

DIRECTORATE: PLANNING, DEVELOPMENT & TOURISM

NOTICE NO:94/ 2022

CALL FOR PROPOSALS

**SOCIAL HOUSING MIXED LAND USE DEVELOPMENT ON ERF 353,
HUMANSDORP (OLD CARAVAN PARK)**

**CLOSING DATE: MONDAY, 12 SEPTEMBER
2022**

CLOSING TIME: 12H00

NAME OF BIDDER*

:
:

ADDRESS*

:
:
:
:

TEL NUMBER*

:

FAX NUMBER*

:

COMPANY REPRESENTATIVE*

:

EMAIL ADDRESS*

:

KM DATABASE REG NO*

:

CSD REG NO*

:

(* - TO BE COMPLETED BY RESPONDENT)

Prepared by:
Kouga Municipality
P.O. Box 21

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CALL FOR PROPOSAL

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E1 SUBMISSION PROCEDURES

E1.1 NOTICE AND INVITATION TO SUBMIT AN CALL FOR PROPOSAL

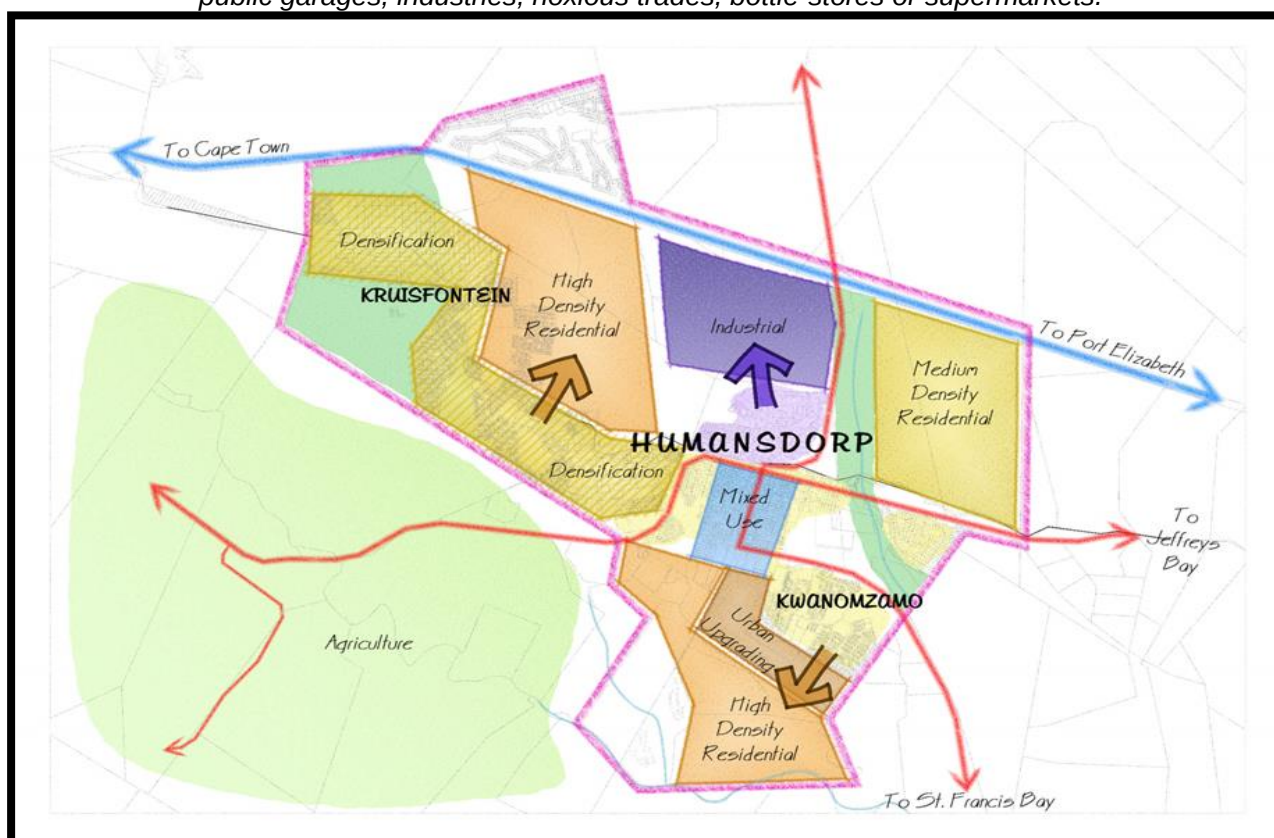
E1.2 SUBMISSION DATA

E1.1 INVITATION TO SUBMIT AN CALL FOR PROPOSAL: PROJECT BRIEF.

The Council took a decision to call for Development proposals for a Social Housing Mixed- Use Development on ERF 353, Humansdorp.

In terms of the current zoning scheme, the property is zoned as “Business1” and per definition the primary use is for “Business Premises” and entails the following: -

Building or structure on or in which business is done and includes shops, offices, financial institutions or restaurants or sites, buildings or structures for similar uses, but does not include places of assembly or entertainment, institutions, service stations, public garages, industries, noxious trades, bottle-stores or supermarkets.



