



a world class African city

REQUEST FOR QUALIFICATION

**FOR THE DEVELOPMENT OF AN ALTERNATIVE WASTE TREATMENT FACILITY
THROUGH A PUBLIC-PRIVATE PARTNERSHIP**

FOR THE CITY OF JOHANNESBURG

RFQ NUMBER: COJ/EISD001/25-26

**ALL ENQUIRIES TO BE MADE IN WRITING VIA EMAIL BY FRIDAY 26 JUNE 2026 AND
ADDRESSED TO: MOKGADI MAPHOTO**

City of Johannesburg

118 Jorissen Street, Braamfontein, 5th Floor Traduna House

wastetoenergy@joburg.org.za

Mokgadi Maphoto

EXECUTIVE SUMMARY

The City of Johannesburg seeks to procure an Alternative Waste Treatment Facility to divert equal to-, or in excess of 500,000 tonnes per year of Municipal Solid Waste from landfill.

The City intends to procure this Facility through a Public-Private Partnership where a Private Party executes the Project and delivers the Facility on a Design, Build, Finance, Operate and Transfer basis.

The City hereby invites Respondents to submit proposals in order to be pre-qualified before being invited to submit a bid response for the Project in the subsequent Request for Proposal process.

The Term of the Public-Private Partnership will be 25 years from the Commercial Operating Date. The Facility and associated assets will belong to the City of Johannesburg with the Private Party holding the exclusive rights to operate and maintain the Facility and its assets over the Term, and upon expiration of the Term return a fully functional Facility to the City of Johannesburg, fair wear-and-tear accepted.

The activities to be undertaken at the Facility should include pre-recovery of recyclable material as far as reasonably practical, financially and economically viable, and the incineration of the residual fraction of combustible material to produce electricity and thereby reducing the volume of waste going to landfill.

The facility will be located on City property adjacent to the existing Robinson Deep Landfill located in Johannesburg South, South Africa. This property will be made available to the Private Party by the City.

The City will deliver Municipal Solid Waste to the Facility, the Private Party will generate electricity at the Facility and dispatch this electricity into the City's grid. Waste will be supplied by Pikitup, the Municipal Entity responsible for Solid Waste Management, and the City will pay the Private Party a Gate Fee for treatment of this waste.

Electricity generated at the facility will be purchased by the City and distributed for use within the City's area of supply by City Power, the City's entity responsible for electricity distribution and supply.

The Private Party will be otherwise responsible and make its own arrangements for the recovery of recyclables and the beneficiation of by-products, as well as the disposal of residual waste generated by the facility.

The Private Party is not precluded from proposing its own sourcing and disposal of waste at the facility to enhance value-for-money in its Proposal, provided that this is subject to agreement with the City, done in an authorised, environmentally compliant manner and that may not impact on the Private Party's obligations or capacity to treat waste supplied by Pikitup.

The diversion of waste from landfill will impact on the local community, notably informal waste pickers who are currently active at the Robinson Deep landfill site. Respondents should include in their proposals an outline socio-economic development plan which considers the impact of the Project and offers the opportunity for gainful formal employment of these informal waste pickers within their value chain. This plan should include mainstreaming of gender-related issues and the provision of equal opportunities for women, youth and other designated groups in accordance with the latest IFC standards and international best practice.

The Respondent must propose waste diversion and waste-to-energy solutions which consist of proven technology with a demonstrated track record in processing MSW.

Respondents are required to illustrate their experience and capability to supply a mass-burn incineration solution. Respondents may propose supplementary solutions and alternative processing technologies, yet Respondents are reminded that in order for the Respondent to be pre-qualified, the proposed technology should have a demonstrable track record internationally in processing mixed MSW with variable composition and calorific value at similar scale.

In their Response, Respondents are required to illustrate the following:

- Technical competence, experience and robustness of their proposed solution;
- Ability to raise the requisite debt and equity finance for the project;
- Ability of the technology to comply with local and international emissions standards;
- Promotion of environmental sustainability and implementation of the Waste Management Hierarchy;
- Its plan for formalisation of informal waste recycling activities currently undertaken at the Robinson Deep Landfill in an equitable and socially responsible manner;
- Promotion of job creation and local economic development and;
- Promotion of gender mainstreaming and beneficial involvement of historically marginalised and disadvantaged persons.

The purpose of this RFQ is to:

- Communicate project information to the market
- Solicit responses from interested parties
- Enable the City to Pre-qualify Bidders who are:
 - eligible-, technically and financially qualified to undertake the Project; and
 - able to provide RFP Responses which are affordable and will provide Value for Money to the City.

TABLE OF CONTENTS

Executive Summary	2
Part A General Requirements, Rules and Provisions	7
A.1. Disclaimer	7
A.2. Abbreviations and Acronyms	9
A.3. Definitions and Interpretations	11
A.4. Purpose of this RFQ.....	20
A.5. RFQ Structure	21
A.6. Information about the Project.....	22
A.7. Anticipated Project Structure, Key Agreements and Terms.....	23
A.8. Profile of the Respondent	25
A.9. Non-Eligibility	26
A.10. Instructions to the Respondent	29
A.11. Point of Contact.....	30
A.12. Briefing Session	30
A.13. Clarifications.....	30
A.14. Format of the submission	31
A.15. Closing date and time for RFQ Responses.....	33
A.16. Late Responses	33
A.17. RFQ Response Validity	33
A.18. Contact Policy	33
A.19. Costs of RFQ Response.....	34
A.20. Bid Guarantee	34
A.21. Governing law	34
A.22. Legal framework.....	35
A.23. Qualifications by the City	35
A.24. No Collusion.....	36
A.25. Corruption, Gifts and Payments.....	37
A.26. Confidentiality.....	37

A.27. Ambiguities, errors and inconsistencies	38
A.28. Integrity and honesty	38
A.29. Condition of Award	38
Part B Information Required from Respondents	39
B.1. Administrative Compliance	41
B.2. Pre-qualification Response – Technical Experience and Capabilities.....	44
B.3. Pre-qualification Response – Project Comprehension and Approach.....	50
B.4. Pre-qualification Response – Financial Capability.....	51
B.5. Pre-qualification Response – B-BBEE and Economic Development Commitment	56
Part C Evaluation of Responses and information on subsequent Procurement Process.....	60
C.1. Response evaluation	60
C.2. Specification, Evaluation and Adjudication Committee.....	60
C.3. Evaluation methodology	61
C.4. Information about the subsequent procurement process.....	65
Part D List of Returnable Documents (To Be Submitted By Respondents)	66
D.1. Administrative Compliance (Mandatory Returnable)	66
D.2. Pre-qualification – Technical Experience & Capability.....	67
D.3. Project Comprehension & Approach.....	67
D.4. Financial Capability	67
D.5. B-BBEE & Economic Development	68

PART A GENERAL REQUIREMENTS, RULES AND PROVISIONS

A.1. Disclaimer

- A.1.1. This Request for Qualification (“RFQ”) has been produced by the City of Johannesburg Metropolitan Municipality (“the City”), in connection with the Alternative Waste Treatment Technology Public Private Partnership planned to be established adjacent to the Robinson Deep landfill site in Johannesburg, South Africa.
- A.1.2. The City concluded a Feasibility Study in preparation for the Project. The Feasibility Study did not find any fatal flaws or insurmountable impediments to the Project proceeding, subject to receipt by the City of competitive Proposals which meet the City’s Affordability thresholds and demonstrate Value for Money.
- A.1.3. In particular, the City is not aware of any current or contemplated litigation that may affect the respondents’ submissions or the PPP.
- A.1.4. Notwithstanding the Feasibility Study’s findings, neither the City nor any of its officers, employees or any of its advisors makes any representation or warranty, express or implied, and does not accept any responsibility of any kind, with respect to the accuracy and completeness of the Feasibility Study or the contents of this RFQ.
- A.1.5. No representation or warranty, express or implied, is or will be given by the City nor any of its officers, employees, servants, agents, or advisors regarding the information or opinions contained in any document or on which any document is based.
- A.1.6. This RFQ has been provided to each Respondent to assist in making its own appraisal of the Project presented herein and in deciding whether to submit its Response in connection with the Project. This RFQ is not intended to serve as the basis for an investment decision, and each Respondent is expected to make such independent investigation and to obtain such independent advice, as it may deem necessary for a decision.

- A.1.7. The terms and conditions set out in this RFQ are stipulated for the express benefit of the City and save as expressly stated to the contrary, may be waived at the City's sole discretion at any time.
- A.1.8. The City is not obliged to accept any of the Responses to this RFQ or to Pre-qualify any of the Respondents. Although this RFQ describes the processes, procedures, and anticipated timelines for completing the various stages in the procurement process, the City reserves the right to terminate, amend, and modify the said processes, procedures, and anticipated timelines without incurring liability to compensate or reimburse any person.
- A.1.9. This RFQ does not constitute an offer to enter into a contractual relationship with any Respondent, and is merely a solicitation of Responses to enable the City to evaluate such Responses and select Pre-qualified Bidders.
- A.1.10. Each Respondent, in submitting a Response, is deemed to do so on the basis that it accepts and acknowledges the terms and conditions of this RFQ.
- A.1.11. The City reserves the right, without giving any prior notice or providing any reason, to modify any aspect of this RFQ or amend or replace any information it contains, at any time prior to or after Respondents have made their submissions.
- A.1.12. Respondents will have no claim against the City, its officers, employees, agents or advisors arising out of any matter relating to the Project of any nature whatsoever where such claim is based on any act or omission by the City of any nature whatsoever under any circumstances whatsoever or such claim is based on the content of or any omission from this Request for Qualification of any nature whatsoever.
- A.1.13. The City may cancel the RFQ process at any time without prior notice to Respondents and may disqualify any Respondent or reject a submission which the Respondent has made. The City will not incur any liability arising out of the cancellation of the procurement process, the disqualification of the Respondent or the rejection of the Respondent's submission.

