



INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR PROFESSIONAL SERVICES

ADVERT DATE: **5 MAY 2021**

BRIEFING MEETING: **not applicable**

CLOSING DATE: **8 JUNE 2021**

CLOSING TIME: **12H00**

BID DESCRIPTION: RFP: COLD WATER COOLERS AND PURIFIED WATER SERVICES FOR THE JDA FOR A PERIOD OF THREE (3) YEARS

BID NUMBER: JDA/FAC/RFP – WATER COOLERS/2021

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

Offices of the Johannesburg Development Agency, 3 Helen Joseph Street (Formerly 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:

Department: Procurement
Contact Person: 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: Facilities Management
Contact Person: Tshepo Mpyatona
Tel: 011 688 7866

Fax: 011 688 7843

E-mail: TMpyatona@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

BID DESCRIPTION

BID NUMBER

POSTAL ADDRESS

STREET ADDRESS

CONTACT PERSON

TELEPHONE NUMBER CODE NUMBER

CELLPHONE NUMBER

FACSIMILE NUMBER CODE 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, KNZ 138, Umhlanga, 4320



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

JOHANNESBURG DEVELOPMENT AGENCY

COLD WATER COOLERS AND PURIFIED WATER SERVICES THREE (3 YEARS)

BID DESCRIPTION: RFP: COLD WATER COOLERS AND PURIFIED WATER SERVICES FOR THE JDA FOR A PERIOD OF THREE (3) YEARS

BID NUMBER: JDA/FAC/RFP – WATER COOLERS/2021

Tender advertisement:	5 MAY 2021
Closing date:	8 JUNE 2021

MAY 2021

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ANNEXURES

- A : Business Declaration
- B : Declaration of Interest
- C : Declaration of Past SCM Practices
- D : Particulars of Contracts Awarded by an Organ of State
- E : MBD9 Certificate of Independent Bid Determination
- F : Declaration on state of municipal account
- G : Schedule of completed projects
- H : Organogram

**COPY OF ADVERT
TENDERING PROCEDURES
Tender Notice and Invitation to Tender**

BID DESCRIPTION: RFP: COLD WATER COOLERS AND PURIFIED WATER SERVICES FOR THE JDA FOR A PERIOD OF THREE (3) YEARS

BID NUMBER: JDA/FAC/RFP – WATER COOLERS/2021

The JDA is requesting proposals from accredited and experienced service providers for Cold Water Coolers and Purified Water services for a period of three years for the JDA offices within the Bus Factory premises at 3 Helen Joseph Street, Newtown.

Documents can be downloaded from the JDA website: www.jda.org.za and e-Tenders portal www.etenders.gov.za from the 5 May 2021 must only be submitted on the tender documents that are downloaded from the stipulated websites only. The retyping of the tender document is not permitted.

A briefing session will not take place and bidders are to forward queries via e-mail to TMpyatona@jda.org.za; cmahlaule@jda.org.za and sgcobo@jda.org.za. The last day to received queries is the 1st of June 2021 at 17H00 and queries received after will not be entertained.

The closing date and time for receipt of tenders is 12H00pm on 8 June 2021. Telegraphic, telephonic, telex, facsimile, e-mail and late tenders will not be accepted.

Queries relating to the issue of these documents and procurement related issued may be addressed to Siyambonga Gcobo at tel: (011) 688 7811; fax (011) 688 7899; or e-mail: sgcobo@jda.org.za or to Claudia Mahlaule at tel: (011) 688 7851; fax (011) 688 7899; or e-mail: cmahlaule@jda.org.za

Technical queries or queries relating to the project may be addressed to Ms Tshepho Mpyatona at (011) 688 7843; fax: (011) 688 7899; or e-mail: TMpyatona@jda.org.za.

Tenders must only be submitted on the tender documentation that is issued. The retyping of the tender document is not permitted.

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

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

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

1. INTRODUCTION

The Johannesburg Development Agency (JDA) is requesting proposals from service providers of Cold Water Coolers and Purified Water services for the Bus Factory premises at 3 Helen Joseph Street, Newtown. The appointment period envisaged is for three (3) years. The JDA will welcome all proposals which will cover the requirements as set out in this documentation.

Proposals for this appointment are invited by public tender.

2. PROJECT INFORMATION

2.1 BACKGROUND

The current contract for Cold water coolers and purified water services is coming to an end. It is for this reason that the JDA is going out on public tender to invite service providers for Cold water coolers and purified water services.

