



TERMS OF REFERENCE: RFQ: AGR0008-1/26

CONTRACT NO:

FOR

THE REZONING OF PART OF PORTION 30 THE FARM VLAKFONTEIN 453 JR KNOWN AS SOKHULUMI VILLAGE: CITY OF TSHWANE METROPOLITAN MUNICIPALITY.

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1. INTRODUCTION

The Gauteng Department of Agriculture and Rural Development invites proposals from suitably qualified professionals to provide services as a Professional Registered Town Planner for the rezoning of part of portion 30 of the farm Vlakfontein 453 JR from Undetermined to Cemetery.

2. PROJECT INFORMATION

3.

3.1. Background

The Department of Agriculture and Rural Development has approved the Fencing Project of the cemetery for implementation at Sokhulumi. The zoning of the property concerned is presently undetermined, permitting only agricultural activities and the development of a dwelling house. In terms of applicable land-use regulations of the City of Tshwane, 2024 any activity that does not fall within the scope of agricultural use constitutes a land-use or land-development application.

The zoning status of the land has a direct impact on the project, as infrastructure investment cannot legally proceed where existing land-use rights have not been regularised accordingly. A rezoning application must be submitted to the City of Tshwane Metropolitan Municipality to ensure compliance with statutory requirements.

3.2. Purpose

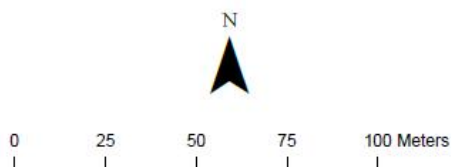
The purpose of this project is to rezone part of portion 30 of the farm Vlakfontein 453 JR, from Undetermined to Cemetery in terms of the City of Tshwane Spatial Planning and Land Use Management By law, 2016

3.3. Description and Site Map



○ Precinct Coordinates
 Sokhulumi Cemetery

Location Point	Longitude	Latitude
A	28.886433	-25.594388
B	28.885621	-25.593834
C	28.885782	-25.592687
D	28.886442	-25.593038



Sources: Esri, TomTom, Garmin, NAVI, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Source: Esri, Vector, Earthstar Geographics, and the GIS User Community

4. SCOPE OF WORK

The appointed service provider is expected to undertake the following services:

- Draft the power of attorney for all required documentation to be signed by the Department of Agriculture and Rural Development.
- Retrieve title deed and Surveyor General Diagram for the aforesaid property
- Address restrictive conditions that must be removed. (if applicable)
- Delineate the cadastral boundaries of the cemetery and develop a site plan.
- Conduct Geotechnical investigations limited to basic investigations and analyses.
- The preparation and submission of Rezoning in terms of the City of Tshwane Spatial Planning and Land Use Management By- Law, 2016 and City of Tshwane Land Use scheme, 2024.
- Receive the approved rezoning
- Apply for the exemption of Environmental authorisation (Section G24) in terms of the National Environmental Management Act, 107 of 1998 with the Gauteng Department of Environment.

5. PROJECT DURATION

The duration of the project is estimated to be 12 months from the date of receipt of the Appointment Letter to final output delivery.

5.1. Deliverables

- Project Inception Report (1 week post kick-off meeting)
- Status reports required on a monthly basis tracking progress of each process noted above
- Proof of submitted rezoning application to City of Tshwane Metropolitan Municipality.
- Site Plan
- Geo Technical investigation report
- Section 24G Environmental exemption from Gauteng Department of Environment
- Rezoning approval letter from the City of Tshwane Metropolitan Municipality.
- Map 3 diagrams and proclamation of the rezoning on the government gazette

6. PRICING

5.1 Cost schedule as per scope of works activities/ work breakdown structure / milestones.

COST SCHEDULE		Planned/Tendered Cost Proposal	
		Unit	Amount
a)	Town Planning, Project Management and Disbursement	sum	R
b)	Land surveying	sum	R
c)	Geo Technical Report	sum	R
d)	Environmental Exemption	sum	R

Total Professional fees =	sum	R
Vat (15%) =	%	R
Subtotal =	sum	R

5.2 Proposal Fees Determination

Based on the Professional Service Provider's own investigation, experience and knowledge prepare a comprehensive financial proposal to carry out the scope of works as per the price schedule above, confirms that the PSP clearly understands the services specification for each item and immediately indemnifies GDARD from any omissions or oversights, and confirms that the submitted rates certify the expected milestones.

