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INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR PROFESSIONAL SERVICES

TENDER ADVERT DATE: **09 DECEMBER 2021**

TENDER BRIEFING SESSION MEETING: **NOT APPLICABLE**

TENDER CLOSING DATE: **20 JANUARY 2022**

TENDER CLOSING TIME: **12H00**

BID DESCRIPTION: **RFP - BUSINESS CONTIUNTY MANAGEMENT FRAMENWORK AND PROGRAMME IMPLEMENTATION FOR THE JDA BUS FACTORY FOR 3 MONTHS**

BID NUMBER: **JDA-IA/BCM-001/2021**

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

Offices of the Johannesburg Development Agency, 3 Helen Joseph Street (formerly known as 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 ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Département :	Procurement	Contact Person :	Mr. Siyambonga Gcobo
Tel :	011 688 7851	Fax :	011 688 7899
		E-mail:	sgcobo@jda.org.za

ANY REQUIRIES REGARDING THE PROJECT MAY BE DIRECTED TO:

Department:	Internal Audit	Contact Person:	Mr Matimba Sibiya
Tel:	011 688 7856	Fax:	011 688 7899
		E-mail:	msibiya@jda.org.za

Technical queries or queries relating to the project may be addressed to Mr Sibiya on e-mail: msibiya@jda.org.za. All questions must be in writing. No questions will be answered telephonically.

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 PAGE

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

NAME OF BIDDER

BID DESCRIPTION.....
.....

BID NUMBER.....

NAME OF CONTACT PERSON.....

POSTAL ADDRESS.....

PHYSICAL ADDRESS

.....

TELEPHONE NUMBER CODE..... NUMBER

FACSIMILE NUMBER CODE..... NUMBER.....

CELLPHONE NUMBER.....

E-MAIL ADDRESS.....

COMPANY REGISTRATION NUMBER.....

NATIONAL CENTRAL SUPPLIER DATABASE NUMBER.....

VAT REGISTRATION NUMBER.....

TAX VERIFICATION PIN 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.....

To all our stakeholder

RE: The channels of reporting fraudulent and Corrupt Activities

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

Instances of corporate fraud and misconduct remain a constant threat to service delivery. The City of Johannesburg took a resolution to adopt strategic interventions aimed at combatting fraud and corruption. The City took a decision to centralized the reporting of fraudulent and corrupt activities through the establishment of an independent fraud hotline which is managed by independent service providers.

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

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

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

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



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

BID DESCRIPTION: RFP - BUSINESS CONTIUNTY
MANAGEMENT FRAMENWORK AND PROGRAMME
IMPLEMENTATION FOR THE JDA BUS FACTORY FOR 3
MONTHS

BID NUMBER: JDA-IA/BCM-001/2021

DECEMBER 2021

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ANNEXURES

- A : Business Declaration
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- F : Declaration of Municipal account
- G : Organogram

COPY OF ADVERT

TENDERING PROCEDURES

Tender Notice and Invitation to Tender

BID DESCRIPTION: RFP - BUSINESS CONTIUNTY MANAGEMENT FRAMENWORK AND PROGRAMME IMPLEMENTATION FOR THE JDA BUS FACTORY FOR 3 MONTHS

BID NUMBER: JDA-IA/BCM-001/2021

The Johannesburg Development Agency is requesting proposals from suitably, qualified and experienced services providers to render ICT related internal audit services and conduct Business Continuity Framework Management and Implementation Audit for the JDA bus factory for 3 months on behalf of the Internal Audit Department.

Documents may be downloaded from the JDA's website as follows: www.jda.org.za as well as on www.etenders.gov.za from **09 December2021**.

Tenders must only be submitted on the tender document that is downloaded from the stipulated websites only. The retyping of the tender document is not permitted.

