



REAL ESTATE UNIT
PROPOSED PORTION [A] (of 43) OF ERF 101 KWADABEKA B
(CLERMONT ROAD)
CONTRACT NO: 1E - 3569



REAL ESTATE UNIT

REQUEST FOR PROPOSALS FOR THE LONG-TERM LEASING AND DEVELOPMENT OF PROPOSED PORTION [A] (of 43) OF ERF 101 KWADABEKA B MEASURING 2289 SQUARE METRES AS DEPICTED ON SJ Plan No. 4732/7 FOR COMMERCIAL PURPOSES FOR A PERIOD OF 30 YEARS. (CLERMONT ROAD)

Ethekwini Metropolitan Municipality, hereby requests proposals from interested persons to be submitted for the long term leasing and development of proposed Portion [A] (of 43) of Erf 101 KwaDabeka B as depicted SJ plan No, 4732/7 measuring 2289m² for commercial purposes for a period of 30 years.

THIS DOCUMENTS CONSIST OF 55 PAGES, IT IS THE RESPONSIBILITY OF THE TENDERER / BIDDER TO SEE THAT ALL PAGES ARE INCLUDED IN THE DOUCMENT.

Name of Bidder _____

DOCUMENTS TO BE SUBMITTED: 1 ORIGINAL AND 1 COPY

Closing date of the Bid: 26 November 2021

Closing Time: 11H00

**Issued by: T.E. Mmusinyane
HEAD: Real Estate Unit
4th Floor,
199 Anton Lembede Street**

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TENDER ADVERT

REQUEST FOR PROPOSALS FOR THE LONG-TERM LEASING AND DEVELOPMENT OF PROPOSED PORTION [A] (of 43) OF ERF 101 KWADABEKA B MEASURING 2289 SQUARE METRES AS DEPICTED ON SJ Plan No. 4732/7 FOR COMMERCIAL PURPOSES FOR A PERIOD OF 30 YEARS. (CLERMONT ROAD)

Ethekwini Metropolitan Municipality, hereby invites interested persons to submit proposals for the leasing of the property stated hereunder:

BID NUMBERS	TENDER DESCRIPTIONS	SITE SIZE
1E - 3569	REQUEST FOR PROPOSALS FOR THE LONG-TERM LEASING AND DEVELOPMENT OF PROPOSED PORTION [A] (of 43) OF ERF 101 KWADABEKA B MEASURING 2289 SQUARE METRES AS DEPICTED ON SJ Plan No. 4732/7 FOR COMMERCIAL PURPOSES FOR A PERIOD OF 30 YEARS. (CLERMONT ROAD)	2289m²
Non – compulsory briefing sessions	There will be no clarification meeting. Bidders are requested to submit email queries related to the bid. All email queries are to be submitted by 2021/10/08 Emailed questions and answers will be consolidated and posted on e-tenders/municipal website for the benefit of all tenders by 2021/11/04	
Document Availability	20 August 2021	
Documents Cost	Document Cost: R0,00	
Pre-qualifying criteria for Preferential procurement	<p>Pre-qualification criteria will be used to advance certain designated groups. Bidders will therefore be prequalified on the following basis</p> <ul style="list-style-type: none"> • An Exempted Micro Enterprise (EME) or Qualifying Small Enterprise (QSE) with B-BBEE Contribution 1 Level with 100% black ownership. <p>NB: Any bid that fails to meet any pre-qualification criteria as stipulated above is an unacceptable bid and as such will not be evaluated for Stage 1 and Stage 2.</p>	
Objective criteria in terms of Paragraph 2(1)(f) of the Preferential Procurement Policy Framework Act, read together with paragraph 52 (22) (a) of the eThekweni Municipality Supply Chain Management Policy.	<p>In line with the objectives of the Amended Property Sector Code (09 June 2017) to promote economic transformation in the property sector in order to enable meaningful participation of Black people including women, the youth and people with disabilities and to unlock obstacles to property ownership and participation in the property market by black people, preference will be given to;</p> <ol style="list-style-type: none"> 1. EME or QSE that are 100% owned by PPG (Priority Population Group) 2. Bidders must score a minimum of 60 points for Functionality Evaluation in order to qualify for further evaluation in Price and B-BBEE 3. The objective criteria for location (physical address) will be assessed based on the CIPC documents/ company registration documents using the following order of preference: <ul style="list-style-type: none"> • Kwa Dabeka /Clermont • eThekweni Metropolitan Municipality • Kwa- Zulu Natal Province • Republic of South Africa 	
Mandatory Requirements	<p>Bidders are to provide a funding model to indicate how and where the funding will be sourced/raised and it must include collateral to be pledged against such funding if required. The bidder to demonstrate proof of availability of 100% of the funding required for the development. This must include written support from verifiable funding institutions.</p> <ol style="list-style-type: none"> 1. If the letter from the registered funder with Financial Sector Conduct Authority (FSCA) reflects the full amount of the development cost or; <ol style="list-style-type: none"> (i) If there is a shortfall, the bidder must demonstrate access to equity as how they fund the shortfall or if the shortfall will be covered through Bank guarantee. 	

Selection Criteria	Below R10 Mil
	<ul style="list-style-type: none"> Any rental offer below the reserve price will not be considered. <p>NB: Failure to comply with the above will result in the bid not being evaluated for Stage 1 and Stage 2.</p>
Closing Date	26 November 2021
Conditions of submission of Request for Proposal	<ul style="list-style-type: none"> Tax Clearance Certificate, valid on the closing date of the bid, or exemption to pay taxes as issued by the South African Revenue Services (SARS) or Valid Tax Compliant Verification PIN number issued by SARS. Proof of registration of the Entity as follows: - Natural persons- certified copy of ID document/ passport - Partnership- copy of Partnership Agreement plus IDs of all partners - Company- current CM29 - Close Corporation- current copy of CK1 and/or CK2C - Trust- letter of appointment from the Master of the High Court of SA and deed of trust - Proof of registration of NPO or NGO (Copy of Provincial Registration Certificate etc.) Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the individual for all his/her properties/ Proof that acknowledgements or arrangements have been made to settle arrears / Affidavit stating why an up to date municipal account cannot be submitted for all the properties of the directors. In the event the bidder is tendering as a Joint Venture/Consortium, all members of the JV/Consortium must submit all required documentation, a JV / Consortium agreement and a Joint Venture B-BBEE Certificate and the JV/Consortium agreement. Completion and signature of all bid documents. Central Supplier Data Base (CSD) registration.
Address	Ground floor Engineering Unit, Municipal Centre 166 K.E. Masinga Road (formerly Old Fort Road) DURBAN
Evaluation	Functionality, Rental Offer and B-BBEE Level of contributor using 80/20. 80 for rental value and 20 for B-BBEE status level of contributor