The JDA is therefore inviting all interested service providers to submit their tenders for the Cold water coolers and purified water services over a period of three (3) years as described in this document.

3. SCOPE OF WORK

The water cooler service provider will be responsible for supply, installation and maintenance of cold water coolers for the period of appointment. Supply additional water on an as and when basis.

The JDA requires the following services:

- Supply, install and maintain 5 x Cold Water Coolers,
- Supply 35 bottles of purified drinking water (20 litres bottles), on a monthly basis
- Supply 5 x water bottle racks (to hold 3 x water bottles)
- Maintenance of the water coolers
- Supply additional water on an as and when basis
- Material safety data sheets (MSDS) for all products and, consumables that will be used must be supplied. Prospective bidders must train the JDA housekeepers in the handling of substances if and when necessary.

4. APPOINTMENT

The JDA is requesting proposals from experienced companies to provide Cold water coolers and purified water services to the JDA. The appointment will be over three (3) years.

The services required are outlined in item 2 above. This is followed by item 4.1 below which applicants are required to take 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 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.
- 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 **Appointments for year 2 and year 3 will be dependent on satisfactory performance and budget availability.**
- 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 No tender will be awarded to a bidder whose tax matters are not in order with SARS.
- 4.1.8 No tender will be awarded to a bidder who is not registered on CSD.

5. PRICING

Table below serves as a guide to pricing required from each bidder as follows.

- 5.1.1 Fees must include standard disbursements such as typing, reproduction, copying, binding of documents, telephonic / electronic and facsimile communications, courier, local travel and accommodation, etc.
- 5.1.3 **Tenderers must ensure that the final vat exclusive TOTAL FEE (Year1+ year2 + year3) is correctly carried to the "offer" page. The value recorded on the offer page will be regarded as the tendered amount to render services. Failing to price as required will result in the tender being disqualified.**
- 5.1.4 Successful tenderers will be remunerated in accordance with JDA's Standard Form Agreement.

Year 1

The Cold Water Coolers and Purified Water Service Providers are required to have the relevant skills, experience and capacity to deliver the following items in the required timeframe:

- Supply, install and maintain the necessary equipment
- Supply, install the products used for treatments
- Supply of consumables
- Provide the necessary services as per the specified time frames
- Supply additional water on an as and when basis when requested. **(This will require a separate quotation as when requested — Prices not to be added to the total price).**

Year 2

The Cold Water Coolers and Purified Water Service Providers are required to have the relevant skills, experience and capacity to deliver the following items in the required timeframe:

- Supply, install and maintain the necessary equipment
- Supply, install the products used for treatments
- Supply of consumables
- Provide the necessary services as per the specified time frames
- Supply additional water on an as and when basis when requested. **(This will require a separate quotation as when requested — Prices not to be added to the total price).**

Year 3

The Cold Water Coolers and Purified Water Service Providers are required to have the relevant skills, experience and capacity to deliver the following items in the required timeframe:

- Supply, install and maintain the necessary equipment
- Supply, install the products used for treatments
- Supply of consumables
- Provide the necessary services as per the specified time frames
- Supply additional water on an as and when basis when requested. **(This will require a separate quotation as when requested — Prices not to be added to the total price).**

Year 1:

Description	Quantity	No. of Months	Price excluding VAT for 12 Months
Water coolers	5	12	R
Water Bottle Racks	5	12	R
Subtotal for year 1 (excluding VAT)			R

The above equipment to be supplied and installed by service provider.

Table A: CONSUMABLES

Description	Quantity	No. of Months	Price excluding VAT for 12 months
Purified Water (20 litres bottle)	35	12	R
Subtotal for year 1 (excluding VAT)			R

Table B: SERVICES

Description	Quantity	No. of services per Month	Price excluding VAT for 12 months
Sanitizing, Servicing and Maintaining water cooler	5	1	R
Subtotal for year 1 (excluding VAT)			R

TOTAL FOR YEAR 1 (Table A + Table B + Table C (EXCLUDING VAT)	R
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Year 2:

Table C: RENTAL OF EQUIPMENT

Description	Quantity	No. of Months	Price excluding VAT for 12 months
Water coolers	5	12	R
Water Bottle Racks	5	12	R
Subtotal for year 2 (excluding VAT)			R

