



## CLUSTER

Human Settlement, Engineering, and Transport

## UNIT

Human Settlements

## DEPARTMENT

Formal Housing

# PROCUREMENT DOCUMENT CALL FOR PROPOSALS

Documents are to be obtained, free of charge, in electronic format, from the [National Treasury's eTenders website](#) or the [eThekwini Municipality's website](#).

**Contract No:** 1H-26173

**Contract Title:** Call for proposals from private developers to partner with the city in the development of gap housing on erf 3186 & 3189 Isipingo

## CLARIFICATION MEETING AND QUERIES

**Clarification Meeting:** Compulsory Clarification Meeting Compulsory Clarification Meeting

**Meeting Location, Date, Time:** [Will be held on Tangerine Grove, Orient Hill] 14 March 2024] at [From 10:00am-11:00am]

**Queries can be addressed to:**  
**The Employer's Agent's Representative:**  
Nokuthula Madondo and Bhekumuzi Mhlongo  
Tel: 031 311 3218 031 322 9264  
eMail: [Nokuthula.madondo@durban.gov.za](mailto:Nokuthula.madondo@durban.gov.za)  
[Bhekumuzi.mhlongo@durban.gov.za](mailto:Bhekumuzi.mhlongo@durban.gov.za). Email queries to be submitted by 16 April 2024 and consolidated answers to questions will be uploaded 25 April 2024.

## TENDER SUBMISSION

**Delivery Location:** The Tender Box in the foyer of the Municipal Building  
166 KE Masinga Road, Durban

**Closing Date/ Time:** Friday, 31 May 2024 at 11h00

## FACSIMILE, eMAIL, or POSTED TENDERS WILL NOT BE ACCEPTED

**Issued by:**

ETHEKWINI MUNICIPALITY

Deputy Head: Formal Housing

Date of Issue: 16/02/2024

Document Version 24/02/2023(c)

### FOR OFFICIAL USE ONLY

Tenderer Name:			VAT Registered: Yes No
	Price (excl)	VAT	Price (incl)
Submitted: R	R	R	R
Corrected: R	R	R	R

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**PART T1: TENDERING PROCEDURES****T1.1.1: TENDER NOTICE AND INVITATION TO TENDER**

eThekwini Municipality hereby invites interested accredited SHI's to submit proposals for the [development of Gap housing project on Erf 3186 & 3189 Isipingo.]

<b>Subject</b>	<b>Description</b>	<b>Tender Data Ref.</b>
<b>Employer</b>	The Employer is the eThekwini Municipality as represented by: Deputy Head: <b>Formal Housing</b>	F.1.1.1
<b>Tender Documents</b>	Documents can only be obtained in electronic format, issued by the eThekwini Municipality. Documentation can be downloaded from the <b>National Treasury's eTenders website</b> or the <b>eThekwini Municipality's Website</b> . The <u>entire document</u> should be printed (on A4 paper) and suitably bound by the tenderer.	F.1.2
<b>Eligibility</b>	Tenderer should be registered on the current database (panel) for the development of social housing at eThekwini Municipality.  Tenderer's offer should not be below the reserve rental price.	F.2.1.2
<b>Clarification Meeting</b>	<b>[Will be held on Tangerine Grove, Orient Hill] 14 March 2024] at [From 10:00am-11:00am]</b>	F.2.7
<b>Seek Clarification</b>	Queries relating to these documents are to be addressed to the Employer's Agent's Representative whose contact details are: <b>Nokuthula Madondo and Bhekumuzi Mhlongo</b> <b>Tel: 031 311 3218 031 322 9264</b> <b>eMail: Nokuthula.madondo@durban.gov.za</b> <b>Bhekumuzi.mhlongo@durban.gov.za</b>	F.2.8
<b>Submitting a Tender Offer</b>	Tender offers shall be delivered to: <b>The Tender Box in the foyer of the Municipal Building</b> <b>166 KE Masinga Road, Durban</b>	F.2.13
<b>Closing Time</b>	Tender offers shall be delivered on or before <b>Friday, 31 May 2024</b> at or before <b>11h00</b> .	F.2.15
<b>Evaluation of Tender Offers</b>	<b>The 80/20</b> Price Preference Point System, as specified in the PPPFA Regulations 2022 will be applied in the evaluation of tenders. Refer to Clause F.3.11 of the Tender Data for the <b>Specific Goal(S)</b> for the awarding of Preference Points, and other related evaluation requirements.	F.3.11

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

## PART T1: TENDERING PROCEDURES

### F.1: GENERAL

**F.1.1 The employer:** The Employer for this Contract is the eThekwini Municipality as represented by: Deputy Head: **Formal Housing**

**F.1.2 Tender documents:** The Tender Documents issued by the Employer comprise:

- 1) This procurement document.
- 2) Locality Map, bound in Section C3.4 (as an Annexure).
- 3) In addition, Tenderers are advised, in their own interest, to obtain their own copies of the following acts, regulations, and standards referred to in this document as they are essential for the Tenderer to get acquainted with the basics of construction management, the implementation of preferential construction procurement policies, and the participation of targeted enterprise and labour.
  - The Employer's current (as at advertising date) Supply Chain Management Policy.
  - The Preferential Procurement Policy Framework Act No 5 of 2000, and the Preferential Procurement Policy Framework Act Regulations (2022).
  - The Occupational Health and Safety Act No 85 and Amendment Act No 181 of 1993, and the Construction Regulations (2014).
  - The Construction Industry Development Board Act No 38 of 2000 and the Regulations issued in terms of the Act (July 2013).
  - SANS 1921:2004 – Construction and Management Requirements for Works Contract, Parts 1-3.
  - Any other eThekwini Policy documents referenced in the Tender Documents.

Electronically downloaded documentation is obtainable from the National Treasury's **eTenders Website** or the **eThekwini Municipality's Website** at URLs:

- <https://www.etenders.gov.za/>
- <https://www.durban.gov.za/pages/business/procurement>

The entire downloaded document should be printed on white A4 paper (single-sided) and suitably bound by the tenderer.

**F.1.4 Communication and employer's agent:** The Employer's Agent's Representative is:

**Nokuthula Madondo and Bhekumuzi Mhlongo**  
**Tel: 031 311 3218 031 322 9264**  
**eMail: Nokuthula.madondo@durban.gov.za Bhekumuzi.mhlongo@durban.gov.za**

The Tenderer's contact details, as indicated in the Contract Data: Clause C1.1 "Data to Be Provided by Contractor", shall be deemed as the only valid contact details for the Tenderer for use in communications between the Employer's Agent and the Tenderer.

**F.1.6 Procurement procedures:** Option 2 which is Price and Preference with Functionality shall be applied.

## F.2: TENDERER'S OBLIGATIONS

### F.2.1.1 Eligibility: General

A Tenderer will not be eligible to submit a tender if:

- (a) the Tenderer does not comply with the legal requirements as stated in the Employer's current SCM Policy.
- (b) the Tenderer cannot provide proof that he is in good standing with respect to duties, taxes, levies and contributions required in terms of legislation applicable to the work in the contract.
- (c) In the event of a Compulsory Clarification Meeting:
  - i) the Tenderer fails to attend the Compulsory Clarification Meeting.
  - ii) the Tenderer fails to have form "Certificate of Attendance at Clarification Meeting / Site Inspection" (in T2.2) signed by the Employer's Agent or his representative.
- (d) in the case of JV submissions, two or more JV entities have common directors / shareholders or common entities tendering for the same works.
- (e) at the time of closing of tenders, the Tenderer is not registered on the National Treasury Central Supplier Database (CSD) as a service provider. In the case of a Joint Venture, this requirement will apply individually to each party in the Joint Venture.
- (f) The tenderer has not submitted, with this tender, a valid Letter of Good Standing from the Compensation Commissioner as proof of being registered and in good standing with the compensation fund. Reference is to be made to Returnable Document T2.2.13.
- (g) The tender fails to complete and sign the Declaration of Municipal Fees in T2.2: "Returnable Documents" and submits the required documentation. Reference is to be made to Returnable Document T2.2.12.

SCM Policy (Cl.14(4)) requires suppliers/ service providers/ contractors to be registered on the eThekweni Municipality Central Supplier Database or be in a position to be so before the award.

In the event of the Tenderer not being registered on the eThekweni Municipality's Central Supplier Database, the tenderer must register on the internet at [www.durban.gov.za](http://www.durban.gov.za) by following these links:

- Business
- Supply Chain Management (SCM)
- Accredited Supplier and Contractor's Database.

The following are to be noted:

- (a) The information for registration as in the possession of the eThekweni Municipality will apply.
- (b) It is the Tenderer's responsibility to ensure that the details as submitted to the Municipality are correct.
- (c) Tenderers are to register prior to the submission of tenders.

**F.2.1.2 Eligibility:**

- (a) The bidder's contractor must have an NHBRC registration certificate.
- (b) The bidder must submit proof of the availability of finance to fund 10% of the development cost through funding.
- (c) 50 percent of the professional team and the contractor must comprise of >76 percent PPG
- (d) Any offer below the reserve price will not be considered

**F.2.2.2** Documents are to be obtained, free of charge, in electronic format, from the **National Treasury's eTenders website** or the **eThekwini Municipality's Website**. The entire electronically downloaded document should be printed on white A4 paper (single-sided) and suitably bound by the tenderer.

**F.2.6 Acknowledge addenda:** Add the following paragraphs to the clause:

"Addenda will be published, in electronic format, on the websites specified in F.1.2. Tenderers are to ensure that the eTenders website is consulted for any published addenda pertaining to this tender up to three days before the tender closing time as stated in the Tender Data."

"Acknowledgement of receipt of the addenda will be by the return of the relevant completed, dated, and signed portion of the addenda, to the physical or email address as specified on the addenda. Failure of the tenderer to comply with the requirements of the addenda may result in the tender submission being made non-responsive."

**F.2.7 Clarification meeting:**

**[Will be held on Tangerine Grove, Orient Hill] 14 March 2024] at [From 10:00am-11:00am]**

In the event of a Compulsory Clarification Meeting, Tenderers must sign the attendance register in the name of the tendering entity. The Tenderer's representative(s) at the clarification meeting must be able to clearly convey the discussions at the meeting to the person(s) responsible for compiling the entity's tender offer.

