by both the JDA and the service provider
- Sets out the deliverables, timeframes and maximum level of effort (budget) for the service provider and deliverable.
- Authorises the service provider to commence with the provision of the requested service.
- Payment will only be made for services rendered according to the IPW

### **3. APPOINTMENT**

The JDA is requesting proposals from the following professional services. The minimum professional requirements and example of types and scope of work which will be required by the professionals requested are outlined below.

#### **3.1. Civil and Structural Engineers**

- **CIVIL ENGINEERING**

Design and Implementation: Which includes the following, but not limited to Public Environment Upgrades, NMT; Gravel Roads Upgrades (inclusive of services), Community Parks, Minor Taxi Ranks and Facilities, bulk water supply and reticulation; sanitation, roads and stormwater drainage, Industrial Zones, Multi Purpose Centres, Clinics, Major Public Transport Facilities, Minor Refurbishments of Existing Buildings, Libraries, Fire Stations and Bridges.

Category A will include (Public Environment Upgrades, NMT and Complete streets

Category B will include projects such as Public Environment Upgrade, NMT, Gravel Road Upgrades (inclusive of services), Community Parks and Minor Taxi Ranks and Facilities

Category C will include projects such as MPCs, Clinics, Major Public Transport Facilities, Minor Refurbishment of Existing Buildings, Libraries, Fire Stations and Bridges

This field will include both rural, townships and urban areas.

- **STRUCTURAL ENGINEERING**

Design and Implementation: Which includes the following, but not limited to Public Environment Upgrades, NMT, Gravel Roads Upgrades (inclusive of services), Community Parks, Minor Taxi Ranks and Facilities, bulk water supply and reticulation; sanitation, roads and stormwater drainage, MPCs, Clinics, Major Public Transport Facilities, Minor Refurbishment of Existing Buildings, Libraries, Fire Stations and Bridges.

This field will include both rural, townships and urban areas.

#### **3.2. Notes**

- 3.2.1. Multi-year appointments will be dependent on performance and budget availability.
- 3.2.2. Applicants are to ensure that they have adequate resources to undertake the work under stringent timeframes.
- 3.2.3. The JDA reserves the right to ask tenderers to replace any member/s of the proposed members of the service provider if they do not meet the JDA requirements.
- 3.2.4. Successful tenderers will be required to sign the JDA's Standard Form Agreement and appendices which are attached as Annexure J for information purposes.
- 3.2.5. 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.

- 3.2.6. Applicants are to ensure that they have adequate resources to undertake the work under stringent timeframes.
- 3.2.7. Bidders will be required to submit CV's and qualifications of the proposed team when responding to an RFQ. Experience and qualifications must be equivalent to the submission made during the appointment of the panel.
- 3.2.8. 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.
- 3.2.9. The appointment as a profession service provider will be to render the services for a period of three years as and when the services are required and will be dependent on satisfactory performance and budget availability.
- 3.2.10. Tenderers will be required to take cognisance of the role of the other professionals as described in other proposal calls and work coherently with them where required.
- 3.2.11. 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.
- 3.2.12. The JDA reserves the right to ask tenderers to replace any member/s of the proposed member of the service provider if they do not meet the JDA requirements.
- 3.2.13. Regarding any conflict of interest, the JDA abides by National Treasury SCM regulations<sup>1</sup>: “
- 3.2.13.1. Consultants are required to provide professional, objective and impartial advice and at all times 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:
- 3.2.13.2. 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;
- 3.2.13.3. 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 assisting a client in the privatization of public assets should not purchase, nor advise purchasers of such assets.
- 3.2.14. The JDA reserves the right not to make an appointment for one or any of the categories of services.

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

#### 4. 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 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 for the 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
  - 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. The curricula vitae of the proposed personnel are to accompany the organogram and are to include certificates of professional qualifications and registration.
- 4.9 Company registration documents.
- 4.10 The forms A to H annexed, must be scrutinized and completed in full.
- 4.11 Tenderers are to submit 2 copies of their proposal/s (1 original hard copy plus 1 electronic copy [USB])

#### 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. ASSESSMENT CRITERIA**

- **Compliance**
- **Technical**
- **Risk tolerance**

### **5.1. Compliance**

Bidder's will be disqualified for the following cases:

- ☐ If any of its directors are listed on the register of defaulters;
- ☐ In the case of a bidder who during the last five years has been terminated on previous contracts with the JDA;
- ☐ 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 failed to attend the compulsory tender briefing session;
- ☐ Who is in the employment of the state
- ☐ Poor performance on the current JDA projects, with written correspondence to that effect
- ☐ Bidders will be disqualified if they apply for more than one category using one tender document.
- ☐ Failure to indicate which category they are bidding for.