A.2. Abbreviations and Acronyms

AO	Accounting Officer
AWT	Alternative Waste Treatment
AWTT	Alternative Waste Treatment Technology
BAC	Bid Adjudication Committee
BAFO	Best-and-final-offer
B-BBEE	Broad-Based Black Economic Empowerment
B-BBEEA	Broad-Based Black Economic Empowerment Act 53 of 2003
BEC	Bid Evaluation Committee
BEE	Black Economic Empowerment
BFI	Budget Facility for Infrastructure
CAPEX	Capital Expenditures
City	City of Johannesburg Metropolitan Municipality
DBSA	Development Bank of Southern Africa
DFI	Developmental Finance Institutions
EA	Environmental Authorisation
EAP	Environmental Assessment Practitioner
EME	Exempt Micro Enterprise
ESIA	Environmental and Social Impact Assessment
GIFA	Gauteng Infrastructure Finance Agency
MBD	Municipal Bidding Document
MFMA	Municipal Finance Management Act 56 of 2003
MSA	Municipal Systems Act 32 of 2000
PIN	Personal Identification Number
PO	Project Officer
PPP	Public-Private Partnership
PPPFA	Preferential Procurement Policy Framework Act 5 of 2000
PSC	Project Steering Committee
QA	Quality Assurance
QSE	Qualifying Small Enterprise
RFQ	Request for Qualification
RFP	Request for Proposals

SCM	Supply Chain Management
SMME	Small, Medium or Micro Enterprise
SPV	Special Purpose Vehicle
TA	Transaction Advisor
TVR:I	Treasury Views and Recommendations: I
TVR:IIA	Treasury Views and Recommendations: IIA
TVR:IIB	Treasury Views and Recommendations: IIB
TVR:III	Treasury Views and Recommendations: III
VAT	Value-Added Tax

A.3. Definitions and Interpretations

A.3.1. Definitions

The following terms will have the meanings assigned hereunder, unless the context requires otherwise:

Affordability or Affordable	<p>Has the definition as ascribed under the Municipal Service Delivery and PPP Guidelines being that the financial commitments to be incurred by the City in terms of the PPP Agreement can be met by funds –</p> <p>Designated within the City’s existing budget for the institutional function to which the agreement relates; and/or</p> <p>Destined for the City in accordance with the relevant treasury’s future budgetary projections for the City;</p>
Black Equity	<p>Means the equity in the Private Party held by Black People from time to time;</p>
Black People or Black Person	<p>Has the definition as described under the Broad-Based Black Economic Empowerment Act 53 of 2003, as amended;</p>
Briefing Notes	<p>Means the written documentation issued by the City to disseminate further instructions, programme changes, information updates and clarifications in relation to the Project entitled “Briefing Note”;</p>
Broad-Based Black Economic Empowerment Act	<p>Means the Broad-Based Black Economic Empowerment Act 53 of 2003, as amended;</p>
Business Day	<p>Means any day of the week other than Saturdays, Sundays or any other day officially recognised as a public holiday in South Africa;</p>
City	<p>Means the City of Johannesburg Metropolitan Municipality;</p>
City of Johannesburg Metropolitan Municipality	<p>Means a Category A municipality established under Provincial Notice 6770 published in Provincial Gazette No. 141 dated 1 October 2000 issued in terms of section 12(1) read with section 14(2) and section 90(2) of the Local Government: Municipal Structures Act (No. 117 of 1998);</p>

Consortium	Means any group of persons wishing to be pre-qualified to bid to deliver the Project, who submit a collective response to this RFQ, irrespective of whether there is any formal agreement between them;
Constitution	Means the Constitution of the Republic of South Africa Act 108 of 1996;
Construction Period	Means the period as set out in the Works programme and commences on the signature date of the PPP Agreement and terminates on the earlier of the day preceding the date of commencement of the Operations Period or the date of termination;
Commercial Close	Means the date of signature of the PPP Agreement and if signed on different dates, the last of such dates;
Criteria	Collective term for the Qualification and Evaluation Criteria stipulated in this RFQ, which will be the basis for evaluation of Responses and selection of Pre-qualified Bidders;
Entity/Enterprise	Means each relevant sole proprietor, partnership, incorporated company, co-operative etc, as appropriate;
Equity	Means any, and all, issued shares (or to be issued) in the authorised share capital of the Private Party, the entire amount standing to the credit of the share premium account and the principal of any and all loans made by shareholders of the Private Party, whether or not such loans are evidenced by written agreements, debentures or other documentation;
Funder	Means a third party that provides financial support for the Project based on terms agreed between the City and the party, including through grant funding, commercial loan, or other funding mechanism;
Feasibility Study	Means the feasibility study undertaken by the PSC and Transaction Advisors in respect of the Project, in accordance with the Municipal Service Delivery and PPP Guidelines, prevailing legislation and regulations;
Financial Close	Means the date, following Commercial Close, on which the last of the conditions precedent in the PPP Agreement is fulfilled, or

	waived, as the case may be, and financing documents become unconditional, funds become available;
Guarantor	A person or organization that provides a guarantee;
Gate Fee	Means the amount, as a cost to the City, to be paid by the City to the Private Party for the treatment of waste at the Facility, expressed as a unitary charge in Rand/tonne of waste treated, subject to the provisions of the Payment Mechanism and Penalty Regime;
Government	Means the Government of the Republic of South Africa;
Institution	Means a public sector entity;
Key Contractor	Means the Engineering, Procurement and Construction (EPC) Contractor and/or the Operations and Maintenance (O&M) Contractor who, on behalf of the Respondent, proposes- or is set to provide any one or more of the following goods and/or services in regard to the Project, namely engineering, procurement, construction and commissioning of the facilities, or operations and maintenance;
Lead Member	Means the Party authorised by the Members constituting the Respondent to sign its RFQ Response and bind the Members of such Respondent;
Lenders	Means a financial institution (s) that will provide the financing to the Private Party in various capacities and in respect of various types of debt provided by them, under the financing agreements;
Major Equipment Supplier	The Original Equipment Manufacturer (OEM) or agent of the OEM which is responsible for the supply of major equipment including but not limited to boilers, turbine plant and equipment, emissions control equipment, sorting and conveying equipment, electrical substation and transformation equipment;
Management Control	Means in relation to any Enterprise, the ability to direct or cause the direction of the business and management policies or practices of that Enterprise;

Member	Means any member of the Respondent or Pre-qualified Bidder which acquired or is committed to acquiring Equity in the Private Party;
Municipal Finance Management Act	Means the Municipal Finance Management Act, Act 56 of 2003;
Municipal PPP Regulations	Means the Municipal Public Private Partnership Regulations, 2005;
Municipal SCM Regulations	Means the Municipal Supply Chain Management Regulations, 2005.
Municipal Service Delivery and PPP Guidelines	Means the Municipal Service Delivery and PPP Guidelines issued by National Treasury reflecting Municipal Finance Management Act, Act 56 of 2003 Municipal Public Private Partnership Regulations, 2005, and the Municipal Systems Act, Act 32 of 2000;
Municipal Systems Act	Means the Municipal Systems Act, Act 32 of 2000
National Treasury	Means the National Treasury of the Government as established under the provisions of section 5 of the PFMA;
Operations Period	Means the period from the date of completion of construction and commencement of operations up to the date of expiry of the PPP Agreement or the termination thereof (whichever occurs first);
Payment Mechanism	Meanse the formula that determines how and how much the City pays the Private Partner under the PPP contract based on criteria that includes performance and availability.
Penalty Regime	Means the different penalties that are triggered by events defined in the Payment Mechanism;
PPP Agreement	Means the public-private partnership agreement between the City and the Private Party, being a public-private partnership agreement as contemplated in the Municipal Finance Management Act, Act 56 of 2003 Municipal Public Private Partnership Regulations, 2005;
Preferred Bidder	Means the Respondent pre-qualified by virtue of its RFQ response and/or selected by virtue of its RFP response through a fair, equitable, transparent and competitive procurement process to

	enter into negotiations with the City for the delivery of the Project in terms of the PPP Agreement;
Pre-qualified Bidder	Means a Respondent invited by the City, by virtue of its RFQ response, as being selected to bid for the Project in accordance with the RFP documentation to be issued as part of the procurement process;
Pre-registered Respondent	Means the Respondent who has submitted their notification to respond to the RFQ as per Section A.10.1. by submitting Annexure A02 Notification of intention to respond to RFQ;
Preferential Procurement Policy Framework Act	Means the Preferential Procurement Policy Framework Act, Act 5 of 2000
Preferential Procurement Regulations	Means the Preferential Procurement Regulations, 2022, under the Preferential Procurement Policy Framework Act
Private Party	Means the Party who enters into the PPP Agreement with the City following conclusion of the procurement process;
Project	Means the City of Johannesburg Alternative Waste Treatment Technology (AWTT) Public Private Partnership Project as described herein, entailing the design, construction, financing, operation and maintenance of the Facility for the City, under the proposed PPP Agreement;
Project Deliverables	Means the carrying out of the works in accordance with the works programme, the installation, commissioning operation and maintenance of the Project assets including the repair, renewal or replacement thereof, the management and provision of services in accordance with the Output Specifications and the exercise and performance of all other rights and obligations of the Private Party;
Project Goals	Means the overall objectives that the City wishes to achieve upon completion of the Project;
Project Officer	Means the official designated by the accounting officer of the City from time to time as the person responsible for delivery of the Project;
Project Site	Means Portion 2 of the Farm Robinson Deep 81 IR, situated adjacent to the Robinson Deep Landfill site, City of Johannesburg,

	subject to any restrictions as specified in the title deeds thereto and including all heritage objects situated therein which is made available for the Project;
Public-Private Partnership	Means a public-private partnership for the performance of an institutional function, as contemplated under the Treasury Regulations;
Representative	See definition of Lead Member;
Respondent	Means a legal entity or association of entities who wishes to be pre-qualified to bid to deliver the Project and by virtue thereof submits a response to this RFQ;
Request for Proposal	Means a Request for Proposal (RFP) issued by the City in relation to the Project, to be made available to Pre-qualified Bidders;
Request for Qualification	Means this document together with its annexures, including any amendments, insertions or modifications thereto under any Briefing Notes;
RFQ Response / Response	Means the proposal submitted by the Respondent in response to this RFQ;
South Africa	Means the Republic of South Africa as recognised in the Constitution;
South African	Means a citizen of South Africa;
Special Purpose Vehicle	Means a limited liability company to be incorporated by the Private Party in accordance with the company laws of South Africa, for the purpose of entering into and implementing the PPP Agreement;
Standardisation	Means the National Treasury Standardised Public-Private-Partnership Provisions first issue dated 11 March 2004 and any consequent amendments thereto prior to the date of issue of the RFP;
Subcontractors	Means third parties other than the Private Party or it's Key Contractors, contracted by the Private Party or it's Key Contractors to provide goods and services including but not limited to advisory services, engineering, procurement, construction, operations, maintenance, supply of materials, equipment, goods or services of whatever kind;

Transaction Advisors	Means the team of professional advisors appointed by the City to advise on Procurement of the Project;
Term	Means the period from the date of commencement of commercial operation of the Project up to the date of expiry of the PPP Agreement or the termination thereof (whichever occurs first);
Treasury Views and Recommendations	Means any views and recommendations required from National Treasury and other Government stakeholders in terms of the Municipal Service Delivery and PPP Guidelines;
Value for Money	Means the provision of the Project by the Private Party in terms of the PPP Agreement which results in a net benefit to the City defined in terms of cost, price, quality, quantity and risk transfer.