Queries relating to procurement matters may be addressed to Mr.Siyambonga Gcobo at tell: (011) 688 7811; or e-mail: sgcobo@jda.org.za or contact Mrs Mahlaule Tel at (011) 688 7851 email at cmahlaule@jda.org.za

Technical queries or queries relating to the project may be addressed to Mr. Matimba Sibiyi on e-mail: msibiyi@jda.org.za. All questions must be in writing. **No questions will be answered telephonically.**

Due to the current COVID 19 pandemic, a site clarification meeting will not take place.

The **closing date and time** for receipt of tenders is the **20th of January 2022 at 12:00pm**.

Telegraphic, telephonic; telex, facsimile; e-mail and late tenders will not be accepted.

The physical address for the delivery of tender documents is Johannesburg Development Agency, Ground Floor Reception Area, The Bus Factory, 3 Helen Joseph Street (formerly President Street), Newtown 2000

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

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

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

1. INTRODUCTION

The JDA is the City of Johannesburg's development agency and was established at a critical moment in Johannesburg's history as part of the Egoli 2002 re-engineering process.

Since then, its role has evolved significantly. The JDA is guided by the overarching frameworks of the National Development Plan, the Gauteng 2055 vision, the CoJ's GDS 2040 and CoJ's SDF.

In particular, the agency is led by the 2040 strategy's ideals of resilience, livability and sustainability – driven by the conviction that a resilient city is flexible and strong enough to solve complex and unanticipated problems.

JDA has an in-house internal audit unit that executes its functions as per the risk based annual audit plan as approved by its Audit and Risk Committee.

These are the Terms of Reference are for procuring the services from suitably qualified and experienced services providers that has requisite audit skills to conduct Business Continuity Management Framework and Programme Implementation Audit on behalf of the JDA internal audit function.

Bids from suitably qualified and experienced service providers are hereby invited to serve as the professional team /or (Internal Auditors) to conduct Business Continuity Management Framework and Programme Implementation Audit.

2. PROJECT INFORMATION

2.1 Background

The JDA Internal Audit department is required to conduct Business Continuity Management Framework and Programme Implementation Audit for the JDA as per the approved 2021/22 annual internal audit plan.

The JDA Internal Audit Department is therefore requesting proposals from suitably qualified and experience service provider to perform Business Continuity Management Framework and Programme Implementation Audit.

The JDA operates on the following operating systems:

- a. SAP Project Management Module: System utilise for project budget and expenditure management,
- b. SAP Finance/ or Great plains – This is the system utilised for Financial Management processes,
- c. SAP SCM / or Rengisa – This is the system utilized for Supply Chain Management processes,
- d. SAP Payroll – Utilised for payroll purpose.

3. AUDIT OBJECTIVES AND SCOPE OF WORK

The objective of the audit is as follows;

- a. To assess the adequacy and effective implementation of the Business Continuity Management Programmes and Plans

To meet the above objectives, the scope of review to be covered must include but not limited to the following:

- b. Assessment of the BCM Programme to ensure it is adequately designed and effectively implemented.
- c. Assessment of whether program is able to respond to JDA operational disasters.

3.1 PRICING TABLE

Detailed below is information upon which costs must be based the project activities.

Item	Description	Type	Price (vat exclusive)
1	To assess the adequacy and effective implementation of the Business Continuity Management Programmes and Plans		
1.1.	To assess the adequacy and effective implementation of the Business Continuity Management Programmes and Plans	Item	R
1.2	Assessment of whether program is able to respond to JDA operational disasters.	Item	R
3	Total amount exclusive		R

Bidders are to transfer the total amount correctly and be carried to the 'Offer' Page.

Failure to price as required will result in the tender being disqualified for non-compliance.

4. Appointment

The JDA is requesting proposals from suitably qualified and experienced services providers to conduct Business Continuity Management Framework and Programme Implementation Audit for the JDA on behalf of JDA Internal Audit function for an estimated period of 3 months after commencement of the project.

The bidders are to ensure that they have all the relevant skills (proposed key personnel), experience and capacity to deliver the scope of work within the required timelines.

The JDA reserves the right to request the bidder to replace any member of the proposed project team if they do not satisfy the JDA requirements.