Suitably qualified, capable and experienced professional service providers are hereby invited to submit proposal for SOCIAL HOUSING MIXED LAND USE DEVELOPMENT ON ERF 353 HUMANSDORP (OLD CARAVAN PARK).

Tenders

An electronic copy of the tender document will be available on E-Tender portal www.etender.gov.za or the municipal website www.kouga.gov.za as from Wednesday, 10 August 2022. After downloading the tender document from the website each prospective bidder **MUST** send a request to tenders@kouga.gov.za and copied to mpenxa@kouga.gov.za.

The link will also be available on the municipal website.

A compulsory virtual clarification session will be arranged for the **19 August 2022 @ 12h00**. Any RSVP or show of interest, received after the 11:30am on the 19 August 2022 would not be considered.

Join Zoom Meeting

<https://kougagov-za.zoom.us/j/96668109572?pwd=Zm5jd2ZndDJySGdQMxpiTVRKTmZ5dz09>

Meeting ID:	966 6810 9572
Passcode:	273993

Please note:

- Telegraphic, telephonic, telex, facsimile, email or late tenders will not be accepted.
- This contract will be evaluated on the 80/20point scoring system.
- **An electronic copy of the completed tender document with returnable documents must be submitted with tender submission saved in a flash drive or CD. Failure to submit AN ORIGINAL HARD COPY AND A COPY ON EITHER USB or CD will deem the bid non-responsive.**
- **The Guidelines for locally produced goods or locally manufactured goods with a stipulated minimum threshold will be applied where applicable.**
- **A minimum functional assessment score of 70% will apply to this contract.**
- A valid SARS Tax compliance Status pin to be submitted.
- Prospective Service Providers must register on Kouga Municipality's Supplier database as per the registration requirements.
- The National Treasury Central Supplier Database Summary report must be submitted.
- In order to claim Preference points a valid originally or certified B-BBEE Status level Verification certificate or a Sworn Affidavit completed on the DTI format must be submitted to validate the claim.
- The Council reserves the right to accept any tender and, or part thereof, appoint more than one contractor, and does not bind itself to accept the lowest or any tender. The Council reserves the right to appoint any contractor.
- The validity period for submission must be 120 days from the closing date.
- Tenders that are deposited in the incorrect box or delivered to any other venue will not be considered.

Enquiries relating to this tender must be submitted in writing via e-mail to tenders@kougagov.za and copied to mpenxa@kougagov.za

Completed documents in a sealed envelope endorsed "**SOCIAL HOUSING MIXED LAND USE DEVELOPMENT ON ERF 353 HUMANSDORP (OLD CARAVAN PARK)**", must be placed in the Tender Box 21 St Croix Street (back entrance) or 16 Woltemade Street (front entrance), Jeffrey's Bay, Room 122 on or before **MONDAY 12 SEPTEMBER 2022 at 12:00.**

C. DU PLESSIS
MUNICIPAL MANAGER

P.O. Box 21
JEFFREYS BAY
6330

For Placement: Herald – 10 Aug 2022

Municipal Website/ Municipal Notice Boards in all offices/areas – 10 Aug 2022

E1.2 SUBMISSION DATA

The Standard Conditions for the calling for Development Proposal make several references to the Submission Data for details that apply specifically to this Call for proposal. The Submission Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions for the calling for Development Proposal.

Each item of data given below is cross-referenced to the clause in the *Standard Conditions* for the calling for *Development Proposal* to which it mainly applies.

No	Clause	Wording
1	H.1.1	The Employer is the <i>Kouga Municipality</i> .
2	H.1.2	Refer to the CONTENTS and DETAILED TABLE OF CONTENTS of this document for a complete list of documents issued by the Employer associated with the calling for this <i>Call for proposal</i> , the <i>Submission Procedures (Part E1)</i> , <i>Returnable Documents (Part E2)</i> and <i>Indicative Scope of Work (Part E3)</i> . The Call for proposal document consists of only one volume.
3	H.2.1	1. Only those respondents who satisfy the following eligibility criteria are eligible to submit proposals: 1.1. The incumbent Developer must demonstrate that it has experience in Development of Medium mixed land use projects in an urban area as well as social housing developments. 1.2. The incumbent Developer is registered with CSD and KLM Data base or proof of application 2. Joint ventures are eligible to submit Proposals provided that: 2.1. The lead partner has experience that demonstrates a clear ability to develop and manage medium/large mixed land use projects in an urban area. 2.2. The joint venture is registered on the Central Supplier Database or proof of application. 2.3. All members of the joint venture must submit copies of the returnable documentation or originals where it is so stipulated for all members. 2.4. In the case of a Partnership / Joint Venture / Consortium the tax clearance certificate must be for the Partnership / Joint Venture / Consortium or individual valid tax clearance certificates for all the members of the Joint Venture / Consortium.