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (ETHEKWINI METROPOLITAN MUNICIPALITY)					
BID NUMBER	1E - 3569	CLOSING DATE	26 NOVEMBER 2021	CLOSING TIME:	11:00
DESCRIPTION	REQUEST FOR PROPOSALS FOR THE LONG TERM LEASING AND DEVELOPMENT OF PROPOSED PORTION [A] (of 43) OF ERF 101 KWADABEKA B MEASURING 2289 SQUARE METRES AS DEPICTED ON SJ Plan No. 4732/7 FOR COMMERCIAL PURPOSES FOR A PERIOD OF 30 YEARS. (CLERMONT ROAD)				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO ENTER INTO A LEASE AGREEMENT WITH ETHEKWINI METROPOLITAN MUNICIPALITY.					

BID RESPONSE DOCUMENTS MUST BE DEPOSITED IN THE BID BOX SITUATED AT MUNICIPAL CENTRE, 166 K.E. MASINGA ROAD (formerly Old Fort Road) AND PLACED IN THE TENDER BOX LOCATED IN THE GROUND FLOOR FOYER.

SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSMILE NUMBER	CODE		NUMBER		
EMAIL ADDRESS					
VAT REGISTRATION					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE (TICK APPLICABLE BOX)		Yes	B-BBEE STATUS LEVEL SWORN AFFIDAVIT		Yes
		No			No
(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE / SWORN AFFIDAVIT (FOR EMEs & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)					
SIGNATURE OF BIDDER				DATE	
CAPACITY UNDER WHICH THIS BID SIGNED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:					

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1 BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–OR DOWNLOADED ONLINE (NOT TO BE RE-TYPED)**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER’S PROFITABLE AND TAX STATUS.
- 2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART 3 BELOW.
- 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1 IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?

<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
--------------------------	-----	--------------------------	----

3.2 DOES THE ENTITY HAVE A BRANCH IN THE RSA?

<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
--------------------------	-----	--------------------------	----

3.3 DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
--------------------------	-----	--------------------------	----

3.4 DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
--------------------------	-----	--------------------------	----

3.5 IS THE ENTITY LIABE IN THE RSA FOR ANY FORM OF TAXATION?

<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
--------------------------	-----	--------------------------	----

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID. NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

TAX CLEARANCE CERTIFICATE REQUIREMENTS

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

1 In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.

2 SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.

3 The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.

4 In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.

5 Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.

6 Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

PRICING SCHEDULE: FINANCIAL OFFER

1. This offer is made for the property in accordance with the Property Information stated in MBD 13 and in accordance with the bid specification in MBD 12.
2. **Unless stated otherwise all prices excludes VAT.**
3. **FINANCIAL OFFER**

<p>A minimum / reserve rental amount of R35 000,00 as per annum</p> <p>Any offer below the RESERVED/ MINIMUM RENTAL will not be considered and such bids would accordingly be disqualified.</p>	
Rental Offer	R
Rental Offer in words	
Escalation per annum and rental to be reviewed every five years	8%
Bidder / Entity Name	
Represented By	
Capacity	
Signature	
Date	

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.

eThekwini Vendor Portal Registration Number:

PR

C.S.D Registration Number:

MAAA

S.A.R.S Pin Number:

Completion of the following is compulsory. Failure to declare the following will invalidate your offer.

Declaration of Interest

Are any of the entity’s directors, managers, principle shareholder or stakeholders currently in the service of the state or have been in the service of the state in the past twelve (12) months? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Is any spouse, child or parent of the entity’s directors, managers, principle shareholder or stakeholder currently in the service of the state or have been in the service of the state in the past twelve (12) months? <input type="checkbox"/> Yes <input type="checkbox"/> No				
Name of entity’s member	Position in Entity	Name of Relative (if applicable)	Name of State Institution	Nature of Relationship
Do you or any other directors, managers, principle shareholder or stakeholder of your entity have any relationship (spouse, family, friend, associate) with persons in the service of the state and/or who may be involved with the evaluation of this quotation? If yes please furnish particulars below <input type="checkbox"/> Yes <input type="checkbox"/> No				
Name of entity’s member	Position in Entity	Name of Relative (if applicable)	Name of State Institution	Nature of Relationship

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID.

4. PAYMENT FOR RATES, TAXES AND SERVICES

In addition to the above amount the lessee will be responsible for the payment of all municipal services and other costs deemed necessary on the property, including rates and taxes levied on the property including electricity, water, sewerage and sanitation removal, which are levied on the property. in the event of the amount stated above, being increased at any time during the lease period, or any renewal thereof, the monthly rental payable by the lessee will be automatically increased by the percentage increase in such amount, from the date on which such increase becomes effective.

5. POSSESSION OF THE SITE

The lessee will take possession of the site on the date of signature of the Lease Agreement by the parties.

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 and/or take an oath declaring his/her interest.

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 Company Registration Number:

3.4 Tax Reference Number:

3.5 VAT Registration Number:

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

3.6.1 If so, furnish particulars.

.....
.....

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

3.7.1 If so, furnish particulars.

.....
.....

* 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.

3.8 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

3.8.1 If so, furnish particulars.

.....
.....

3.9 Are you, aware of any relationship (family, friend, other) between a 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

3.9.1 If so, furnish particulars

.....
.....

3.10 Are any of the company's directors, managers, principal shareholders or stakeholders in service of the state? YES /NO

3.10.1 If so, furnish particulars.

.....
.....

3.11 Are any spouse, child or parent of the company's directors, managers, principal shareholders or stakeholders in service of the state? YES /NO

3.11.1 If so, furnish particulars.

.....
.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

.....