**F.2.12 Alternative tender offers:** No alternative tender offers will be considered.

**F.2.13 Submitting a tender offer:** Submissions must be submitted on official submission documentation issued (either in hard copy or in electronic format) by the eThekwini Municipality.

Identification details to be shown on each tender offer package are:

- Contract No. : **1H-26173**
- Contract Title : **Call for proposals from private developers to partner with the city in the development of gap housing on erf 3186 & 3189 Isipingo**

The Employer's address for delivery of tender offers is:

**The Tender Box in the foyer of the Municipal Building  
166 KE Masinga Road, Durban**

**Tender offer communicated on paper shall be submitted as an original.**

Tenderers are to include, with their paper ("hard copy") submission, a memory-stick containing an electronically scanned (300 dpi resolution) Public Document Format (PDF) copy of their complete bid submission. This PDF file should be named using the contract number and the Tenderer's name, eg. **"1H-26173 – Tenderers Name.PDF"**. The memory-stick must be labelled with the Tenderer's name and securely fixed to the paper submission.

Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.

**F.2.15 Closing time:** The closing time for delivery of tender offers is:

- Date : **Friday, 31 May 2024**
- Time : **11h00**

**F.2.16 Tender offer validity:** The Tender Offer validity period is 120 Days from the closing date for submission of tenders.

**F.2.23 Certificates:** Refer to T2.1 for a listing of certificates that must be provided with the tender. All certificates must be valid at the time of tender closing.

**Tenderers are to include, at the back of their tender submission document, a printout of the required documents/ certificates.**

The Form of Offer (C1.1.1), Data to be provided by the tenderer (C1.2.2.2), is also required to be completed in full.

#### **Tax Clearance**

Reference is also to be made to returnable form T2.2.3: "Tax Compliance Status PIN/ Tax Clearance Certificate".

SARS has introduced a new Tax Compliance Status System. Tenderers must submit a **Tax Compliance Status PIN** (TCS PIN) instead of an original Tax Clearance Certificate. This TCS PIN can be used by third parties to certify the taxpayer's real-time compliance status. This TCS PIN is to be entered on Returnable Document T2.2.1: "Compulsory Enterprise Questionnaire". Separate Tax Clearance Certificates / TCS PINs are required for each entity in a Joint Venture.

Failure to comply will make the tender non-responsive.

#### **Compensation Commissioner**

Reference is also to be made to returnable form T2.2.13: "Eligibility: Registration with Compensation Commissioner".

The tenderer is to supply proof of being registered and in good standing with the compensation fund by submitting a valid **Letter of Good Standing** from the Compensation Commissioner.

Failure to comply will make the tender non-responsive.

#### **Central Supplier Database (CSD)**

Reference is also to be made to returnable form T2.2.14: "Eligibility: CSD Registration Report".

The entities (full) **CSD Registration Report**, obtained from the National Treasury Central Supplier Database, is to be included in the tender submission ( <https://secure.csd.gov.za> ).

Separate CSD Registration Reports are required for each entity in a Joint Venture.

### F.3: THE EMPLOYER'S UNDERTAKINGS

**F.3.1.1 Respond to requests from the tenderer:** “three working days”.

**F.3.2 Issue addenda:** “Addenda will be published, in electronic format, on the same platform(s) as the Tender Notification (refer to F.1.2).

**F.3.4 Opening of Tender Submissions:** Tenders will be opened immediately after the closing time for tenders. The public reading of tenders will take place in the SCM Boardroom, 6<sup>th</sup> Floor, Engineering Unit Building, 166 KE Masinga Road, Durban.

**F.3.11 Evaluation of Tender Offers:**

#### Eligibility

Tenders will be checked for compliance with the ELIGIBILITY requirements, as specified in T1.2.2 Clause F.2.1. Tenderers not in compliance will be deemed non-responsive.

#### Functionality

FUNCTIONALITY will be evaluated to determine the responsiveness of tenders received. The minimum score for FUNCTIONALITY is 70 points. Those tenders not achieving the minimum score will be deemed non-responsive.

The functionality Criteria, Sub-Criteria, Points per Criteria/ Sub-Criteria, Returnable Documentation and Schedules, Method of Evaluation, and Prompts for Judgement are as specified in **T1.2.3:** “Additional Conditions of Tender”.

#### Preference Point System

The financial offer will be reduced to a comparative basis using the **Tender Assessment Schedule**.

The procedure for the evaluation of responsive tenders is **PRICE AND PREFERENCE** in accordance with the Employer’s current SCM Policy, the Preferential Procurement Policy Framework Act (5 of 2000), and the Preferential Procurement Policy Framework Act Regulations (2022).

#### Price Points

The **80/20** preference points system will be applied. The Formula used to calculate the **Price Points (max. 80)** will be according to that specified Regulation 4.1.

#### Preference Points

Reference is also to be made to **T2.2.7: “MBD 6.1:** Preference Points Claim”.

The Preference Points (20) will be derived from points allocated/ claimed for **Specific Goals** as indicated in the table(s) below, according to the specified **Goal/ Category Weightings**.

- **RDP Goal: The promotion SMMEs with a minimum of 51% black ownership– Contracts > R5m**

Goal Weighting: 100%

The tendering entity's **Commitment to Sub-Contracting** (to Sub-Contractors conforming to the specified ownership demographics) the **percentage works**, as specified below, is to be used in the determination of the tenderer's claim for **Preference Points** for this Specific Goal.

<b>Contract Participation Goal</b>	<b>80/20</b>	<b>90/10</b>
Sub-contracting 0%	0	n/a
Sub-contracting <25%	5	n/a
Sub-contracting 25%	10	n/a
Sub-contracting ≥25% and <50%	20	n/a
<b>Maximum Goal Points:</b>		n/a

**Proof of claim as declared on MBD 6.1** (1 or more of the following will be used in verifying the tenderer's status)

- Contract Participation Goal Plan (% work to be allocated)

**F.3.13 Acceptance of tender offer:** In addition to the requirements of Clause F.3.13 of the Standard Conditions of Tender, tender offers will only be accepted if:

- The tenderer submits a **valid Tax Clearance Certificate OR Tax Compliance Status PIN**, issued by the TCS System of the South African Revenue Services, or has made arrangements to meet outstanding tax obligations.
- The tenderer or any of its directors/shareholders is **not listed on the Register of Tender Defaulters** in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector.
- The tenderer has not:
  - Abused the Employer's Supply Chain Management System; or
  - Failed to perform on any previous contract and has been given a written notice to this effect.
- The tenderer has completed the **Compulsory Enterprise Questionnaire** and there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the Employer or potentially compromise the tender process.
- The tenderer is **registered and in good standing with the compensation fund or with a licensed compensation insurer**.
- The Employer is reasonably satisfied that the tenderer has in terms of the Construction Regulations, 2014, issued in terms of the Occupational Health and Safety Act, 1993, the **necessary competencies and resources to carry out the work safely**.

The Municipality does not bind itself to accept the lowest or any tender. It reserves the right to accept the whole or any part of a tender to place orders. Bidders shall not bind the Municipality to any minimum quantity per order. The successful Tenderer (s) shall be bound to provide any quantities stipulated in the specification.

**F.3.17 Copies of contract:** The number of paper copies of the signed contract to be provided by the Employer is **ONE (1)**.

Tenderers are to include, with their "hard copy" submission, a memory-stick containing an electronically scanned (300 dpi resolution) Public Document Format (PDF) copy of their complete bid submission. This PDF file should be named using the contract number and the Tenderer's name, eg. "1H-26173 – Tenderers Name.PDF". The memory-stick must be labelled with the Tenderer's name and securely fixed to the paper submission.

**T1.2.3 ADDITIONAL CONDITIONS OF TENDER****T1.2.3.1 Appeals**

In terms of Regulation 49 of the Municipal Supply Chain Management Regulations persons aggrieved by decisions or actions taken by the Municipality, may lodge an appeal within 14 days of the decision or action, in writing to the Municipality. All appeals (clearly setting out the reasons for the appeal) and queries with regard to the decision of award are to be directed to:

The City Manager  
**Attention Ms S. Pillay**      eMail: [Simone.Pillay@durban.gov.za](mailto:Simone.Pillay@durban.gov.za)  
P O Box 1394  
DURBAN, 4000

**T1.2.3.2 Prohibition on awards to persons in the service of the state**

Clause 44 of the Supply Chain Management Regulations states that the Municipality or Municipal Entity may not make any award to a person:

- (a) Who is in the service of the State;
- (b) If that person is not a natural person, of which a director, manager, principal shareholder or stakeholder is a person in the service of the state; or
- (c) Who is an advisor or consultant contracted with the municipality or a municipal entity.

Should a contract be awarded, and it is subsequently established that Clause 44 has been breached, the Employer shall have the right to terminate the contract with immediate effect.

**T1.2.3.3 Code of Conduct and Local Labour**

The Tenderers shall make themselves familiar with the requirements of the following policies that are available on web address: <ftp://ftp.durban.gov.za/cesu/StdContractDocs/>:

- Code of Conduct;
- The Use of CLOs and Local Labour.

### T1.2.3.5 Functionality Specification

The value of  $W_2$  is 100. The Functionality criteria, sub-criteria and maximum score in respect of each of the criteria are as follows:

Functionality criteria	Sub criteria	Maximum Points	Weighting
<b>SECTION 1: ORGANISATIONAL VIABILITY</b>			
Developer's Experience	1.1 Experience of the developer in executing work of similar property development work.	15	15
Contractor's Experience	1.2. Experience of the Contractor within the bidding entity is expected to have an active NHBRC registration at the time of tender closing. Contractor to demonstrating experience in various residential construction projects ranging from standalone dwelling units to medium dense cluster units and high-rise apartment typologies.	15	15
Experience of Key Resources in executing work of similar nature	2.1 Professional Project Manager	5	25
	2.2 Professional Architect	5	
	2.3 Professional Structural/ Civil Engineer	4	
	2.4 Professional Quantity Surveyor	4	
	2.5 Professional Town Planner	4	
	2.6 Social Facilitator	3	
<b>SECTION 2: TECHNICAL VIABILITY</b>			
Development Approach including programme	2.1 Methodology outlining the proposed approach to undertake the development.	10	10
Development Plan/Concept Designs	2.2. Conceptual Designs outlining residential typologies, size and number of units (taking into account town planning requirements).	25	20
<b>SECTION 3: FINANCIAL VIABILITY</b>			
Development Cost and Funding Model	3.1 Development Finance (Financial Model incl. unit cost)	15	15
<b>Maximum possible score for Functionality (Ms)</b>		100	

The minimum number of evaluation points for Functionality is **70**. Only those tenderers who achieve the minimum number of Functionality evaluation points (or greater) will be eligible to have their tenders further evaluated.

Functionality shall be scored by not less than three evaluators and the scores of each of the evaluators will be averaged, weighted and then totalled to obtain the final score for Functionality. Each evaluation criteria will be assessed in terms of six indicators and scores allocated according to the following table:

Level 0	Level 2	Level 3	Level 4	Level 5
0	40	70	90	100

Evaluation criteria will be adjudicated according to submissions made in accordance with the following schedules, which are found in T2.2: Returnable Schedules:

Unless otherwise stated, evaluation criteria will be adjudicated with respect to the contract specific Scope of Work, as specified in C.3. In this regard the following definitions apply to the evaluation criteria prompts for judgement:

- **“successfully completed”** implies a project has been completed on time and to specification;
- **“similar nature”** implies projects that were of a value of at least 70% of this tender’s value, and had a comparable Scope of Work in terms of technical requirements and operations;
- **“experience”** implies experience on projects of a similar nature;
- **“accredited degree / diploma”** implies a minimum 3 year qualification within the built environment, from a registered University or Institute of Technology.

SCORE	Criterion – Developer’s Experience in Property Development
NO SUBMISSION (0)	No Submission or Submission of no substance / irrelevant information provided.
POOR (40)	Bidding Entity has poor experience in that they have performed and/or been responsible for one of the different activities/roles within the property development cycle which may include: Development Manager, Design Consultants, Property Manager and Contractor. The bidding entity should have successfully completed 1 <u>projects</u> of a similar nature within the past 10 years within the development cycle experience is being claimed for.
SATISFACTORY (70)	Bidding Entity has satisfactory experience in that they have performed and/or been responsible for one of the different activities/roles within the property development cycle which may include: Development Manager, Design Consultants, Property Manager and Contractor. The bidding entity should have successfully completed 3 <u>projects</u> of a similar nature within the past 10 years within the development cycle experience is being claimed for.
GOOD (90)	Bidding Entity has good experience in that they have performed and/or been responsible for one of the different activities/roles within the property development cycle which may include: Development Manager, Design Consultants, Property Manager and Contractor. The bidding entity should have successfully completed 5 <u>projects</u> of a similar nature within the past 10 years within the development cycle experience is being claimed for.
EXCELLENT (100)	Bidding Entity has excellent experience in that they have performed and/or been responsible for one of the different activities/roles within the property development cycle which may include: Development Manager, Design Consultants, Property Manager and Contractor. The bidding entity should have successfully completed 10 <u>projects</u> of a similar nature within the past 10 years within the development cycle experience is being claimed for.

SCORE	Criterion – Contractor’s Experience
NO SUBMISSION (0)	No Submission or Submission of no substance / irrelevant information provided.
POOR (40)	To have successfully completed 1-3 <u>projects</u> of a similar nature within the past 10 years.
SATISFACTORY (70)	To have successfully completed 4-5 <u>projects</u> of a similar nature within the past 10 years.
GOOD (90)	To have successfully completed 6-7 <u>projects</u> of a similar nature within the past 10 years.
EXCELLENT (100)	To have successfully completed more than 8+ <u>projects</u> of a similar nature within the past 10 years.

SCORE	Criterion – Experience of Key Staff
NO SUBMISSION (0)	No Submission or Submission of no substance / irrelevant information provided.
POOR (40)	To have successfully completed 1-2 <u>projects</u> of a similar nature within the past 10 years.
SATISFACTORY (70)	To have successfully completed 3-4 <u>projects</u> of a similar nature within the past 10 years.
GOOD (90)	To have successfully completed 5-6 <u>projects</u> of a similar nature within the past 10 years.
EXCELLENT (100)	To have successfully completed more than 7+ <u>projects</u> of a similar nature within the past 10 years.

SCORE	Criterion – Methodology including Development Programme
NO SUBMISSION (0)	No Submission or Submission of no substance / irrelevant information provided.
POOR (40)	The bidder has submitted a GENERIC Methodology for the proposed residential development.
SATISFACTORY (70)	The bidder has submitted a SITE-SPECIFIC Methodology aligned to Concept Designs in terms of bulk and zoning for the proposed residential development.
GOOD (90)	The bidder has submitted a SITE-SPECIFIC Methodology aligned to Concept Designs in terms of bulk and zoning for the proposed residential development. The proposal is further supported by GOOD consideration of Gap/Flisp housing legislation, including programme indicating plans approval, construction, and disposal plan of units to qualifying beneficiaries.
EXCELLENT (100)	The bidder has submitted a SITE-SPECIFIC Methodology aligned to Concept Designs in terms of bulk and zoning for the proposed residential development indicating typical unit plans, common areas, landscaping. The proposal is further supported by EXCELLENT sustainable initiatives, and EXCELLENT consideration of Gap/Flisp housing legislation, including programme indicating plans approval, construction, and disposal plan of units to qualifying beneficiaries.

SCORE	Criterion – Concept Designs
NO SUBMISSION (0)	No Submission or Submission of no substance / irrelevant information provided.
POOR (40)	The bidder has submitted concept design that is not supported by the zoning rights for the site.
SATISFACTORY (70)	The bidder has submitted concept design that is supported by the zoning rights for the site, including the number and size of Gap/Flisp housing units proposed.
GOOD (90)	The bidder has submitted concept design that is supported by the zoning rights for the site, including the number and size of Gap/Flisp housing units proposed. In addition, the bidder has indicated the size of shared/ common space, parking bays and other opportunities/ constraints.
EXCELLENT (100)	The bidder has submitted concept design that is supported by the zoning rights for the site, including the number and size of Gap/Flisp housing units proposed. In addition, the bidder has indicated the size of shared/ common space, parking bays and other opportunities/ constraints. The bidder has also included the additional details on the design to demonstrate sustainable initiatives and detailed alignment with Gap/Flisp, and other relevant legislations.

SCORE	Criterion – Development Cost and Funding Model
NO SUBMISSION (0)	No Submission or Submission of no substance / irrelevant information provided.
POOR (40)	The bidder has submitted a GENERIC Development Finance Model which does not clearly detail an understanding of funding and financing sources to support the development together with development costs and proposed selling price per unit.
SATISFACTORY (70)	The bidder has submitted a SATISFACTORY Development Finance Model which clearly details funding and financing sources to support the development based on an “Order of Magnitude” estimate (with a schedule of per unit cost). The bidder has included proposed selling price per unit.
GOOD (90)	The bidder has submitted a GOOD Development Finance Model which clearly details funding and financing sources to support the development based on an “Order of Magnitude” estimate (with a schedule of cost per unit). The bidder has included a sales plan which indicates selling price per unit that meet the GAP housing price range.
EXCELLENT (100)	The bidder has submitted an EXCELLENT Development Finance Model and submitted a realistic which speaks to FLISP Programme. The bidder has included a sales plan which indicates selling price per unit that meet the GAP housing price range.  In addition, the developer has submitted a Letter of Intent from a reputable financial institution with commitment of fund 90% of project costs.

## **PART T2: RETURNABLE DOCUMENTS**

### **T2.1 LIST OF RETURNABLE DOCUMENTS**

#### **T2.1.1 General**

The Tender Submission Documentation must be submitted in its entirety. All forms must be properly completed as required.

The Tenderer is required to complete each and every Schedule and Form listed below to the best of their ability as the evaluation of tenders and the eventual contract will be based on the information provided by the Tenderer. Failure of a Tenderer to complete the Schedules and Forms to the satisfaction of the Employer will inevitably prejudice the tender and may lead to rejection on the grounds that the tender is non-responsive.

#### **T2.1.2 Returnable Schedules, Forms and Certificates**

##### **Entity Specific**

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T2.2.3	Tax Compliance Status PIN / Tax Clearance Certificate	19
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##### **General Eligibility**

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##### **Technical or Functionality Evaluation**

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**T2.2 RETURNABLE SCHEDULES, FORMS, AND CERTIFICATES**

The returnable schedules, forms, and certificates, as listed in T2.1.2, can be found on pages [16](#) to [34](#).

**NOTE**

The **Form of Offer** (C1.1.1), The **Data to be Provided by Contractor** (C1.2.2.2), and the **Bill of Quantities** (C2.2) are also required to be completed by the tenderer.

**T2.2.1 COMPULSORY ENTERPRISE QUESTIONNAIRE**

<b>Ref</b>	<b>Description</b>	<b>Complete or Circle Applicable</b>
1.1	Name of enterprise	
1.2	Name of enterprise's representative	
1.3	ID Number of enterprise's representative	
1.4	Position enterprise's representative occupies in the enterprise	
1.5	National Treasury Central Supplier Database Registration number	<b>MAAA</b>
1.6	eThekweni Supplier Database: Reference number (PR), if any:	<b>PR</b>
1.7	VAT registration number, if any:	
1.8	CIDB registration number, if any:	
1.9	Department of Labour: Registration number	
1.10	Department of Labour: Letter of Good Standing Certificate number	
<b>2.0</b>	<b>Particulars of sole proprietors and partners in partnerships (attach separate pages if more than 4 partners)</b>	
	<b>Full Name</b>	<b>Identity No.</b>
	<b>Personal income tax No. *</b>	
2.1		
2.2		
2.3		
2.4		
<b>3.0</b>	<b>Particulars of companies and close corporations</b>	
3.1	Company registration number, if applicable:	
3.2	Close corporation number, if applicable:	
3.3	Tax Reference number, if any:	
3.4	South African Revenue Service: Tax Compliance Status PIN:	

**4.0 Record in the service of the state** (Insert on a separate page if necessary)

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

- |   |  |
|---|--|
| <input type="checkbox"/> a member of any municipal council  | <input type="checkbox"/> a member of any provincial legislature  |
| <input type="checkbox"/> an official of any municipality or municipal entity  | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> a member of the board of directors of any municipal entity   | <input type="checkbox"/> a member of the National Assembly or the National Council of Province           |
| <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) | <input type="checkbox"/> an employee of Parliament or a provincial legislature                           |

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 mths

**5.0 Record of spouses, children and parents in the service of the state** (Insert on a separate page if necessary)

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

- |   |  |
|---|--|
| <input type="checkbox"/> a member of any municipal council  | <input type="checkbox"/> a member of any provincial legislature  |
| <input type="checkbox"/> an official of any municipality or municipal entity  | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> a member of the board of directors of any municipal entity   | <input type="checkbox"/> a member of the National Assembly or the National Council of Province           |
| <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) | <input type="checkbox"/> an employee of Parliament or a provincial legislature                           |

Name of spouse, child or parent	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 mths

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise:

- i) authorizes the Employer to verify the tenderers tax clearance status from the South African Revenue Services that it is in order.
- ii) confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004.
- iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption.
- iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest.
- v) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

**NAME (Block Capitals):** \_\_\_\_\_

**Date**

**SIGNATURE:** \_\_\_\_\_

**T2.2.2 CERTIFICATE OF ATTENDANCE AT CLARIFICATION MEETING / SITE INSPECTION**

Reference is to be made to Clauses F.2.1(c) and F.2.7 of the Tender Data.

This is to certify that:

(tenderer name): .....  
of (address): .....  
.....  
.....

was represented by the person(s) named below at the Clarification Meeting held for all tenderers, the details of which are stated in the Tender Data (F.2.7).

I / We acknowledge that the purpose of the meeting was to acquaint myself / ourselves with the site of the works and / or matters incidental to doing the work specified in the tender documents in order for me / us to take account of everything necessary when compiling our rates and prices included in the tender.

**Particulars of person(s) attending the meeting:**

Name: ..... Name: .....  
Signature: ..... Signature: .....  
Capacity: ..... Capacity: .....

**Attendance of the above person(s) at the meeting is confirmed by the Employer's Agent's Representative, namely:**

Name: .....  
Signature: .....  
Date: .....

**T2.2.3 TAX COMPLIANCE STATUS PIN / TAX CLEARANCE CERTIFICATE**

Reference is to be made to Clauses F.2.23 and F.3.13(a) of the Tender Data.

SARS has introduced a new Tax Compliance Status System. Tenderers can submit a Tax Compliance Status PIN (TCS PIN) instead of an original Tax Clearance Certificate. This TCS PIN can be used by third parties to certify the taxpayer’s real-time compliance status.

Separate Tax Clearance Certificates / TCS PINs are required for each entity in a Joint Venture.

The TCS PIN(s) are to be entered under item 3.4 on form **T2.1.2.1: Compulsory Enterprise Questionnaire**.

**Tenderers are to include, at the back of their tender submission document, a printout of their Tax Compliance Status PIN (TCS PIN) OR an original Tax Clearance Certificate.**

**Failure to include the required document will make the tender submission non-responsive.**

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, **and that the requested documentation has been included in the tender submission.***

**NAME (Block Capitals):**

**Date**

**SIGNATURE:**

**T2.2.4 CONTRACTOR'S HEALTH AND SAFETY DECLARATION**

If Functionality is applicable as part of tender evaluation, reference is to be made to Clause F3.11.9 of the of the Conditions of Tender.

Reference is to be made to Clauses F.2.1(e) and F.2.23 of the Tender Data.

In terms of Clause 5(1)(h) of the OHSA 1993 Construction Regulations 2014 (referred to as "the Regulations" hereafter), a Principal Contractor may only be appointed to perform construction work if the Client is satisfied that the Principal Contractor has the necessary competencies and resources to carry out the work safely in accordance with the Occupational Health and Safety Act No 85 of 1993 and the OHSA 1993 Construction Regulations 2014.

To that effect, a person duly authorised by the tenderer, must complete and sign the declaration hereafter in detail.

**Declaration by Tenderer**

- 1 I, the undersigned, hereby declare and confirm that I am fully conversant with the Occupational Health and Safety Act No 85 of 1993 (as amended by the Occupational Health and Safety Amendment Act No 181 of 1993), and the OHSA 1993 Construction Regulations 2014.
- 2 I hereby declare that my company has the competence and the necessary resources to safely carry out the construction work under this contract in compliance with the Construction Regulations and the Employer's Health and Safety Specifications.
- 3 I propose to achieve compliance with the Regulations by one of the following **(Tenderers are to Circle Applicable - Yes or No)**:

- (a) From my own competent resources as detailed in 4(a) hereafter.
- (b) From my own resources still to be appointed or trained until competency is achieved, as detailed in 4(b) hereafter:
- (c) From outside sources by appointment of competent specialist Subcontractors as detailed in 4(c) hereafter:

Circle Applicable	
Yes	NO
Yes	NO
YES	NO

- 4 Details of resources I propose:  
*(Note: Competent resources shall include safety personnel such as a construction supervisor and construction safety officer as defined in Regulation 8, and competent persons as defined in Regulations 9, 10, 11, 12, 13, 14, 16, 17, 20, 21, 22, 23(1), 24, 25, 26, 27, 28 and 29, as applicable).*
- (a) Details of the competent and qualified key persons from my company's own resources, who will form part of the contract team:

NAMES OF COMPETENT PERSONS	POSITIONS TO BE FILLED BY COMPETENT PERSONS

(b) Details of training of persons from my company's own resources (or to be hired) who still have to be trained to achieve the necessary competency:

- (i) By whom will training be provided?
- (ii) When will training be undertaken?
- (iii) Positions to be filled by persons to be trained or hired:


(c) Details of competent resources to be appointed as subcontractors if competent persons cannot be supplied from own company:

Name of proposed subcontractor:

Qualifications or details of competency of the subcontractor:


- 5 I, the undersigned, hereby undertake, if this tender is accepted, to provide, before commencement of the works under the contract, a suitable and sufficiently documented Health and Safety Plan in accordance with Regulation 7(1) of the Construction Regulations, which plan shall be subject to approval by the Client.
- 6 I, the undersigned, confirm that copies of this company's approved Health and Safety Plan, the Client's Safety Specifications as well as the OHSА 1993 Construction Regulations 2014 will be provided on site and will at all times be available for inspection by the Principal Contractor's personnel, the Client's personnel, the Employer's Agent, visitors, and officials and inspectors of the Department of Labour.
- 7 I, the undersigned, hereby confirm that adequate provision has been made in the tendered rates and prices in the Bill of Quantities to cover the cost of all resources, actions, training and all health and safety measures envisaged in the OHSА 1993 Construction Regulations 2014, and that I will be liable for any penalties that may be applied by the Client in terms of the said Regulations (Regulation 33) for failure on the Principal Contractor's part to comply with the provisions of the Act and the Regulations.
- 8 I, the undersigned, agree that failure to complete and execute this declaration to the satisfaction of the Client will mean that this company is unable to comply with the requirements of the OHSА 1993 Construction Regulations (2014) and accept that this tender will be prejudiced and may be rejected at the discretion of the Client.

<i>I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct.</i>
---

**NAME (Block Capitals):** \_\_\_\_\_ **Date** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**T2.2.5 MBD 4: DECLARATION OF INTEREST**

MSCM Regulations: “in the service of the state” means to be:

- (a) a member of:
  - (i) any municipal council.
  - (ii) any provincial legislature.
  - (iii) the national Assembly or the national Council of provinces.
- (b) a member of the board of directors of any municipal enterprise.
- (c) an official of any municipality or municipal enterprise.
- (d) an employee of any national or provincial department, national or provincial public enterprise or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999).
- (e) a member of the accounting authority of any national or provincial public enterprise.
- (f) an employee of Parliament or a provincial legislature.

“Shareholder” means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

- 1 No bid will be accepted from persons **in the service of the state**<sup>1</sup>.
- 2 Any person, having a kinship with persons **in the service of the state**, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to **persons in service of the state**, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Name of enterprise	Complete T2.1.2.1 Item 1.1
Name of enterprise’s representative	Complete T2.1.2.1 Item 1.2
3.2 ID Number of enterprise’s representative	Complete T2.1.2.1 Item 1.3
3.3 Position enterprise’s representative occupies in the enterprise	Complete T2.1.2.1 Item 1.4
3.4 Company Registration number	Complete T2.1.2.1 Item 3.1 or 3.2
3.5 Tax Reference number	Complete T2.1.2.1 Item 3.3
3.6 VAT registration number	Complete T2.1.2.1 Item 1.7

3.7 The names of all directors / trustees / shareholders / members / sole proprietors / partners in partnerships, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below. In the case of a joint venture, information in respect of each partnering enterprise must be completed and submitted.

Circle Applicable	
3.8 Are you presently in the service of the state?	YES    NO
If yes, furnish particulars: .....	
.....	
.....	
Circle Applicable	
3.9 Have you been in the service of the state for the past twelve months?	YES    NO
If yes, furnish particulars: .....	
.....	
.....	

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? YES NO  
 If yes, furnish particulars: .....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? YES NO  
 If yes, furnish particulars: .....

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? YES NO  
 If yes, furnish particulars: .....

3.13 Are any spouse, child or parent of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? YES NO  
 If yes, furnish particulars: .....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract? YES NO  
 If yes, furnish particulars: .....

4 The names of all directors / trustees / shareholders / members / sole proprietors / partners in partnerships, their individual identity numbers and state employee numbers must be indicated below. In the case of a joint venture, information in respect of each partnering enterprise must be completed and submitted

Full Name	Identity No.	State Employee No.	Personal income tax No.
Use additional pages if necessary			

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct.*

**NAME (Block Capitals):** ..... **Date** .....

**SIGNATURE:** .....

**T2.2.6 MBD 5: DECLARATION FOR PROCUREMENT ABOVE R10 MILLION  
(ALL APPLICABLE TAXES INCLUDED)**

For all procurement expected to exceed R10 million (all applicable taxes included), bidders must complete the following questionnaire.

	Circle Applicable	
1.0 Are you by law required to prepare annual financial statements for auditing?	YES	NO
1.1 <b>If YES, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.</b>		
2.0 Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than three months or any other service provider in respect of which payment is overdue for more than 30 days?	YES	NO
2.1 If NO, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than three months or other service provider in respect of which payment is overdue for more than 30 days.		
2.2 If YES, provide particulars. ..... .....		
3.0 Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract?	YES	NO
3.1 If YES, provide particulars. ..... .....		
4.0 Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic?	YES	NO
4.1 If YES, provide particulars. ..... .....		

**If required by 1.1 above, tenderers are to include, at the back of their tender submission document, a printout of their audited annual financial statements.**

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, and, if required, that the requested documentation has been included in the tender submission.*

**NAME (Block Capitals):** \_\_\_\_\_ **Date** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**T2.2.7 MBD 6.1: PREFERENCE POINTS CLAIM**  
**In terms of THE PREFERENTIAL PROCUREMENT REGULATIONS (2022)**

**Reference is to be made to Clause F.3.11 of the Tender Data.**

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

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

**1.0 GENERAL CONDITIONS**

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

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

1.2 The applicable preference point system for this tender is the 80/20 preference point system.

1.2 The 80/20 preference point system will be applicable in this tender. The highest acceptable tender will be used to determine the applicable system once tenders are received.

1.3 Preference Points for this tender shall be awarded for:

- **Price and Specific Goals:** Either 80 (price) and 20 (specific goals), in terms of 1.2 above.
- The total Preference Points, for Price and Specific Goals, is 100.

1.4 Failure on the part of the tenderer to submit the required proof or documentation, in terms of the requirements in the Conditions of Tender for claiming specific goal preference points, will be interpreted that preference points for specific goals are not claimed.

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

**2.0 DEFINITIONS**

2.1 “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.

2.2 “**price**” means an amount of money tendered for goods or services and includes all applicable taxes less all unconditional discounts.

2.3 “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes.

2.4 “**tender for income-generating contracts**” means a written offer in the form determined by Municipality in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the Municipality and a third party that produces revenue for the Municipality, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions.

2.5 “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

### 3.0 FORMULA FOR CALCULATION OF PREFERENCE PRICE POINTS

#### 3.1 DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

**POINTS AWARDED FOR PRICE:** A maximum of 80 or 90 points is allocated for price on the following basis:

##### 80 / 20 Points System

$$P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where:

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{max}$  = Price of highest acceptable tender

### 4.0 POINTS AWARDED FOR SPECIFIC GOALS

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

**TABLE 1:** Specific Goals for the tender and maximum points for each goal are indicated per the table below.

**Tenderers are to indicate their points claim for each of the Specific Goals in the shaded blocks.**

The Specific Goals to be allocated points in terms of this tender	Maximum Number of points ALLOCATED (80/20 system)	Maximum Number of points ALLOCATED (90/10 system)	Number of points CLAIMED (80/20 system)	Number of points CLAIMED (90/10 system)
<b>RDP Goal:</b> The promotion of SMMEs owned by PPG (contracts >R5m)	20	n/a		n/a
<b>Total CLAIMED Points (20 Maximum)</b>				n/a

I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, certify that the points claimed, based on the specific goals as specified in the tender, qualifies the tendering entity for the preference(s) shown.

I acknowledge that:

- 1) The information furnished is true and correct.
- 2) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- 3) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct.
- 4) If the specific goals have been claimed or obtained on a fraudulent basis, or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have:
  - (a) disqualify the person from the tendering process.
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct.
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

**Date**

**NAME (Block Capitals):** .....

**SIGNATURE:** .....

**T2.2.8 MBD 8: DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

- 1.0 This Municipal Bidding Document must form part of all bids invited.
- 2.0 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3.0 The bid of any bidder may be rejected if that bidder, or any of its directors have:
  - a) abused the municipal entity’s supply chain management system or committed any improper conduct in relation to such system.
  - b) been convicted for fraud or corruption during the past five years.
  - c) wilfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years.
  - d) been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4.0 In order to give effect to the above, the following questions must be completed and submitted with the bid.

4.1 Is the bidder or any of its directors listed on the National Treasury’s Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?

(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer / Authority of the institution that imposed the restriction after the audi alteram partem rule was applied.)

The Database of Restricted Suppliers now resides on the National Treasury’s website ([www.treasury.gov.za](http://www.treasury.gov.za)) and can be accessed by clicking on its link at the bottom of the home page.

4.1.1 If YES, provide particulars.

.....

.....

Circle Applicable	
YES	NO

4.2 Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?

The Register for Tender Defaulters can be accessed on the National Treasury’s website ([www.treasury.gov.za](http://www.treasury.gov.za)) by clicking on its link at the bottom of the home page.

4.2.1 If YES, provide particulars.

.....

.....

YES	NO
-----	----

4.3 Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?

4.3.1 If YES, provide particulars.

.....

.....

YES	NO
-----	----

4.4 Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?

YES	NO
-----	----

4.4.1 If YES, provide particulars.

.....

.....

4.5 Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?

YES	NO
-----	----

4.5.1 If YES, provide particulars.

.....

.....

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct.*

*I accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.*

**NAME (Block Capitals):**

**Date**

**SIGNATURE:**

.....

.....

**T2.2.9 MBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION****NOTES**

- <sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.
- <sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.
- <sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

- 1.0 This Municipal Bidding Document (MBD) must form part of all **bids**<sup>1</sup> invited.
- 2.0 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or **bid rigging**).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3.0 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
- a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4.0 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of **bid rigging**.
- 5.0 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid.

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

-----  
(Bid Number and Description)

in response to the invitation for the bid made by:

-----  
(Name of Municipality / Municipal Entity)

do hereby make the following statements that I certify to be true and complete in every respect.

I certify, on behalf of:

-----  
(Name of Bidder)

that:

1. I have read and I understand the contents of this Certificate.
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect.
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation.
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience.
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>9</sup> will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices.
  - (b) geographical area where product or service will be rendered (market allocation).
  - (c) methods, factors or formulas used to calculate prices.
  - (d) the intention or decision to submit or not to submit, a bid.
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid.
  - (f) bidding with the intention not to win the bid.
  
8. In addition, there have been no consultations, communications, agreements, or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
  
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
  
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

**NAME (Block Capitals):** \_\_\_\_\_

**Date**

**SIGNATURE:** \_\_\_\_\_

**T2.2.10 JOINT VENTURES AGREEMENTS**

Joint Venture agreement and Power of Attorney Agreements to be attached here (if applicable).

**T2.2.11 RECORD OF ADDENDA TO TENDER DOCUMENTS**

I / We confirm that the following communications received from the Employer or his representative before the date of submission of this tender offer, amending the tender documents, have been taken into account in this tender offer.

ADD.No	DATE	TITLE OR DETAILS
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct.*

***It is also confirmed that the requirements, as stated on the Addenda, have been complied with.***

**NAME (Block Capitals):**

**Date**

**SIGNATURE:**

-----

-----

**T2.2.12 ELIGIBILITY: DECLARATION OF MUNICIPAL FEES**

Reference is to be made to Clause F.2.1(f)(ii) of the Tender Data.

I, the undersigned, do hereby declare that the Municipal fees of:

.....  
 (full name of Company / Close Corporation / partnership / sole proprietary/Joint Venture)

(hereinafter referred to as the TENDERER) are, as at the date hereunder, fully paid or an Acknowledgement of Debt has been concluded with the Municipality to pay the said charges in instalments.

The following account details relate to property of the said TENDERER:

<u>Account</u>	<u>Account Number: to be completed by tenderer</u>										
Consolidated Account											
Electricity											
Water											
Rates											
JSB Levies											
Other											

I acknowledge that should the aforesaid Municipal charges fall into arrears, the Municipality may take such remedial action as is required, including termination of any contract, and any payments due to the Contractor by the Municipality shall be first set off against such arrears.

- Where the tenderer’s place of business or business interests are outside the jurisdiction of eThekweni municipality, a copy of the accounts/ agreements from the relevant municipality are to be provided.
- Where the tenderer’s Municipal Accounts are part of their lease agreement, then a copy of the agreement, or an official letter to that effect, is to be provided.

**Tenderers are to include, at the back of their tender submission document, a printout of the above account’s and or agreements signed with the municipality.**

**Failure to include the required document will make the tender submission non-responsive.**

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, **and that the requested documentation has been included in the tender submission.***

**NAME (Block Capitals):** \_\_\_\_\_ **Date** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**T2.2.13 ELIGIBILITY: REGISTRATION WITH COMPENSATION COMMISSIONER**

Reference is to be made to Clause F.2.1(f)(i) of the Tender Data.

The Occupational Injuries and Diseases Act (130 of 1993 as amended) (the Act) refers. A summary of the pertinent Clauses are listed below. The act is to be referenced for the full text of the clauses.

**Clause 80: Employer to register with commissioner and furnish him with particulars**

The Act requires that an Employer carrying out business in the Republic to register with the Compensation Commissioner. Any person who fails to comply with the provisions of the this clause is guilty of an offence.

**Clause 82: Employer to furnish returns of earnings**

The Act requires an Employer to furnish the commissioner with a return showing:

- The amount of earnings paid by him to his employees.
- Any further information as may be prescribed or as the commissioner may require.

Any Employer who fails to comply with the provisions of the this clause is guilty of an offence.

**Clause 86: Assessment to be paid by an employer to commissioner**

The Act states that an Employer will receive notices of assessment from the commissioner. The Employer must pay the commissioner the assessment amount on the notices.

**Clause 89: Mandators and contractors**

The Act requires a contractor (a person with a contract with a mandator) to register as an Employer in accordance with the provisions of the Act and pay the necessary assessments. Failing registration or payment of assessments, the mandator is required to pay the assessments in respect of the employees of the contractor. The mandator is allowed to recover the assessment amounts paid from the contractor.

The Department of labour issues contractors with a **Letter of Good Standing** if the contractor has complied with the requirement(s) of the Act and is in "good standing" with the Compensation Fund. Employers can check the validity of such Letters of Good Standing on the internet (<https://cfoonline.labour.gov.za/VerifyLOGS> ).

**Tenderers are to include, at the back of their tender submission document, a printout of their most recent Letter of Good Standing from the Department of Labour.**

**Failure to include the required document will make the tender submission non-responsive.**

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, **and that the requested documentation has been included in the tender submission.***

**NAME (Block Capitals):**

**Date**

**SIGNATURE:**

**T2.2.14 ELIGIBILITY: CSD REGISTRATION REPORT**

Reference is to be made to Clauses F.2.1(e) and F.2.23 of the Tender Data.

The Conditions of Tender, Clause F.2.1: Eligibility, requires a tenderer to be registered, at the time of tender closing, on the **National Treasury Central Supplier Database (CSD)** as a service provider.

CSD Registration Reports can be obtained from the National Treasury's CSD website at <https://secure.csd.gov.za/Account/Login>.

The date of obtaining the printout is to be indicated on the printout.

The following is an example of the beginning of the printout obtained from the above website.

The screenshot shows the beginning of a CSD Registration Report. At the top left is the logo for the Central Supplier Database for Government. To the right are two input fields: 'Report Date:' and 'Report Ran By:'. Below this is a green header bar with the text 'CSD REGISTRATION REPORT'. The main content area is titled 'SUPPLIER IDENTIFICATION' and contains a grid of input fields for the following information:

Supplier number		Have Bank Account	
Is supplier active?		Total annual turnover	
Supplier type		Financial year start date	
Supplier sub-type		Registration date	
Legal name		Created by	
Trading name		Created date	
Identification type		Edit by	
Government breakdown		Edit date	
Business status		Restricted Supplier	
Country of origin		Restriction Last Verification Date	
South African company/CC registration number			

**Tenderers are to include, at the back of their tender submission document, a printout of their (full) CSD Registration Report.**

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, **and that the requested documentation has been included in the tender submission.***

**NAME (Block Capitals):**

**Date**

**SIGNATURE:**

**T2.2.16 DEVELOPER'S EXPERIENCE**

Refer to Clause F3.11.9 for Functionality Points evaluation prompts (if applicable).

- Schedule of relevant property developments previously undertaken by the BIDDER, including capital value of the properties as well as land use (residential, retail, commercial or office) with indication of any mixed-use components.
- Bidder shall respond using the table provided below and submit with the following statement listing work of a similar nature to that required in this contract which they have successfully carried out.

Project Name, Address	Location and Type of Development	Role in Development (i.e., Developer, Consultant, Programme Manager, Contractor etc.)	Value of Project	Start	Finish
-----------------------	----------------------------------	---	------------------	-------	--------

The scoring of Bidders' under Developer Experience will be as follows:

SCORE	Criterion – Developer's Experience in Property Development
NO SUBMISSION (0)	No Submission or Submission of no substance / irrelevant information provided.
POOR (40)	Bidding Entity has poor experience in that they have performed and/or been responsible for one of the different activities/roles within the property development cycle which may include: Development Manager, Design Consultants, Property Manager and Contractor. The bidding entity should have successfully completed 1 <u>projects</u> of a similar nature within the past 10 years within the development cycle experience is being claimed for.
SATISFACTORY (70)	Bidding Entity has satisfactory experience in that they have performed and/or been responsible for one of the different activities/roles within the property development cycle which may include: Development Manager, Design Consultants, Property Manager and Contractor. The bidding entity should have successfully completed 3 <u>projects</u> of a similar nature within the past 10 years within the development cycle experience is being claimed for.
GOOD (90)	Bidding Entity has good experience in that they have performed and/or been responsible for one of the different activities/roles within the property development cycle which may include: Development Manager, Design Consultants, Property Manager and Contractor. The bidding entity should have successfully completed 5 <u>projects</u> of a similar nature within the past 10 years within the development cycle experience is being claimed for.
EXCELLENT (100)	Bidding Entity has excellent experience in that they have performed and/or been responsible for one of the different activities/roles within the property development cycle which may include: Development Manager, Design Consultants, Property Manager and Contractor. The bidding entity should have successfully completed 10 <u>projects</u> of a similar nature within the past 10 years within the development cycle experience is being claimed for.

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct.*

**NAME (Block Capitals):** \_\_\_\_\_

**Date**

**SIGNATURE:** \_\_\_\_\_

**T2.2.17 CONTRACTOR'S EXPERIENCE**

Refer to Clause F3.11.9 for Functionality Points evaluation prompts (if applicable).

- The Bidding Entity should demonstrate their experience in mixed-use, residential and/or commercial construction projects. These projects can range from free standing dwelling houses to cluster homes and multi-storey apartments.
- Experience will also be considered from contractors that have experience from commercial and/or mixed-use projects.
- Contractors to use the below schedule to list projects claimed under experience.
- Completion Certificates to be attached

Project Name and Location	Type of Development	Scope of Work (incl. Completion Certificates)	Value of Project	Start	Finish
---------------------------	---------------------	---	------------------	-------	--------

The scoring of contractor's experience will be as follows:

SCORE	Criterion – Contractor's Experience
NO SUBMISSION (0)	No Submission or Submission of no substance / irrelevant information provided.
POOR (40)	To have successfully completed 1-3 <u>projects</u> of a similar nature within the past 10 years.
SATISFACTORY (70)	To have successfully completed 4-5 <u>projects</u> of a similar nature within the past 10 years.
GOOD (90)	To have successfully completed 6-7 <u>projects</u> of a similar nature within the past 10 years.
EXCELLENT (100)	To have successfully completed more than 8+ <u>projects</u> of a similar nature within the past 10 years.

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct.*

**NAME (Block Capitals):** \_\_\_\_\_

**Date**

**SIGNATURE:** \_\_\_\_\_

**T2.2.18 EXPERIENCE OF KEY PERSONNEL**

Refer to Clause F3.11.9 for Functionality Points evaluation prompts (if applicable).

- Bidding entity should demonstrate their experience in areas pertaining to the development continuum of property development with a focus on the core areas of planning, conceptual, preliminary and detail design. The bidding entity must have the following disciplines as part of their portfolio as scope of work completed in the projects. i.e., Registered Town Planners, PrEng (Civil), Pr ENG (Structural), PR Arch, PrQS and Social Facilitator
- Bidding entity should also indicate the previous projects undertaken by each professional, scope of work and role for each professional in the project.

**Bidders are directed to use the below format in documenting project experience and ONLY projects that have been completed will be evaluated.**

Project Name and Location	Type of Development	Scope of Work (incl. LoA's)	Value of Project	Start	Finish
---------------------------	---------------------	-----------------------------	------------------	-------	--------

The scoring of the experience of Key Resources will be as follows:

SCORE	Criterion – Experience of Key Staff
NO SUBMISSION (0)	No Submission or Submission of no substance / irrelevant information provided.
POOR (40)	To have successfully completed 1-2 <u>projects</u> of a similar nature within the past 10 years.
SATISFACTORY (70)	To have successfully completed 3-4 <u>projects</u> of a similar nature within the past 10 years.
GOOD (90)	To have successfully completed 5-6 <u>projects</u> of a similar nature within the past 10 years.
EXCELLENT (100)	To have successfully completed more than 7+ <u>projects</u> of a similar nature within the past 10 years.

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct.*

**NAME (Block Capitals):** \_\_\_\_\_

**Date**

**SIGNATURE:** \_\_\_\_\_

**T2.2.19 METHODOLOGY AND PROGRAMME**

Refer to Clause F3.11.9 for Functionality Points evaluation prompts (if applicable).

The BIDDER must submit a development methodology and programme which clearly define dates based on sourcing of funding, building plans submission process, construction programme, selling of units to beneficiaries and any other activities.

Describe the approach to the design, how the design aligns with the National Building Regulations, the relevant town planning scheme, and any other relevant construction technologies or design criteria deemed important to the development.

**BIDDERS must attach their proposed Methodology and programme to this page.**

The scoring of the Methodology will be as follows:

SCORE	Criterion – Methodology including Development Programme
NO SUBMISSION (0)	No Submission or Submission of no substance / irrelevant information provided.
POOR (40)	The bidder has submitted a GENERIC Methodology for the proposed residential development.
SATISFACTORY (70)	The bidder has submitted a SITE-SPECIFIC Methodology aligned to Concept Designs in terms of bulk and zoning for the proposed residential development.
GOOD (90)	The bidder has submitted a SITE-SPECIFIC Methodology aligned to Concept Designs in terms of bulk and zoning for the proposed residential development. The proposal is further supported by GOOD consideration of Gap/Flisp housing legislation, including programme indicating plans approval, construction, and disposal plan of units to qualifying beneficiaries.
EXCELLENT (100)	The bidder has submitted a SITE-SPECIFIC Methodology aligned to Concept Designs in terms of bulk and zoning for the proposed residential development indicating typical unit plans, common areas, landscaping. The proposal is further supported by EXCELLENT sustainable initiatives, and EXCELLENT consideration of Gap/Flisp housing legislation, including programme indicating plans approval, construction, and disposal plan of units to qualifying beneficiaries.

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct.*

**NAME (Block Capitals):**

**Date**

**SIGNATURE:**

**T2.2.21 CONCEPT DESIGNS (PROPOSED RESIDENTIAL TYPOLOGIES)**

Refer to Clause F3.11.9 for Functionality Points evaluation prompts (if applicable).

- The BIDDER must submit Preliminary Design Drawings for the proposed development which is supported by zoning rights. The preliminary designs should indicate size and number of house and/or dwelling units.

The scoring of the Location will be as follows:

SCORE	Criterion – Concept Designs
NO SUBMISSION (0)	No Submission or Submission of no substance / irrelevant information provided.
POOR (40)	The bidder has submitted concept design that is not supported by the zoning rights for the site.
SATISFACTORY (70)	The bidder has submitted concept design that is supported by the zoning rights for the site, including the number and size of Gap/Flisp housing units proposed.
GOOD (90)	The bidder has submitted concept design that is supported by the zoning rights for the site, including the number and size of Gap/Flisp housing units proposed. In addition, the bidder has indicated the size of shared/ common space, parking bays and other opportunities/ constraints.
EXCELLENT (100)	The bidder has submitted concept design that is supported by the zoning rights for the site, including the number and size of Gap/Flisp housing units proposed. In addition, the bidder has indicated the size of shared/ common space, parking bays and other opportunities/ constraints. The bidder has also included the additional details on the design to demonstrate sustainable initiatives and detailed alignment with Gap/Flisp, and other relevant legislations.

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct.*

**NAME (Block Capitals):** \_\_\_\_\_

**Date**

**SIGNATURE:** \_\_\_\_\_

**T2.2.20 DEVELOPMENT COST AND FUNDING MODEL**

Refer to Clause F3.11.9 for Functionality Points evaluation prompts (if applicable).

The BIDDER must submit a Development Finance Model which covers all sources of finance and funding for the development. Furthermore, the Development Finance Model should also provide a summary breakdown of the construction cost per unit/house together with the selling price per unit/house.

The scoring of the proposed designs will be as follows:

<b>SCORE</b>	<b>Criterion – Development Cost and Funding Model</b>
NO SUBMISSION (0)	No Submission or Submission of no substance / irrelevant information provided.
POOR (40)	The bidder has submitted a GENERIC Development Finance Model which does not clearly detail an understanding of funding and financing sources to support the development together with development costs and proposed selling price per unit.
SATISFACTORY (70)	The bidder has submitted a SATISFACTORY Development Finance Model which clearly details funding and financing sources to support the development based on an “Order of Magnitude” estimate (with a schedule of per unit cost). The bidder has included proposed selling price per unit.
GOOD (90)	The bidder has submitted a GOOD Development Finance Model which clearly details funding and financing sources to support the development based on an “Order of Magnitude” estimate (with a schedule of cost per unit). The bidder has included a sales plan which indicates selling price per unit that meet the GAP housing price range.
EXCELLENT (100)	The bidder has submitted an EXCELLENT Development Finance Model and submitted a realistic which speaks to FLISP Programme. The bidder has included a sales plan which indicates selling price per unit that meet the GAP housing price range.  In addition, the developer has submitted a Letter of Intent from a reputable financial institution with commitment of fund 90% of project costs.

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct.*

**NAME (Block Capitals):** \_\_\_\_\_

**Date**

**SIGNATURE:** \_\_\_\_\_

**T2.2.22 CONTRACTOR'S HEALTH AND SAFETY PLAN**

Refer to Clause F3.11.9 for Functionality Points evaluation prompts (if applicable).

At tender stage only a brief overview (**to be attached to this page**) of the tenderers perception on the safety requirements for this contract will be adequate.

Only the successful Tenderer shall submit separately the Contractor's Health and Safety Plan as required in terms of Regulation 7 of the Occupational Health and Safety Act 1993 Construction Regulations 2014.

The detailed safety plan will take into consideration the site-specific risks as mentioned under **C.3: Project Specification**. A generic plan will not be acceptable.

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct.*

**NAME (Block Capitals):**

**Date**

**SIGNATURE:**

**PART C1: AGREEMENT AND CONTRACT DATA**

**C1.1: FORM OF OFFER AND ACCEPTANCE**

**C1.1.1: OFFER**

The Employer has solicited offers to enter into a contract in respect of the following works:

Contract No: **1H-26173**

Contract Title: **Call for proposals from private developers to partner with the city in the development of gap housing on erf 3186 & 3189 Isipingo**

The Tenderer, identified in the Offer signature block below, has examined the documents listed in the Tender Data and addenda thereto as listed in the Tender Schedules, and by submitting this Offer has accepted the Conditions of Tender. By the representative of the Tenderer, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance, the Tenderer offers to perform all of the obligations and liabilities under this Contract.

Acceptable minimum reserve amount is <b>R 172 500.00 excluding VAT.</b>	
Any offer below the minimum acceptable price /will not be considered and such bids would accordingly be disqualified.	
<b>Sale Offer (Excl. VAT)</b>	<b>R</b>
<b>15% VAT</b>	<b>R</b>
<b>Total Sale Offer (Incl. VAT)</b>	<b>R</b>
<b>Sale Offer in words</b>	

**For the Tenderer:**

\* **Name of Tenderer** (organisation) : .....

\* **Signature** (of person authorized to sign the tender) : .....

\* **Name** (of signatory in capitals) : .....

**Capacity** (of Signatory) : .....

**Address** : .....

: .....

**Telephone** : .....

**Witness:**

**Signature** : ..... **Date** : .....

**Name** (in capitals) : : .....

**Notes:**

**Failure to complete the mandatory information and sign this form will invalidate the tender.**

---

**C1.2: CONTRACT DATA****C1.2.1 CONDITIONS OF CONTRACT****C1.2.1.1 GENERAL CONDITIONS OF CONTRACT**

The Conditions of Contract are in accordance with the terms specified in the Land Availability Agreement which will be entered into between the Developer and eThekweni Municipality.

**Property Tenure**

The appointed developer shall be responsible for financing, construction and selling of the units, therefore a Land Availability Agreement will be entered into between the Developer and eThekweni Municipality. The scope of work will broadly include financing, construction and selling of units in accordance with the terms of the Conditions of Contract specified in the Land Availability Agreement. The following terms of contract are non-negotiable:

1. The developer will be granted development rights over the property during the planning and construction period by way of a Land Availability or Development Agreement.
2. Ownership of the property will be retained by the eThekweni Municipality during the life of the project and will only be transferred to the ultimate beneficiaries of the project directly from the Municipality upon project completion.
3. The Developer shall under no circumstances cede any development rights of the property to a third party.
4. The Developer will be required to contribute an amount equal 30% of market value of the sites to cater for the land cost. Such amount accrues to the City on the date of this contract being awarded but shall only be payable by the Developer as a pro-rata deduction from the sale price once each individual unit is transferred to a beneficiary
5. The Developer will be responsible for the cancellation, protection and/or relocation of all servitudes that may be registered over the property.
6. The Developer will be responsible to obtain all statutory approvals (Environmental, Water Use Licence, Site Development Plan/s, Building Plan/s, etc.) which are required for the development of the property.
7. Development shall be subject to all related legislation and Municipal By-Laws
8. The premises shall only be developed for the purpose of providing Gap Housing as advertised and may not be rezoned for any other purposes.

**PART C3: SCOPE OF WORK**

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### **C3.1: PROJECT DESCRIPTION AND SCOPE OF CONTRACT**

#### **C3.1.1 Description of Works**

One of the main challenges to addressing the current housing backlog in eThekweni Municipality is the inability to supply housing products that are affordable to most of the population. This affordability problem is largely driven by the high cost of housing and the inability of households to afford the upfront payment of housing. An incremental approach, however, is aimed at overcoming some of these drivers. As a result, this programme seeks to address the limited roll-out of FLISP-related incremental housing projects within the city and leverage the perceived benefits thereof.

What we are trying to achieve is to allow the provision of housing units to households in the lower gap housing market which qualify to receive the units as part of the FLISP mortgage deposit subsidies. The gap housing market refers to those who earn above the bare minimum to qualify for a free house, but too little to afford a property in the private open market.

The FLISP initial program policy under provincial administration provides a lump sum subsidy to households earning between R3 501 and R22 000 pm through a deposit on mortgage/bond. The program was expected to close the gap market (those households earning too much for an RDP house and too little for a decent bond for a market product).

In this RFP the goal is to provide affordable housing ownership on the site. The directive is to develop a product that can be sold to the targeted beneficiaries with an income range R3 501-22 000 pm. This will ensure that low-moderate income households are able to own homes. eThekweni Municipality is willing to consider the land sale at an 30% discount of the market value.

**C3.1.2 Description of Site and Access**

<b>Property</b>	<b>Erven 3186 and 3189 Isipingo</b>	
<b>Extent</b>	Approximately 2535m <sup>2</sup>	
<b>Zoning</b>	Special Use Zone: Special Residential 350	
<b>Street Address</b>	24 & 30 Tangerine Grove, Lotus Park, Isipingo	
<b>Method of Contracting</b>	Land sale agreement for the development of affordable housing project	<b>X</b>
<b>Market Valuation</b>	R575 000.00	
<b>Minimum acceptable for sale offer</b>	R172 500.00	

**C3.1.3 Overview**

The Isipingo development was planned as a sustainable mixed-use, mixed income development that maximizes economic opportunities for future residents and investors. It contributes to the integration of the City and the legacy of spatial and economic imbalances of historical planning by bringing communities close to job opportunities, social amenities, major services and public transport, embracing all aspects of human settlement and the natural, social and economic environments.

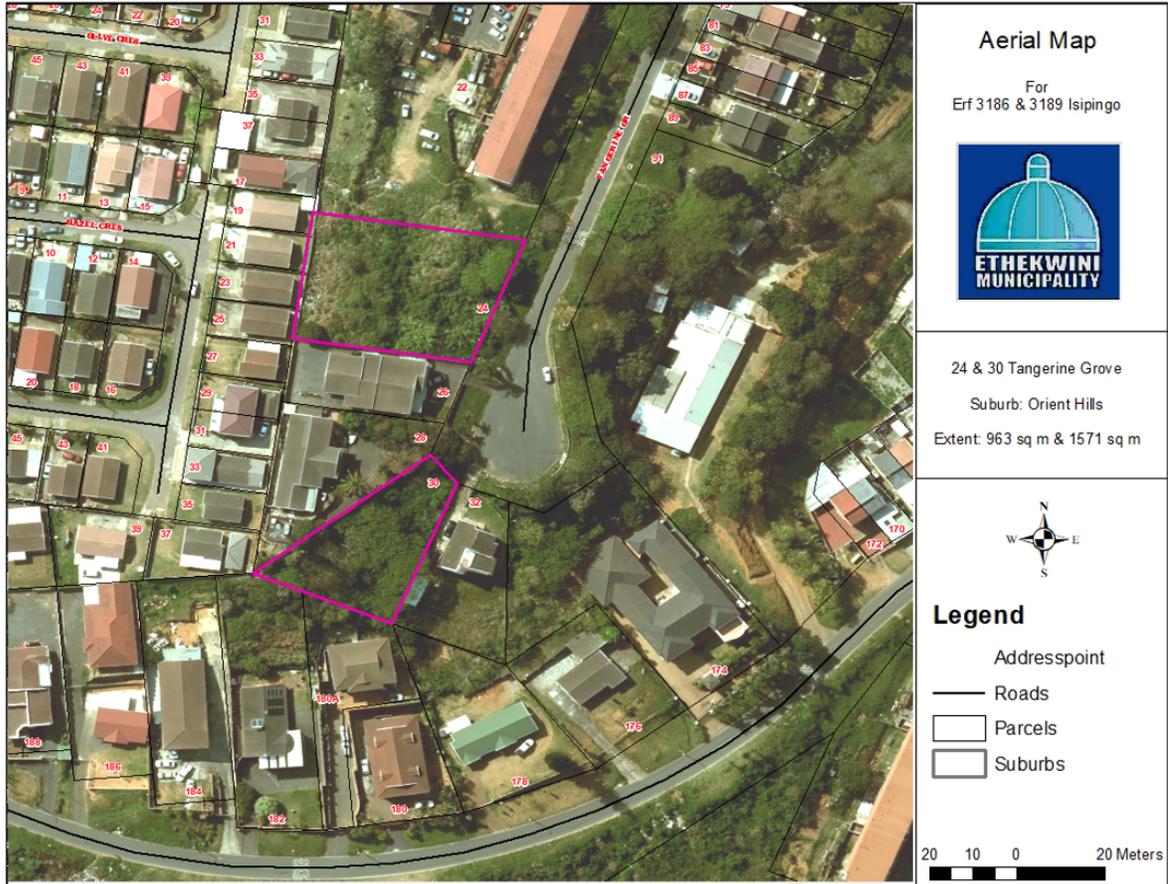
The project area is situated in Isipingo on Erf 3186 and 3189 with an extent of 2535m<sup>2</sup>. The site is currently vacant and is accessible via Tangerine Grove, which links to Orient Drive. Refer to Item C4.1: Locality Plan.

**C3.2.1**      **PROPERTY INFORMATION**

<b>PROPERTY DESCRIPTION</b>	Erven 3186 and 3189 Isipingo, as depicted on SJ Plan numbers: SJ 4502/5
Ownership	EThekweni Metropolitan Municipality
Locality	24 & 30 Tangerine Grove, Orient Hills, Isipingo
Land Size	2535 m <sup>2</sup>
Zoning	Special Residential 350
Current Use	Vacant
FAR	0.6
Coverage	50%
Height	3 storey
Access	The sites can be accessed via Tangerine Grove, which links to Orient Drive
Building lines	3m front and 1m side and rear
Heritage	It is not known whether the site has any heritage significance. It will be the responsibility of the developer to determine as to whether the site have any heritage significance.
Structural and Physical feature	No structures on site
Geotechnical Conditional	Any geotechnical conditions will be the responsibility of the Developer.
Other Requirements	<p>A Site Development Plan shall be submitted to the Local Authority. Any further town planning Proposals and or rezoning shall be the responsibility of the Developer.</p> <p>The bidder is required to comply with all the relevant building regulation laws, including but not limited to SPLUMA, NEMA, Municipal Bylaws etc.</p>

**C3.6: ANNEXURES**

**C3.6.1 AERIAL MAP:**



**PART C4: SITE INFORMATION**

**C4.1 LOCALITY PLAN**

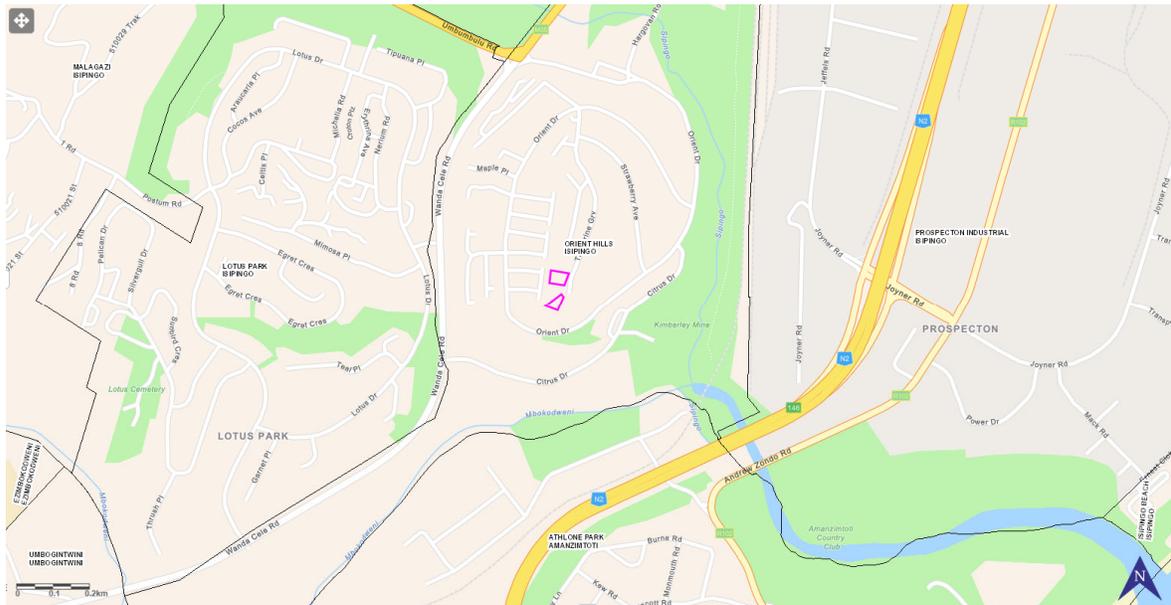


Figure 1: Locality Plan showing the site in relation to the N2 freeway. Source: <http://gis.durban.gov.za/cmvcgis/viewer/?config=cgisPublicViewer>

**C4.2 ZONING**

<b>ZONE: SPECIAL RESIDENTIAL 350</b>						
<p><b>SCHEME INTENTION:</b> To provide, preserve, use land or buildings for single residential use in a form of a dwelling house and ancillary uses. Protection of the quality and character of residential neighbourhood and the well-being of its residents Limiting multiple uses of buildings to minimize adverse impact on the residential environment. Business that comply with residential amenity such as Short Term Accommodation Establishment, and Home Business at the discretion of the eThekweni Municipality.</p>						
<p><b>MAP COLOUR REFERENCE:</b>YELLOW BACKGROUND WITH RED BORDER</p>				<p><b>MAP REFERENCE:</b> SS/05/2012</p>		
PRIMARY	SPECIAL CONSENT	PRECLUDED				
<ul style="list-style-type: none"> <li>• Conservation Area</li> <li>• Dwelling House</li> <li>• Multiple Unit Development</li> </ul>	<ul style="list-style-type: none"> <li>• Telecommunications Infrastructure</li> <li>• Boarding House</li> <li>• Crèche</li> <li>• Educational Establishment</li> <li>• Health &amp; Beauty Clinic</li> <li>• Institution</li> <li>• Pet Grooming Parlour</li> <li>• Place of Public of Worship</li> <li>• Private Open Space</li> <li>• Special Building</li> <li>• Veterinary Clinic</li> </ul>	<ul style="list-style-type: none"> <li>• Action Sports Bar</li> <li>• Adult Premises</li> <li>• Agricultural Activity</li> <li>• Agricultural Land</li> <li>• Airport</li> <li>• Arts and Crafts Workshop</li> <li>• Beach Amenity Facility</li> <li>• Betting Depot</li> <li>• Builder's Yard</li> <li>• Car Wash</li> <li>• Cemetery/ Crematorium</li> <li>• Chalet Development</li> <li>• Container Depot</li> <li>• Convention Centre</li> <li>• Correctional Facility</li> <li>• Direct Access Service Centre</li> <li>• Display Area</li> <li>• Dive Charter</li> <li>• Escort Agency</li> <li>• Flat</li> <li>• Flea Market</li> <li>• Fuelling and Service Station</li> <li>• Funeral Parlour</li> <li>• Garden Nursery</li> <li>• Golf Driving Range</li> <li>• Government / Municipal</li> <li>• Health Studio</li> <li>• Hotel</li> <li>• Industry - Extractive</li> <li>• Industry – General</li> <li>• Industry – Light</li> <li>• Industry – Noxious</li> </ul>	<ul style="list-style-type: none"> <li>• Landfill</li> <li>• Laundry</li> <li>• Mobile Home Park &amp; Camping Ground</li> <li>• Mortuary</li> <li>• Motor Garage</li> <li>• Motor Display Area</li> <li>• Motor Vehicle Test Centre</li> <li>• Motor Workshop</li> <li>• Museum</li> <li>• Nature Reserve</li> <li>• Night Club</li> <li>• Office</li> <li>• Office – Medical</li> <li>• Parkade</li> <li>• Place of Public Entertainment</li> <li>• Recycling Centre</li> <li>• Reform School</li> <li>• Refuse Disposal</li> <li>• Restaurant / Fast Food Outlet</li> <li>• Retirement Centre</li> <li>• Riding Stables</li> <li>• Scrap Yard</li> <li>• Shop</li> <li>• Student Residence</li> <li>• Transport Depot</li> <li>• Transport Use</li> <li>• Truck Stop</li> <li>• Warehouse</li> <li>• Zoological Garden</li> </ul>			
<b>ADDITIONAL CONTROLS</b>						
<p>1. In this zone the maximum number of Dwelling Units which may be established as a Multiple Unit Development shall be determined by dividing the registered surveyed area of the Erf concerned by the minimum Erf area, as specified under Development Parameters, below, rounded off to the nearest whole number. Refer to clause 4.1.2</p>						
<b>DEVELOPMENT PARAMETERS</b>						
SPACE ABOUT BUILDINGS		DWELLING UNITS PER HECTARE	MINIMUM SUBDIVISION SIZE	HEIGHT IN STOREYS	COVERAGE	FLOOR AREA RATIO
BUILDING LINE: FRONT	BUILDING LINE: SIDE AND REAR					
3.0 m	1.0 m	Not Applicable	350 m <sup>2</sup>	3	50 %	0.6

C4.3 VALUATION DECISION

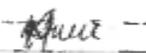
**VALUATION CERTIFICATE**

In my opinion, I fairly assess the market values of the subject properties described as below:

**Erf 3186 of Isipingo Ext 22**  
is  
**R200 000**  
*(Two Hundred Thousand Rands)*

and

**Erf 3189 of Isipingo Ext 22**  
is  
**R375 000**  
*(Three Hundred and Seventy-Five Thousand Rands)*

  
**Ngcebo Meyiwa**  
Candidate Valuer  
SACPVP Reg no. 8293/4  
21/12/2021

  
**Deenan Govender**  
Professional Valuer  
SACPVP Regno. 6394/0  
21/12/2021

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