No	Clause	Wording
		2.5. In the case of a Joint Venture / Consortium, a consolidated BBBEE Verification Certificate must be submitted for the Partnership / Joint Venture / Consortium, failing which the Tenderer will score zero points for Preference. 3. Only respondents who attended and signed the attendance register for the briefing and site visit of the compulsory clarification meeting.
4	H.2.5	A compulsory virtual clarification session will be arranged for the 19 August 2022 @ 12h00. Any RSVP or show of interest, received after the 11:30am on the 19 August 2022 would not be considered. Join Zoom Meeting https://kougagov-za.zoom.us/j/96668109572?pwd=Zm5jd2ZndDJySGdQMxpiTVRKTmZ5dz09 Meeting ID: 966 6810 9572 Passcode: 273993
5	H.2.7	The Development Proposal shall be enclosed in a sealed envelope, bearing the correct identification details as follows: • Call for proposal Number: 94/2022 • Title of the Call for proposal: CALL FOR PROPOSAL FOR THE SOCIAL HOUSING MIXED LAND USE DEVELOPMENT ON ERF 353, HUMANSDORP (OLD CARAVAN PARK) and shall be placed in the tender box located at: 21 St Croix Street (back entrance) or 16 Woltemade Street (front entrance), Jeffrey's Bay, Room 122 This address is available from 7:30-16:15 From Monday to Thursday and 07:30-15:00 on Friday for delivery of tender offers.
6	H.2.9	The closing time for the submission of the Call for proposal is 12h00 on MONDAY 12 SEPTEMBER 2022 Telephonic, facsimile, email, unmarked and / or Development Proposal will not be accepted.
7	H.3.3	No late submissions will be accepted and will be returned unopened (unless it is necessary to open a submission to obtain a forwarding address) to the respondent concerned.
8	H.3.9	Development Proposal will be evaluated on Functionality. The minimum number of points for functionality is 70% , Bidders that score less than the minimum will be rejected and not considered further. Functionality Scoring: 1) Functionality will be scored by Land Advisory Committee members appointed by the Employer. The score of each of the criteria by each evaluator will be

No	Clause	Wording
		averaged and the average scores will be totalled to obtain the total score for quality. 2) The functionality scoring criteria and maximum score in respect of each of the criteria is stipulated in returnable schedule E2.2.1. 3) Respondents are to complete returnable schedules E2.2.2 to E2.2.7. 4) Failure to submit the relevant returnable schedules will result in zero score for that particular category.

E2 RETURNABLE DOCUMENTS

The following documents are to be completed and returned, as they constitute the Call for proposal. Whilst many of the returnables are required for evaluation of the Call for proposal, some will form part of the subsequent contract, as they form the basis of the Call for proposal. For this reason, it is very important that the respondents return **all information requested**.

E2.1 RETURNABLE DOCUMENTS REQUIRED FOR EVALUATION PURPOSES

The respondent's attention is drawn to clause H.2.8 of the *Standard Conditions* for the calling for *Development Proposal* as contained in *Annexure H* of *SANS 294:2004* as well as the *CIDB Standard for Uniformity in Construction Procurement (July 2015)* as published in Government Gazette, Board Notice 136 of 10 July 2015 (see www.cidb.org.za) which stipulates that failure to submit the returnable documents listed below will result in the Call for proposal being declared **non-responsive**.

In the event of a Joint Venture, the respondent's attention is drawn to the same as stated above as well as clause H.2.1 of the Submission Data which stipulates that failure to submit the returnable documents listed below for each member of the Joint Venture will result in the Call for proposal being declared **non-responsive**.

E2.1.1	Authority of Signatory	Tick if completed and submitted
E2.1.2	JV Agreement	Tick if completed and submitted
E2.1.3	Status of Concern Submitting Call for proposal	Tick if completed and submitted
E2.1.4	Business Registration Documents (e.g. Certificate of Incorporation)	Tick if completed and submitted
E2.1.5	Proof of Registration with Central Supplier Database	Tick if completed and submitted
E2.1.6	Payments of Municipal Accounts	Tick if completed and submitted
E2.1.7	Tax Clearance Certificate (MBD2)	Tick if completed and submitted
E2.1.8	Declaration of Interest in Call for proposal of Persons in Service of the State (MBD4)	Tick if completed and submitted
E2.1.9	Declaration of respondent's Past Supply Chain Management Practises (MBD8)	Tick if completed and submitted
E2.1.10	Certificate of Independent Bid Determination (MBD9)	Tick if completed and submitted
E2.1.11	Declaration of Indemnity	Tick if completed and submitted
E2.1.12	Schedule of Work satisfactorily carried out by the respondent for Private Clients or Organs of State	Tick if completed and submitted
E2.1.13	Certificate of Site Inspection	Tick if completed and submitted

