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INVITATION TO BID

REQUEST FOR FORMAL WRITTEN PRICED QUOTATIONS : CONSULTING SERVICES

CLOSING DATE : **26 April 2017**

CLOSING TIME : **12H00**

BID NUMBER : **JAG Heritage**

BID DESCRIPTION : **Heritage architect to conduct a building audit for the repair, restoration and conservation of the Johannesburg Art Gallery.**

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

Offices of the Johannesburg Development Agency, 3 Helen Joseph Street (formally President 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 REQUIRIES REGARDING THE PROJECT MAY BE DIRECTED TO:

Department: Developments

Contact Person: Celestine Mouton

Tel: 011 688 7834

Fax: 011 688 7899

E-mail: cmouton@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)

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

TELEPHONE NUMBER CODE NUMBER

CELLPHONE NUMBER

FACSIMILE NUMBER CODE NUMBER

VAT REGISTRATION NUMBER

TAX PIN NUMBER

CSD NUMBER

TOTAL BID PRICE excluding Value Added Tax

TOTAL BID PRICE in words

.....

.....

.....

..... excluding Value Added Tax

SIGNATURE OF BIDDER

CAPACITY UNDER WHICH THIS BID IS SIGNED

DATE

The following conditions will apply:

- A copy of a valid Tax Clearance Certificate and / or Tax Pin Number must be submitted. Bidder's whose tax matters are not in order with the South African Receiver of Revenue will be disqualified.
- 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 misrepresentations in terms of the 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 Act (No. 5 of 2000).

Failure to comply with these conditions may invalidate your offer.

SUPPLIERS DATABASE REGISTRATION

National Treasury launched the National Central Supplier Database (NCSD) with effect from 1 September 2015.

This will enable prospective suppliers to register their companies on the following website www.csd.gov.za

Transitional Period (1 September 2015 to 30 June 2016)

1. During the transitional period suppliers are requested to register on the website where all their essential information such as Tax Clearance Certificates, VAT, Company Registration Numbers and CIPC business status will be verified.
2. When conducting business with the JDA, you will be requested to provide us with the following:
 - Supplier Number and;
 - Supplier Registration Security Code so we can print your real time information;
 - Banking details with bank Stamp and;
 - Certified BBBEE Certificate.

Once a supplier has registered on NCSD, it will no longer be a requirement to provide the JDA with an Original Tax Clearance Certificate or any other registration documents.

After Transitional Period 1 July 2016

Effective 1 July 2016, the JDA will only award business to suppliers who are registered on NCSD and suppliers will no longer be required to provide information as stipulated above.

For more information on registration, please:

Ms. Kgadi Mphela on 011 688 7813
Mr. Mike Mabunda on 011 688 7811

**REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS from
Heritage architects to conduct a heritage audit at the Johannesburg Art Gallery**

1. LOCATION

The building is situated adjacent to Joubert Park on the corner of King George and Klein Streets, Johannesburg

2. PROJECT DESCRIPTION

The heritage architect will be responsible for determining the scope of works required to restore, secure and conserve the built heritage of the Johannesburg Art Gallery (JAG). The scope of work can only be determined upon a comprehensive audit of the JAG building.

3. DURATION

Four to eight weeks from appointment.

4. DELIVERABLES AND PRICING

The audit will include:

- Methodology for implementation
- An analysis of the heritage significance of the Johannesburg Art Gallery and its built form.
- A detailed site survey, including an assessment of the current condition of the built heritage.
- Scope of works for a phased programme of repair and restoration.
- A conservation management plan to guide a programme of repair and restoration.

Close-out documentation should include:

- Guiding principles for restoration of JAG, including elements damaged in previous building work.
- Recommended processes for monitoring and evaluating restoration activities.
- Processes to guide the future management of the built heritage

5. PROPOSAL CONTENT

The bidder's submission must provide sufficient information to make a sound and fair evaluation of the proposal. It must clearly indicate the **relevant** previous experience, capability, and capacity of the bidding entity to undertake the project. The proposal should **use the same item numbers as below.**

The following minimum documentation must be provided :

- 5.1 **THE "OFFER" PAGE MUST BE COMPLETED IN FULL AND SIGNED. Any bidder who fails to do so will be disqualified.**