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

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

.....

Signature

Date

.....

.....

Position

Name of Bidder

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED)

For all procurement expected to exceed R10 million (all applicable taxes included), bidders must complete the following questionnaire:

1. Are you by law required to prepare annual financial statements for auditing?

1.1 If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.

***YES / NO**

.....
.....

2. Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than three months or any other service provider in respect of which payment is overdue for more than 30 days?

2.1 If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than three months or other service provider in respect of which payment is overdue for more than 30 days.

2.2 If yes, provide particulars.

.....
.....
.....

3 Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material noncompliance or dispute concerning the execution of such contract?

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids: - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included);
- 1.2 a) The value of this bid could not be determined, therefore the lowest acceptable tender will be used to determine the applicable preference point system; or
 b) Either the 80/20 preference point system will be applicable to this tender.
- 1.3 Points for this bid shall be awarded for:
 - (a) Price; and
 - (b) B-BBEE Status Level of Contributor

1.4 The maximum points for this bid are allocated as follows:

	POINTS
RENTAL OFFER	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Rental offer and B-BBEE must not exceed	100

- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The Municipality reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the Municipality.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“Functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“Proof of B-BBEE status level of contributor”** means: 1) B-BBEE Status level certificate issued by an authorized body or person; 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“Priority population group”** must mean black individuals who fall into population groups that were not offered a franchise in the national elections before or after the introduction of the 1984 tri-cameral parliamentary system and only received a franchise during 1994”.
- (j) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (k) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR FINANCIAL OFFER

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 points is allocated for financial offer on the following basis: **80/20**

$$P_s = 80 \left(1 - \frac{P_t - P_{\max}}{P_{\max}} \right)$$

Where

- P_s = Points scored for financial offer of bid under consideration
- P_t = Rand value of bid under consideration (Net Present Value of the rental amount over the lease period discounted at 10%)
- P_{\max} = Financial Offer of highest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

- 4.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 4.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 4.4 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.
- 4.5 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 bid.
- 4.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 4.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder 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 bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

4.8 A person awarded a contract may not 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, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

4.9 **Objective Criteria: The Municipality will give preference to EME or QSE that are 100% owned by PPG (Priority Population Group) who will score a minimum total of 60 points on Functionality and then bidders will be evaluated on Price and B-BBEE before the consideration of the objective criteria.**

4.10 Award of where Bidders have Scored Equal Points Overall

1. In the event that two or more bids have scored equal total points, the successful bid will be the one scoring the highest number of preference points for B-BBEE.
2. However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid will be the one scoring the highest score for functionality.
3. Should two or more bids be equal in all respects; the award will be decided by the drawing of lots.

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: (maximum of 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
--------------------------	-----	--------------------------	----

(Tick applicable box)

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
--------------------------	-----	--------------------------	----

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1. Name of company/ firm:.....

8.2. VAT registration number:.....

8.3. Company registration number:.....

8.4. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
 - One person business/sole propriety
 - Close corporation
 - Company
 - (Pty) Limited
- [TICK APPLICABLE BOX]

8.5. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

8.6. COMPANY CLASSIFICATION

- Manufacturer
 - Supplier
 - Professional service provider
 - Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

8.7. MUNICIPAL INFORMATION

Municipality where business is situated:
Registered Account Number:
Stand Number:

8.8. Total number of years the company/firm has been in business :.....

8.9. I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

<p>WITNESSES</p> <p>1.....</p> <p>2.....</p>	<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p>
--	--

MDB 7: BIDDERS INFORMATION

Name of Bidder			
ID /Passport/ Registration Number			
Nature of bidder one (tick one)	Natural Person/ Sole Proprietor		
	School/NGO/Trust		
	Company/ CC/ Partnership		
	Joint Venture (JV)		
Postal Address		Tel	
		Cell	
		Email	
		Fax	
BIDDER BANKING DETAILS			
Name of bidder's Banker			
Contact details of banker			

I,.....
 ...("The Bidder").

in my capacity as

.....
 hereby submit a proposal in the preceding document. I have read the Proposal Call Document in full and hereby submit the MBDs in accordance with the conditions stated in the document, and further declare under oath that the information contained in the MBDs is to the best of my knowledge true and correct. I further state as follows:

Signed and sworn at _____ on this _____ day of _____
 by the Bidder (s) who has stated that:

- He/she knows and understands the contents hereof and that it is true and correct;
- He/she has no objection to taking the prescribed oath; and
- That he /she regards the prescribed oath as binding on his/her conscience
- That the provisions of the regulations contained in Government Notice R1258 of 21st July 1972 (as amended) have been complied with.

 Bidder (s)

Signed before me

 COMMISSIONER OF OATHS

MBD 8: 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	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
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 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

.....
Date

.....
Position

.....
Name of Bidder

MBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

MBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of 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 consortium³ will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, 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.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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

.....
Date

.....
Position

.....
Name of Bidder

MBD 10: STANDARD CONDITIONS OF SUBMISSION

The following conditions apply to all bids submitted:

- All bids must be submitted in compliance with the Bid Specifications specified in MBD 12.
- The property is made available in accordance with the information and stipulations contained in REU MDB 13.
- The bidder(s) will be deemed to be familiar with the state, real rights registered against the property, the zoning and locality of the property.

PRE-QUALIFICATION CRITERIA

Pre-qualification criteria will be used to advance certain designated groups. Bidders will therefore be prequalified on the following basis

- an Exempted Micro Enterprise (EME) or Qualifying Small Enterprise (QSE) with B-BBEE Contribution 1 Level.

NB: A bids that fail to meet any pre-qualification criteria stipulated above is an unacceptable bid and as such will not be evaluated for Stage 1 and Stage 2.