E2.1.14	Record of Addenda to Call for proposal Documents	Tick if completed and submitted
E2.1.15	Broad Based Black Economic Empowerment (BBBEE) Certificate (MBD6.1)	Tick if completed and submitted
E2.2 SUBMISSION SCHEDULES REQUIRED FOR FUNCTIONALITY EVALUATION PURPOSES		
The respondent's attention is drawn to clause H.3.9 of the Submission Data which stipulates that failure to submit the returnable schedules listed below will result in the respondent <u>scoring zero points</u> for Functionality for the relevant category for which the returnable was not submitted.		
E2.2.	Functionality Scoring	Tick if completed and submitted
E2.2.1	Quality Management Systems	Tick if completed and submitted
E2.2.2	Company Experience – Property Development (Commercial/Mixed Land Use)	Tick if completed and submitted
E2.2.3	Company Experience – Property Management (Commercial/Mixed Land Use)	Tick if completed and submitted

E2.1 RETURNABLE DOCUMENTS REQUIRED FOR CALL FOR PROPOSAL EVALUATION PURPOSES

E2.1.1 AUTHORITY OF SIGNATORY

Indicate the status of the respondent by ticking the appropriate box hereunder. The respondent must complete the certificate set out below for the relevant category.

A COMPANY	B PARTNERSHIP	C JOINT VENTURE	D SOLE PROPRIETOR	E CLOSE CORPORATION

A. CERTIFICATE FOR COMPANY

I,, chairperson of the board of directors of
, hereby confirm that by resolution of the board (copy
 attached) taken on 20..., *Mr/Ms
 acting in the capacity of
 (Position in the Enterprise), and who will sign as follows:
 be, and is hereby, authorized to sign the Call for
 proposal, and any and all documents and / or correspondence in connection with this Call
 for proposal and any Contract resulting from it on behalf of the company.

As witnesses :

- | | | | |
|----|--|-------------------|--|
| 1. | | Chairman : | |
| 2. | | Date : | |

	NAME	CAPACITY	SIGNATURE
1			
2			
3			
4			
5			

NOTE:

1. *Delete which is not applicable.
2. NB: This resolution must be signed by all the Directors / Members / Partners of the responding Enterprise.
3. Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

B. CERTIFICATE FOR PARTNERSHIP

We, the undersigned, being the key partners in the business trading as hereby authorize *Mr/Ms, acting in the capacity of (Position in the Enterprise), and who will sign as follows: be, and is hereby, authorized to sign the Call for proposal, and any and all documents and / or correspondence in connection with this Call for proposal and any Contract resulting from it on behalf of the company.

NAME	ADDRESS	SIGNATURE	DATE

NOTE:

1. *Delete which is not applicable.
2. NB: This resolution must be signed by all the Directors / Members / Partners of the responding Enterprise.
3. Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

C. CERTIFICATE FOR JOINT VENTURE AND CONSORTIA

We, the undersigned, are submitting this Call for proposal in a Joint Venture / Consortium and hereby authorize *Mr/Ms, acting in the capacity of lead partner, and who will sign as follows: be, and is hereby, authorized to sign the Call for proposal, and any and all documents and / or correspondence in connection with this Call for proposal and any Contract resulting from it on behalf of the company.

This authorization is evidenced by the attached power of attorney signed by legally authorized signatories of all the partners to the Joint Venture / Consortium.

NAME OF FIRM	LEAD PARTNER (X)	ADDRESS	% OF CONTRACT VALUE	AUTHORISING SIGNATURE, NAME & CAPACITY

NOTE:

1. *Delete which is not applicable.
2. NB: This resolution must be signed by all the Directors / Members / Partners of the Bidding Enterprise.
3. Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

D. CERTIFICATE FOR SOLE PROPRIETOR

I, _____ hereby confirm that I am the sole owner of the business trading as

.....

As witnesses :

1. _____ Signature : Sole owner : _____
2. _____ Date : _____

E. Certificate for Close Corporation

We, the undersigned, being the key members in the business trading as

..... hereby authorize *Mr/Mrs.....

acting in the capacity of _____, (Position in the Enterprise), and who will sign as follows:be, and is hereby, authorized to sign the Call for proposal, and any and all documents and / or correspondence in connection with this Call for proposal and any Contract resulting from it on behalf of the company.

NAME	ADDRESS	SIGNATURE	DATE

NOTE:

1. *Delete which is not applicable
2. NB: This resolution must be signed by all the Directors / Members / Partners of the Bidding Enterprise
3. Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

E2.1.2 JV AGREEMENT

Attach as part of your Call for proposal submission a duly completed and signed joint venture agreement in the case of the Call for proposal being submitted as joint venture.