The professional services required are outlined 3 above. This is followed by **item 4.1 which ALL applicants are required to take careful note of.**

4.1 Notes

4.1.1 Applicants are to ensure that they have adequate resources to undertake the work under stringent timeframes.

4.1.2 Bidders are required to ensure that project team leader has the leadership capacity and capability to independently handle and manage project challenges (if any) in order to ensure successful completion of the project. The team proposed must be the one executing the audit, failure do so may result in the cancellation of the contract.

4.1.3 The JDA reserves the right to ask tenderers to replace any member/s of the proposed team if they do not meet the JDA requirements.

4.1.4 Successful tenderers will be required to sign the JDA's Standard Form Agreement and appendices.

4.1.5 Bidders are to ensure that they have adequate resources to undertake the work under stringent timeframes.

4.1.6 The JDA reserves the right to ask tenderers to replace any member/s of the proposed team if they do not meet the JDA requirements.

4.1.7 Successful tenderers will be required to sign the JDA's Standard Form Agreement upon appointment.

4.1.8 Bidders must note that they will be required to present final report to the JDA Executive Committee and the Audit and Risk Committee or any other board-subcommittee as may be deemed necessary.

4.1.9 Bidders must note that they will be required to provide weekly project progress reports to the CAE.

4.1.10 Bidders must also note that all documents and information gathered are remain the property of JDA and should not be used or shared with any external party without prior consent by the CAE/CEO/JDA Audit and Risk Committee.

5. Pricing

5.1 The bidder is to indicate the resources and corresponding cost that he/she proposes for the delivery on the project requirements.

5.2 The bidder is expected to include on the pricing for all the reasonable meetings and presentations, and disbursements fee etc.

A bidder who fails to complete the Offer page and pricing table in full will be disqualified

5.1 Notes

- Any fee proposals must include for anticipated and standard disbursements which are to include typing, reproduction, copying, binding of documents, telephonic/electronic and facsimile communication, courier, local travel and any other cost for the client costs.
- The payment of fees will not exceed the apportionment amount per appointment letter.

- Tenderers must ensure that the final fee proposals on the pricing table is correctly carried over to the “OFFER” page.
- The amounts recorded on the offer page will be deemed to be the tendered amounts.
- Disputes shall be settled in good faith between parties in an effort to resolve the dispute. If the dispute is not resolved at that meeting, the Parties will attempt to settle it by mediation.

6. PROPOSAL CONTENT

The bidder’s submission must provide the JDA with sufficient information to enable JDA 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 proposal must be clearly marked and indexed.**

The following minimum documentation must be provided:

- 6.1 **THE “OFFER” PAGE MUST BE COMPLETED IN FULL AND SIGNED. Any bidder who fails to do so will be disqualified.**
- 6.2 **Tenderers are required to submit a detailed fee proposals based on the requirements set out in item 5 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.**
- 6.3 A valid / or 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.

FAILURE TO SUBMIT A BBBEE STATUS LEVEL CERTIFICATE WILL RESULT IN THE BIDDER SCORING ZERO (0) POINTS FOR BBBEE.

OR

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.

- 6.4 Company registration documents
- 6.5 A copy of the bidding entity’s current municipal rates account in the name of the bidding entity or alternatively in the names of the directors / partners of the bidding entity.
- 6.6 Audited financial statements for the past three financial years.

- 6.7 Details of directors / partners / members and shareholders with certified copies of their identity documents.
- 6.8 The bidding entity's certificates of membership/s to industry bodies.
- 6.9 A detailed approach and methodology statement wherein the approach to be followed in each stage of the assessment process is outlined with clear identification of the deliverables in each stage.

This section should show the tenderer understands of the process, input required towards the completion of the required services and the expected outputs and outcomes.