SELECTION CRITERIA

- Any offer below the reserve price will not be considered.
- Failure to meet the pre-qualification criteria.
- NB: Failure to comply with the above will result in the bid not being evaluated for Stage 1 and Stage 2

CONDITIONS OF SUBMISSION FOR REQUEST FOR PROPOSAL

- Tax Clearance Certificate, valid on the closing date of the bid, or exemption to pay taxes as issued by the South African Revenue Services (SARS) or Valid Tax Compliant Verification PIN number issued by SARS.
- Proof of registration of the Entity as follows:
 - Natural persons- certified copy of ID document/ passport
 - Partnership- copy of Partnership Agreement plus IDs of all partners
 - Company- current CM29
 - Close Corporation- current copy of CK1 and/or CK2C
 - Trust- letter of appointment from the Master of the High Court of SA and deed of trust
 - Proof of registration of NPO or NGO (Copy of Provincial Registration Certificate etc)
- Up to date Municipal Account not older than three (3) months and not over three (3) months in arrears for the individual for all his or her properties/ Proof that acknowledgements or arrangements have been made to settle arrears / Affidavit stating why an up to date municipal account cannot be submitted.

- Central Supplier Data Base registration
- Completed and signed bid documents including MBD 1, 2, 3,4,5,8,9, 15,16,17,18,19, and 20, 21, 22.
- Completed and signed bid documents including MBD 1 to MBD 22.

SUBMISSION OF PROPOSALS

- Bidder(s) are invited to submit their Proposals by completing the returnable Municipal Bidding Documents (MBDs) and MBDs contained in this document.
- In this regard:
 - No other form of Proposal will be accepted. The MBDs must not be construed as an offer.
 - No other form of Proposal will be accepted. The MBDs must not be construed as an offer.
 - The Bidder(s) must submit one (1) original and three (3) copies of the of the completed Bid document.
 - All Proposal documentation received shall be deemed EThekwini Municipality property and shall not be returned or thus requested back by any Bidder.
- Proposals must be sealed, clearly marked with RFP name and number, and addressed to Head: Real Estate
- Bidder's return address must be clearly indicated at the back of the envelope.
- The fully completed document with annexures must be submitted before the closing date specified on the front cover, and be deposited in the tender box.
- **PROPOSALS WHICH ARE NOT SUBMITTED IN A PROPERLY SEALED AND MARKED ENVELOPE AND DEPOSITED IN THE BOX BEFORE THE CLOSING DATE, WILL NOT BE OPENED.**
- **PROPOSALS WHICH ARE NOT SUBMITTED IN THE CORRECT FORMAT WITH ANNEXURES ATTACHED, DULY COMPLETED, INITIALLED, COMMISSIONED AND SIGNED, WILL NOT BE CONSIDERED.**
- The information required in the MBDs must be provided accurately and honestly. All details provided by the Bidder(s) will be regarded as material representations, which the Municipality base the evaluation of the Proposal on. Any misrepresentation will be treated as material and will result in the disqualification of the Proposal by the Municipality. Bidders, who fail to provide such information to the satisfaction of the Municipality, will be disqualified.

OPENING OF PROPOSALS

- Proposals will be opened immediately after the closing time on the closing date at the offices of the Municipality at the mentioned address. The RFP number, property description and the name of each Bidder(s) will be announced and recorded in a register.
- Bidder's return address must be clearly stipulated or indicated on the back of the envelope.

EVALUATION OF PROPOSALS

- The Municipality reserves the right to seek clarification or further information from Bidder(s) and to appoint professionals to advise and verify information on aspects of the Proposals submitted in a manner that the Municipality deems appropriate.
- The preferred Bidder(s) may be required to make presentations to the Municipality.
- The Bidder(s) shall be deemed to know and understand the content of the Request for Proposal document and a submission of the MBDs will indicate the Bidder(s) unconditional acceptance of all the terms and conditions contained in the Request for Proposal.
- The Bidder(s) shall be deemed to have satisfied itself as to all of the conditions, procedures and performance and discharge of the obligations required in terms of the Request for Proposal.
- The non-acceptance or variation of any of the conditions, or the inclusion of any other conditions in the Proposal Call document by the Bidder(s) will be treated as a qualified bid.
- The Proposal(s) will be evaluated by the Municipality. The Municipality may accept any Proposal in whole or in part and is not bound to accept any Proposal
- Proposals will be evaluated using the evaluation criteria stated in MBD 11.
- The Proposal(s) will be adjudicated by the Municipality's Bid Adjudication Committee and awarded in terms of the City's Supply Chain Management Policy and the Land Disposal Policy.
- The Municipality will not be held responsible or liable for any costs whatsoever and /or losses incurred or suffered by the Bidder(s) or any other party or parties for whatsoever reason as a result of the Proposal.
- Any Proposal in the name of a partnership or joint venture or consortium will, on acceptance, be deemed as joint and several agreements with all parties.
- All proposals shall remain valid for a period of 120 days after the closing date, provided that bidders may extend the validity of the proposal on request of the Municipality.

RESOLUTIONS OF DISPUTES

- Persons or bidders who are aggrieved by decisions or actions taken in the implementation In terms of Regulation 49 of the Municipal Supply Chain Management Regulations persons aggrieved by decisions or actions taken by the Municipality, may lodge an appeal within 14 days of the decision or action, in writing to the Municipality. The appeal (clearly setting out the reasons for the appeal) and queries with regard to decision of award are to be directed to the office of the City Manager, attention: Ms. S. Pillay, P.O. Box 1394, Durban, 4000; eMail: Simone.Pillay@durban.gov.za.
- The written complaint must contain the following information:
 - The bid reference number;
 - The section of the Policy, Regulations or Act that has been violated;
 - The details of the violation;
 - The City Department or Municipal Owned Entity involved;
 - Relief sought.

PROHIBITIONS

- The Municipality will not, subject to such amendments to the Act and Regulations and any exemptions as the Minister may promulgate from time to time, award contracts to Bidder(s) who are owned directly or indirectly by the following categories of persons: -
- Defined as an employee or public servant in the service of the state working for Local, Provincial and National Government; or
- Defined as an employee in the service of a government owned entity including the municipal entities;
- If the employee mentioned above is actively or inactively a director, manager or principal shareholder of the service provider concerned (refer to GN44 in GG 28411 of 18 January 2006 for the exemption);
- Is a member of the board of directors of a municipal entity within its area of jurisdiction (refer to GN44 in GG 28411 of 18 January 2006 for the exemption);
- Who is an advisor or consultant contracted to the Municipality for the purposes of assisting the Municipality with defining of requirements, drafting of specifications or evaluation of the Proposals.
- The Municipality will not award Proposals to any Bidder(s) owned directly or indirectly by politicians serving as councillors for any municipality.
- The Municipality will not award Proposals to any Bidder(s) owned directly or indirectly by politicians serving in National Assembly, Provincial Legislatures and National Council of Provinces.
- Failure by the above mentioned persons to comply with the above shall lead to cancellation of the contract.