E2.1.3 STATUS OF CONCERN SUBMITTING CALL FOR PROPOSAL

1. GENERAL

State whether the respondent is a company, a closed corporation, a partnership, a sole practitioner or a joint venture:

(Mark the appropriate option below)

Public Company	
Private Company	
Closed Corporation	
Partnership	
Sole Proprietary	
Joint Venture	
Co-operative	

2. INFORMATION TO BE PROVIDED

IF THE SUBMITTING ENTITY IS A:		DOCUMENTATION TO BE SUBMITTED WITH THE CALL FOR PROPOSAL
1	<u>Closed Corporation</u> , incorporated under the Close Corporation Act, 1984, Act 69 of 1984.	CIPRO CK1 or CK2 (Copies of the founding statement) and list of members.
2	<u>Private Company</u> incorporated with share capital, under the companies Act, 1973, Act 61 of 1973. (including Companies incorporated under Art 53 (b)).	Copies of: CIPRO CM 1 - Certificate of Incorporation CIPRO CM 29 – Contents of Register of Directors, Auditors and Officers Shareholders Certificates of all Members of the Company.
3	<u>Private Company</u> incorporated with share capital, under the companies Act, 1973, Act 61 of 1973 in which any, or all, <u>shares are held by another</u> Closed Corporation or company with, or without, share capital.	Copies of documents referred to in 1 and/or 2 above in respect of all such Closed Corporations and/or Companies.

IF THE SUBMITTING ENTITY IS A:		DOCUMENTATION TO BE SUBMITTED WITH THE CALL FOR PROPOSAL
4	Public Company incorporated with share capital, under the companies Act, 1973, Act 61 of 1973 (including Companies incorporated under Art 21).	A signed statement of the Company's Secretary confirming that the Company is a public Company. Copy of CM 29.
5	Sole Proprietary or a Partnership.	Copy of the Identity Document of: Such Sole Proprietary, or Each of the Partners in the Partnership Copy of the Partnership agreement.
6	Co-operative.	CIPRO CR2 - Copies of Company registration document. (The percentage of work to be done by each partner must clearly be indicated on Form RDB1 (or RDB2 as applicable) of the tender document: MBD6.1 Preference Points Claim Form in terms of the Preferential Procurement Regulations 2001).
7	Joint Venture.	All the documents (as described above) as applicable to each partner in the JV as well as a copy of the Joint Venture agreement. (The percentage of work to be done by each partner of the joint venture must clearly be indicated in the Joint Venture Agreement).

Note:

- 1) If the shares are held in trust provide a copy of the Deed of Trust (only the front page and pages listing the trustees and beneficiaries are required) as well as the Letter of Authority as issued by the Master of the Supreme Court, wherein trustees have been duly appointed and authorised, must be provided.
- 2) Include a copy of the Certificate of Change of Name (CM9) if applicable.
- 3) Registered For Vat Purposes In Terms Of The Value-Added Tax Act, (Act No. 89 of 1991).

(TICK APPROPRIATE BOX)	
YES	NO
☐	☐

REGISTRATION NO :

E2.1.4 BUSINESS REGISTRATION DOCUMENTS (E.G. CERTIFICATE OF INCORPORATION)

Attach as part of your submission for Call for proposal the documentation to be submitted with the Call for proposal in terms of *returnable E2.1.3 Status of Concern Submitting Call for proposal, item 2* Information to be provided.

E2.1.5 PROOF OF REGISTRATION WITH THE CENTRAL SUPPLIER DATABASE

All businesses and suppliers wishing to conduct business with the Kouga Municipality must register on the Central Supplier Database.

Respondents must attach to this page a copy of their confirmation of registration.

E2.1.6 PAYMENTS OF MUNICIPAL ACCOUNTS

In terms of Clause 38 of the Municipal Supply Chain Management Policy, respondents must ensure that they are up-to-date with their payments of municipal accounts.

The respondents shall attach to this page, a Municipal Rates Clearance Certificate which provides proof that their payment of Municipal accounts is up-to-date.

These certificates are obtainable from the municipal Supply Chain Management Office, 33 Da Gamma Road, Jeffreys Bay.

Should the respondents not be based in the Kouga Municipality, they must submit a Rates Clearance Certificate issued by the municipality in which they are based.

E2.1.7 TAX CLEARANCE CERTIFICATE (MBD2)

In terms of Clause 14(1)(b) of the Municipal Supply Chain Management Policy, respondents must ensure that they are up-to-date with their payments of taxes.

It is a condition of bid that the taxes of the successful respondent must be in order, or that satisfactory arrangements have been made with the South African Revenue Service (SARS) to meet the respondent's tax obligations.

1. In order to meet these requirements, respondents are required to complete in full TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
2. SARS will then furnish the respondent with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The original Tax Clearance Certificate must be submitted together with the Call for proposal. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the Call for proposal. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In Development Proposal where Partnerships / Joint Ventures / Consortiums are involved, each party must submit a separate Tax Clearance Certificate.
5. Copies of the TCC 001 "Application for a Tax Clearance Certificate" forms are available from any SARS branch office nationally or on the website www.sars.gov.za.
6. Applications for the Tax Clearance Certificates may also be made via eFiling. To use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

Alternatively, the respondents must submit a Tax Compliance Status PIN to allow Supply Chain Management to verify the real-time compliance status.

Tax Compliance Status PIN	
---------------------------	-------

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed Date

Name Position

Respondent

E2.1.8 DECLARATION OF INTEREST IN CALL FOR PROPOSAL OF PERSONS IN SERVICE OF STATE (MBD4)

- Where the respondent is a natural person, state / declare whether the respondent or an employee of the respondent is in the service of the state, or has been in the service of the state during the past twelve months.