A.3.2. In this RFQ:

- A.3.2.1. references to a statutory provision include any subordinate legislation made from time to time under that provision and include that provision as modified or re-enacted from time to time;
- A.3.2.2. words importing one gender include other genders;
- A.3.2.3. words importing the singular include the plural and vice versa;
- A.3.2.4. natural persons include artificial persons and vice versa;
- A.3.2.5. references to a “person” include a natural person, company, close corporation or any other juristic person or other corporate entity, a charity, trust, partnership, joint venture, syndicate, or any other association of persons;
- A.3.2.6. references to a “subsidiary” or a “holding company” shall be references to a subsidiary or holding company as defined in the Companies Act;
- A.3.2.7. if a definition imposes substantive rights and obligations on a person, such rights and obligations shall be given effect to and shall be enforceable, notwithstanding that they are contained in a definition;
- A.3.2.8. any definition, wherever it appears in this RFQ, shall bear the same meaning and apply throughout this RFQ unless otherwise stated;
- A.3.2.9. the use of any expression covering a process available under South African law (such as but not limited to a judicial management, business rescue or winding-up) shall, if any of the parties is subject to the law of any other jurisdiction, be interpreted in relation to that party as including any equivalent or analogous proceeding under the law of such other jurisdiction;
- A.3.2.10. references to any amount shall mean that amount exclusive of VAT, unless the amount expressly includes VAT;
- A.3.2.11. the Parts form part of this RFQ, and have the same force and effect as if expressly set out herein;

- A.3.2.12. the rule of construction that if general words or terms are used in association with specific words or terms which are a species of a particular genus or class, the meaning of the general words or terms shall be restricted to that same class shall not apply, and whenever the word “including” is used followed by specific examples, such examples shall not be interpreted so as to limit the meaning of any word or term to the same genus or class as the examples given; and
- A.3.2.13. unless otherwise specified, all references to any time shall be to the time of day in Johannesburg, South Africa.
- A.3.3. The expiration or termination of this RFQ shall not affect such of the provisions of this RFQ which are expressly provided to operate after any such expiration or termination, or which of necessity must continue to have effect after such expiration or termination, notwithstanding that the relevant provisions themselves do not provide for this.

A.4. Purpose of this RFQ

- A.4.1. This RFQ serves as a formal invitation to Respondents who are eligible and fulfil the criteria as set out herein to submit Responses in order to pre-qualify as Bidders in a subsequent RFP process.
- A.4.2. The City will evaluate the RFQ Responses and shortlist Pre-qualified Bidders in accordance with the Criteria as set out herein. The City envisages that it will shortlist a minimum of three (3) - and a maximum of five (5) Bidders, however, the number of Bidders shortlisted may be amended at the City's sole discretion and will depend on the quantity and quality of the RFQ responses received and the ability of the RFQ evaluation criteria to clearly distinguish between the proposals made by Respondents.
- A.4.3. The purpose of this RFQ is to:
- A.4.3.1. Communicate project information to the market
 - A.4.3.2. Solicit responses from interested parties
 - A.4.3.3. Enable the City to evaluate Responses and Pre-qualify Bidders who are:
 - A.4.3.3.1. eligible-, technically and financially qualified to undertake the Project; and
 - A.4.3.3.2. able to provide RFP Responses which are affordable to the City (as contemplated in the Treasury Regulations) and provide the City with Value for Money.

A.5. RFQ Structure

A.5.1. This RFQ is structured as follows:

- A.5.1.1. **Part A: General Requirements, Rules and Provisions** provides general information to the Respondent and includes, inter alia, the glossary or defined terms used in this RFQ and accompanying Annexures; the Project objectives; the terms and conditions of submitting a Response, including detail regarding the required format of the Response and an explanation of background to the procurement process.
- A.5.1.2. **Part B: Information required from Respondents** details the information required to be submitted by the Respondents as part of its Administrative compliance and Pre-qualification Response.
- A.5.1.3. **Part C: Evaluation approach, procurement process, stages and timelines** details the evaluation procedure and the evaluation criteria to be applied by the City as well as relevant details on the procurement process, stages and anticipated timelines.
- A.5.1.4. **Part D: List of Returnable Documents** provides a summary list of the documents to be included in the RFQ Response.

A.6. Information about the Project

- A.6.1. The City initiated a process for the procurement of the Alternative Waste Treatment Technology Public-Private Partnership at the Robinson Deep Landfill site in Johannesburg, South Africa (“the PPP”), as is further elaborated in **Annexure A01 Project Brief**.
- A.6.2. The City deems the information provided in the Project Brief as sufficient for the purposes of the RFQ.
- A.6.3. The following supporting information will not be disclosed as part of the RFQ, but will be provided to Pre-qualified Bidders as part of the RFP documentation:
- A.6.3.1. A detailed output specification.
 - A.6.3.2. The draft PPP Agreement, inclusive of the Payment mechanism and penalty regime.
 - A.6.3.3. The City’s Waste Characterisation and Waste Flow Model, which shall be provided for information only and without prejudice to the City. Pre-qualified Bidders will be required to perform their own due diligence and provide RFP responses based thereon.
 - A.6.3.4. An Environmental and Social Scoping Report, specialist studies and environmental and social impact studies undertaken by the City for the purpose of de-risking the Project. The Preferred Bidder will be required to take over, amend and conclude the Environmental Authorisation process currently being undertaken by the City.
- A.6.4. It will be the Pre-qualified Bidder’s responsibility to validate the accuracy of any information presented in this RFQ and future RFP.

A.7. Anticipated Project Structure, Key Agreements and Terms

- A.7.1. The Private Party selected through this procurement process will enter into a PPP Agreement with the City of Johannesburg for the purpose of delivering the Project.
- A.7.2. The PPP Agreement will address the supply of waste to the Project by the City for which the City will remain ultimately responsible and provide the necessary covenants.
- A.7.3. The City may require the Private Party to enter into a separate Waste Supply Agreement with Pikitup, the City's Municipal Entity responsible for Municipal Solid Waste Management.
- A.7.4. The City will be responsible for the supply of waste at the agreed quantities.
- A.7.5. The Private Party will be expected to take waste composition- and calorific value risk, save for specific exclusions to be agreed between the parties.
- A.7.6. The PPP Agreement will address the purchase of electricity from the Project to the City for which the City will remain ultimately responsible and provide the necessary covenants.
- A.7.7. The City will purchase all electricity generated at the facility on a minimum take-or-pay basis. The Private Party will not be permitted to sell any electricity generated at the facility to any third party.
- A.7.8. The City may require the Private Party to enter into separate Grid Access and Power Purchase Agreements with City Power, the City's Municipal Entity responsible for Electricity Supply.
- A.7.9. Grid access and land availability will be addressed under the above-mentioned Agreements.
- A.7.10. Under the PPP Agreement, the Private Party shall generate its primary revenue through the following:
 - A.7.10.1. A waste disposal fee
 - A.7.10.2. An electricity feed-in tariff

- A.7.11. The City shall be entitled to impose penalties for unavailability or performance failures and if such unavailability or performance failures are not satisfactorily remedied, the City shall be entitled to terminate the PPP Agreement.
- A.7.12. The Private Party may generate secondary revenue through the sale of recyclables and recovered materials.
- A.7.13. The Private Party will perform-, or enter into agreements with Key Contractors to Perform the Engineering, Procurement and Construction as well as the Operations and Maintenance of the Facility.
- A.7.14. The Private Party may not encumber the Facility, the land or any of the assets of the Project to finance the Project or for any other purpose.
- A.7.15. Financial commitments under the PPP Agreement shall be Rand denominated. The Private Party will assume currency risk, interest rate risk, and the risk of other fluctuations and will account for its own costs any hedging arrangements it may require.
- A.7.16. It is anticipated that substantial funding for the Project will be provided by limited-recourse debt finance, underpinned by the revenues generated by the Private Party from the Project. These revenues will be contingent on sustained performance, hence underperformance may put debt service at risk. Therefore, the risks of lenders will be mitigated in part through step-in and substitution mechanisms provided for in terms of a direct agreement.

A.8. Profile of the Respondent

- A.8.1. The Private Party entering into a PPP Agreement with the City of Johannesburg will be a ring-fenced Special Purpose Vehicle (SPV), hence a Project Company established for the sole purpose of executing the Project.
- A.8.2. Respondents are not required to have already formed such Project Company for the purposes of their Response to this RFQ.
- A.8.3. Each Respondent may therefore consist of an association of more than one juristic person or legal entity, which may include consortiums, joint ventures, trusts, individuals or any other entity, hereinafter referred to as Members of the Respondent. In such event the Respondent shall nominate and duly authorise a single legal entity as its Representative (Lead Member) in responding to this RFQ.
- A.8.4. At this stage, Respondents are not required to be registered on the National Treasury's Central Supplier Database. However, such registration will be a prerequisite for the Preferred Bidder.
- A.8.5. Respondents are required to disclose their Members and Key Contractors as part of their Responses.
- A.8.6. Respondents who have not made the final selection of a Key Contractor may put forward more than one Key Contractor, whereby the response requirements under this RFQ for Key Contractors shall apply to each Key Contractor put forward by the Respondent.
- A.8.7. Key Contractors may be comprised of Consortiums or Joint Ventures between local- and international firms as required to enhance their experience and competence in undertaking the Engineering, Procurement and Construction and/or the Operations and Maintenance for the Project.
- A.8.8. The City prefers that the Respondent secures Key Contractors as such that there is a single point of responsibility or "wrap-around guarantee" for the performance of obligations. As a minimum, the Respondent will be obliged to-, and must demonstrate that it has the ability to manage the contractual interfaces.
- A.8.9. Respondents are not permitted to change any Members or Key Contractors after submission of its RFQ Response without the prior written consent of the City.

- A.8.10. If a Respondent is required to change any of its Members or Key Contractors after being pre-qualified, it must immediately notify the City in writing requesting such consent, with full details of the reason for the change, the parties involved and the impact on the Respondent's profile. Failure to notify the City may result in the Respondent being disqualified.
- A.8.11. In the event that the Respondent is required to change any of its Members or Key Contractors after being pre-qualified, the City reserves the right to request further information with regard to such change as to enable the City to consider the impact of such change and potential conflicts of interest.
- A.8.12. In the event that the Respondent is required to change any of its Members or Key Contractors after being pre-qualified, the City reserves the right to disqualify the Respondent from participating in any further stage of the Procurement Process, or to allow the Respondent to continue in the Procurement Process, subject to such conditions as the City determines appropriate.
- A.8.13. Responses made by Pre-qualified Bidders during the RFP stage will be required to include a full list of suppliers, service providers and lenders and declarations of independent Bid determination by each of these parties.