CONSIDERATION OF PROPOSALS FROM CLOSE FAMILY MEMBERS OF PERSONS IN THE SERVICE OF THE STATE

- The Municipality does not encourage awarding of contracts to close family members of employees in decision-making positions in line with Regulation 45 of the Supply Chain Management Regulations.
- The bidder must declare and state whether a spouse, child or parent of the bidder or of a director, manager or shareholder is in the service of the EThekweni Municipality or has been in the service of the state in the previous twelve months.

GENERAL ENQUIRIES

Only email enquiries will be accepted, such enquiries must be directed to sindi.daba@durban.gov.za

REU MBD 11: EVALUATION CRITERIA

Bids which satisfy the qualification criteria will be evaluated using a two-stage evaluation process as follows:

Stage 1: Functionality Evaluation

Bids will be evaluated in order to establish whether they meet a minimum threshold score of 60 points out of 100 for functionality, based on the following criteria:

FUNCTIONAL CRITERIA	Max Points	Returnable documents to be used in evaluation
PROPOSED CONCEPT	30	
<p>Conformity of the Development Proposal to the vision for the property as expressed in REU MBD 12.</p> <p>Development Concept - High level conceptual design outlining the intended uses = 15 Points</p> <p>Detailed level theoretical design outlining the intended uses and ratios = 5 Points</p> <p>Integration of multiple uses within the development including parking = 5 Points</p> <p>Floor area and elevations = 5 Points</p> <p>No submission = 0 Points</p>	15	A detailed concept plan-the bidder must submit a detailed concept plan that include all the information as outlined on this page. The Business concept should include a list and description of services to be offered, must submit drawings showing the proposed layout and appearance of the facility and the site to be leased site. All final designs must be approved by Council and before construction can commence on the site
<p>Development Programme</p> <p>High level development programme including Inception Stage, Planning, Design, Construction and Commissioning.</p> <p>A high level plan indicating 5 stages and each timeframe for each stage = 10 Points</p> <p>A high level plan indicating 4 of the 5 stages and each timeframe for each stage = 8 Points</p> <p>A high level plan indicating 3 of the 5 stages and each timeframe for each stage = 6 Points</p> <p>A high level plan indicating 2 of the 5 stages and each timeframe for each stage = 4 Points</p> <p>A high level plan indicating 1 of the 5 stages and each timeframe for each stage = 2 Points</p> <p>A high level plan indicating 0 of the 5 stages and each with no timeframe for each stage or no submission = 0 Points</p>	10	Narrative – High level redevelopment/ refurbishment programme including Inception Stage, Planning, Design, Construction and Commissioning and including timeframes for each stage.
<p>Operational Plan</p> <ul style="list-style-type: none"> • Indicating intended management and maintenance for the duration of the lease = 3 Points • Estimated Operating Costs = 2 Points • No submission of the Operational Plan = 0 Points 	5	Bidders are to submit a detailed Operation Plan document for the duration of the lease.
CAPACITY AND EXPERIENCE	28	

<p>Professional Team (12).</p> <p>Must have 3 years post registration experience, provide CVs and Proof of Registration documents and a maximum of 2 traceable references of work that is ≥ R1 million for each project. This amount refers to consultants' fee portion of the project value.</p>	<p>12</p>	<p>CV's of the professional team and proof of registration with professional bodies where requested, a maximum of 2 traceable references of work that is ≥ R1 million for each project. This amount refers to consultants' fee portion of the project value.</p>
<p>Architect with 3 years post registration experience, (registration with relevant institutions/statutory bodies and 2 traceable references = (3 Points)</p> <p>Proof of professional registration = 1 Point Proof of 3 years post registration experience = 1 Point Proof of 2 traceable references of work that is ≥ R1 million for each project = 1 Point</p> <p>NB: No points will be allocated to the Architect without proof of registration, less than 3 years post registration and has less than 2 traceable references of work that is ≥R1 million for each project.</p>	<p>3</p>	<p>REU MBD 21</p>
<p>Quantity Surveyor (registration with relevant institutions/statutory bodies and traceable references) =) 3 Points)</p> <p>Proof of professional registration = 1 Point Proof of 3 years post registration experience = 1 Point Proof of 2 traceable references of work that is ≥ R1 million for each project = 1 Point</p> <p>NB: No points will be allocated to the Pr QS without proof of registration, less than 3 years post registration and has less than 2 traceable references of work that is ≥R1 million for each project.</p>	<p>3</p>	<p>REU MBD 21</p>
<p>Engineers (civil and electrical) (registration with relevant institutions/statutory bodies and traceable references) = 3 Points</p> <p>Proof of professional registration = 1 Point Proof of 3 years post registration experience = 1 Point Proof of 2 traceable references of work that is ≥ R1 million for each project = 1 Point</p> <p>NB: No points will be allocated to the Engineer without proof of registration, less than 3 years post registration and has less than 2 traceable references of work that is ≥R1 million for each project.</p>	<p>3</p>	<p>REU MBD 21</p>
<p>Project Manager (registration with relevant institutions/statutory bodies and traceable references) = 3 Points</p> <p>Proof of professional registration = 1 Point Proof of 3 years post registration experience = 1 Point Proof of 2 traceable references of work that is ≥ R1 million for each project = 1 Point</p> <p>NB: No points will be allocated to the PM without proof of registration , less than 3 years post registration and has less than 2 traceable references of work that is ≥R1 million for each project .</p>	<p>3</p>	<p>REU MBD 21</p>