- 5.2 **Bidders are required to submit a detailed fee proposal based on the requirements set out in item 4 above and to ensure that the final TOTAL FEE IS CORRECTLY TRANSFERRED TO THE “OFFER” PAGE. Any bidder who fails to do so will be disqualified.**
- 5.3 **A copy of a valid Tax Clearance Certificate and / or Tax Pin Number. Bidder’s whose tax matters are not in order with the South African Receiver of Revenue will be disqualified.**
- 5.4 Company registration documents.
- 5.5 A valid certified BBBEE status level verification certificate, 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. **THE COPY MUST BEAR AN ORIGINAL CERTIFICATION STAMP. FAILURE TO SUBMIT AS REQUIRED WILL RESULT IN THE BIDDER SCORING ZERO (0) POINTS FOR BBBEE.**

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 the above constitutes a criminal offence as set out in the B-BBEE Act as amended.

- 5.6 A certified copy of the bidder’s Professional Indemnity Insurance certificate indicating the maximum value per claim in an insurance period, the applicable excess, and the expiry date. A minimum cover of R1m is required for this project. (If applicable)
- 5.7 A copy of the bidding entity’s latest municipal rates account in the name of the bidding entity or alternatively in the names of the directors / partners of the bidding entity.
- 5.8 Audited financial statements for the past two years.
- 5.9 Details of directors / partners / members and shareholders.
- 5.10 Certificates of membership/s to industry bodies. (if applicable)
- 5.11 A corporate brochure. Alternatively a brief summary of the entity’s background.
- 5.12 A schedule of completed contracts of a **similar** nature to this project ie. **Proven experience of at least 10 years, involving the successful restoration of major heritage buildings.** The following details **must** be included on the schedule :
- Description of the project
 - Service rendered
 - Name of employer / client and their representative’s contact details
 - Cost of the works (project construction value)
 - Fee obtained for services
 - Date of completion

- 5.13 Provide information on the individuals who will be assigned to **this project (NOT the entire company)**. The following **must** be addressed :
- role/s and responsibility/ies on this project
 - relevant qualifications
 - number of years of relevant experience in the industry and in the proposed role
 - a percentage estimate of the time planned to be dedicated to this project by each person
 - detailed CV's for each member of the team noting their **specific relevant project experience of at least 5-10 years buildings that includes the successful restoration of important historic buildings.** [project description, role and responsibilities, project value].
- 5.14 A detailed approach and methodology statement wherein the approach to be followed is clearly outlined. Bidders must also indicate what information will be required to undertake the assessment. This section should show the tenderer's understanding of the process and input required towards the completion of the required services.
- 5.15 A preliminary programme that identifies key elements and the anticipated duration.
- 5.16 The forms A to E annexed, must be scrutinized, completed in full and submitted together with your quotation.

Failure to comply with the requirements in item 5 will result in tenderers been negatively scored for responsiveness or disqualified for non-compliance.

Note for consortium and joint ventures

- The items in item 5 above are to be addressed and completed by **EACH** member of the consortium or joint venture.
- An agreement between all parties of the consortium or joint venture is to accompany the tender submission.
- A lead consultant is to be appointed and noted in the submission.

Failure to comply with these conditions may invalidate your offer.

6. Evaluation Criteria

The technical assessment is based on the criteria set-out below namely (i) key returnable documents, (ii) capability of the proposed key team members (ie. experience, qualifications, and memberships to professional associations per Item 6.13 above) and (iii) the experience of the company (ie. building projects, above R30m, and references per Item 6.14 above).

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 minimum points for the **Architects is 259 points** [out of a possible 370] as 4 resources are required ie. a lead, a senior person, a designer, and a junior / assistant. **The heritage architect must demonstrate their capability.**

	Total Points	Criteria	Description of Criteria	Points
A Key Returnable Documents	20	Company registration documents	Points will only be allocated for key returnable documents submitted	2
		Proof of Professional Indemnity Insurance of R3m		2
		Current municipal account		2
		2 Years of audited financial statements		2
		Certified copies of directors / partners identity documents		2
		The bidding entity's certificates of membership/s to industry bodies		2
		Approach and methodology		2
		Forms A to E completed in full and signed		6