**Submissions per professional service will be evaluated on the following criteria:**

## 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 mandatory professional registration)
- (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 number of points in the technical evaluation in order to be considered for appointment on the panel. The minimum points is 240 of 300, which equates to 80% for Category A, B and C.

Points will only be allocated for key returnable documents submitted

*Table 1: Technical Evaluation for Work In Category A*

	Total Points	Criteria	Description of Criteria	Points
<b>Company experience</b>  <b>A</b>  Civil and structural experience on similar proposed scope of works.	50	Five or more projects completed	Points will only be allocated when a bidder has demonstrated experience in executing the following types of projects (Public Environment Upgrades, NMT, Complete streets up to the value of R15 million	50
		Three to four projects completed		30
		One to two projects completed		10
<b>B</b>  <b>Contactable references</b>	50	Five or more projects completed	Points will only be allocated for references on projects listed in the scheduled as requested in Item C1 References <b>must</b> be on the client's letterhead or on a document stamped by the client and <b>must</b> confirm the project description, services rendered, values, the completion date and it must rate the service rendered in order to obtain the points in relation to <b>A</b> above	50
		Three to four satisfactory references		30
		One to two satisfactory references		10

	Total Points	Criteria			Description of Criteria	Points
<div>Capability of proposed key personnel</div> <div>C</div> <div>Detailed CVs indicating track record of the proposed key team members are required</div>	200	PROJECT LEAD ENGINEER			<div>if <u>any</u> of the following information is not provided per resource, zero points will be awarded :</div> <div>Points will only be allocated when a bidder has demonstrated experience in executing the following types of projects (Public Environment Upgrades, NMT and Complete streets</div> <div>Must attach certified copies of the (qualifications and professional registration where required)</div> <div>The proposed resources must have a valid professional registration with ECSA</div>	50
		Minimum Experience		Minimum Qualification		
		A	Min 5yrs	BSC or BEng or B-Tech Civil		
		DESIGN ENGINEER: CIVIL				50
		Minimum Experience		Minimum Qualification		
		A	Min 5yrs	BSC or BEng or B-Tech Civil		
		DESIGN ENGINEER: STRUCTURAL				50
		Experience		Qualification		
		A	Min 5yrs	BSC or BEng or B-Tech Structural		
		EMPLOYER'S AGENT REPRESENTATIVE (FORMERLY RESIDENT ENGINEER)				50
		Experience		Qualification		
		A	Min 5yrs	BSC or BEng or B-Tech Civil		

CV's provided must be as per the resources recorded on the organogram; the organogram should match the resources on our Evaluation Criteria

CV's must clearly show project experience. CV's must clearly show the role executed by the resource on said similar projects

CV's must clearly show the values of said similar projects executed

Completion certificates and letters of appointment will not be considered as reference letters.

Table 2: Technical Evaluation for Works in Category B

	Total Points	Criteria	Description of Criteria	Points
<b>Company experience</b>  <b>A</b>  Civil and structural experience on similar proposed scope of works.	50	Five or more projects completed	Points will only be allocated to a company which has demonstrated experience in executing these types of projects: Public Environment Upgrade, NMTs, Gravel Roads Upgrades [inclusive of services], Community Parks, Minor Taxi Ranks and Facilities) Above R15 million to R50 million	50
		Three to four projects completed		30
		One to two projects completed		10
	Total Points	Criteria	Description of Criteria	Points
<b>B</b>  <b>Contactable references</b>	50	Five or more satisfactory references	Points will only be allocated for references on projects listed in the scheduled as requested in Item A References <b>must</b> be on the client's letterhead or on a document stamped by the client and <b>must</b> confirm the project description, services rendered, values, the completion date and it must rate the service rendered in order to obtain the points in relation to <b>A</b> above .	50
		Three to four satisfactory references		30
		One to two satisfactory references		10