Construction Team Bidder to submit, profiles, experienced and qualifications (with a minimum of 3 years' experience)	16	Bidders to complete REU MBD 21 and provide any verifiable documents to demonstrate its experience.
Site Manager = 3 points Proof that the Site Manager has in excess of 3 years' relevant work experience= 1 Points Proof of the Site Manager has completed 2 projects in the last 5 years = 2 Points NB: No points will be allocated to Site manager with less than 3 years of experience and have not completed 2 projects in the last 5 years.	3	
Registered Health & Safety Officer = 3 points Proof of professional registration as health and Safety officer = 1 Point Proof that the Health & Safety Officer has in excess of 3 years' relevant work experience= 1 Points Proof of the Health & Safety Officer has completed 2 projects in the last 5 years = 1 Points NB: No points will be allocated to Site manager with less than 3 years of experience and have not completed 2 projects in the last 5 years.	3	REU MBD 21
Social Facilitator = 3 points Proof that the Social Facilitator has in excess of 3 years' relevant work experience= 1 Points Proof of the Social Facilitator has completed 2 projects in the last 5 years = 2 Points NB: No points will be allocated to the Social Facilitator with less than 3 years of experience and has less than 2 traceable references of work that is for each project.	3	REU MBD 21
Main contractor- Evidence of at least 3 or more Completed Projects of a similar nature (i.e. Development/ Building Conversion/Refurbishment) = 4 points Proof of 4 similar projects = 4 Points Proof of 3 more similar projects= 3 Points Proof of 2 similar project = 2 Points Proof of 1 similar project= 1 Points 0 points will be awarded for contractors who have completed 0 project of a similar nature.	3	REU MBD 21
TRANSFORMATION AND EMPOWERMENT PLAN	22	
a Job Creation Plan including the plan During Construction = 5 points After Construction = 7 points Enterprise Development (during and after construction) = 3 points	22	Local Employment Plan including training and skills development. The bidder is expected to provide a detailed plan outlining how it would empower SMME's and individuals through the fitment of the facility to make it operational.

<p>Training and Development Programmes (throughout the lifecycle of the project) = 3 points</p> <p>Demonstrate how the development will benefit the local community and/or community based organisations = 3 points</p> <p>Procurement of Material from Local Suppliers = 3 points</p> <p>Partnership with Women, Youth, and People with disabilities owned Companies= 3 points</p>		MBD 20
FINANCIAL CAPABILITY	20	
<p>a) Investment Value</p> <p>The reserved price indicated on the offer page should be used as a benchmark for the market value of the property</p> <p>Total realistic monetary investment value into the project based on the similar projects backed by the QS report/ estimated development cost and a financial feasibility. =10 Points</p> <p>Total investment not specified = 0 Points</p>	10	REU MDB 22
<p>b) Funding Model</p> <p>Provide funding model to incorporate how and where the funding will be sourced/raised and it must include collateral to be pledged against such funding if required.</p> <p>The bidder to demonstrate proof of availability of 60% of the funding required for the development. This must include written support from verifiable funding institutions.</p> <p>Letter from registered funding institutions confirming funding for the project Proof of available funds (bank statements or financial statements of the bidder. = 10 Points</p> <p>Non Submission of a Letter from registered funding institutions confirming funding for the project Proof of available funds (bank statements or financial statements of the bidder = 0 Points</p>	10	<p>REU MBD 22</p> <p>Copy of bank statements showing availability of funds.</p> <p>Financial Statements</p> <p>Letter from registered funding institutions confirming funding for the project</p> <p>Proof of available funds (bank statements or financial statements of the bidder</p>
Total	100	

Bids which do not meet the minimum threshold of 60 points will not be considered further.

STAGE 2: EVALUATION FINANCIAL OFFER & B-BBEE STATUS LEVEL CONTRIBUTION

- The bidder obtaining the highest number of points will be awarded the contract.
- Preference points shall be calculated after financial offers have been brought to a comparative basis.
- Points scored will be rounded off to 2 decimal places.
- In the event of equal points scored, the bid will be awarded to the bidder scoring the highest number of points for specified goals.
- A maximum of 80 points is allocated for financial offer on the following basis:

$$P_s = 80 \left(1 - \frac{P_t - P_{\max}}{P_{\max}} \right)$$

Where

P_s = Points scored for financial offer of bid under consideration

P_t = Rand value of bid under consideration (Net Present Value of the rental amount over the lease period discounted at 10%)

P_{\max} = Financial Offer of highest acceptable bid

√ Only those bids that attain the minimum threshold score of 60 Points in Stage 1 will be evaluated in this stage. Bids will be evaluated as follows:

EVALUATION CRITERIA	POINTS WEIGHT 80/20
RENTAL OFFER	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total	100

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

The following Specifications apply to this bid:

1. Property Information

PROPERTY DESCRIPTION	Proposed Portion [A] (of 43) of Erf 101 KwaDabeka B
Ownership	eThekwini Metropolitan Municipality
Locality	
Land Size	2289 m ²
Zoning	Road Reserve (This property will require road closure, rezoning and possible subdivision which is to be dealt with by the successful tenderer).
Proposed Use	Commercial
Coverage	See the attached permitted use schedule for a Commercial zoning
Far	See the attached permitted use schedule for a Commercial zoning
Height	See the attached permitted use schedule for a Commercial zoning
Access	Clermont Road
Building lines	See the attached permitted use schedule for a Commercial zoning
Heritage	n/a
Structural and Physical feature	Vacant land
Geotechnical Conditional	Any geotechnical conditions will be the responsibility of the Developer.
Other Requirements	A Site Development Plan shall be submitted to the Local Authority Any further town planning proposals and rezoning and road closure shall be the responsibility of the successful bidder. The bidder is required to comply will all relevant building regulation laws, including but not limited to SPLUMA, NEMA, Municipal Bylaws etc.

2. Overview

Proposed Portion [A] (of 43) of Erf 101 KwaDabeka B, is situated in Clermont Road, KwaDabeka B, in extent 2289m² and is owned by Ethekwini Municipality. The property is vacant land and can be developed on its own. The subject property is currently zoned Road Reserve in terms of the Town Planning Scheme and it is required to be rezoned to Commercial by the successful tenderer.

KwaDabeka is situated approximately 24 km north-west of Durban and 6 km north-east of New Germany and forms part of the eThekwini Metropolitan Municipality which is Durban's greater metropolitan area. KwaDabeka is bordered by the uMngeni River and eMachobeni in the north, Ntuzuma in the north-east, Newlands West in the east, Clermont in the south and Wyebank in the west. KwaDabeka occupies an extensive area and is subdivided into multi-sections which are primarily in the form of letters. The sections KwaDabeka Unit A to H, KwaDabeka Unit J to L, KwaDabeka Unit R to T and Siphumelele

3. Vision for the property

The proposals should align the facility to the City's vision for the area in line with the strategies, Spluma, Town planning scheme and regulatory frameworks.