(TICK APPROPRIATE BOX)	
YES	NO

If yes, state particulars:

.....

.....

If yes, and where applicable, state the date of resignation:

.....

.....

- Where the respondent is not a natural person, state / declare whether any of its directors, managers, principal shareholders or stakeholders are in the service of the state, or have been in the service of the state during the past twelve months.

(TICK APPROPRIATE BOX)	
YES	NO

If yes, state particulars:

.....

.....

- State / declare whether a spouse, child or parent of the respondent or any of its directors, managers, shareholders or stakeholders referred to in subparagraph 2 are in the service of the state, or have been in the service of the state during the past twelve months.

(TICK APPROPRIATE BOX)	
YES	NO

If yes, state particulars:

.....

.....

4. State / declare whether the respondent or any of its directors, managers, shareholders, stakeholders or employees referred to in subparagraph 2 is a person who is an advisor or consultant contracted with the municipality or municipal entity.

(TICK APPROPRIATE BOX)	
YES	NO
☐	☐

If so, state particulars:

.....

5. State / declare whether the respondent or any of its directors, managers, shareholders, stakeholders or employees referred to in subparagraph 2 are involved in another entity for this particular tender.

(TICK APPROPRIATE BOX)	
YES	NO
☐	☐

If yes, state particulars:

.....

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed

Date

Name

Position

Respondent

E2.1.9 DECLARATION OF RESPONDENT'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (MBD8)

1. This form serves as a declaration to be used by the Employer 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.
2. The submission of any respondent will be rejected if that respondent, or any of its directors have:
 - a. abused the Municipality's / Municipal entity's supply chain management system or been guilty of 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; or
 - d. been listed in the Register for Tender Defaulters in terms of Section 29 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004).
3. In order to give effect to the above, this form and the questionnaire must be completed in full and signed. Failure to comply will result in the Call for proposal being disqualified.

ITEM	QUESTION	RESPONSE	
4.1	Is the respondent or any of its directors listed on the National Treasurer's database as a company or persons prohibited from doing business with the public sector? (Companies for 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). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za)	(TICK APPROPRIATE BOX)	
		Yes	No
If so, furnish particulars:			
4.2	Is the respondent 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, 2004 (Act 12 of 2004)? (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 012-326-5445)	(TICK APPROPRIATE BOX)	
		Yes	No
If so, furnish particulars:			
		(TICK APPROPRIATE BOX)	

4.3	Was the respondent 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	No
	If so, furnish particulars:		
4.4	Was any Contract between the respondent 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?	(TICK APPROPRIATE BOX)	
		Yes	No
		If so, furnish particulars:	
4.5	Does the respondent 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?	(TICK APPROPRIATE BOX)	
		Yes	No
		If so, furnish particulars:	

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed Date

Name Position

Respondent

E2.1.10 CERTIFICATE OF INDEPENDENT CALL FOR PROPOSAL DETERMINATION (MBD9)

I, the undersigned, in submitting the accompanying Call for proposal:

.....
(Call for proposal Number and Description)

in response to the invitation for the Call for proposal 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:that:

(Name of Respondent)

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 respondent to sign this Certificate, and to submit the accompanying bid, on behalf of the respondent;
4. Each person whose signature appears on the accompanying Call for proposal has been authorized by the respondent to determine the terms of, and to sign, the Call for proposal, on behalf of the respondent;
5. For the purposes of this Certificate and the accompanying Call for proposal, I understand that the word "competitor" shall include any individual or organization, other than the respondent, whether or not affiliated with the respondent, who:
 - (a) has been requested to submit Development Proposal in response to this Call for proposal invitation;
 - (b) could potentially submit Development Proposal in response to this Call for proposal invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the respondent and / or is in the same line of business as the respondent.
6. The respondent has arrived at the accompanying Call for proposal 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 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, Development proposal;

- (e) the submission of a Development Proposal which does not meet the specifications and conditions of the Call for proposal; or
 - (f) submitting with the intention not to win the Call for proposal.
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 Call for proposal invitation relates.
- * 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.
9. The terms of the accompanying Call for proposal have not been, and will not be, disclosed by the respondent, directly or indirectly, to any competitor, prior to the date and time of the official Call for proposal 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 Development Proposals and contracts, Development Proposals 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 will be reported to the National Prosecuting Authority (NPA) for criminal investigation and / or will 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.

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed Date

Name Position

Respondent

E2.1.11 DECLARATION OF INDEMNITY

I,, the undersigned, for and on behalf of, (hereinafter referred to as “the respondent”) hereby indemnify and safeguard the Kouga Municipality and its employees and agents against all action, suits, proceedings, claims, demands, costs and expenses whatsoever which may be instituted, brought or sent, or may be incurred or be payable by the council arising out of or in connection with any damage, death or injury caused or alleged to have been caused by or as a result of any act, omission by the respondent and / or the respondent’s employee or employees arising out of work done in connection with or arising out of this Call for proposal and / or Contract.