A.9. Non-Eligibility

- A.9.1. The Respondent may not be a South African government entity or public institution or have such government entity or public institution as a Member, Key Contractor, Subcontractor or Major Equipment Supplier.
- A.9.2. The restriction under A.9.1 does not apply to DFIs or Public Financial Institutions potentially involved in financing the Project, such as the Industrial Development Corporation (IDC), Development Bank of Southern Africa (DBSA), Public Investment Corporation (PIC), Export Credit Insurance Corporation of South Africa (ECIC) etc.
- A.9.3. The Respondent may not have as a Member, Key Contractor, advisor or any other representative:
- A.9.3.1. Any official employed by the City, any Government Department or Institution directly involved in the Project or the evaluation of RFQ and subsequent RFP Responses;

- A.9.3.2. Any person related to a government official employed by the City, any Government Department or Institution directly involved in the Project or the evaluation of RFQ and subsequent RFP Responses;
 - A.9.3.3. Directors and Principal members are in the Service of the State as defined in theMunicipal Supply Chain Management Regulations.
 - A.9.3.4. Any Transaction Advisors to the City directly involved in the Project;
or
 - A.9.3.5. Any person related to such Transaction Advisors.
- A.9.4. Respondents will be disqualified if any of the following conditions exist:
- A.9.4.1. A supplier whose tax matters are not in order, as confirmed in terms of the National Treasury's Centralized Supplier Database (CSD) and SARS or in terms of the jurisdiction where it is operational;
 - A.9.4.2. the Respondent, any of its Members or Key Contractors are listed on the National Treasury's List of Restricted Suppliers;
 - A.9.4.3. during the last five years the Respondent, any of its Members or Key Contractors have failed to perform satisfactorily on a previous contract with the City or its municipal entities or any other organ of state after written notice was given to that Respondent or any of its Members or Key Contractors that performance was unsatisfactory;
 - A.9.4.4. the Respondent, any of its Members or Key Contractors have committed or commits a corrupt or fraudulent act during this RFQ process.
 - A.9.4.5. any municipal rates and taxes or municipal service charges owed by the Respondent, any of its Members or Key Contractors are in arrears for more than three months;
 - A.9.4.6. if the Respondent, any of its Members or Key Contractors have:
 - A.9.4.6.1. abused the City's or any of its municipal entities' supply chain management systems or has committed any improper conduct in relation to such systems;

- A.9.4.6.2. been convicted for fraud or corruption during the past five years;
 - A.9.4.6.3. wilfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years;
 - A.9.4.6.4. as a director, any person listed on the Disqualified Director's Register (maintained by the Companies and Intellectual Property Commission) in terms of section 69(13) of the Companies Act, 2008, available on www.cipc.co.za; or
 - A.9.4.6.5. any person who appears on the Consolidated List of Individuals and Entities Subject to Measures Imposed by the United Nations Security Council (as published by the South African Police Service)
- A.9.5. The City will be entitled to cancel the selection of the Respondent as a Pre-qualified Bidder if the Respondent, any of its Members or Key Contractors are found to have engaged in any corrupt or fraudulent act during the RFQ or subsequent RFP process.

A.10. Instructions to the Respondent

- A.10.1. The Respondent is required to register by notifying the City of their intention to submit an RFQ Response. The notification must be made by completing **“Annexure A02 Notification of intention to respond to RFQ”** and submitting the Notification to the City before **Thursday, 25 June 2026 @ 10:30 (Morning)**. Notification must be submitted via email to wastetoenergy@joburg.org.za.
- A.10.2. Respondents shall be provided with a letter of receipt as proof of their submission of **Annexure A02: Notification of intention to respond to RFQ**.
- A.10.3. The Respondent should provide the contact details of its Representative or Lead Member and its nominated contact person as outlined under Part B of this RFQ. Any notices sent by the City regarding the RFQ shall be considered to have been delivered to the Respondent if dispatched to the nominated contact person, via e-mail, to the email address supplied by the Respondent. The City will communicate alternative and supplementary communication channels during the briefing session.
- A.10.4. All respondents will be advised in writing on the outcome of their submissions.
- A.10.5. When preparing submissions, Respondents are required to structure their submissions following the format listed in Section A.14 below headed “Format of the submission”.
- A.10.6. Failure to comply with the format prescribed in Section A.14 may result in disqualification of the Respondent.
- A.10.7. A duly authorised person must sign all responses on behalf of the Respondent, each Member and Key Contractor. Proof of such authorisation by the board of directors (or equivalent) of the Respondent, each Member and Key Contractor and copies of appropriate resolutions, properly signed and certified by a duly authorised officer of such person must accompany the relevant submission.
- A.10.8. For purposes of submitting proposals, respondents should submit their proposals before the closing date and time to City of Johannesburg Supply Chain Management. Details of the link for uploading bids will be provided to Respondents who have submitted **“Annexure A02 Notification of intention to respond to RFQ”** per instructions provided in Paragraph A.10.1.

A.10.9. The City may request presentations/interviews from Respondents as part of the RFQ process.

A.10.10. Only Respondents who successfully pre-qualify will be invited to take part in the RFP process, except as otherwise provided for in this RFQ.

A.11. Point of Contact

A.11.1. All communication with the City must be directed in writing to the City's Point of Contact for this process, being:

Mokgadi Maphoto

EISD Waste Management and Regulation

wastetoenergy@joburg.org.za

A.12. Briefing Session

A.12.1. Respondents will be invited to attend a mandatory briefing session on **Thursday, 28 May 2026**. Interested parties must indicate their intention to attend the briefing session by sending an email to the email address specified in Paragraph A.11.1.

A.12.2. The briefing will be held on a virtual teleconferencing platform on the dates set out in Part C.

A.13. Clarifications

A.13.1. Clarifications may only be sought, and the City may only issue additional information or respond to such clarifications with Briefing Notes during the period from issuing the RFQ to fifteen (15) Business Days prior to Closing Date and Time. The last date for receipt of clarifications is twenty (20) Business Days prior to Closing Date and Time.

A.13.2. All clarification requests and queries from the Respondent must be in writing sent to the Point of Contact as stipulated in Section A.11. Oral requests and queries will not be entertained by the City.

A.13.3. The City will endeavour in good faith to respond to all reasonable written queries and requests for clarification raised by the Respondent within Five (5) Business

Days by way of written Briefing Notes distributed to all Pre-registered Respondents simultaneously via email and posted on the City's website.

- A.13.4. Briefing Notes will be sequentially numbered and will indicate whether it is to supplement or amend any portion of the RFQ.
- A.13.5. The Respondent will ensure that its RFQ Response is prepared considering all such Briefing Notes.
- A.13.6. The City reserves the right not to answer or respond to a clarification question, query or request.
- A.13.7. No response given to a question or request for clarification will have any status or impact on the RFQ, save to the extent that such Response is subsequently reflected in Briefing Notes to the RFQ.
- A.13.8. The City accepts no responsibility for the failure of the Respondent to receive a Briefing Note issued, whether by virtue of the Respondent's contact details provided being incorrect or otherwise.

A.14. Format of the submission

- A.14.1. Failure to comply with the format prescribed in this Section may result in disqualification of the Respondent.
- A.14.2. Responses shall include a cover letter accompanying the submission, signed by the Respondent's Representative, which must be marked for the attention of the City's Point of Contact on the Respondent's (for single entities) or Lead Member's (for consortia) letterhead.
- A.14.3. Respondents must meet the requirements in Part B and complete the Response Forms and templates in Annexures B01-B26 in full, providing details as stipulated and submitting the required supporting information and documents. All annexures must be properly indexed and referenced in the RFQ Response.
- A.14.4. Responses to Part B should be responded to in two separately bound parts, clearly labelled as:
 - A.14.4.1. **Administrative Response** (Response to Part B.1); and
 - A.14.4.2. **Pre-qualification Response** (Response to Part B.2 – B.5)

- A.14.5. Responses must be in English, typed in A4 format, vertically (portrait) bound or filed in loose leaf and set out in the following sections:
- A.14.5.1. Response Cover Letter;
 - A.14.5.2. Executive Summary of the Response, which shall not exceed ten (10) A4 pages;
 - A.14.5.3. A detailed index to the entire Response;
 - A.14.5.4. Response to Part B.1 – Administrative Response. Relevant supporting documentation to be included as numbered and referenced appendices into the bound part; and
 - A.14.5.5. Response to Part B.2 – B.5– Pre-qualification Response. Relevant supporting documentation to be included as numbered and referenced appendices into the bound part.
- A.14.6. Each page of the Response (aside from the cover letter) must be numbered. The relevant section must be identifiable in the page number. (For the avoidance of doubt, all pages included in the Response do not have to be numbered in a single sequential order. Separate documents can each start at page 1 and a document or section identifier can be used in combination with the page number to identify the unique position of the page in the response.
- A.14.7. The Respondent may submit supporting and supplementary documentation appended to the appropriate section of its RFQ Response, as considered appropriate. The City will be under no obligation to consider or review generic or marketing material not specific to the Response for the purpose of Pre-qualifying Bidders.
- A.14.8. The Respondent will submit their RFQ Response as an electronic submission.
- A.14.9. The documents contained in the submission are to be in Microsoft Word format, except for spreadsheets and project plans which are respectively to be in Microsoft Excel and Microsoft Project formats. Where the documents or spreadsheets cannot be accessed by Microsoft Word, Microsoft Excel or Microsoft Project, respectively, the documents must be provided in an Adobe PDF format.

A.15. Closing date and time for RFQ Responses

- A.15.1. The closing date and time for RFQ Responses is **Friday 24 July 2026 @ 10:30 (Morning)**.

A.16. Late Responses

- A.16.1. The City shall not entertain any RFQ responses submitted beyond the closing date and time.

A.17. RFQ Response Validity

- A.17.1. All RFQ Responses should remain valid and binding for six (6) calendar months from the RFQ Response Submission Date (“RFQ Response Validity Period”).
- A.17.2. The City may request Respondents to extend the RFQ Response Validity Period of its RFQ Response, for whatever reason the City deems necessary.
- A.17.3. The Respondent must deliver its acceptance or non-acceptance response to the City in writing within the time-period specified in the applicable City’s letter wherein the extension is requested.
- A.17.4. If the extension is not agreed to by the Respondent, the City will accept that the Respondent has withdrawn its Response from the RFQ process.

A.18. Contact Policy

- A.18.1. All queries and requests for clarification in respect of this RFQ shall only be addressed, in writing, to the City’s Point of Contact, at the addresses set out in Section A.11.
- A.18.2. Respondents, their Members, Key Contractors, agents, advisors or any other of their representatives shall refrain from making contact with-, seeking advice from- or otherwise engaging with City officials, any member of the Project Steering Committee, any other government official or the City’s Transaction Advisors regarding the RFQ or the Project.
- A.18.3. Any contravention by a Respondent of this Contact Policy may lead to the Respondent being disqualified at the sole discretion of the City.

A.18.4. Any attempt made by the Respondent to influence the RFQ process in any manner will lead to the Respondent being disqualified at the sole discretion of the City.

A.19. Costs of RFQ Response

A.19.1. The Respondent and/or Pre-qualified Bidder shall bear all the costs associated with the preparation and submission of its RFQ Response.

A.20. Bid Guarantee

A.20.1. To mitigate the risk of Pre-qualified Bidders withdrawing from the subsequent procurement process, the City will require that a Bid Guarantee be secured through a local bank or financial institution in the amount of twenty-five million South African Rands (ZAR 25 000 000) to be provided by all Pre-qualified Bidders as a condition of receipt of the RFP documents within thirty (30) days of notification. The Bid Guarantee should not be submitted as part of the RFQ Response, but will only be required of Pre-qualified Bidders one calendar month after they have received a copy of the RFP documents..

A.20.2. A formal appointment as a Pre-qualified Bidder will be contingent on the provision of the Bid Guarantee being provided to the City in an approved format. Failure to provide such Bid Guarantee in the time allowed may terminate such Respondent's status as a Pre-qualified Bidder in the City's sole and absolute discretion.

A.20.3. A Form of Bid Guarantee that will be required from Pre-qualified Bidders is included in **Annexure A03 Pre-qualified Bidder – Form of Bid Guarantee**.

A.21. Governing law

A.21.1. The procurement of the Project and other relevant documents and associated agreements with, amongst others the waste supplier and electricity offtaker are and will be governed by and construed according to the laws of the Republic of South Africa.

A.21.2. Each Respondent is required to be fully acquainted with the laws of South Africa (including without limitation all statutes and regulations on a national, provincial and municipal level) in relation to PPPs and the subject matter of the Project.