CONDITIONS OF DEVELOPMENT LEASE.

The property is made available in accordance with the site information made available in MBD13.

Suspensive Conditions

This transaction is subject to the following suspensive conditions:

1. Permanent Closure in terms of Section 211 of Ordinance 25 of 1974 of the road reserve over Proposed Portion [A] of (43) of Erf 101 KwaDabeka B with together with Section 28 (2) (1) of the eThekweni Municipality Planning and Land Use Management By law 2016
2. The re-zoning of the property to commercial / business in line with the Town Planning Scheme.
3. The application for the road closure, re-zoning of the property shall be submitted to the relevant authorities by the purchaser within 30 (thirty) days from date of last signature of the sale agreement.
4. Provided all reasonable *bona fide* attempts have been made by the successful bidder to ensure fulfilment of the above suspensive conditions, the successful bidder or the Municipality shall be entitled to withdraw from this transaction if the above suspensive conditions have not been fulfilled within 12 (Twelve) months from date of last signature of the sale agreement.
5. The successful bidder will be responsible for all cost for the above and other incidental costs relating to this transaction.
6. There is some existing electrical infrastructure from the area to be alienated which should require relocation and the relocation cost must be borne by the developer. In this regard the developer is advised to liaise directly with the Customer Services(Electricity) Branch for the cost.
7. Traffic Impact Assessment application has to be submitted to the Head: Traffic Authority prior to any development taking place on the proposed site.
8. The successful bidder will be responsible to obtain all statutory approvals which are required for any development.
9. All developmental plans and applications must be submitted and approved by the local authorities prior to any commencement of construction.
10. Should the successful bidder decides to develop the land, the equity that has been committed in the mandatory requirements must be ring fenced for the development cost. Failure to comply with this clause shall constitute a material breach of the conditions of the development lease.

Property Tenure

The Property shall be made available by means of a long-term lease agreement in accordance with EThekweni Municipality's standard agreement. The following terms of contract are non-negotiable:

The lease period will be for a period of 30 (thirty) years. Upon expiry or termination of the Development and Lease agreement, possession of the property will revert to the EtheKweni Municipality without any compensation.

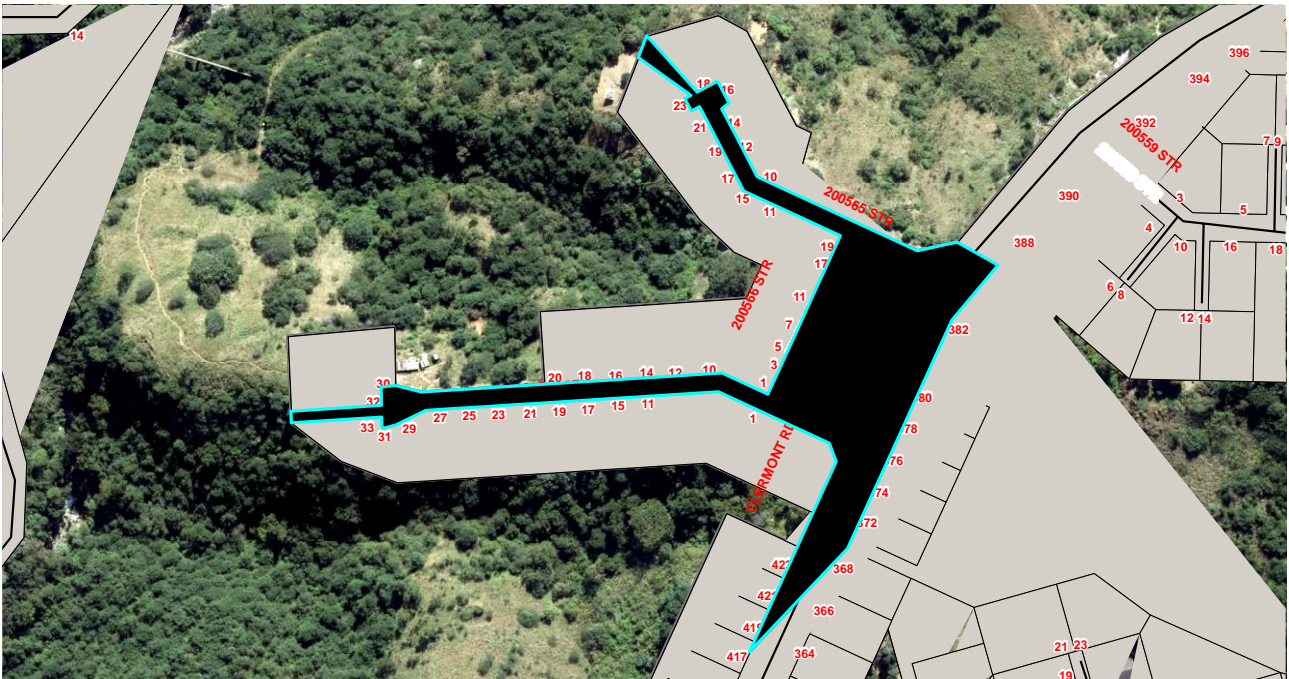
2. Successful Bidders are required to make an offer not less than the minimum acceptable offer for the lease of the facility on the property as part of the proposal form; as indicated in REU MBD 3.
3. Should the successful bidder's proposal include land use rights over and above the allowable proposed land uses, costs of acquiring consents for additional land uses will be for the bidders account.
4. The lessee shall under no circumstances cede any rights of the property to a third party without consent from the Municipality;
5. The successful bidder will be responsible for the cancellation, protection and/or relocation of all servitudes that may be registered over the property.
6. Successful Bidders are required to demonstrate their ability and capacity to deliver and manage the proposed development.
7. Development shall be subject to all related legislation and Municipal by-Laws.
8. Successful Bidders are required to demonstrate their ability and capacity to deliver and manage the proposed development by submitting a detailed profile of the professional team and their successfully completed development. They must further demonstrate their ability to secure funds required to carry out the project.
9. Successful Bidders are to submit an annual break down of the maintenance plan for the duration of the lease.
10. That, a deposit equal to a rental amount shall be paid by the lessee upon signature of the lease agreement. Such deposit shall be refundable if all rental amounts are paid up date at the time of the expiry of the lease agreement or vacation of property, subject to the property being returned in a clean and tidy condition.
11. All administrative and incidental costs relating to the drafting of the lease shall be for the lessee's account.
12. B Successful Bidders are to submit an annual break down of the maintenance plan for the duration of the lease.
13. Successful Bidders are required to submit a financial proposal which is not limited to but should include;
 - o A detailed cost estimate, together with supporting documentation of the costs of development.
 - o A time schedule for the development of the building.
14. That, the application shall be liable for the payment of all sewerage, refuse removal fees, Levied or payable in respect of the site and all electricity and water supplied to the site.