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed Date

Name Position

Respondent

E2.1.12 SCHEDULE OF WORK SATISFACTORILY CARRIED OUT BY THE RESPONDENT FOR PRIVATE CLIENTS OR ORGANS OF STATE

(Organs of State include any Local, Provincial or National Government Authority)

The following is a statement of similar work successfully executed by myself / ourselves:

EMPLOYER, CONTACT PERSON AND TELEPHONE NUMBER	DESCRIPTION OF CONTRACT	VALUE OF WORK INCLUSIVE OF VAT (RAND)	DATE COMPLETED

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed Date

Name Position

Respondent.....

E2.1.13 CERTIFICATE OF SITE INSPECTION

This is to certify that
(respondent) has inspected the site and acquainted ourselves with the site of the works and / or matters incidental to doing the work specified in the Call for proposal documents in order for us to take into account any constraints and conditions on and surrounding the site when compiling our Call for proposal.

Particulars of person(s) who inspected the site:

Name Signature

Capacity

Name Signature

Capacity

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed Date

Name Position

Respondent

E2.1.14 RECORD OF ADDENDA TO CALL FOR PROPOSAL DOCUMENTS

We confirm that the communications listed below were received from the Employer or the Employer's Agent before the submission of this Call for proposal, amending or amplifying the Call for proposal documents, have been taken into account in this Call for proposal offer.

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

Attach additional pages if more space is required.

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed Date

Name Position

Respondent

E2.1.15 BROAD BASED BLACK ECONOMIC EMPOWERMENT (BBBEE) CERTIFICATE (MBD6.1)

Attach as part of your Call for proposal submission BBBEE Certificate Version (MBD6.1).

In the event of a Partnership / Joint Venture / Consortium, a consolidated BBBEE Verification Certificate must be submitted for the Partnership / Joint Venture / Consortium.

E2.2 RETURNABLE SCHEDULES REQUIRED FOR FUNCTIONALITY SCORING PURPOSES

E2.2.1 FUNCTIONALITY SCORING

In accordance with the Submission Data (Clause H.3.9), Functionality be used for the evaluation of the Development Proposal. In accordance with Clause H.3.9 the following will apply:

- 1) Functionality will be scored by a minimum of three Land Advisory Committee members appointed by the Employer. The scores of each of the evaluators will be averaged to obtain the final score for quality.
- 2) All respondents that fail to achieve the minimum number of points for functionality as stated in clause H.3.9 of the Submission Data will be **rejected**.
- 3) Respondents that have achieved the minimum qualification score for functionality will be evaluated further in terms of the preference points system as stated in clause H.3.9

The functionality criteria are:

- 1) Quality Management System (10 points)
- 2) Company Experience: Property & Social Housing Development (35 points)
- 3) Company Experience: Property Management (30 points)
- 4) Locality (25 points)

Functionality points for the respondent are scored as per the *Functionality Scoring Schedule* in this document of which the requirements of each criteria are described below. Failure to provide verifiable proof for the various criteria will result in a score of **zero points** for the particular criterion.

1. QUALITY MANAGEMENT SYSTEM

The respondent is to attach proof of a Quality Management System to returnable schedule E2.2.1.

2. COMPANY EXPERIENCE: PROPERTY DEVELOPMENT

The respondent is to attach a record / profile of completed contracts / experience of Medium/Large scale Projects developed (letters of appointment, proof of funding from Regulator) to returnable schedule E2.2.2.

3. COMPANY EXPERIENCE: PROPERTY MANAGEMENT

The respondent is to attach a record / profile of contracts / experience of Medium/Large Scale Commercial and Mixed Land Use projects and social housing developments managed (letters of appointment, Project management experience, proof of projects managed) to returnable schedule E2.2.3.

FUNCTIONALITY SCORING SCHEDULE			
1. Quality Management System			
Valid ISO9001 quality management system	10	/10	
Non-accredited quality management system in place for a minimum of 6 months	5		
No Quality Management System / No proof of quality management system attached	0		
2. Company Experience in Property Development (Commercial / Mixed Land Use Projects)			
7 years and above experience	35	/35	
5 – 6 years experience	25		
3 – 4 years experience	15		
1 – 2 years experience	10		

0 - years experience	0	
3. Company Experience in Property Management (Commercial/Mixed Land Use Projects)		
7 years and above experience	30	/30
5 – 6 years experience	20	
3 – 4 years experience	10	
1 – 2 years experience	5	
0 - years experience	0	
4. Locality (BIDDERS <u>MUST</u> SUBMIT A MUNICIPAL BILLING CLEARANCE CERTIFICATE/ LATEST MUNICIPAL ACCOUNT/ VALID LEASE AGREEMENT)		
Kouga area, including Sarah Baartman district & Nelson Mandela Bay metro	25	/25
Eastern Cape	20	
Outside Eastern Cape	15	
TOTAL FUNCTIONALITY POINTS		/100

E2.2.1 QUALITY MANAGEMENT SYSTEMS

The respondent is to attach to this page a copy of their valid ISO9001 quality certificate or proof of other non-accredited quality management system that has been in place for a minimum of 6 months used by the Contractor.