	Total Points	Criteria		Description of Criteria	Points	
November 2023		<b>EMPLOYER’S AGENT AND PROJECT LEAD ENGINEER</b>		Page 22		
<b>Capability of proposed key personnel</b>  C  Detailed CVs indicating track record of the proposed key team members are required	200	<b>Minimum Experience</b>		<b>Minimum Qualification</b>	50	
		B	Min 10yrs	BSC or BEng or B-Tech Civil		
		<b>DESIGN ENGINEER: CIVIL</b>		<b>if <u>any</u> of the following information is not provided per resource, zero points will be awarded :</b>  <b>Minimum of 10 years as lead engineer in managing these types of projects.</b>  Points will only be allocated to resources that has demonstrated experience in executing these types of projects Public Environment Upgrade, NMT, Gravel Roads Upgrades [inclusive of services], Community Parks, Minor Taxi Ranks and Facilities) Above R15 million to R50 million  Must attach a certified copy of the (certificates and professional registration where required)	50	
		<b>Minimum Experience</b>				
		<b>Minimum Qualification</b>				
		B	Min 10yrs			BSC or BEng or B-Tech Civil
		<b>DESIGN ENGINEER: STRUCTURAL</b>			50	
		<b>Experience</b>				<b>Qualification</b>
		B	Min 10yrs			BSC or BEng or B-Tech Civil

- CV's provided must be as per the resources recorded on the organogram; the organogram should match the resources on our Evaluation Criteria,
- CV's must clearly show project experience, CV's must clearly show the role executed by the resource on said similar projects, CV's must clearly show the values of said similar projects executed.
- Completion certificates and letters of appointment will not be considered as reference letters.

Table 3: Technical Evaluation for Works in Category C

	Total Points	Criteria	Description of Criteria	Points
<b>Company experience</b>  <b>A</b>  Civil and structural experience on similar proposed scope of works.	50	Five or more projects completed	Points will only be allocated to a company which has demonstrated experience in executing these types of projects: MPC's Clinics, Major Transport Facilities, Minor Refurbishment of existing buildings, Libraries, Fire Stations, Bridges, Gravel Roads Upgrades [inclusive of services], Community Parks,) Above R50 million.	50
		Three to four projects completed		30
		One to two projects completed		10
	Total Points	Criteria	Description of Criteria	Points
<b>B</b>  <b>Contactable references</b>	50	Five or more satisfactory references	Points will only be allocated for references on projects listed in the scheduled as requested in Item A References <b>must</b> be on the client's letterhead or on a document stamped by the client and <b>must</b> confirm the project description, services rendered, values, the completion date and it must rate the service rendered in order to obtain the points in relation to <b>A</b> above .	50
		Three to four satisfactory references		30
		One to two satisfactory references		10

	Total Points	Criteria		Description of Criteria	Points
Request for Proposals: November 2023  Capability of proposed key personnel  C  Detailed CVs indicating track record of the proposed key team members are required	Appointment for Pa  <				

- CV's provided must be as per the resources recorded on the organogram; the organogram should match the resources on our Evaluation Criteria
- CV's must clearly show project experience and clearly show the role executed by the resource on said similar projects
- CV's must clearly show the values of said similar projects executed
- Completion certificates and letters of appointment will not be considered as reference letters.

### 5.3. Risk Tolerance

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.

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

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

## 6. CLOSING DATE TIME AND VENUE FOR SUBMISSIONS

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

The words / Ref:

**CIVIL AND STRUCTURAL ENGINEERS - JDA CSE001/2023 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 06 February 2023.** There will be a public opening of tenders.

**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>	DEVELOPMENT & IMPLEMENTATION
<b>Contact Person:</b>	Freddy Mahandana – fmahandana@jda.org.za

**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

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)

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.

the

\*\* "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: 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 D : 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 E: 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



**City of Johannesburg**  
Johannesburg Development Agency

No 3 President Street  
The Bus Factory  
Newtown  
Johannesburg, 2000

PO Box 61877  
Marshalltown  
2107

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www.joburg.org.za

**FORM F: Particulars of all Contracts awarded by an Organ of State during the last 5 years (in the event of insufficient space, attach additional information in supplementary document)**

[illegible]

EMPLOYER	EMPLOYER DETAILS (NAME AND E-MAIL ADDRESS)	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

**ANNEXURE G: 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**