- 6.10 The forms A to G annexed hereto, must be scrutinized, completed in full, signed and submitted together with your proposal.
- 6.11 A corporate brochure alternatively a brief summary of the entity's background.
- 6.12 Provide information on the individuals who will be assigned to **this project (NOT the entire company)**. The following **must** be addressed:

- Organogram of the project team
- Role/s and responsibility/ies of the project team on this project
- Relevant qualifications, professional registration (where required) and attach proof thereof
- Number of years of relevant experience in Business Continuity Management and programme implementation services **and** in the proposed role
- Detailed CV's for each member of the team noting their specific relevant project experience [**qualifications, role, membership certificates, Numbers of years of experience**]
- Individual memberships to professional associations (where required) and attach proof hereof.
- **The appointed bidder must bring to the JDA the same team proposed as per this tender document and failure to do so will result in the cancellation of the contract.**

- 6.13 A schedule of completed contracts of a **similar** nature to this project i.e. Business Continuity Management and Programme implementation. The following details **must** be included on the schedule:

- Description of the project
- Type of Service rendered
- Name of employer / client and their representative's contact details
- Date of completion
- Letter of reference on the client's letterhead or with the client's company stamp that confirms project scope of work, service rendered and project value.
- Contact details of referee.

- 6.14 Tenderers are to submit 1 x original proposal, 1 x copy and 1 x soft copy in a USB.

- 6.15 A copy of a valid Tax Compliance Status (Pin) Letter obtainable from SARS.

FAILURE TO COMPLY WITH THE REQUIREMENTS IN ITEM 6 WILL RESULT IN TENDERERS BEING DISQUALIFIED NON-COMPLIANCE AND NEGATIVELY SCORED ON TECHNICAL ASSESSMENT.

Note for joint ventures

- **EACH** party to a joint venture is to submit the requisite documents and / or information as requested in item 6 (ie.6.4-6.9, 6.11-6.12, and 6.14-6.15)
- An Agreement or Heads of Terms recording the arrangement between the parties to the consortium / joint venture is to be submitted.
- A lead consultant is to be appointed and noted in the submission.
- A trust, consortium or joint venture will qualify for points for their BBBEE status level as an unincorporated entity, provided that the entity submits their consolidated BBBEE scorecard as if they were a group structure and that such a consolidated BBBEE scorecard is prepared for every separate tender.

Failure to comply with these conditions may invalidate your offer.

7. ASSESSMENT CRITERIA

Submissions will be evaluated on the criteria to follow:

- Compliance
- Technical
- Price / BBBEE
- Risk Tolerance

7.1 Compliance

Bidders will be disqualified for the following cases:

- If any of its directors are listed on the register of defaulters;
- A bidder who during the last five years has failed to perform satisfactorily on previous contracts with the JDA or any other organ of state after written notice was given to that bidder that performance was unsatisfactory;
- Who did not complete, in full, the tender offer page and pricing table (i.e. priced, all registration numbers provided and signed);
- Who's tender document has been completed in pencil;
- Who's tender document has been faxed;
- Who directors are/is in the employment of the state.
- Bidders whose tender document have been received after the closing date and time;
- Bidders who fail to price as required i.e. as stipulated in item 5 and herein;
- Bidders who have any directors in the employment of the state;
- No award will be made to any bidder where its director's did not provide current municipal rates;
- No award will be made to any bidder whose tax matters are not in order with the receiver of revenue (SARS);
- No award will be made to any bidder who is not registered on the National Treasury Central Supplier Database (CSD).

7.2 Technical

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

- (a) Key Returnable Documents,
- (b) Capability of the Proposed Key Team Members (i.e. experience, qualifications, and memberships to professional associations per Item 6.12 above),
- (c) Company experience (i.e. BCM audit projects, and references per Item 6.13 above) and
- (d) Contactable references in line with item (c) above.

Note that duplication of resources/personnel on the designations indicated in the criteria will result in zero points being awarded for one criteria.

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.

Total points = 314 and service providers are required to score a minimum (70%) which translate to of 220 points for them to proceed to the next phase of evaluation (price and bbbee).