A.22. Legal framework

- A.22.1. Respondents attention is drawn to Section 217 of the Constitution and Chapter 11 of the MFMA which sets out the principal requirements for the procurement by Municipalities of goods and services.
- A.22.2. Respondents attention is specifically drawn to the requirements and provisions under Sections 33 and 120 of the MFMA, which shall be considered in conjunction with the Municipal PPP Regulations and the Municipal SCM Regulations as well as the Supply Chain Management Policy of the City of Johannesburg.
- A.22.3. The Constitution permits the City to implement a preferential procurement policy which advances persons previously disadvantaged by unfair discrimination. The PPPFA and the Preferential Procurement Regulations prescribe requirements regarding B-BBEE for public procurement as well as general provisions regarding procurement processes. Where required, the City will apply to the Minister of Finance for any necessary exemptions, and approved exemptions will be communicated to Pre-qualified bidders during the subsequent RFP process.
- A.22.4. The B-BBEE Act and the Amended B-BBEE Codes are applicable to this procurement. Where required, the City will apply with the Minister of Trade, Industry and Competition for any necessary deviations, and approved deviations will be communicated to Pre-qualified bidders during the subsequent RFP process. Pre-qualified bidders will be required to apply for specific deviations from requirements in terms of designated local content.
- A.22.5. The City will implement the Project with due regard to this constitutionally mandated functions and powers, the requirements and provisions under the MSA.

A.23. Qualifications by the City

- A.23.1. The City Council has passed a resolution that the project may proceed with PPP procurement on 30 October 2025.
- A.23.2. The City has received a BFI funding allocation from National Treasury to improve the relative affordability of the waste disposal in this project relative to landfill disposal. The City's commitment on affordability and Value for Money for this Project based on the Feasibility Study's Financial Model. The TVR:IIA and TVR:III mechanisms within the Municipal PPP Guidelines will be followed to ascertain

budget and Value for Money before signing the PPP Agreement by the Preferred Bidder.

A.24. No Collusion

A.24.1. The Respondent's attention is drawn to Section 4(1)(b)(iii) of the Competition Act, 1998, which prohibits collusive tendering.

A.24.2. No Respondent, Member or Key Contractor may in any way participate or be involved, whether directly or indirectly, in more than one Response, during any stage of the procurement process.

A.24.3. For the avoidance of doubt, the restriction under A.24.2 does not apply to:

A.24.3.1. Major equipment suppliers;

A.24.3.2. Non-core service providers or general suppliers which are not Key Contractors; and

A.24.3.3. Where any commercial entity has a role limited strictly to lending money or advancing credit to the Respondent.

A.24.4. In submitting a Response, each of the Respondent and its Members and Key Contractors certifies that its Response:

A.24.4.1. has been prepared without consultation, communication or agreement for restricting competition with any other Respondent, Member or Key Contractor of another Respondent, any other competitor or potential competitor, either directly or indirectly;

A.24.4.2. has not been disclosed by it, nor will it be disclosed by it to any other Respondent, Member or Key Contractor of another Respondent, or any competitor or potential competitor; and

A.24.4.3. no attempt has been made or will be made by it to induce any other person not to submit a Response for the purpose of restricting competition.

A.24.5. Any Respondent found to violate the above conditions will be disqualified, and the decision to disqualify a Respondent shall be at the City's sole discretion.

A.25. Corruption, Gifts and Payments

- A.25.1. Neither the Respondent, its Members, its Key Contractors nor any of its employees, agents, lenders or advisors shall directly or indirectly offer or give to any person in the employment of the City or any other government official or any of the City's Transaction Advisors any gift or consideration of any kind as an inducement or reward for appointing or recommending the appointment of the Respondent as a Pre-qualified Bidder, or for showing or omitting to show favour or disfavour to any of the Respondent, or its Members and Key Contractors in relation to the Project.
- A.25.2. In the event that any of the prohibited practices contemplated under Paragraph A.25.1 above are discovered, the City shall be entitled to disqualify the Respondent, its Members and Key Contractors.

A.26. Confidentiality

- A.26.1. In submitting an RFQ Response, the Respondent, its Members and Key Contractors agree and warrant to keep its RFQ Response confidential and not share such Response with any third parties.
- A.26.2. The City will endeavour to keep the Responses provided by the Respondent confidential and not disclose such information to third parties, other than City officials, Government Departments, entities and other persons nominated by the City to provide Views and Recommendations, the City's nominated Project Steering Committee acting on the Project, Project Funders and the Transaction Advisors who are required to review same for the purposes of procurement of the Project.
- A.26.3. All information and data submitted by the Respondent will become the sole property of the City, with the exception of copyrighted material, trade secrets or other proprietary information clearly identified as such by the Respondent.
- A.26.4. The Respondent's attention is drawn to the requirements of the Constitution of the Republic of South Africa Act, 1996, the PFMA, the Promotion of Access to Information Act No. 2 of 2000 and the Promotion of Administrative Justice Act No. 3 of 2000, all of which are relevant to the determination of whether the City will be able to safeguard the Respondent's confidential information.

A.26.5. The Respondent, by virtue of its RFQ Response, agrees to indemnify the City, its representatives, and its Advisors, and hold it harmless from any loss, damage, liabilities, claims, actions, proceedings, demands, costs, charges or expenses of whatsoever nature suffered for the City's refusal to disclose market confidential, trade secret or other proprietary information to any person seeking access thereto.

A.27. Ambiguities, errors and inconsistencies

A.27.1. If the Respondent identifies any ambiguities, errors, or inconsistencies in this RFQ, the Respondent must notify the City's Point of Contact accordingly and in writing, prior to the closing date for clarifications.

A.28. Integrity and honesty

A.28.1. The Respondent must act with the highest degree of integrity and honesty and with the utmost good faith in all dealings with the City. The Response must not contain any misrepresentations and the Respondent will be required to warrant that no material misstatements or omissions were contained in its Response.

A.29. Condition of Award

A.29.1. The Respondent must act with the highest degree of integrity and honesty and with the utmost good faith in all dealings with the City. The Response must not contain any misrepresentations and the Respondent will be required to warrant that no material misstatements or omissions were contained in its Response.

PART B INFORMATION REQUIRED FROM RESPONDENTS

The information required from each of the Respondent, the Members, and Key Contractors respectively is set out in two sections namely Administrative Response and Pre-qualification Response.

The information required from the Respondent to evaluate administrative compliance is listed under sub-section B.1: Administrative Compliance.

The information required from the Respondent to evaluate and score the Response against the pre-qualification criteria and Pre-qualification Scorecard is listed under the following sub-sections:

- B.2 Pre-qualification Response – Technical Experience and Capability
- B.3 Pre-qualification Response – Project Comprehension and Approach
- B.4 Pre-qualification Response – Financial Capability
- B.5 Pre-qualification Response – B-BBEE and Economic Development Commitment

The information sought from Respondents under the four Pre-qualification Response subsections is summarised as follows:

- B.2 Pre-qualification Response – Technical Experience and Capability:
 - the Respondent must illustrate the previous experience of Members and Key Contractors in similar projects. The Respondent must illustrate its capacity, expertise, operational systems, and other resources to deliver the Project.
 - The Respondent must also illustrate its application of the capacity and resources to deliver the Project on time and on budget. This section also seeks to understand the Health and Safety, Environment, Sustainability, B-BBEE, Social and Economic Development policies of the Respondent.
- B.3 Pre-qualification Response – Project Comprehension and Approach: The information provided in response to this element must illustrate that the Respondent understands the nature of the Project and demonstrates the advantages of its proposed solution. This may include a brief outline of how the Respondent proposes to effectively undertake the Project, the Respondents understanding of the City's broader Solid Waste Management requirements, the environmental, social and transformational benefits it seeks to achieve and other considerations the Respondent considers material in this regard.

- B.4 Pre-qualification Response – Financial Capability: The information provided in response to this aspect must demonstrate the ability of the Respondent to raise Equity and Debt finance for the Project.
- B.5 B-BBEE and Economic Development Commitment – this section is intended to stipulate minimum thresholds for B-BBEE and Economic Development for the Project and solicit responses on target levels for various elements of the Balanced Scorecard to which the Respondent is prepared to commit. Respondents are invited to also demonstrate how it will consider gender mainstreaming and employment of informal waste recyclers under its economic development objectives.

The information requested under Section B.1 to B.5 will be used to evaluate the Respondent as per the evaluation process set out in Section C.1.

The City may, at its sole discretion, relax threshold criteria for B-BBEE and Economic Development if it is found that Respondents are in general unable to comply with such criteria and the reasons for non-compliance are credible, verifiable and clearly motivated by Respondents.

The Respondent may include further supporting documents used by the Respondent to support their Pre-qualification Response as deemed necessary. The Respondent should include a clear index to indicate the list of documents annexed for this purpose.

The Respondent shall ensure that all Parties to its Response complete information as requested. Incomplete, missing, or unfilled forms and information may result in the Respondent being disqualified.

The Respondent must provide the information per the prescribed format in Section A.11 and forms in the Annexures, where forms have been prescribed. The Respondent may otherwise Respond in its own format, provided the Response is appropriately referenced as a response to a specific section of the RFQ and provided chronologically as requested or appended with appropriate referencing.

B.1. Administrative Compliance

B.1.1. The Respondent shall provide the following information:

B.1.1.1. Organisational structure and status of the Respondent, as well as its nominated Representative/ Lead Member and a contact person by completing **Annexure B01 Respondent's Status and Authorised Representative**.

B.1.1.2. An organisational chart showing the relationship between all Members, Key Contractors and Major Equipment Suppliers it intends to use to execute the project by completing **Annexure B02 Roles and organisational structure of the Respondent**. The Respondent shall include details for each Member, each potential Key Contractor, and each potential Major Equipment Supplier as per the template table provided in Annexure B02.

B.1.1.3. The Representative shall submit a signed copy of **Annexure B03 Respondent's Declaration**. The Representative shall enclose within Annexure B03 a copy of the resolutions by each of the Members authorising the Respondent's Representative to bind them to the declaration.

B.1.1.4. The Respondent may include any other relevant documents used by the Respondent to illustrate their compliance to the general, legal, and contractual requirements. The Respondent should include such documents as **Annexure B04 Other relevant documents** and provide a clear index to indicate the list of documents annexed for this purpose.

B.1.2. Each Member and potential Key Contractor shall provide the following information:

B.1.2.1. Each Member and Key Contractor shall separately declare that it authorises the Respondent's Representative/Lead Member to submit a response to the RFQ on its behalf, and thereby submits to the Terms and Conditions of the RFQ. To this effect, each Member and Key Contractor must provide a copy of **Annexure B05 Member/Key Contractor Declaration**. In the case of the Respondent's

Representative, this declaration shall also serve as declaration of acceptance of this role within the Respondent's structure.