	Total Points	Criteria	Description of Criteria	Points
B Capability of proposed key personnel per Item 6.13 :	200	Heritage Architects : The project lead must have a minimum of 10 years of experience as a lead on heritage building restoration projects	Points will only be allocated for experience on building restoration projects of heritage projects. If <u>any</u> of the following information is not provided, zero points will be awarded :	50
B1 Detailed CVs indicating track record of the proposed key team members are required	100 Heritage architects	Heritage Architects : The senior person must have a minimum of 8 years of experience in a senior role on heritage building restoration projects.	<ul style="list-style-type: none"> • CV's provided must be as per the resources recorded on the organogram • CV's must clearly show building project experience • CV's must clearly show the role executed by the resource on said building projects • CV's must clearly show the values of said building projects 	30
		Assistant The assistant / junior person must have a minimum of 3 years of experience in a junior role or supporting role on heritage building restoration projects		20

<p>B2</p> <p>Copies of qualifications and memberships to professional bodies are required for the proposed team members</p>	<p>100 Heritage architects</p>	<p>Heritage Architects : The project lead must have an Honours Degree / Bachelors Degree / National Diploma in the discipline being tendered for and be registered with a professional association.</p>	<p>Points will only be allocated for proposed team members with the specified qualifications and memberships.</p> <p>If no proof of qualifications or professional memberships are attached, zero points will be awarded.</p> <p>Note that professional memberships for the junior or assistant resources are not required.</p>	<p>50</p>
		<p>Heritage Architects : The senior person must have an Honours Degree / Bachelors Degree / National Diploma in the discipline being tendered for and be registered with a professional association.</p>		<p>30</p>
		<p>Assistant The assistant or junior person must have an Bachelors Degree / National Diploma in the discipline being tendered for but does not have to be registered with a professional association.</p>		<p>20</p>

	Total Points	Criteria	Description of Criteria	Points
<p>C</p> <p>Company experience per Item 6.14 :</p> <p>C1</p> <p>Experience on similar building projects such as restoration of heritage buildings</p>	150	Five or more projects completed	<p>Points will only be allocated for building related projects as listed in the schedule requested in item 6.14</p> <p>Project information contained elsewhere in the tender submission will not be considered.</p>	50
		Three to four projects completed		30
		One to two projects completed		10
<p>C2</p> <p>Experience of restoring heritage structures of national or provincial significance</p>	50	Four or more projects completed	<p>Points will only be allocated for civil engineering projects building restoration projects of heritage projects. as listed in the schedule requested in item 6.14</p> <p>Project information contained elsewhere in the tender submission will not be considered.</p>	50
		Three projects completed		30
		One to two projects completed		10
<p>C3</p> <p>Contactable references on heritage building restoration projects</p>	50	Four or more satisfactory references	<p>Points will only be allocated for references on building restoration projects of heritage projects. or more as listed in the scheduled requested in Item 6.14 References must be on the client's letterhead or on a document stamped by the client and must confirm the project description, services rendered and values in order to obtain the</p>	50
		Three satisfactory references		30

		One to two satisfactory references	points. If <u>any</u> of the required information does not appear in the reference, zero points will be awarded.	10
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7. **PRICE AND EMPOWERMENT**

Having provided the documentation in 5 above and demonstrated the required experience, the 80/20 Preference Point System will be applied.

This system assigns a score to each tenderer based on the quoted price and on the bidder's BBBEE status. These scores are combined to determine an overall score for the bidder. The bidder with the highest score will be considered for acceptance.

The Preference Point System will be applied as detailed overleaf:

- For tenders up to R1 million
 - 80 points are assigned to price
 - Up to 20 points are assigned to BBBEE status per the table under item 6.1.1
- Points scored will be rounded off to the nearest 2 decimal places

7.1.1 Points awarded for BBBEE status level

Points will be awarded for empowerment (BBBEE), in accordance with the Preferential Procurement Regulations 2011 published in Government Gazette No. 40553 20 January 2017. The table below is applicable in this regard:

B-BBEE Status Level Of Contributor	Number of Points
	Tenders up to R1 million
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0

Notes :