Table D: CONSUMABLES

Description	Quantity	No. of Months	Price excluding VAT for 12 months
Purified Water (20 litres bottle)	35	12	R
Subtotal for year 2 (excluding VAT)			R

Table E: SERVICES

Description	Quantity	No. of services per Month	Price excluding VAT for 12 months
Sanitizing, Servicing and Maintaining water cooler	5	1	R
Subtotal for year 2 (excluding VAT)			R

TOTAL FOR YEAR 2 (Table D + Table E + Table F (EXCLUDING VAT)	R
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Year 3:**Table F: RENTAL OF EQUIPMENT**

Description	Quantity	No. of Months	Price excluding VAT for 12 months
Water coolers	5	12	R
Water Bottle Racks	5	12	R
Subtotal for year 3 (excluding VAT)			R

Table G: CONSUMABLES

Description	Quantity	No. of Months	Price excluding VAT for 12 months
Purified Water (20 litres bottle)	35	12	R
Subtotal for year 3 (excluding VAT)			R

Table H: SERVICES

Description	Quantity	No. of services per Month	Price excluding VAT for 12 months
Sanitizing, Servicing and Maintaining water cooler	5	1	R
Subtotal for year 3 (excluding VAT)			R

TOTAL FOR YEAR 3 (Table G + Table H + Table I) (EXCLUDING VAT)	R
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Tenderers are to replicate the above table and submit as part of their fee proposal.

The Total Fee for ALL THREE (3) YEARS must be carried over to the “Offer” page. Failure to price as indicated above will lead to tenderers bids being disqualified.

6. NOTES

- 6.1. The bidder’s submission must provide the JDA with sufficient information to enable the employer 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, using numbered dividers.

The following minimum documentation must be provided:

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

6.3 Tenderers are required to submit a detailed fee proposal 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.

6.4 An original valid BBEE status level verification certificate substantiating the bidding entities BBEE rating or a certified copy thereof. Only certificates issued by verification agencies accredited by the South African Accreditation System (SANAS), or by registered auditors approved by the Independent Regulatory Board of Auditors (IRBA) will be accepted.

An EME must submit a sworn affidavit confirming the following:

- Annual turnover revenue of R10 million or less; and
- Level of black ownership

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

6.5 Company registration documents.

6.6 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. A lease agreement will also suffice

6.7 Details of directors / partners / members and shareholders with certified copies of their identity.

6.8 The forms A to G annexed, must be scrutinized completely in full and submitted together with your quotation.

6.9 A corporate brochure alternatively a brief summary of the entity's background.

6.10 Provide information on the individuals who will be assigned to this project (NOT the entire company). The following must be addressed:

- Organogram
- role/s and responsibility/ies on this project
- relevant qualifications and attach proof hereof
- number of years of relevant experience in the industry **and** in the proposed role
- detailed CV's for each member of the team noting their specific relevant project experience **[project description, role and responsibilities, project value]**
- individual memberships to professional associations and attach proof hereof

6.11 A schedule of completed contracts of a similar nature to this project. 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
- Fee obtained for services

- 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.

TENDERERS ARE TO SUBMIT 2 COPIES OF THEIR PROPOSAL (1 ORIGINAL PLUS 1 COPY).

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

Note for consortium and joint ventures

- **EACH** party to a consortium and joint venture is to submit the requisite documents and / or information as requested in item 6 (ie.6.1.4 - 6.1.9, and 6.1.11 - 6.1.12)
- 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:

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

- Bidders whose tender document has not been deposited in the tender box at the time of closing,
- Bidders who fail to price as required i.e. as stipulated in item 6 herein,
- ~~Bidders who failed to attend the compulsory tender briefing session,~~
- Bidders who have any directors that are in the employment of the state.
- 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:

- (i) Key returnable documents,
- (ii) The experience of the company (ie. provision of Cold Water Coolers and Purified Water Service per item 6.11 above) and,
- (iii) Reference letters.