- B.1.2.2. Each Member and Key Contractor shall provide a signed Confidentiality Undertaking as per **Annexure B06 Confidentiality Undertaking**.
- B.1.2.3. A completed copy of **Annexure B07 MBD 4 – Declaration of Interest**. Members who are natural persons shall complete the declaration in their personal capacity.
- B.1.2.4. A completed copy of **Annexure B08 MBD 8 – Declaration of Bidder's Past Supply Chain Management Practices**. Members who are natural persons shall complete the declaration in their own capacity.
- B.1.2.5. A completed copy of **Annexure B09 MBD 9 – Certificate of Independent Bid Determination**. Members who are natural persons shall complete the certificate in their own capacity.
- B.1.2.6. All MBD forms must be fully completed and signed.
- B.1.2.7. Confirmation that each Member and Key Contractor has fulfilled its obligations relating to taxation in the regions where it is operational. If incorporated in a jurisdiction other than South Africa, the Member or Key Contractor shall demonstrate, in English, that they are in good standing with their local revenue service. Provide evidence and attach as **Annexure B10 Tax clearance PIN/Certificate – Member/Respondent Name**.
- B.1.2.8. Confirmation of B-BBEE status of each Member/Key Contractor. Provide evidence and attach as **Annexure B11 B-BBEE Status – Member/Respondent Name**.
- B.1.2.9. Each Member and Key Contractor shall submit copies of the Municipal accounts of its registered place(s) of business in the Republic of South Africa. Alternatively, Members and Key Contractors who do not currently have a registered place(s) of business in the Republic of South Africa shall provide a written declaration and evidence of their international domicile address.

Provide evidence and attach as **Annexure B12 Municipal Accounts Information – Member/Respondent Name.**

- B.1.2.10. A completed copy of Annexure B13 Member/Key Contractor – Financial Information.
- B.1.2.11. Members who are natural persons shall provide the following:
- B.1.2.11.1. A completed copy of Annexure B14 Natural Person Information.
 - B.1.2.11.2. A copy of their South African ID document or passport. Foreign nationals shall provide equivalent information. Copies of identification shall be included in **Annexure B15 Natural Person Identification**. An index must be provided at the start of Annexure B15 listing all natural persons and the entity they relate to in the RFQ Response.
- B.1.2.12. Corporate Members and Key Contractors shall provide the following:
- B.1.2.12.1. A completed copy of **Annexure B16 Corporate Entity Information**. If the corporate Member is not yet formed, details shall be provided of intended shareholders of the future company. Information of shareholding by Black People and Designated Groups should be provided for all South-African corporate entities.
 - B.1.2.12.2. A copy of the Company Certificate of Incorporation (if applicable) for each Member. Label as **Annexure B17 Company Certificate of Incorporation – Member/ Respondent Name** and any certificate of incorporation on change of name or equivalent documentation applying in the relevant jurisdiction of the Lead Member.
 - B.1.2.12.3. Where the equity in privately owned company Members is held by corporate entities, the same

information shall be provided for such corporate entities as for corporate Members.

B.2. Pre-qualification Response – Technical Experience and Capabilities

B.2.1. The Respondent must provide a minimum of two project references demonstrating the collective experience of the Respondent's Key Contractors in the Engineering, Procurement and Construction of any of:

B.2.1.1. Waste-to-Energy projects with EPC contract value exceeding One Billion Rand (ZAR 1 000 000 000) and/or Municipal Solid Waste Management Projects with EPC contract value exceeding Five Hundred Million Rand (ZAR 500 000 000) over the last ten years.

B.2.1.2. Thermal Energy, Renewable Energy, Petrochemical, Chemical and Processing Industry projects with EPC contract value exceeding One Billion Rand (ZAR 1 000 000 000) over the last ten years.

B.2.1.3. Other Industrial projects with EPC contract value exceeding Five Hundred Million Rand (ZAR 500 000 000) over the last ten years.

B.2.2. The Respondent must provide a minimum of two project references demonstrating the collective experience of the Respondent's Key Contractors in the Operations and Maintenance of any of:

B.2.2.1. Waste-to-Energy projects with O&M contract value exceeding Fifty Million Rand (ZAR 50,000,000) per annum and/or Municipal Solid Waste Management Projects with O&M contract value exceeding Twenty Million Rand (ZAR 20 000 000) per annum over the last ten years.

B.2.2.2. Thermal Energy, Renewable Energy, Petrochemical, Chemical and Processing Industry projects with O&M contract value exceeding Fifty Million Rand (ZAR 50 000 000) per annum over the last ten years.

B.2.2.3. Other Industrial projects with O&M contract value exceeding Fifty Million Rand (ZAR 50 000 000) per annum over the last ten years.

B.2.3. For the above-mentioned project references:

- a. The Respondent must provide the full names and addresses of relevant client/customer contacts in order that references may be contacted.
- b. Reference letters or completion certificates should be provided, where available.
- c. Where the Respondent nominates more than one alternative Key Contractor, the requirements apply to both Key Contractors and scoring shall be calculated based on the lowest scoring Key Contractor.
- d. The Respondent must provide the requested information by completing **Annexure B18 Member/Key Contractor relevant experience**. A separate copy of **Annexure B18** must be completed for each reference.

B.2.4. The Respondent is required to provide further information about experience within the Respondent's Members, Key Contractors and Major Equipment Suppliers for:

- B.2.4.1. The Engineering, Procurement and Construction of at least one Waste-to-Energy project using conventional mass-burn incineration technology.
- B.2.4.2. The Operations and Maintenance of at least one Waste-to-Energy project using conventional mass-burn incineration technology.
- B.2.4.3. Reference projects must have a minimum installed thermal capacity of a throughput of 200,000 t/a ($\pm 17 \text{ MW}_{\text{e}}$) (for multiple line plants the minimum capacity shall be 100,000 t/a for each line) based on principally MSW feedstock and conventional mass-burn incineration technology.
- B.2.4.4. Reference projects should have been constructed, tested, commissioned, operated and maintained in accordance with international standards and specifications substantially similar to the health and safety standards as prescribed under the Occupational Health and Safety Act, Act 85 of 1993 and Regulations under the Act. The standards, certifications and build quality of the facility should be generally in accordance with acceptable best practice internationally.
- B.2.4.5. The project shall be in commercial operation.
- B.2.4.6. The project shall involve electricity production or co-generation.

- B.2.4.7. The project reference may be included and will be counted as part of the project references under B.2.1 and B.2.2 respectively.
- B.2.5. The Member must provide the requested information by completing **Annexure B19 Respondent's technical experience**. A separate copy **Annexure B19** must be completed for each reference.
- B.2.6. The Respondent must provide details of previous projects where Members and Key Contractors have worked together in implementing similar projects, including information on project outcomes and time scales. The Respondent must provide this information as **Annexure B20 Respondent's record of collaborations**.
- B.2.7. Key Contractors shall provide the following information:
- B.2.7.1. Key Contractor Profile
 - B.2.7.1.1. Proposed Role of the Key Contractor
 - B.2.7.1.2. A brief profile and history of the Key Contractor
 - B.2.7.1.3. Annual Turnover (average for the last 3 years)
 - B.2.7.1.4. Number of Staff (average for the last 3 years)
 - B.2.7.1.5. Number of Registered Professionals in Civil, Control Systems, Electrical, Electronic, Mechanical, Metallurgical and Welding, Process Engineering and other engineering and built environment professionals
 - B.2.7.1.6. CIDB registration information per requirements in **B.2.8**.
 - B.2.7.2. B2.8. Quality assurance
 - B.2.7.2.1. Confirm whether the Key Contractor is currently, or are in the process of becoming, accredited to ISO 9001 or other internationally recognised equivalent quality standard. State appropriate assessment level, and to which business functions the accreditation applies. Enclose a copy of relevant certificates.

- B.2.7.2.2. State any quality assurance procedures employed by the Key Contractor with current certificates and/or accreditations held.
- B.2.7.2.3. Design Standards and Certifications used by the Key Contractor. The Contractor shall provide a list of standards it implements for procurement and fabrication of equipment and plant items.
- B.2.7.3. Health and safety
 - B.2.7.3.1. The Key Contractor must indicate the jurisdiction within which it operates and state the statutory Health and Safety requirements that the organisation adheres to within the jurisdiction.
 - B.2.7.3.2. The Key Contractor must provide a commitment to comply with their statutory obligations under the Occupational Health and Safety Act, Act 85 of 1993 together with subsequent associated Regulations, Standards, and approved Codes of Practice.
 - B.2.7.3.3. The Key Contractor must provide a copy of its documented and implemented health and safety policy, key procedures and existing accreditations.
 - B.2.7.3.4. The Key Contractor must indicate whether any of the following have been served on the organisation within the past three years by a government health and safety inspector. If yes, provide details
 - B.2.7.3.4.1. Improvement notice
 - B.2.7.3.4.2. Prohibition notice
 - B.2.7.3.4.3. Other enforcement notice
- B.2.7.4. Environment and sustainability
 - B.2.7.4.1. Confirm whether the Key Contractor is currently, or is in the process of becoming, accredited to

ISO14001 or other recognised equivalent environmental standard. State the appropriate assessment level where relevant, and to which business functions the accreditation applies. Enclose a copy of relevant certificates.

B.2.7.4.2. The Key Contractor must indicate whether it has an environmental policy for any of the works and services likely to be provided within the Project. Appropriate evidence must be provided, and the Key Contractor must state which part of the services the policy relates to.

B.2.7.4.3. The Key Contractor must indicate whether it has a policy relating to sustainable development. Appropriate evidence must be provided, and the Member must state which part of the services the policy relates to.

B.2.7.4.4. The Key Contractor must indicate whether any notice has been served upon it in the last three years by any environmental regulator or authority. Appropriate evidence must be provided, including outcomes and details of any remedial actions taken or recommended

B.2.7.5. The Respondent must provide the requested information as **Annexure B21 – Contractor Profile and Accreditation – Contractor Name**. A separate document shall be submitted for each Key Contractor's and participant in a Key Contractor.

B.2.8. CIDB registration requirements¹:

B.2.8.1. Only those Respondents who are registered with the CIDB, or are capable of being so prior to the evaluation of RFP submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, for a ME class of construction work, are eligible to have their tenders evaluated.

B.2.8.2. Joint ventures are eligible to submit Responses provided that:

B.2.8.2.1. every Member of the joint venture is registered with the CIDB;

B.2.8.2.2. at least one Member has a contractor grading designation of not lower than one level below the required grading designation in the class of construction works under consideration; and

B.2.8.2.3. the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a ME class of construction work or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations.

¹ Regulation 16 of the Construction Industry Development Regulations issued in terms of the Construction Industry Development Act of 2000 makes provision for the registration of foreign contractors. Applications for registration can be made on-line – see <https://www.cidb.org.za/online-registration-for-contractors-v2/>

B.3. Pre-qualification Response – Project Comprehension and Approach

- B.3.1. The Respondent is requested to complete and submit a response to this section which incorporates the input and contributions from all Members.
- B.3.2. The Respondent must submit their response to Section B.3 (including the response to each relevant subsection) labelled as Annexure **B22 – Project Comprehension and Approach**.
- B.3.3. To illustrate the Respondent’s project comprehension, the Respondent shall provide the following information:
- B.3.3.1. A synopsis which clearly and unambiguously demonstrates the Respondent’s understanding of the project objectives and scope of work.
 - B.3.3.2. A method statement explaining how the Respondent would undertake the Project in partnership with the City, demonstrating its understanding of the complexities of the Project and outlining the salient benefits to the City of the Respondent’s approach.
 - B.3.3.3. The Respondent is to indicate the time scales which the Respondent considers to be realistic to achieve the commencement of commercial operations of the Project.
 - B.3.3.4. Any constraints foreseen by the Respondent, which would in its opinion –
 - B.3.3.4.1. restrict the Respondent’s ability to raise funding for the Project;
 - B.3.3.4.2. limit the creation of Value for Money for the City; or
 - B.3.3.4.3. otherwise impede the Respondent in delivering the Project.
 - B.3.3.5. Considerations for the City’s inclusion into the RFP to enhance the Project.
 - B.3.3.6. The response to section B.3.3 should be no longer than twenty A4 pages. Supporting information may be appended.