"A" Key Returnable document	Total Points	Criteria	Description of Criteria	Points
A	14	Points will be allocated for including the following:		
		Latest municipal account / Lease agreement		n/a
		A statement from an independent auditor / accountant regarding the tenderer's financial standing to undertake this project.		n/a
		Company profile and background in Business continuity management review		n/a
		Detailed methodology for the project per stage of the project		n/a
		Detailed Project Plan per stage <i>(project should be completed within 4 weeks of commencement)</i>		n/a
		Forms A to G completed in full and signed		14

"B" Capability of the Proposed Key Team Members	Total Points	Criteria	Description of Criteria	Points
<p align="center">B-1</p> <p align="center">Capability of the Proposed Key Team Members per item 6.12</p>	<p align="center">105</p> <p align="center">Project Team Detailed CVs indicating track record of proposed key team members are required</p>	<p>1 - Team Leader: The Project Team Leader must have a minimum of 12 years of experience in Business Continuity Management review <i>(The organogram on annexure "H" should clearly indicate the team leader)</i></p>	<p>If any of the following information is not provided, zero points will be awarded:</p> <ul style="list-style-type: none"> • Detailed CV of the project team leader. • The project team leader track record • Contactable references • Information provided is not in line with the organogram 	<p align="center">45</p>
		<p>2 - Supervisory Level Team Member The team supervisor must have a minimum of 7 years of experience in Business Continuity Management review. <i>(The organogram should clearly indicate the supervisor)</i></p>	<p>If any of the following information is not provided, zero points will be awarded:</p> <ul style="list-style-type: none"> • Detailed CV of the project team supervisor • The project team supervisor track record • Contactable references • Information provided is not in line with the organogram 	<p align="center">35</p>
		<p>3 - Junior Level Team Member The junior level team member must have a minimum of 4 years of experience in Business Continuity Management review. <i>(The organogram should clearly indicate the junior member)</i></p>	<p>If any of the following information is not provided, zero points will be awarded:</p> <ul style="list-style-type: none"> • Detailed CV of the project team junior member. • The project team junior member track record • Contactable references • Information provided is not in line with the organogram 	<p align="center">25</p>
Capability of the Proposed Key Team Members	Total Points	Criteria	Description of Criteria	Points
<p align="center">B-2</p> <p align="center">Copies of qualification and registration to relevant professional bodies are required for the proposed key personnel per item 6.12</p>	<p align="center">120</p> <p align="center">Project Team qualifications</p>	<p>1- Team Leader: Must have following completed professional qualifications</p> <ul style="list-style-type: none"> • B degree in Information technology • CISA 	<p>If any of the following information is not provided, zero points will be awarded:</p> <ul style="list-style-type: none"> • B Degree Qualification in IT • CISA qualification • Information provided is not in line with the organogram 	<p align="center">50</p>
		<p>2 - Supervisory Level Team Member Must have following completed professional qualifications</p> <ul style="list-style-type: none"> • B Degree in information technology 	<p>If any of the following information is not provided, zero points will be awarded:</p> <ul style="list-style-type: none"> • B degree in IT • Information provided is not in line with the organogram 	<p align="center">40</p>

		3 - Junior Level Team Member Must have following completed professional qualifications <ul style="list-style-type: none"> • Diploma Information technology 	If any of the following information is not provided, zero points will be awarded: <ul style="list-style-type: none"> • Diploma Information Technology • Information provided is not in line with the organogram 	30
“C” Company experience	Total Points	Criteria	Description of Criteria	Points
C Company experience as per item 6.13 Experience in Business Continuity Management	45 Complete annexure “D”	Five (5) years or more years of the completed Business Continuity Management review projects conducted in the past five (5) years.	If any of the following information is not provided, zero points will be awarded: <ul style="list-style-type: none"> • List of projects Complete annexure “D” 	45
		Three (3) to Four (4) years of the completed Business Continuity Management review projects conducted in the past five (5) years.		35
		One (1) to Two (2) years of the completed Business Continuity Management review projects conducted in the past five (5) years.		20
“D” Contactable references	Total Points	Criteria	Description of Criteria	Points
D Contactable references on company experience as per item 6.13 and annexure “D”	30	Five (5) or more satisfactory references letters.	If any of the following information is not provided, zero points will be awarded: <ul style="list-style-type: none"> • Supporting contactable reference with the letter head of the organisation as per the project list above on time “C” 	30
		Three (3) to Four (4) satisfactory references letters.		20
		One (1) to Two (2) satisfactory references letters.		10