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

Total points 114, minimum points required 68.4 which is 60%

(i) KEY RETURNABLE DOCUMENTS	Total Points	Criteria	Description of Criteria	Points
A	14	Original / Certified Copy of BBBEE Certificate	Points will only be allocated for key returnable documents submitted	N/A
		Company registration documents		N/A
		Proof of Professional Indemnity Insurance of R1m		N/A
		Current municipal account		N/A
		A statement from an independent auditor / accountant regarding the		N/A
		tenderer's financial standing to undertake this project.		N/A
		tenderer's financial standing to undertake this project.		N/A
		Forms A to G completed in full and signed		14

(ii) COMPANY EXPERIENCE	Total Points	Criteria	Description of criteria	Points
B Company Experience and Track record on cold water services as specified in 6.11	50	Five or more projects completed	Points will only be allocated for related projects as listed in the schedule requested in item 6.11	50
		Three to four projects completed		25
		One to two projects completed	Project information contained elsewhere in the tender submission will not be considered.	15
(iii) CONTACTABLE REFERENCES	Total Points	Criteria	Description of criteria	Points
C Contactable references - and Track record on cold water services as specified in 6.11	50	Five or more projects with satisfactory satisfaction completion.	Points will only be allocated for related projects as listed in the schedule requested in item 6.11	50
		Three to four projects with satisfactory satisfaction completion.		25
		One to two projects with satisfactory satisfaction completion.	Project information contained elsewhere in the tender submission will not be considered.	15

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 BBBEE 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:

The below will apply to the services required for this project (80:20)

- For tenders up to R 50 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
- Bidders are to note that JDA does not bind itself to accept the lowest priced bid.

7.3.1 Points awarded for BBBEE status level

Having completed a technical evaluation, 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 following table 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 or certified copy 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 BBEE STATUS LEVEL CERTIFICATE WILL RESULT IN THE BIDDER SCORING ZERO (0) POINTS FOR BBEE.**
- 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.

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

Where

P_s = Points scored for comparative price of tender under consideration

P_t = Comparative price of tender under consideration

P_{min} = Comparative price of lowest acceptable tender

X = **Points** assigned to price

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

7.4.1 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 is:

1. The greater of R 8million or four contracts / projects in the current financial year or
2. The greater of R12 million or six contracts / projects over two financial years (current year and previous financial year).

7.4.2 A risk analysis will also be undertaken on the tenderer having the highest ranking / number of points to ascertain if any of the following will not present any unacceptable commercial risk to the JDA in line with the JDA's risk tolerance framework;

- a) Unduly high or unduly low tendered rates, significant arithmetical errors and omissions in the tender offer;
- b) the tenderer has insufficient financial capability to perform the contract,
- c) total value and number of contracts awarded to a single contractor/service provider in a particular 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.

Bidders will be requested to attend interview should there be a need for clarity.

8. CLOSING DATE, TIME AND VENUE FOR SUBMISSIONS

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

“BID DESCRIPTION: RFP: COLD WATER COOLERS AND PURIFIED WATER SERVICE FOR THE JDA FOR A PERIOD OF THREE (3) YEARS - BID NUMBER: JDA/FAC/RFP - WATERCOLERS/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, Newtown** only between the office hours of 08H00 and 17H00.

The Tender closes at 12h00 on 8 JUNE 2021.

Envelopes will be stamped on receipt. There will be a public opening of tenders.

NO LATE /NO EMAILED / 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:

Tshepho Mpyatona

E-mail: TMpyatona@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

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.....
.....

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 three years and what is the estimated turnover of current commitments from 1 July 2015 to 30 June 2016 (excl. VAT):

BANK :

BRANCH :

BRANCH CODE :

ACCOUNT NUMBER :

ACCOUNT HOLDER :

TYPE OF ACCOUNT :

CONTACT PERSON :

CONTACT NUMBER :

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.

CLIENT	ACCOUNT MANAGER	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:

For

BID DESCRIPTION: RFP: COLD WATER COOLERS AND PURIFIED WATER SERVICES FOR THE JDA FOR A PERIOD OF THREE (3) YEARS - **BID NUMBER:** JDA/FAC/RFP – WATER COOLERS/2021

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

.....
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: SCHEDULE OF COMPLETED CONTRACTS

The tenderer shall list below a **maximum of 5 projects completed in the past 5 years of a similar nature** to this project i.e. cold water coolers and purified water services

CLIENT Company name and contact person's name, tel, cell & e-mail address	PROJECT Name and description	SERVICE RENDERED	PROJECT VALUE	COMPLETION DATE

NOTE: Contactable references for the above listed projects must be provided. Said references MUST be on the client's letter head or on a document stamped and signed by client and must confirm the name of the project, description of the project, description of the service rendered, the value of the project, the completion date, and it must rate the service rendered.

.....
Signature

.....
Position

.....
Name of Bidder

.....
Date