15. That all environmental and related legislation and By-laws applicable to the Property shall be complied with and that all building plans to be submitted to the Local Authority for approval prior to any construction.
16. That, all Emergency Management Services By-laws be complied with and adhered to and that access to emergency vehicles should be provided on the property.
17. The Council and its authorised representatives/agents shall have 24 hours' unrestricted access to the electricity, water and any Municipal Servitudes on the property and that no structures will be allowed within these servitudes.
18. The successful bidder is expected to submit a detailed empowerment plan demonstrating how the following will be achieved:
 - a. Job Creation Plan (during and after redevelopment)
 - b. Enterprise Development (during and after construction)
 - c. Training and Development Programmes (throughout the lifecycle of the project)
 - d. Demonstrate how the development will benefit the local community and/or community based organisations
 - e. Procurement of Material from Local Suppliers
 - f. Partnership with Women Owned Companies

Successful Bidders are expected to advise and provide a detailed plan and how the numbers are achieved

REU MBD 13: PROPERTY INFORMATION

1. Ariel Photo



2. SITE INFORMATION

Property Description	Proposed Portion [A] (of 43) of Erf 101 KwaDabeka B as depicted on SJ Plan No. 4732/7
Size (Lease area)	2289m ²
Zoning	Road Reserve (This property will require road closure, rezoning and possible subdivision which is to be dealt with by the successful tenderer). See attached permitted use schedule in respect of a commercial zone.
Structures and Physical features	Vacant Land
Current Use	Vacant land
Minimum Acceptable Rental Offer	R35 000.00 per annum
Highest and Best Use	The highest and best use is considered to be for commercial purposes.

MBD 14: REGISTRATION DOCUMENTS

The following documents must be submitted at the time of tender closing

- Natural persons, Sole proprietors and JVs – copy of ID document/passport
- Schools – copy of Provincial School registration certificate
- NGO – copy of Provincial registration certificate
- Society Club/ Association – copy of Constitution / founding document
- Partnership -copy of partnership agreement plus IDs of all partners
- Closed Corporation - Copy of CK1 and/or CK2 and members' agreement
- Company – current CM29,
- Trust – letter of appointment from the Master of the High Court of SA and deed of trust
- Joint Venture / Consortiums– JV agreement plus ID documents/ company Registration document of all members of JV/ Consortiums.

MBD 15: AUTHORITY TO SUBMIT BID

If bidder is a legal entity, a company resolution /Power of Attorney must be attached (these documents must authorise the named person to submit this application and to enter into agreements with the eThekweni Municipality should the application be successful)

Is a company resolution attached?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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Is the bidder a natural person?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Is a certified ID copy attached?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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Is a copy of the bidder's power of attorney attached?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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MBD 16: PAYMENT OF MUNICIPAL ACCOUNT



DECLARATION OF MUNICIPAL CHARGES FROM TENDERER

EtheKwini Revenue
Florence Mkhize Building
251 Anton Lembede Street
Durban
4001

Tel: 031 328 1200
Fax: 031 328 1002
E-Mail: revline@durban.gov.za
Website: <http://www.durban.gov.za>

I, _____
(Full Name and Surname)

ID Number in my capacity as the duly authorised member / director /

owner or partner of

(Full name of Company / Close Corporation / partnership / sole proprietary/Joint Venture) hereinafter referred to as the TENDERER

do hereby declare that all Municipal charges of the aforesaid TENDERER, are, as at the date hereunder, fully paid or an Acknowledgement of Debt has been concluded with the Municipality to pay the said charges in installments.

The following account details relate to property of the said TENDERER:

ACCOUNT	ACCOUNT NUMBER
ELECTRICITY	_____
WATER	_____
RATES	_____
OTHER (specify)	_____

I acknowledge that should the aforesaid Municipal charges fall into arrears, the Municipality may take such remedial action as is required, including termination of any contract, and any payments due to the Contractor by the Municipality shall be first set off against such arrears. **ATTACHED** please find copies of the above account's and or agreements signed with the municipality.

- Where the **TENDERER'S** place of business or business interests are **outside the jurisdiction** of eThekweni municipality, a copy of the accounts/agreements from the relevant municipality must be attached.
- Where the tenderer's Municipal Accounts are part of their lease agreement, then a copy of the agreement, or official letter to that effect is to be attached.

Full Name and Surname

Signature

Date

Designation

Company Stamp

Contact No

REU MBD 17: DEVELOPMENT PROPOSAL

Bidders are required to submit a concise development proposal for the site. The development proposal must include a concept Site Development Plan, an Architectural concept of the proposed development, proposed tenancing and preservation of the natural environment. The redevelopment/refurbishment proposal must contain the following:

Concept Site Development Plan (Tenancing)	Total Floor area (m2)
Building footprint	
Public places	
Parking bays (Number of bays)	
Landscaping	
Others	
Totals	

1,2 Proposed improvements summary (if any)

Use	Total Floor area (m2)
Totals	

1.3 Estimated Cost of Development.

A breakdown of all costs to be incurred by the bidder in the preparation of the site must be provided. The cost provided in this section will form a critical part of the evaluation of proposals and will be a contractual condition of the development agreement awarded.		
No	Item Description	Estimated cost (Including vat)
1	Civil and Electrical Services	R
2	Civil Works	R
3	Top Structure (Building) