

INVITATION TO BID

REQUEST FOR FORMAL WRITTEN PRICED QUOTATIONS

ADVERT DATE: 11 December 2023

BRIEFING MEETING: not applicable

CLOSING DATE: 22 January 2024

CLOSING TIME: 12H00

BID DESCRIPTION: RFQ - RFQ FOR THE PROVISION OF LAND SURVEY SERVICES FOR ZOLA PUBLIC TRANSPORT FACILITY FOR A PERIOD OF 12 MONTHS

BID NUMBER: JDA /ADS / LAND SURVEY_002

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

Offices of the Johannesburg Development Agency, 3 Helen Joseph Street, The Bus Factory, Newtown, Johannesburg, 2000

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (see definition below)

¹*MSCM Regulations: "in the service of the state" means to be –

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

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Department: Procurement
Contact Person: Lerato Ntuli

E-mail: lnntuli@jda.org.za

ANY REQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Department: Project Manager
Contact Person: Babalwa Ngxale

E-mail: bngxale@jda.org.za

PLEASE NOTE: TENDERS MUST BE SUBMITTED ON THE TENDER DOCUMENTATION ISSUED. TENDER DOCUMENTATION MUST NOT BE REPRODUCED OR REARRANGED. ANY ADDITIONAL INFORMATION MUST BE SUBMITTED AS A SEPARATE ATTACHMENT TO THE TENDER DOCUMENT FAILURE TO DO SO WILL RESULT IN YOUR BID BEING DISQUALIFIED

OFFER

THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO WILL RESULT IN YOUR BID BEING DISQUALIFIED)
--

BID / RFQ NUMBER.....

BID / RFQ DESCRIPTION

NAME OF BIDDER.....

POSTAL ADDRESS.....

STREET ADDRESS.....

TELEPHONE NUMBER CODE NUMBER

CELLPHONE NUMBER

FACSIMILE NUMBER CODE NUMBER

VAT REGISTRATION NUMBER

CSD SUPPLIER NUMBER.....

COMPANY REGISTRATION NUMBER.....

TAX VERIFICATION PIN.....

TOTAL BID PRICE Including Value Added Tax

TOTAL BID PRICE in words

.....

..... Including Value Added Tax

SIGNATURE OF BIDDER

CAPACITY UNDER WHICH THIS BID IS SIGNED

DATE

FAILURE TO COMPLETE THE OFFER PAGE IN FULL WILL RESULT TO SUCH A BIDDER BEING DISQUALIFIED.

The following conditions will apply:

- A valid Tax Pin from SARS must be submitted.
- An original and valid BBBEE status level verification certificate or a certified copy thereof must be submitted.
- An EME must submit a sworn affidavit confirming the following:
 - Annual Turnover Revenue of R10 million or less; and
 - Level of Black ownership
 - Any misrepresentation in terms of bullet point above constitutes a criminal offence as set out in the B-BBEE Act as amended.
- A copy of the bidder's current municipal account in the name of the bidder or alternatively in the names of the directors / partners of the bidding entity must be submitted.
- Price(s) quoted must be valid for at least thirty (30) days from date of your offer.
- Price(s) quoted must be firm and must be exclusive of VAT.
- If the price quoted is above R 30 000 (inclusive of VAT), the quotation will be evaluated in terms of the 80/20 preference point system as prescribed in the Preferential Procurement Framework of 2017 (Act No. 5 of 2000).

Failure to comply with these conditions may invalidate your offer.

To all Stake Holders

RE: The channels of reporting fraudulent and Corrupt Activities

The City of Johannesburg has a **zero-tolerance approach to Fraud, Theft, Corruption, Maladministration, and Collusion** by suppliers with employees.

To reinforce this commitment, more channels have been added to report any Fraudulent and Corrupt activities.

Instances of corporate fraud and misconduct remain a constant threat to service delivery. The City of Johannesburg took a resolution to adopt strategic interventions aimed at combatting fraud and corruption.

The City took a decision to centralize the reporting of fraudulent and corrupt activities through the establishment of an independent fraud hotline which is managed by independent service providers.

All people doing business with the Johannesburg Development Agency are encouraged to report any corrupt or illegal practice.

Employees are encouraged to report fraud, waste or other concerns suggestive of dishonest or illegal activities.

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

- Toll free number.....0800 002 587
- Toll free Fax0800 007 788
- SMS (charged @ R1.50).....32840
- Email Address:.....anticorruption@tip-offs.com
- Web site:.....www.tip-off.com
- Free post:.....Free post, KNZ 138, Umhlanga, 4320



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

1. OVERVIEW

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

2. BACKGROUND

The City of Johannesburg's Transport Department has appointed the JDA to assist with the planning, design, and implementation of the Zola Public Transport Facility in Soweto. The proposed public transport facility is aimed for development in Zola which is located in Soweto approximately 20km west of the Johannesburg Central Business District (CBD). The Soweto Highway (M70) via Vincent Street (M72) and Chris Hani Road (M68) via Koma Road provide primary routes for commuters between Zola and Johannesburg.

In realizing the objectives as outlined, the JDA therefore requires additional professional services to address the scope of services as may be required for planning, design, and implementation of the public transport facility as identified above.

3. PURPOSE OF THE RFQ

The purpose of this RFQ is to appoint professional Land Surveyor to assist with pegging and development of SG diagrams for a proposed public transport facility in Zola, Soweto.

4. EXTENT OF THE WORKS

The extent of the works will include the development of the new facility with the following elements:

- Rank Management Offices
- Loading bays
- Ablution Facilities
- Trading Areas
- Security Offices

5. LOCATION

The site is located in Soweto, Corner Jabavu and Maholwana Street on a portion of the Remainder of Farm Soweto 387 IQ.

Site Co-ordinates (Coordinates: 26°14'30.6"S, 27°50'23.8"E)



Figure 1: Site Map

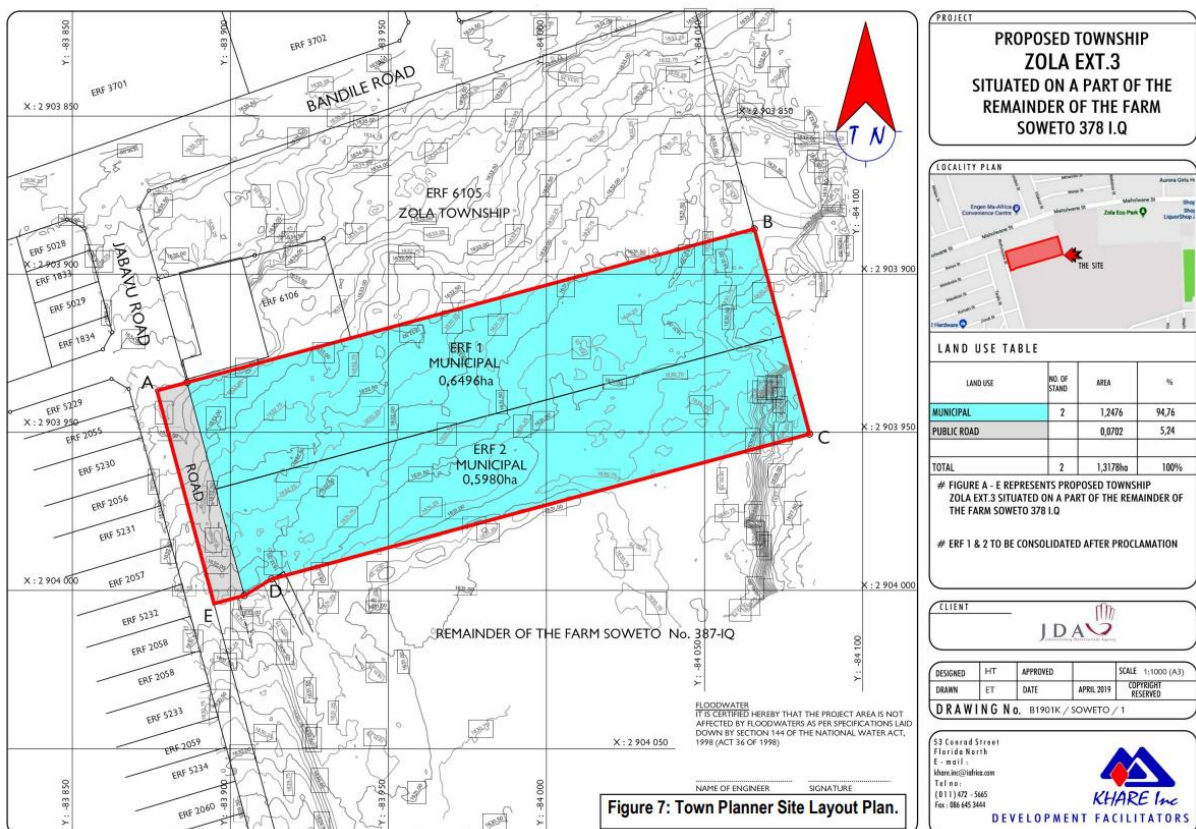


Figure 2: Site Layout Plan

6. STATUS QUO

The site is located at the corner of Maholwane and Jabavu Streets in Soweto and is approximately 1,2 ha in size. Currently the site comprises of existing buildings which are in use but will have to be demolished to accommodate the new facility.

A township establishment application was submitted and approved however there is a need to peg the site and create SG diagrams

7. SCOPE OF WORK

The scope of work includes (but not limited) to the following key components:

7.1 DETAILED INFORMATION REQUIRED

The survey is required to provide the following:

7.1.1 General

- Relationship of site levels to mean sea level.
- Level datum's on benchmarks near the site with descriptions.
- National cadastral grid.
- Property boundaries and beacons with cadastral angles and dimensions.
- All existing services located within the project area and road reserve(s).
- All existing infrastructure located within the project area and road reserve(s).

7.1.2 Topographic

- Position and level at each beacon.
- Position and level at every change of ground slope.
- Detailed topographic survey of the project area.

7.1.3 Physical features / Existing Infrastructure

- The topographic survey must capture all existing infrastructure and services located within the project area, including road reserve(s).

7.1.4 Existing Services

- Generally, all existing services located within the road reserves of all roads within the project area.
- All existing services located internally within the project area;
- All existing services located in existing servitudes.
- All existing services located in adjacent roads and road reserves.

Survey of existing services should identify, amongst, the following features:

- Positions, sizes, cover and invert levels for stormwater and sewage pipelines and manholes.

- Positions and sizes of water pipes and Fire hydrants.
- Positions and sizes of gas lines.
- Position of power lines, mini-sub, overhead cables and services poles.
- Positions of other services e.g. TELKOM, MTN, FIBRE etc.

7.2 PRESENTATION OF SURVEY INFORMATION

7.2.1 Drawing details:

- Size : A0
- Scale : As Agreed with the Engineer
- Information to be shown : Name and Address of Surveyor
- : Signature of Surveyor
- : **Contours at 0,5m intervals**
- : Coordinate System

7.2.2 Recording of Computer Data

7.2.2.1 General

- Points representing general ground levels should be taken at points of change of slope and at regular grid intervals.
- Any edge, watercourse, ditch etc. is to be picked up as a "break line" with points at each change of direction.
- The same co-ordinate system and constants are to be used throughout the project.

7.2.2.2 Computer files

- The reduced point data are to be presented in ASCII files in soft copy format.
- A graphic file showing the topography is also to be supplied together with plot(s) of it, at an agreed scale.
- If it is necessary to compress the files, the means of de-compressing them must also be supplied, preferably on the same disk.

7.2.2.3 Point Files

- These must be headed by a line containing the Project name, Description of the element being surveyed and the Date of Survey on the first line of the file.
- The point data shall consist of Y, X and Z coordinates with a label preferably in this order. The data for each point must be on a separate line.
- Wherever points on the invert of drains are required, these should be clearly labelled in separate files.

- Points intended to form a break line shall also be placed in separate files, and they must be in the sequence they appear on the ground.

7.2.2.4 Graphic files

- These should be in AutoCAD drawing (DWG) files, otherwise DXF files.
- A "DXF" file is defined as one that can be read by the current version of AutoCAD and then produce a fair representation of the survey as it appears on the plot supplied.
- It is recommended that only simple entities be used, i.e. lines, arcs and text.
- If any point has been edited by the Surveyor, it is his responsibility to ensure that the changes are reflected in both the Graphic and Point files.
- Both the Graphics File Drawing and the paper plot of it must have at least two labelled grid markers.
- Different feature types should be on different layers. The Surveyor must provide a list of layers and what they represent.

7.3 OTHER REQUIREMENTS

7.3.1 Benchmarks

- At least **FOUR** benchmarks shall be established on site for future use by others. Existing sturdy structures may be used for this purpose. They must be easily accessible and be clearly identified and referenced. All benchmarks shall be levelled and coordinated.

8. TIMEFRAMES

The appointment for these projects will be for a period of 12 months.

9. PROFESSIONAL COMPETENCIES AND EXPERIENCE REQUIRED

It is expected that service provider will have the following qualifications and experience:

The Land Surveyor is required to be registered with an appropriate professional body (i.e. SAGC), and to have the relevant professional accreditation (i.e. registered as GPr. LS or GTg. ES.), skills, experience and capacity to deliver the scope of work within the required time frame.

The Land Surveyor will be responsible for the surveys, tests and assessments of the identified site that will assist the civil / structural engineer with the design.

The Professional Team criteria are further outlined in the evaluation table, which will be used in the technical evaluation of bids received for this RFQ.

10. PRICING INSTRUCTIONS

Service Providers must submit their fee proposals to render the scope of services as outlined above..

It is important to note the following:

- a) The table to follow must be completed and submitted together with the Offer Page. A price must be submitted for each item listed in the table.**
- b) No hourly rates will be accepted.**
- c) Failing to price as required will result in the tender being disqualified.**
- d) For every tangible deliverable, two hard copies and one electronic copy must be issued, the cost of which must be included in the offer price.
- e) Please also be reminded as per the original tender for the panel of Engineering service providers that:

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

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

Tenderers are to replicate the table below and submit as part of their detailed fee proposal and the total fee for the full scope of services must be carried to the “Offer” page. The detailed fee proposal must indicate the fee scales used and the method of calculation used to determine the fee including any discounts applied if applicable. Failure to (i) replicate the table and (ii) carry the total to the offer page will result in the tender being disqualified for non-compliance. Fees based on an hourly rate will NOT be accepted.

11. PRICING SCHEDULES

No	Description	Unit of Measure	Quantity	Unit Price	Total Amount Excluding VAT
1	Detailed information required (As per section 7.1 above)	SUM	1		R
2	Topographical survey	Ha	1,25		R
3	Presentation of survey information	SUM	1		R
4	Benchmarks	No.	4		R
5	Report including, AutoCAD dwg drawing plus pdf plus land XML	SUM	1		R
6	Submission of SG Diagrams and Ensure final approvals	SUM	1		R
	Total Sum of Fees Excluding VAT				R
	15% VAT				R
	Total Sum of Fees Including VAT To be carried to the offer page				R

- Tenderers must ensure that the final **TOTAL FEE** is correctly calculated and carried to the “Offer” page. The value recorded on the offer page will be regarded as the tendered amount to render Land Surveyor services for Zola Public Transport Facility.

TENDERING PROCEDURES

Tender Notice and Invitation to Tender

BID DESCRIPTION: PROVISION OF LAND / TOPOGRAPHICAL SURVEY SERVICES FOR ZOLA PUBLIC TRANSPORT FACILITY

BID NUMBER: JDA /ZOLA / SURVEY_002

The JDA is requesting proposals from experienced companies to render professional consulting services consisting of a land/topographical surveys required for the site development and preparation of the **ZOLA PUBLIC TRANSPORT FACILITY** for a period of **12 months**.

Queries relating to procurement matters may be addressed to Lerato Ntuli at e-mail: **Intuli@jda.org.za**

Technical queries or queries relating to the project may be addressed to Ms. Babalwa Ngxale e-mail: **bngxale@jda.org.za**

Documents may be downloaded from **11 December 2023** as follows: www.jda.org.za as well as on www.etenders.gov.za. Tenders must only be submitted on the tender documentation that is downloaded from the stipulated websites. The retyping of the tender document is not permitted.

There will be no briefing session. Bidders are to forward enquiries to as per details provided below.

The last day to received queries is the **16 January 2024 at 12H00** and queries received after that date will not be entertained.

The closing date and time for receipt of tenders is **12:00pm on 22 January 2024 and there will be a public opening**.

The physical address for the delivery of tender documents is Johannesburg Development Agency Ground Floor Reception Area, no. 3 Helen Joseph Street, Newtown. Telegraphic, telephonic, telex, facsimile, e-mailed and late tenders will not be accepted.

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

The JDA's selection of qualifying tenders will be at the JDA's sole discretion and will be final. The JDA does not bind itself to accept any particular tender and correspondence will be entered into with successful tenderer.

"WE ENCOURAGE ALL PEOPLE DOING BUSINESS WITH US TO REPORT ANY CORRUPT OR ILLEGAL PRACTICE, USING THE ANTI-FRAUD HOTLINE NUMBER: 0800 002 587".

11. PRESENTATION OF QUOTATIONS

Submissions should be in the form of quotations priced as required allowing the JDA to make a sound and fair evaluation. The resubmission should be accompanied by the below information and documents and should **use the same item numbers as below** for the required sections.

The following information must be clearly spelt out:

- 11.1 A copy of the tenderer's municipal rates account which is not older than three months in the name of the tenderer or alternatively in the names of the Directors / Partners of the tendering entity. Copies of lease agreements or accounts from a lessor will NOT be accepted.
- 11.2 A copy of a valid Tax pin Compliant Letter from SARS.
- 11.3 An original and valid BBBEE status levels verification certificate or a certified copy thereof, substantiating the bidding entities BBBEE rating. Only certificates issued by verification agencies accredited by the South African Accreditation System (SANAS), or by registered auditors approved by the Independent Regulatory Board of Auditors (IRBA) will be accepted.

An EME must submit a sworn affidavit confirming the following:

- Annual Turnover Revenue of R10 million or less; and
 - Level of Black ownership
 - Any misrepresentation in terms of bullet point above constitutes a criminal offence as set out in the B-BBEE Act as amended.
- 11.4 Bidders are required to submit detailed quotations based on the required deliverables [item 3] defined in rand terms. Applicants are to illustrate the fee proposal linked to deliverables. All disbursements, etc. are to be included in the quotations. Applicants must ensure that the **TOTAL FEE IS CORRECTLY CALCULATED AND TRANSFERRED TO THE OFFER PAGE.**
 - 11.5 The attached forms A to F as annexures, must be scrutinized, completed, signed and submitted together with your quotation.

12. ASSESSMENT CRITERIA

Submissions will be evaluated on the criteria to follow:

- Compliance
- Technical Competence
- Price and Empowerment

12.1 Compliance

Bidders will be disqualified for:

- If any of its directors are listed on the register of defaulters;
- In the case of a bidder who during the last five years has failed to perform satisfactorily on previous contracts with the JDA or any other organ of state after written notice was given to that bidder that performance was unsatisfactory;
- Bidders who did not complete, in full, the tender offer page (i.e. priced, all registration numbers provided and signed);
- Bidders whose tender document has been completed in pencil;
- Bidders whose document has been faxed or e-mailed;
- Bidders whose tender document has been received after the closing time;
- Bidders who fail to price as required i.e. as stipulated in item 4 herein;
- Bidders who did not comply with any other requirement as set out in the tender specifications;
- Bidders who have any directors in the employment of the state.

The pricing schedule, included as part of this document, must be completed and submitted together with your proposal. In addition to the pricing schedule, the bidder is expected to provide a detailed cost breakdown for the various project activities.

12.2 Technical Competence

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

- (A) Key returnable documents,
- (B) Key Personnel experience and track record as a Land Surveyor,
- (C) Company experience on completed similar projects by the company,
- (D) Contactable reference letters in the client's letter head as proof on what is mentioned on item C above for experience of the company.

Tenderers will have to submit compliant documents and score a minimum number of points in the technical evaluation in order to be considered further in the evaluation process.

The technical assessment is based on the criteria set-out below, failure to attach or submit the said documents will result in your submission being set aside.

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

- key returnable documents (As stated above)
- key personnel as described above in item 2
- the experience of the company (i.e. Land Survey Services) and
- Contactable references (i.e. Land Survey Services).

The Land Surveyor will be required to score a minimum of 70 points (70%) [out of a possible 100] in order to be considered for price.

Total points 100 and the Minimum points required is 70 points which translates to (70%)

NO.	A. KEY RETURNABLE DOCUMENTS			Points
1	Valid BBBEE status level certificate			0
2	Company registration documents			0
3	Valid Tax pin document from SARS			0
4	Current municipal rates and account for the directors / a signed lease agreement			0
5	2 Years stamped audited financial statements			0
6	Certified copies of identity documents for the directors			0
7	Annexure A – G completed in full and signed			0
B - KEY PERSONNEL EXPERIENCE	TOTAL POINTS	CRITERIA	DESCRIPTION OF CRITERIA	POINTS
Key Personnel Experience and Track record on land surveying Detailed CVs indicating track record of the proposed key team members are required.	60	<u>Land Surveyor:</u> Registered with the South African Geomatics Council (SAGC) as a professional land surveyor / Engineering surveyor .	Proof of registration to be submitted to obtain points.	10
		(Land surveyor) A minimum qualification of a B-Tech or bachelor's degree in Land Survey .	Certified proof of qualification must be provided to obtain the points	10
		(Land Surveyor) Experience of 10 years or more in Land Surveying	Bidders must attach a detailed CV as proof and must show projects, roles played and period. If any information is not contained in the CV or Annexure G then zero points will be awarded. <ul style="list-style-type: none"> CV's provided must be as per the resources recorded on the organogram CV's must clearly show similar project experience. 	20

			<ul style="list-style-type: none"> CV's must clearly show the role executed by the resource on said similar projects. <p>CV's must clearly show the values of said similar projects executed</p>	
		<p><u>Technician</u></p> <p>(must have a minimum qualification of a diploma in Land surveying or civil engineering):</p> <p>Experience of 5 years or more in Land Survey Field.</p>	<p>Bidders must attach a detailed CV as proof and must show projects, roles played and period.</p> <p>If any information is not contained in the CV or Annexure G then zero points will be awarded.</p> <ul style="list-style-type: none"> CV's provided must be as per the resources recorded on the organogram CV's must clearly show similar project experience. CV's must clearly show the role executed by the resource on said similar projects. <p>CV's must clearly show the values of said similar projects executed</p>	20
C- COMPANY EXPERIENCE	TOTAL POINTS	CRITEIA	DESCRIPTION OF CRITERIA	POINTS
<p>Company experience and Contactable References</p> <p>Land Survey experience on similar proposed scope of works.</p>	<p>Each project equals 10 points.</p> <p>40</p>	Four Projects Completed	Points will only be allocated on related projects as listed on reference letters.	40
		Three Projects Completed	Project information contained elsewhere in the tender submission will <u>not</u> be considered.	30
		Two Projects Completed	References <u>must</u> be on the client's letterhead or on a document stamped by the client and <u>must</u> confirm the project description, services rendered and values to obtain the points.	20
		One Projects Completed		10

NOTE: BIDDER ARE REQUIRED TO CLEARLY STATE WHO THE LAND SURVEYOR AND TECHNICIAN ARE ON THE ORGANOGAM

13. PRICE AND EMPOWERMENT

The Preference Point System will be applied as follows:

- 80 points are assigned to price
- Up to 20 points are assigned to BBBEE status per the table under item 6

The total preference points for a tender are calculated with the formula

$$PP = P_s + P_{bee} \text{ Where}$$

PP is the total number of preference points scored by the tenderer.

P_s is the points scored for the comparative price of the tenderer, and

P_{bee} is the number of points awarded to the tenderer based on his certified B-BBEE status level.

Formula for scoring tender price.

The following formula will be used to calculate the points for price.

$$P_s = X [1 - \frac{(P_t - P_{min})}{P_{min}}]$$

Where

P_s = Points scored for comparative price of tender under consideration

P_t = Comparative price of tender under consideration

P_{min} = Comparative price of lowest acceptable tender

X = Points assigned to price

Preference points shall be based on the Specific Goal as per below:

Table B1: Awards UP TO R50 mil (VAT Inclusive)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)	Evidence
Business owned by 51% and more – Black People	5		<ul style="list-style-type: none"> • B-BBEE certificate or QSE/EME Affidavit; • Company Registration Certification • Certified Identification Documentation. • CSD report

Business owned by 51% and more – Woman	5		<ul style="list-style-type: none"> • Company Registration Certification • Certified Identification Documentation • CSD report
Enterprise located within the City of Johannesburg Metropolitan Municipality	5		<ul style="list-style-type: none"> • Company municipal accounts or lease agreement
SMME (EME or QSE)	5		<ul style="list-style-type: none"> • BBBEE Certificate / Affidavit • CSD registration
Total Points	20		Failure to attach evidence will lead to scoring zero points

14. CLOSING DATE, TIME AND VENUE FOR SUBMISSIONS

The words “**RFQ - FOR THE PROVISION OF LAND SURVEY SERVICES FOR ZOLA PUBLIC TRANSPORT FACILITY**” must be written / typed clearly on the envelope. The envelope must be deposited in the tender box at the **Johannesburg Development Agency, Ground Floor, The Bus Factory, 3 Helen Joseph Street (formerly known as President) and Newtown** only between the hours of 08H00 and 17H00.

The RFQ closes at 12h00 on the 22 January 2022.

NO LATE / E-MAILED/ TELEPHONIC / FAXED / POSTAL TENDERS WILL BE ACCEPTED OR CONSIDERED.

The Johannesburg Development Agency’s selection of qualifying tenders shall be in the Johannesburg Development Agency’s sole discretion and shall be final. The Johannesburg Development Agency does not bind itself to accept any particular Tender and no correspondence will be entered into.

Queries can be addressed in writing to:

Procurement:

Lerato Ntuli

E-mail: lnntuli@jda.org.za

Technical:

Babalwa Ngxale

E-mail: bngxale@jda.org.za

ANNEXURE A: BUSINESS DECLARATION**Tender/RFQ Number:****Tender/RFQ Description:****Name of Company:****Contact Person:****Postal Address:**

.....

Physical Address:

.....

Telephone Number:**Fax Number:****Cell Number:****E-mail Address:****Company/enterprise Income****Tax Reference Number** :

(Insert personal income tax number if a one person business and personal income tax numbers of all partners if a partnership)

VAT Registration Number:**Company Registration Number:****1. Type of firm**

- ☐ Partnership
- ☐ One person business/sole trader
- ☐ Close corporation
- ☐ Public company
- ☐ Private company

(Tick one box)

2. Principal business activities

.....

.....

.....

3. Total number of years company has been in business:

4. Detail all trade associations/professional bodies in which you have membership

.....

.....

.....

5. Did the firm exist under a previous name?

- ☐ Yes
☐ No

(Tick one box)

If yes, what was its previous name?

.....

6. How many permanent staff members are employed by the firm:

Full Time :

Part Time :

7. In the case of a firm which renders services for different disciplines, how many permanent staff members are employed by the firm in the discipline for which you are tendering:

Full Time :

Part Time :

8. What is the enterprise's annual turnover for the last two years and what is the estimated turnover of current commitments.

R Year

R Year

R Year

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

CONTRACT DESCRIPTION	LOCATION	COMPANY/ EMPLOYER	PROJECT VALUE	ESTIMATED FEES	EXPECTED COMPLETION (MONTH & YEAR)

10. Banking details

I/We hereby request and authorise you to pay any amounts which may accrue to me/us to the credit of my/our account with the mentioned bank.

I/We understand that the credit transfers hereby authorised will be processed by computer through a system known as the *“ACB Electronic Fund Transfer Service”* and

I/We also understand that no additional advice of payment will be provided by my/our bank, but details of each payment will be printed on my/our bank statement or any accompanying voucher.

This authority may be cancelled by me/us giving **30 days'** notice in writing.

BANK :

BRANCH :

BRANCH CODE :
ACCOUNT NUMBER :

ACCOUNT HOLDER :
TYPE OF ACCOUNT :
CONTACT PERSON :
CONTACT NUMBER :

PLEASE INCLUDE ORIGINAL SIGNED AND STAMPED LETTER FROM THE BANK CONFIRMING THE COMPANY'S BANKING DETAILS, PHOTOSTAT COPIES AND LETTERS BEARING ELECTRONIC SIGNATURES WILL NOT BE ACCEPTABLE.

The undersigned, who warrants that he/she is duly authorised to do so on behalf of the company, affirms that the information furnished in response to this request for proposal is true and correct:

SIGNATURE :
NAME IN FULL :
CAPACITY :
DULY AUTHORIZED TO SIGN ON BEHALF OF:
DATE :

COMPANY STAMP

ANNEXURE B: DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state*.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name:

3.2 Identity Number:

3.3 Position occupied in the company (director, trustees, shareholder**)

3.4 Company Registration Number:

3.5 Tax Reference Number:

3.6 VAT Registration Number:

3.7 The names of all directors / trustees / shareholders / members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state* **YES / NO**

If yes, furnish particulars

.....
.....

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

If yes, furnish particulars

.....
.....

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

If yes, furnish particulars

.....
.....

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

.....

-
-

-
-

-
-

- [illegible]

--	--	--

CERTIFICATION**I, THE UNDERSIGNED (FULL NAME)**

.....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Position

.....
Name of Bidder

.....
Date

* MSCM Regulations: "in the service of the state" means to be –

(a) a member of –

(i) any municipal council;

(ii) any provincial legislature; or

(iii) the national Assembly or the national Council of provinces;

(b) a member of the board of directors of any municipal entity;

(c) an official of any municipality or municipal entity;

(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);

(e) a member of the accounting authority of any national or provincial public entity; or

(f) an employee of Parliament or a provincial legislature.

** "Stakeholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

ANNEXURE C: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;

- c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
- d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).

- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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? (To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.2.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.5.1	If so, furnish particulars:		
Item	Question	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?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

.....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Position

.....
Name of Bidder

.....
Date

(In the event of insufficient space, kindly attach documentation)

[illegible]

***** Organ of State means-**

- ◆ a) a national or provincial department;
- ◆ b) a municipality;
- ◆ c) a constitutional institution defined in the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- ◆ d) Parliament;
- ◆ e) a provincial legislature;
- ◆ f) any other institution or category of institutions included in the definition of “organ of state” in section 239 of the Constitution and recognised by the [Minister](#) by notice in the *Government Gazette* as an institution or category of institutions to which [this Act](#) applies

.....
Signature*(of person authorised to sign on behalf of the organisation)*.....
Position.....
Name of Bidder.....
Date

ANNEXURE E: CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

**RFQ - FOR THE PROVISION OF LAND SURVEY SERVICES FOR
ZOLA PUBLIC TRANSPORT FACILITY**

1001 Highveld Joseph Street

The Bus Factory

Newtown

Johannesburg, 2000

PO Box 61877

Marshalltown

2000

Tel +27(0) 11 688 7851 (O)

Fax +27(0) 11 688 7899/63

E-mail: info@jda.org.za

www.jda.org.za

www.joburg.org.za

in response to the invitation for the bid made by:

Johannesburg Development Agency

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

I certify, on behalf of:

_____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (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 will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraph 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

(a) prices;

Building a better city

Directors

D Oliphant (Chairperson) S Genu (Acting CEO) M Mokoena M Ntanga M Ramonyai N Zonela B Sarela P Numa V Hlongwa J Makgonye S Masiza

Registration Number: 2001/005101/07

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

.....
Signature

.....
Position

.....
Name of Bidder

.....
Date

ANNEXURE F: DECLARATION ON STATE OF MUNICIPAL ACCOUNTS

A Any bid will be rejected if:
Any municipal rates and taxes or municipal service charges owed by the bidder or any of the directors to the municipality or a municipal entity, or to any other municipality or municipal entity, are in arrears for more than three months.

B Bid Information

- i. Name of bidder:
- ii. Registration Number:
- iii. Municipality where business is situated
- iv. Municipal account number for rates:
- v. Municipal account number for water and electricity:
- vi. Names of all directors, their ID numbers and municipal account number.
 1.
 2.
 3.
 4.
 5.
 6.
 7.

C Documents to be attached.

- i. A copy of municipal account mentioned in B (iv) & (v) (Not older than 3 months)
- ii. A copy of municipal accounts of all directors mentioned in B(vi) (Not older than 3 months)
- iii. Proof of directors

I/We declare that the abovementioned information is true and correct and that the following documents are attached to this form:

.....
.....

Signature

Date

ANNEXURE G: ORGANOGRAM

The tenderer shall list below the key personnel proposed for this project in the discipline and designation being tendered for.

DESIGNATION	NAME AND NATIONALITY	SUMMARY OF QUALIFICATIONS & EXPERIENCE

NOTE: Detailed Curriculum Vitae (CV's) of the above proposed candidates must be provided. Said CV's MUST indicate the name and description of the project, role played in the project, project value, and the start and end dates of the project. In addition proof of relevant qualifications and of memberships to relevant professional associations must also be provided for the above proposed candidates.

CONSENT AND ACKNOWLEDGMENTS IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 2013 (POPI)

This section sets out how personal information will be collected, used and protected by Johannesburg Development Agency hereinafter referred to as “JDA”, as required by the Protection of Personal Information Act. The use of the words “the individual” for the purposes of this document shall be a reference to any individual (bidder) communicating with JDA and/or concluding any agreement, registration or application, with the inclusion of each of those individuals referred to or included in terms of such agreement, registration or application.

1. What is personal information?

The personal information that JDA requires relate to names and surnames, birth dates, identity numbers, passport numbers, demographic information, education information, occupation information, health information, addresses, memberships, personal and work email and contact details.