7. REQUIRED DOCUMENTS AND INFORMATION

7.1 Mandatory Compliance

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

- Project lead will be a Professional Town Planner
- Bachelor's degree\Diploma in urban/Town and Regional Planning,
- Valid professional registration with The South African Council for Planners (SACPLAN)
- Submission of various types of Land Use\Land development Applications to the Organ of State with successful results within the past 7 years.
- A schedule of contracts awarded by an organ of state during the past seven (7) years with details as enumerated in d) above.
- A detailed project organogram identifying the entity's management structure and all staff resources to be employed on the project/s and the percentage time allocation of the staff to the project/s. The curricula vitae of the proposed personnel are to accompany the organogram and are to include certificates of professional qualifications and registration with professional bodies.
- Methodology, Work Plan and Process: Proposed Work Implementation plan and Methodology to undertake tasks and the deliverables.

8. Evaluation Criteria

The Professional Service Provider will be evaluated based on functionality. A minimum functionality score of 60 (60 out of 100 points) is required to qualify for further evaluation on price.

No	Criteria	Weights	Scoring Guide	Score
1.	Qualifications, Registration and Experience of the Team Leader (Total weights 30) Team Leader must hold a degree\diploma in Town and Regional Planning.	10	10 Points Degree/Diploma Town and Regional Planning. 0 points= for any other Degree \Diploma	

	Team leader Professional Town and Regional Planner Registration with South African Council for Planners (SACPLAN) in terms of the Planning Professions Act, Act 36 of 2002	10	10 points =Professional SACPLAN registration 0 points=For any other SACPLAN Registration	
	A minimum of 5 years post registration experience	10	10 points = A minimum of 5 years Post registration experience. 5 points A minimum of 4-3 years Post registration experience. 0 points A minimum of 0-2 years Post registration experience.	
2.	Projects Completed and Competency of the Professional Service Provider (Total Weights 30) Appointment letters and completion certificate for the same projects on official letterhead not older than 7 years from the closing date of the RFQ, Letters must be from the Organs of State signed by the delegated Official.	20	20 Points – Three (3) appointment letters and completion certificates 10 Points – Two (2) appointment letters with completion certificates 5 Points – One (1) appointment letters with completion certificates	
	CVs and qualifications of the key personnel (Environmental, Land Surveyor, Geo Technical specialist) and any other if required, assigned to the project, clearly indicating their previous roles and responsibilities in rezoning applications	10	10 Points =CV's and key personnel assigned to the clearly indicating their previous roles and responsibilities in rezoning applications. 0 Points = CV's and key personnel assigned to the clearly indicating their previous roles and responsibilities in other land use applications.	
3.	Project Methodology and Project Management (Total Weight 40)	40	40 Points for excellent approach, Methodology, Work Plan and Process: Proposed Work Implementation plan and	

	Methodology, Work Plan and Process: Proposed Work Implementation plan and Methodology to undertake tasks and the deliverables.		Methodology to undertake tasks and the deliverables. 30 Points =for good approach, Methodology, Work Plan and Process: Proposed Work Implementation plan and Methodology to undertake tasks and the deliverables. 20 Points= for satisfactory approach, Methodology, Work Plan and Process: Proposed Work Implementation plan and Methodology to undertake tasks and the deliverables. 10 Points = Poor for approach, Methodology, Work Plan and Process: Proposed Work Implementation plan and Methodology to undertake tasks and the deliverables. 0 Points – No, Methodology, Work Plan and Process: Proposed Work Implementation plan and deliverables.	
	Total	100		

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

- 2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

- 2.2.1 If so, furnish particulars:

.....
.....

- 2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

- 2.3.1 If so, furnish particulars:

.....
.....

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 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 consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 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.
- 3.7

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

..... Signature	 Date
..... Position	 Name of bidder

² 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.

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 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above 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 **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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 basis:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)} \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = 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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

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 either the 90/10 or 80/20 preference point system is 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.)

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)
Black Ownership	4	
Women Ownership	3	
Disability Ownership	5	
Youth	3	
Military Vets	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.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

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