- 7.2.1.1 “B-BBEE status level of contributor” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act (Act No.53 of 2003).
- 7.2.1.2 Tenderers must submit their valid B-BBEE status level verification certificate , substantiating their B-BBEE rating. Certificates issued by either verification agencies accredited by the South African Accreditation System (SANAS) or by registered auditors approved by the Independent Regulatory Board for Auditors (IRBA) are acceptable. **THE COPY MUST BEAR AN ORIGINAL CERTIFICATION STAMP. FAILURE TO SUBMIT AS REQUIRED WILL RESULT IN THE BIDDER SCORING ZERO(0) POINTS FOR BBEE.**
- 7.2.1.3 Bidders with annual total revenue of R5 million or less qualify as exempted and must submit a certificate ; issued by a registered auditor, accounting officer or an accredited verification agency.
- 7.2.1.4 The submission of such certificates must comply with the requirements of instructions and guidelines issued by the National Treasury and be in accordance with notices published by the Department of Trade and Industry in the Government Gazette.
- 7.2.1.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 7.2.1.6 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate tender.
- 7.2.1.7 A person will not be awarded points for B-BBEE status level if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a tenderer qualifies for.
- 6.2.1.8 A person awarded a contract will not be permitted to sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned.

7.2.2 Formula for scoring tender price

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

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

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

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

PP = P_s + P_{bee} 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

8. RISK TOLERANCE

The JDA has adopted a Risk Tolerance Framework (RTF) which enjoins the JDA to consider its risk exposure to contractors / service providers in terms of the number of contracts awarded to a single contractor / service provider in a particular year. In terms of the Risk Tolerance Framework, the JDA determines the risk exposure as excessive in instances where the value of the contracts are:

- a. The greater of R8 million or four contracts / projects within a particular financial year or
- b. The greater of R12 million or six contracts / projects over two financial years (current year and previous financial year);

A risk analysis shall be undertaken on the bidder with the highest number of points obtained, to determine whether the tenderer does not exceed the JDA's risk framework criteria as stated above. In other words, whether it falls within the ambit of the Risk Tolerance Framework as acceptable.

JDA reserves the right to award a contract to a bidder who has exceeded the threshold as stated above.

9. CLOSING DATE, TIME AND VENUE FOR SUBMISSIONS

The words: "**JAG Heritage**" must be written / typed clearly on the envelope.

The proposal must be sent to the Johannesburg Development Agency situated at No 3 Helen Joseph Street Newtown Johannesburg by 12h00 on 26 April 2017

NO LATE / 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: cmouton@jda.org.za

To all our stakeholders

RE: The channels of reporting fraudulent and Corrupt Activities

The JDA has a **zero-tolerance approach to Fraud, Theft, Corruption, Maladministration, and Collusion** by suppliers with employees. To reinforce this commitment, we have added more channels to report any Fraudulent and Corrupt activities.

We encourage all people doing business with the Johannesburg Development Agency to report any corrupt or illegal practice.

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

1. **Free confidential Ethics Line: 0800 555 836 (24 hour, seven days a week)**
2. **E-Mail address: fraud@kpmg.co.za**
3. **Confidential fax line: 0800 200 796**
4. **Posted free-of-charge to : KPMG Hotpots, BNT371, P O Box 14671, Sinoville, 0129**



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

ANNEXURE A : BUSINESS DECLARATION

Tender/RFP Number :

Tender/RFP 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 from 1 July 2015 to 30 June 2016 (excl. VAT):

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 AN ORIGINAL SIGNED AND STAMPED LETTER FROM THE BANK CONFIRMING THE COMPANY'S BANKING DETAILS. NOTE THAT 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**

If yes, furnish particulars

.....
.....

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

If yes, furnish particulars

.....
.....

3.13 Are any spouse, child or parent of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

If yes, furnish particulars

.....
.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders or stakeholders of this company have any interest in any other related companies or businesses whether or not they are bidding for this contract? **YES / NO**

If yes, furnish particulars

.....
.....

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)? (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"/>
4.2.1	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:		
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	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"/>
4.7.1	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

ANNEXURE D : PARTICULARS OF CONTRACTS AWARDED BY AN ORGAN OF STATE*** DURING THE LAST 5 YEARS cont.

EMPLOYER	CONSULTING ENGINEER	NATURE OF WORK	VALUE OF WORK	YEAR COMPLETED

*** 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:

*Heritage Architects
Johannesburg Art Gallery*

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;
 - (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

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Position

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Name of Bidder

.....
Date