7.3 Price and Empowerment

Having completed a technical evaluation, the procedure for the evaluation of technically qualifying tenders is Method 2 (Price and Preferences). The Preference Point System assigns a score to each tenderer based on the tender price and on the tenderer’s BBEE status. These scores are combined to determine an overall score for the tender. The tender with the highest score will be considered for acceptance.

The Preference Point System will be applied as follows:

- For tenders up to R50 million
 - 80 points are assigned to price
 - Up to 20 points are assigned to BBBEE status per the table under item 7.3.1
- Points scored will be rounded off to the nearest 2 decimal places

7.3.1 Points awarded for BBBEE status level

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

B-BBEE Status Level Of Contributor	Number of Points
	Tenders up to R50 million
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0

Notes:

- 7.3.1.1 “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).
- 7.3.1.2 Tenderers must submit their original and 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. **FAILURE TO SUBMIT A BBBEE STATUS LEVEL CERTIFICATE WILL RESULT IN THE BIDDER SCORING ZERO (0) POINTS FOR BBBEE.**
- 7.3.1.3 An EME must submit a sworn affidavit confirming the following:
 - Annual Turnover Revenue of R10 million or less; and
 - Level of Black ownership
 - Any misrepresentation in terms of bullet point above constitutes a criminal offence as set out in the B-BBEE Act as amended.
- 7.3.1.4 The submission of such certificates must comply with the requirements of instructions and guidelines issued by the National Treasury and are in accordance with notices published by the Department of Trade and Industry in the Government Gazette.
- 7.3.1.5 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.
- 7.3.1.6 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.

7.3.1.7 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.

7.3.1.8 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.

7.3.1.9 No tender will be awarded to a bidder whose tax matters are not in order with SARS.

7.3.1.10 No tender will be awarded to a bidder who is not registered on CSD.

7.3.2 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

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

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

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

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

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

7.4 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 for individual professional service providers (e.g. project managers / engineers / quantity surveyors / consultants) is either :

**The greater of R8 million or four contracts / projects in the current financial year or
The greater of R12 million or six contracts / projects over two financial years (current year and previous financial year)**

And in instances where the value of contracts for multi-disciplinary professional service providers (e.g. more than one discipline / service is provided by the same bidder) is either:

**The greater of R12 million or six contracts / projects in the current financial year or
The greater of R20 million or nine 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

8. CLOSING DATE, TIME AND VENUE FOR SUBMISSIONS

The completed tender document shall be placed in a sealed envelope.

The words: “**RFP - BUSINESS CONTIUNTY MANAGEMENT FRAMENWORK AND PROGRAMME IMPLEMENTATION FOR THE JDA BUS FACTORY FOR 3 MONTHS - BID NUMBER: JDA-IA/BCM-001/2021**”. must be written / typed clearly on the envelope.

The envelope must be deposited in the tender box at the Johannesburg Development Agency, Ground Floor, The Bus Factory, 3 Helen Joseph Street (formerly known as President) and Newtown only between the hours of 08H00 and 17H00.

The tender closing date and time is **20 January 2022 at 12h00**. There will be a public opening of tenders.

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

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

Unsuccessful bidders will have the opportunity to query the award or decision within fourteen (14) calendar days from the day of notification.

The tender offer validity period for this tender is 120 days.

Queries can be addressed in writing to:
Mr. Matimba Sibiyi
E-mail address: **MSibiyi@jda.org.za**

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 2019 to 30 June 2021 (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 (INCLUDE TYPE OF SERVICE)	LOCATION	COMPANY/ EMPLOYER	PROJECT VALUE	ESTIMATED FEES	EXPECTED COMPLETION (MONTH & YEAR)

10. Banking details

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

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

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

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

BANK :

BRANCH :

BRANCH CODE :

ACCOUNT NUMBER :

ACCOUNT HOLDER :

TYPE OF ACCOUNT :

CONTACT PERSON :

CONTACT NUMBER :

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

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

SIGNATURE :

NAME IN FULL :

CAPACITY :

DULY AUTHORIZED TO SIGN ON BEHALF OF:

DATE :

COMPANY STAMP

ANNEXURE B: DECLARATION OF INTEREST

- 1. No bid will be accepted from persons in the service of the state*.

- 2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

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

3.1 Full Name:

3.2 Identity Number:

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

3.4 Company Registration Number:

3.5 Tax Reference Number:

3.6 VAT Registration Number:

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

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

If yes, furnish particulars

.....
.....

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

If yes, furnish particulars

.....
.....

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

If yes, furnish particulars

.....
.....

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

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

.....
.....

4. Full details of directors / trustees / members / shareholders.

FULL NAME	IDENTITY NUMBER	STATE EMPLOYEE NUMBER

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

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

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

.....
Signature

.....
Position

.....
Name of Bidder

.....
Date

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

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

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

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury’s database as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (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	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:

RFP - BUSINESS CONTIUNTY MANAGEMENT FRAMENWORK AND PROGRAMME IMPLEMENTATION FOR THE JDA BUS FACTORY FOR 3 MONTHS

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:

(Name of Bidder) _____ that:

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; 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

.....
Position

.....
Name of Bidder

.....
Date

ANNEXURE F: DECLARATION ON STATE OF MUNICIPAL ACCOUNTS

A Any bid will be rejected if:

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

B Bid Information

i. Name of bidder:

ii. Registration Number:

iii. Municipality where business is situated

iv. Municipal account number for rates:

v. Municipal account number for water and electricity:

vi. Names of all directors, their ID numbers and municipal account number.

1.

2.

3.

4.

5.

6.

7.

C Documents to be attached.

i. A copy of municipal account mentioned in B (iv) & (v) (Not older than 3 months)

ii. A copy of municipal accounts of all directors mentioned in B(vi) (Not older than 3 months)

iii. Proof of directors

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

Signature

Date

ANNEXURE G : ORGANOGRAM THIS ANNEXURE IS CRITICAL FOR THE TECHNICAL EVALUATION AS DETAILED UNDER ITEM 7.2 HEREIN

The tenderer shall list below the key personnel proposed for this project in the discipline and designation being tendered for as per 6.10 and 7.2 herein.

TABLE 1: PROJECT LEAD

Key Resource Information	
Designation:	Project Leader/Manager
Name & Surname	
Nationality	
ID / Passport Number	
First Qualification Name Incl. Date of Qualification and Institution	
Highest Qualification Name Incl. Date of Qualification and Institution	
Years Experience after initial relevant Qualification	
Professional Registration Body / Institution	
Date of Professional Registration	
Professional Registration Number	

TABLE 2: Supervisory Level Team Member

Key Resource Information	
Designation:	Supervisory Level Team Member
Name & Surname	
Nationality	
ID / Passport Number	
First Qualification Name Incl. Date of Qualification and Institution	
Highest Qualification Name Incl. Date of Qualification and Institution	

Years Experience after initial relevant Qualification	
Professional Registration Body / Institution	
Date of Professional Registration	
Professional Registration Number	

TABLE 3: Junior Level Team Member

Key Resource Information	
Designation:	Junior Level Team Member
Name & Surname	
Nationality	
ID / Passport Number	
First Qualification Name Incl. Date of Qualification and Institution	
Highest Qualification Name Incl. Date of Qualification and Institution	
Years Experience after initial relevant Qualification	
Professional Registration Body / Institution	
Date of Professional Registration	
Professional Registration Number	