- B.3.4. The Respondent shall provide conceptual outline of the proposed solution, providing an indication of the following:
- B.3.4.1. facility configuration and layout;
 - B.3.4.2. technology provider (corporate and product information);
 - B.3.4.3. applicable engineering standards and certifications for Major Equipment and plant items;
 - B.3.4.4. technology reliability and deliverability, with reference plants;
 - B.3.4.5. indicative percentage of contract waste recycled, energy recovered, residual products and disposal to landfill;
 - B.3.4.6. indicative recyclable material recovery;
 - B.3.4.7. indicative waste reduction attained;
 - B.3.4.8. approach to air pollution control, in terms of the South African and European Union Waste Incineration Directive (WID) standards (as incorporated into the Industrial Emissions Directive (IED) 2010/75/EU) ;
 - B.3.4.9. programming schedule for the Project subsequent to signature of the PPP agreement; and
 - B.3.4.10. other items deemed material in relation to the Project Solution.
 - B.3.4.11. The response to section B.3.4 should be no longer than twenty A4 pages. Supporting information may be appended.

B.4. Pre-qualification Response – Financial Capability

- B.4.1. Pricing Response to be excluded
- B.4.1.1. The Respondent shall not include any pricing, whether firm or indicative, in its RFQ response. Inclusion of any pricing may result in the Respondent being disqualified.

B.4.2. Response requirements for Equity and Debt Finance

- B.4.2.1. The Respondent must demonstrate that it has, through its Members, the ability to raise the necessary Equity and/or Debt to finance the Project.
- B.4.2.2. The Respondent shall, for the purposes of this RFQ, demonstrate that it has the ability to raise at least Five Billion Rand (ZAR 5 000 000 000). This can be demonstrated by a combination of Equity and Debt (or other financial instruments as applicable).
- B.4.2.3. For this purpose, each Member of the Respondent shall provide the following information:
- B.4.2.3.1. Indicative percentage shareholding by the Member in the SPV
 - B.4.2.3.2. B-BBEE status of the Member
 - B.4.2.3.3. Sources of Equity contribution by the Member whether through own funds, a corporate finance facility or limited recourse third party funding. For each source of Equity (which may be the Member or a third party), the Member shall specify/provide:
 - B.4.2.3.4. The amount of Equity available from the source in consideration of the specified threshold.
 - B.4.2.3.5. A letter of confirmation from an independent auditor, accountant or registered financial institution, addressed to the City, confirming that the equity can be made available from the source in favour of the Respondent for the Purposes of the Project.
 - B.4.2.3.6. Key terms and conditions associated with the making available of the Equity may be provided, though a detailed term sheet is not required for the purposes of the RFQ Response. Pricing shall not be included.

B.4.2.3.7. Three years' audited financial statements. In the event that most recent audited accounts are for a period that ended more than 9 months prior to the Response Submission Date, the relevant Member must submit the most recent unaudited half year financial accounts for the relevant Member.

B.4.2.3.8. Each Member shall provide a summary of equity raised over the last five (5) years for projects which have reached financial close, indicating the project name, project value, equity contribution by the Member, source of equity and other details as deemed appropriate to demonstrate the Member's track record in raising Equity.

B.4.2.4. Information provided in response to B.4.2 shall be submitted as **Annexure B23 – Respondent's Equity Provision Capability.**

B.4.3. Response requirements for Debt

B.4.3.1. The Respondent must demonstrate that it has the ability to raise the necessary Debt Finance for delivery of the Project.

B.4.3.2. For this purpose, the Respondent shall provide letters of support from Lenders, addressed to the City, indicating the following:

B.4.3.2.1. The Lender's interest and commitment, in principle, to provide Debt Finance to the Respondent on a limited recourse finance basis.

B.4.3.2.2. The Lender's interest and commitment, in principle, to provide Finance during the Construction Period to the Respondent.

B.4.3.2.3. The Lender's satisfaction, in principle, that the Respondent is capable of undertaking the project.

B.4.3.2.4. The maximum facility amount and upper limit of the Debt: Equity ratio relating to the total capital investment considered by the Lender (as this

shortfall will need to be cross referenced to the amount of Equity that is able to be raised in B.4.2.4. above.)

B.4.3.2.5. Considerations, if any, for syndication by the Lender.

B.4.3.2.6. The Lender's preliminary requirements for Debt: Equity ratio for the Project, and the influence of a capital contribution by the City on these requirements.

B.4.3.2.7. Typical debt service cover ratio requirements.

B.4.3.2.8. Indicative tenor of Debt Finance.

B.4.3.2.9. Material terms and conditions.

B.4.3.3. Detailed term sheets are not required and pricing shall not be included.

B.4.3.4. The Respondent shall provide a summary of debt raised over the last five (5) years for projects which have reached financial close, indicating the project name, project value, amount of Debt Finance raised, source of such Debt Finance and other details as deemed appropriate to demonstrate the Respondent's track record in raising Debt.

B.4.3.5. The Respondent shall provide the information requested in B.4.3. as **Annexure B24 – Respondent's Debt Finance Capability.**

B.4.3.6. The City reserves the right to approach Lenders directly, to request further information from- and to conduct further due diligence as required to make an informed decision on the ability of the Lenders to provide Debt Finance.

B.4.4. Response requirements for Guarantor

B.4.4.1. Pre-qualified Bidders will be required to include a Bid Guarantee prior to being permitted to proceed to the RFP Process.

- B.4.4.2. The Bid Guarantee shall be provided substantially in the form as set out under **Annexure A03**.

- B.4.4.3. Respondents are reminded that failure by Pre-qualified Bidders to provide for the Bid Guarantee in the prescribed format as and when required will result in their disqualification from the RFP Process.

B.5. Pre-qualification Response – B-BBEE and Economic Development Commitment

- B.5.1. The Respondent shall take cognisance of the proposed thresholds and offer its commitments as set out in **Annexure B25 B-BBEE and ED Criteria**
- B.5.2. The Respondent shall comment on areas that may be unattainable with the understanding that the City is under no obligation to relax the proposed thresholds.
- B.5.3. Respondents may be held to their committed thresholds during the RFP process and failure to attain committed thresholds during RFP stage may result in the City calling the Bid Guarantee of the Pre-qualified Bidder.
- B.5.4. The minimum B-BBEE aggregated contributor status of South African Members and participants in Key Contractors in order for Respondents to be considered under this RFQ is as follows:
- B.5.4.1. SPV – Level 4 Contributor (Generic Scorecard)
 - B.5.4.2. Key Contractor: EPC – Level 4 Contributor (Construction Scorecard)
 - B.5.4.3. Key Contractor: O&M – Level 4 Contributor (Generic Scorecard)
- B.5.5. If the Respondent or a Key Contractor to the Respondent is a Consortium or Joint Venture comprising more than one South African Members or South African participants in Key Contractors, the weighted average Contributor Status Level will be determined using the following formula:

$$A = \frac{\sum_{n=1}^N (B_n \times C_n)}{D}$$

Where:

A = Weighted average Contributor Status Level of South African Members/Participants in Key Contractors;

B = Percentage Shareholding of South African Member/Participant n in the Respondent/Key Contractor, expressed as a percentage of South African Shareholding;

C = the qualification score of South African Member/Participant n, as indicated in its B-BBEE Verification Certificate / Affidavit (if a

Member or participant in a Key Contractor does not have a B-BBEE Verification Certificate of Affidavit, the contribution the Contributor Status Level will be 0);

D = total South African Member/Participant commitment, expressed as a percentage of South African Shareholding; and

N = total number of South African Members/Participants.

B.5.6. The following sections contain the three elements of the draft B-BBEE scorecard the Respondent is required to comment on.

B.5.6.1. Shareholding:

B.5.6.1.1. Shareholding by South African Citizens in the SPV

B.5.6.1.2. Shareholding by Black People in the SPV

B.5.6.1.3. Shareholding by Black People in the EPC Contractor

B.5.6.1.4. Shareholding by Black People in the O&M Contractor

B.5.6.2. Management control:

B.5.6.2.1. Board participation – exercisable voting rights of black board members

B.5.6.2.2. Black executive members

B.5.6.2.3. Percentage of black people in top management

B.5.6.2.4. Participation by women in top management

B.5.6.3. Local Content:

B.5.6.3.1. Percentage Local Content (Materials, Equipment, Labour, Goods and Services, comprising total overnight CAPEX) during the Construction Period

B.5.6.3.2. Percentage Local Content (Materials, Equipment, Labour, Goods and Services) during the Operations Period

B.5.6.3.3. Procurement from Black Enterprises, QSE's, EME's and designated groups

B.5.6.3.4. Designated Local Content

B.5.7. The Respondent shall address the following aspects on job creation in its Response, clearly distinguishing between the Construction (expressed as full-time equivalent jobs per annum during Construction) and Operations periods of the project:

B.5.7.1. Anticipated number of jobs created.

B.5.7.2. Anticipated Number of skilled jobs created.

B.5.7.3. Employment of South African Citizens.

B.5.7.4. Employment of South African Citizens residing in the City (Local community).

B.5.7.5. Employment of South African Citizens who are Black People.

B.5.7.6. Employment of skilled people and professionals who are South African Citizens and Black People as percentage of skilled Jobs.

B.5.7.7. Employment of South African Citizens who are Women.

B.5.7.8. Employment of South African Citizens who are Youth (<35 years).

B.5.7.9. Employment of South African Citizens who are people with Disabilities.

B.5.7.10. The anticipated number of the above jobs that can be allocated to informal recyclers currently operating at the Robinson Deep landfill site.

B.5.8. The Respondent shall provide a narrative specifying its planned approach and commitment to Economic Development.

B.5.8.1. The Respondent's plan must address the following as a minimum. Each aspect of these will contribute an equal weight to the evaluation:

B.5.8.1.1. Transformation, skills development and B-BBEE, with particular emphasis on transformation considerations for the Operations and Maintenance of the Facility over the life of the Project.

B.5.8.1.2. Employment Equity, and in particular Gender Mainstreaming.

B.5.8.1.3. On-boarding of informal recyclers.

B.5.8.1.4. Maximising local content.

B.5.8.2. The Respondent's plan must be no longer than twenty A4 pages and should be submitted as **Annexure B26 – Economic Development Approach and Commitment**.