2. What is the purpose of the collection, use and disclosure (the processing) of personal information?

JDA is legally obligated to collect, use and disclose personal information for the purposes of:

- reporting initiatives to the City of Johannesburg Municipality;
- reporting to National Treasury all contracts awarded;
- obtaining information related to Tax Compliance information from SARS;
- verifying information on the National Treasury database of defaulters;
- evaluating and processing applications for registration on the database;
- compiling statistics and other reports;
- providing personalised communications;
- complying with the law; and/or
- for a purpose that is ancillary to the above and as may be directed by our POPI manual/Policy. Personal information will not be processed for a purpose other than what is identified (the purpose) above without obtaining consent beforehand.

3. How will JDA process personal information?

JDA will only collect personal information for the purpose as stated above and for such specific purpose. Information will be collected in the following manner:

- directly from the individual;
- from service providers who provided with services or goods to JDA;
- from JDA’s own records relating to previous supply of services or goods; and/or

- from a relevant public or equivalent entity.

4. To whom will personal information be disclosed?

The personal information may be disclosed to other relevant public or other entities on whose behalf we act as intermediaries, other third parties referred to above in relation to the purpose or who are sources of personal information, service providers such as professional bodies who operate across the borders of this country (transborder flow of information) where personal information must be sent in order to provide the information and/or services and/or benefits requested or applied for. In the event of another party/ies acquiring all of or a portion of JDA's mandate or functions, personal information will be disclosed to that party but they will equally be obliged as we are, to protect personal information in terms of this policy and the law.

5. Consent and Permission to process personal information:

I hereby agree with the policy and provide authorisation to JDA to process the personal information provided for the purpose stated:

- I understand that withholding of or failure to disclose personal information will result in JDA being unable to perform its functions and/or any services or benefits I may require from JDA.
- Where I shared personal information of individuals other than myself with JDA, I hereby provide consent on their behalf to the collection, use and disclosure of their personal information in terms of this personal information policy and I warrant that I am authorised to give this consent on their behalf.
- To this end, I indemnify and hold JDA not responsible in respect of any claims by any other person on whose behalf I have consented, against JDA should they claim that I was not so authorised.
- I understand that in terms of POPIA and other laws of the country, there are instances where my express consent is not necessary in order to permit the processing of personal information, which may be related to police investigations, litigation or when personal information is publicly available.
- I will not hold JDA responsible for any improper or unauthorised use of personal information that is beyond its reasonable control.

6. Rights regarding the processing of personal information:

- The individual may withdraw consent to the processing of personal information at any time, and should they wish to do so, must provide JDA with reasonable notice to this effect. Please note that withdrawal of consent is still subject to the terms and conditions of any contract that is in place. Should the withdrawal of consent result in the interference of legal obligations, then such withdrawal will only be effective if JDA agrees to same in writing. JDA specifically draws to the

attention that the withdrawal of consent may result in it being unable to provide the requested information and/or services and/or financial or other benefits.

- In order to withdraw consent, please contact the JDA Information Officer/SCM
- A copy of the full JDA policy is available.
- Individuals are encouraged to ensure that where personal information has changed in any respect to notify JDA so that our records may be updated. JDA will largely rely on the individual to ensure that personal information is correct and accurate.
- The individual has the right to access their personal information that JDA may have in its possession and are entitled to request the identity of which third parties have received and/or processed personal information for the purpose. Please note however, that any request in this regard may be declined if:
 - the information comes under legal privilege in the course of litigation,
 - the disclosure of personal information in the form that it is processed may result in the disclosure of confidential or proprietary information,
 - giving access may cause a third party to refuse to provide similar information to JDA,
 - the information was collected in furtherance of an investigation or legal dispute, instituted or being contemplated,
 - the information as it is disclosed may result in the disclosure of another person's information,
 - the information contains an opinion about another person and that person has not consented, and/or
 - the disclosure is prohibited by law.

7. Queries relating to breach of personal information:

- Please submit queries relating to the breach of personal information to the JDA's information officer and SCM in writing as soon as the breach is discovered.

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

FORM D: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

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

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

1. GENERAL CONDITIONS

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

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

1.2 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **80/20 preference** point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\text{basis: } \mathbf{80/20} \quad \text{or} \quad \mathbf{90/10}$$

$$= \left(\frac{P_t - P_{\min}}{P_t} \right) \quad \text{or} \quad = \left(\frac{P_t - P_{\min}}{P_t} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{\min} = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ = & \left(+ - \underline{\hspace{1cm}} \right) & \text{or} \quad = \left(+ - \underline{\hspace{1cm}} \right) \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the

table below.

(Note to organs of state: Where both the 90/10 and 80/20 preference point systems are applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

Table 1: AWARD UP TO 50M (VAT INCLUSIVE)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Race – people who are Black, Coloured or Indian (ownership)* 51% or more black ownership	5	
Gender are women (ownership)* More than 51% women ownership	5	
Enterprises located within the City of Johannesburg Metropolitan Municipality	5	
QSE/EME	5	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm:.....

4.4. Company registration number:.....

4.5. TYPE OF COMPANY/ FIRM
.....

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company

- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

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