E2.2.2 COMPANY EXPERIENCE – PROPERTY DEVELOPMENT COMMERCIAL/ MIXED LAND USE/ SOCIAL HOUSING

The respondent shall attach hereto a Company Track Record of contracts of a similar nature. The respondent shall state details of the Contracts as stipulated in the table below, as well as referee names, contact details and certificates of completion.

EMPLOYER	FUNDER	CONTRACT NO	NATURE OF WORK	TELEPHONE NUMBERS	CONTRACT VALUE	CONTRACT DURATION	YEAR COMPLETED

EMPLOYER	FUNDER	CONTRACT NO	NATURE OF WORK	TELEPHONE NUMBERS	CONTRACT VALUE	CONTRACT DURATION	YEAR COMPLETED

E2.2.3 COMPANY EXPERIENCE – PROPERTY MANAGEMENT COMMERCIAL/ MIXED LAND USE/SOCIAL HOUSING

The respondent shall attach hereto a Company Track Record of contracts of a similar nature. The respondent shall state details of the Contracts as stipulated in the table below, as well as referee names, contact details and certificates of completion.

EMPLOYER	FUNDER	CONTRACT NO	NATURE OF WORK	TELEPHONE NUMBERS	CONTRACT VALUE	CONTRACT DURATION	YEAR COMPLETED

EMPLOYER	FUNDER	CONTRACT NO	NATURE OF WORK	TELEPHONE NUMBERS	CONTRACT VALUE	CONTRACT DURATION	YEAR COMPLETED

E3 INDICATIVE SCOPE OF WORK / SPECIFICATION

1. MIXED LAND USE DEVELOPMENT ON ERF 353, HUMANSDORP.

The Kouga Municipality makes the **land available through sale** and expects the Developer (respondent) to perform the following tasks:

- 1.1. Deliver a desirable mixed-use development on the Project Site where people can live, work, play and that optimises urban land use. This should include at least the following components, Residential, Offices, Shops, Recreational facilities.
- 1.2. Ensure that all Statutory Authorisations are in place.
- 1.3. Ensure that a Bulk Services supply is available.
- 1.4. Design and have approved SDP's, Building Plans and Engineering Services Plans by the Local Authority.
- 1.5. Make application for funding to the relevant funding institutions.
- 1.6. Sign all Funding Agreements with respective Public and Private Funders and provide proof to the Local Authority that this has been done.
- 1.7. Implement the project in accordance with all conditions provided in the Funding Agreements.
- 1.8. Manage the Tender process.
- 1.9. Manage the Construction process and subsequent Tenanting and Management of property.
- 1.10 Ensure all proposed land uses are in line with land use requirements as per Town Planning Scheme Regulations.
- 1.11 The Developer be responsible for obtaining all Environmental Authorizations in terms of the Environmental Management Act (NEMA).
- 1.12 The Developer to enter into a Service level Agreement with the Kouga Municipality

2. SPECIAL CONDITIONS

2.1 PROJECT ORGANOGRAM

The respondent must attach a Project Organogram of the key personnel / companies / institutions the respondent intends employing on this contract to returnable schedule

2.2 METHODOLOGY

The respondent must indicate their understanding / experience in the development / management of medium to large scale Mixed Land Use and social housing projects by submitting a proposed approach / methodology to initiate, apply for funding, develop and manage Mixed Land Use project in the Kouga Municipality and attach to returnable schedule

2.3 FINANCIAL REFERENCES

The respondent must have atleast a C bank credit rating.

The respondent must attach a letter from the bank at which he / she conducts his / her account to returnable schedule
The contents of the bank's letter must state the credit rating that it accords to the respondent for the business envisaged by this Call for proposal.

PERSONNEL SCHEDULE AND ORGANOGRAM

The respondent is to insert the number of personnel / companies / institutions he / she proposes employing on this Contract and must attach to this page the organogram for the personnel / companies / institutions he intends using. Failure to submit the organogram will result in the respondent scoring zero for key personnel in both qualifications and experience.

[illegible]

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed Date

Name Position

Respondent

METHODOLOGY

The respondent is to attach to this page their understanding / experience in the development / management of similar magnitude developments by submitting a proposed approach / methodology to initiate, apply for funding, develop and manage mixed land use development in the Kouga Municipality.

FINANCIAL REFERENCES

The respondent must attach to this form a letter from the bank at which he / she conducts his / her account. The contents of the bank's letter must state the credit rating that it, in addition to the information required below, accords to the respondent for the business envisaged by this Call for proposal.

The respondents banking details as they appear below shall be completed.

In the event that the respondent is a joint venture enterprise, the same required details as specified above of all members of the joint venture shall be provided and attached to this form.

DESCRIPTION OF BANK DETAIL	BANK DETAILS
Name of Account Holder	
Account Number	
Name of Bank	
Branch Name	
Branch Code	
Bank Rating (Current) Attach letter from Bank	
Bank and Branch Contact Details	

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed Date

Name Position

Respondent