PART C EVALUATION OF RESPONSES AND INFORMATION ON SUBSEQUENT PROCUREMENT PROCESS

C.1. Response evaluation

- C.1.1. The evaluation of Responses will be based on the information requested in this RFQ. This evaluation will be conducted by the City's Bid Committees as described under Section C.2, which will determine, at its sole discretion, whether a Respondent meets the requirements set out in this RFQ and is eligible to be pre-qualified.
- C.1.2. Only Respondents which successfully pre-qualify will be invited to take part in the RFP stage of the Procurement Process.
- C.1.3. The City envisages that it will shortlist a minimum of Three (3) - and a maximum of Five (5) Bidders, however, the number of Bidders shortlisted may be amended at the City's sole discretion and will depend on the quantity and quality of the RFQ responses received and the ability of the RFQ evaluation criteria to clearly distinguish between the proposals made by Respondents.
- C.1.4. All Respondents who submit a Response will be advised in writing, of the outcome of the evaluation.

C.2. Specification, Evaluation and Adjudication Committee

- C.2.1. The City has, in accordance with Section 26 of the Municipal Supply Chain Management Regulations, established three levels of committees:
- C.2.2. The Bid Specification Committee (BSC),
- C.2.3. The Bid Evaluation Committee (BEC), and
- C.2.4. The Bid Adjudication Committee (BAC).
- C.2.5. At the first level, the BSC will consider and compile the technical specifications incorporating set criteria for the City's requirements. The BSC shall, inter alia, include delegated City officials, Project Officer, the Transaction Advisor and any further members co-opted at the discretion of the City.

- C.2.6. At the second level, the BEC will evaluate and score the Responses in accordance with the criteria provided in Section C.3 below, compile reports and make recommendations for consideration by the BAC. The BEC shall, inter alia, include delegated City officials, Project Officer, the Transaction Advisor and any further members co-opted at the discretion of the City.
- C.2.7. At the third level, the BAC will consider the recommendations made by the BEC. The BAC will consist of delegated City officials and co-opted members in the discretion of the City, which shall include a representative from National Treasury in its capacity as observer, but shall not include any members of the Transaction Advisor. The authority to select a Respondent as a Pre-qualified Bidder will rest solely with the BAC. The BEC will be responsible merely for provision of information and reports to the BAC.

C.3. Evaluation methodology

- C.3.1. The objective of the evaluation is to identify the Respondents who, by virtue of their Responses, have demonstrated that they are able to undertake the Project in a manner which is affordable and offers Value for Money to the City, allows for appropriate risk transfer and management, offers innovative solutions and advances the City's B-BBEE and Economic Development Objectives.
- C.3.2. Respondents should demonstrate that they have the required knowledge, specific expertise, skills, experience, financial capacity and track record to successfully deliver the Project.
- C.3.3. Where the Respondent is required to furnish information or an opinion, the Respondent's failure to do so, or alternatively, vague statements, will result in that element of the scoring being marked as non-responsive for the purposes of evaluation.
- C.3.4. Responses will be verified for administrative compliance and compliance with proposed thresholds.
- C.3.5. Each Compliant RFQ Response will then be scored per category and sub-category of evaluation criteria.
- C.3.6. Scoring per evaluation criteria category and sub-category will be weighted and then summated to a total score and ranked in a balanced scorecard approach.

C.3.7. The BEC shall score each Respondent based on its Response to the information requested in Part B, in accordance with the scoring criteria and weightings indicated below:

Ref.	Criteria	Scoring	Points	Weighting
B.2	Technical		100	35
B.2.1	Project References for Engineering, Procurement and Construction (EPC)	2 Projects = 5 3 Projects = 10 4 Projects = 15 ≥5 Projects = 20	20	
B.2.2	Project References for Operations and Maintenance (O&M)	2 Projects = 5 3 Projects = 10 4 Projects = 15 ≥5 Projects = 20	20	
B.2.4.1	Technology Specific Project Reference EPC	0 Projects = 0 1 Project = 10 ≥2 Projects = 20	20	
B.2.4.2	Technology Specific Project Reference O&M	0 Projects = 0 1 Project = 5 ≥2 Projects = 15	15	
B.2.6	Record of previous collaboration	0 Projects = 0 1 Project = 2 ≥2 Projects = 5	5	
B.2.7	Key Contractor Profile and Accreditation	Poor = 0 Partially adequate = 5 Adequate = 10 Good = 15 Excellent = 20	20	

Ref.	Criteria	Scoring	Points	Weighting
B.3	Project Comprehension and Approach		100	15
B.3.3	Project Comprehension	Poor = 0 Partially adequate = 13 Adequate = 25 Good = 38 Excellent = 50	50	
B.3.4	Project Approach	Poor = 0 Partially adequate = 13 Adequate = 25 Good = 38 Excellent = 50	50	
Ref.	Criteria	Scoring	Points	Weighting
B.4	Financial		100	30
B.4.2	Equity Track Record	Poor = 0 Partially adequate = 13 Adequate = 25 Good = 38 Excellent = 50	50	
B.4.3	Debt Track Record	Poor = 0 Partially adequate = 13 Adequate = 25 Good = 38 Excellent = 50	50	

Ref.	Criteria	Scoring	Points	Weighting
B.5	B-BBEE and Economic Development		100	20
B.5.4.1	B-BBEE Criteria and Targets - SPV	Calculation based on Percentage South African Shareholding and Contributor Status Level. Score/Highest Score in Category	20	
B.5.4.2	B-BBEE Criteria and Targets - EPC	Calculation based on Percentage South African Shareholding and Contributor Status Level	10	
B.5.4.3	B-BBEE Criteria and Targets – O&M	Calculation based on Percentage South African Shareholding and Contributor Status Level	10	
B.5.6.3	ED Criteria and Targets – Local Content	Poor = 0 Partially adequate = 5 Adequate = 10 Good = 15 Excellent = 20	20	
B.5.7	ED Criteria and Targets – Job Creation	Poor = 0 Partially adequate = 5 Adequate = 10 Good = 15 Excellent = 20	20	
B5.8	Approach and Commitment to ED ²	Poor = 0 Partially adequate = 5 Adequate = 10 Good = 15 Excellent = 20	20	

² Each aspect stated in B.5.8 will contribute 5 points to the total score of 20 points :

- a. Transformation, skills development and B-BBEE,
- b. Employment Equity, and in particular Gender Mainstreaming,
- c. On-boarding of informal recyclers,
- d. Maximising local content.

C.4. Information about the subsequent procurement process

- C.4.1. The stages in the procurement phase of the PPP process are outlined in the Municipal Service Delivery and PPP Guidelines. The procurement process is designed to be fair, equitable, transparent, competitive, and cost-effective.
- C.4.2. Following the submission of the RFQ Responses, these will be evaluated by the BEC, and the City will select a short-list of Pre-qualified Bidders.
- C.4.3. After the Pre-qualified Bidders have been appointed, the procurement process, in brief, shall be as follows:
- obtaining TVR:IIA (in respect of RFP) and approval of the RFP and Draft PPP Agreement(s) for issue to Pre-qualified Bidders;
 - issuing of the RFP and draft PPP Agreements to the Pre-qualified Bidders containing project-specific information in order to facilitate the preparation of the RFP Bids;
 - submission of Bid proposals in Response to the RFP by the Pre-qualified Bidders;
 - evaluation of RFP Bids by the City, including possible Bidder recalls seeking clarification of Bids (the opportunity to provide clarification will be given to ALL Pre-qualified Bidders equally);
 - possibly a request for a Best and Final Offer by the City from the Pre-qualified Bidders; save that the Pre-qualified Bidders invited to present such a Best and Final Offer will do so at the sole discretion of the City;
 - selection of a Preferred Bidder and one or more reserve bidders;
 - obtaining TVR:IIB and announcing the Preferred Bidder;
 - negotiating the final PPP Agreement with the Preferred Bidder to ensure Affordability, risk transfer and Value for Money for Government;
 - obtaining TVR:III;
 - Commercial Close;
 - Financial Close; and
 - Close-out report
- C.4.4. Respondents may consult the Municipal Service Delivery and PPP Guidelines for further information.

PART D LIST OF RETURNABLE DOCUMENTS (TO BE SUBMITTED BY RESPONDENTS)

D.1. Administrative Compliance (Mandatory Returnable)

D.1.1. Respondent Level:

- Annexure B01: Respondent's Status and Authorised Representative
- Annexure B02: Roles and Organisational Structure
- Annexure B03: Respondent's Declaration (including Members' resolutions)
- Annexure B04: Other Relevant Supporting Documents (with index)

D.1.2. Members / Key Contractors:

- Annexure B05: Member / Key Contractor Declaration
- Annexure B06: Confidentiality Undertaking
- Annexure B07: MBD 4 – Declaration of Interest
- Annexure B08: MBD 8 – Past SCM Practices
- Annexure B09: MBD 9 – Independent Bid Determination
- Annexure B10: Tax Clearance PIN / Certificate
- Annexure B11: B-BBEE Certificate / Affidavit
- Annexure B12: Municipal Accounts / Proof of Address
- Annexure B13: Financial Information

D.1.3. Natural Persons (where applicable):

- Annexure B14: Natural Person Information
- Annexure B15: Certified ID / Passport Copies (with index)

D.1.4. Corporate Entities:

- Annexure B16: Corporate Entity Information
- Annexure B17: Certificate of Incorporation (and name change if applicable)

D.2. Pre-qualification – Technical Experience & Capability

- Annexure B18: Project Experience (EPC & O&M) – per reference
- Annexure B19: Technical Experience (Waste-to-Energy specific)
- Annexure B20: Record of Collaboration
- Annexure B21: Key Contractor Profile & Accreditation (per contractor)

D.2.1. Supporting Documents (to be included within Annexures B18-B21):

- Reference letters / completion certificates
- Client contactable references
- ISO Certifications (ISO 9001, ISO 14001, etc.)
- Health & Safety policies and records
- Environmental & Sustainability policies

D.3. Project Comprehension & Approach

- Annexure B22: Project Comprehension and Approach

D.3.1. Supporting Information (to be included within Annexure B22):

- Project understanding and methodology
- Conceptual design and technology proposal
- Project programme / timelines
- Constraints and risk considerations
- Environmental and compliance approach

D.4. Financial Capability

- Annexure B23: Equity Finance Capability
- Annexure B24: Debt Finance Capability

D.4.1. Supporting Documents (to be included within Annexures B23-B24):

- Audited Financial Statements (3) years
- Latest management accounts (if applicable)
- Equity commitment letters (auditor/bank confirmation)
- Lender support letters
- Track record of equity and debt raised

D.5. B-BBEE & Economic Development

- Annexure B25: B-BBEE and Economic Development Commitments
- Annexure B26: Economic Development Plan and Approach


D.5.1. Supporting Documents (to be included within Annexures B25-B26):

- B-BBEE certificates (Members & Contractors)
- Shareholding structures
- Employment equity and job creation plans
- Local content commitments
- Plans for inclusion of informal recyclers

D.5.2. ENQUIRIES

All inquiries related to this tender must be directed in writing wastetoenergy@joburg.org.za, within GSSCM, CoJ .

Approved Not Approved



Dr. Floyd Brink

City Manager: City of Johannesburg

Date: 20/04/2026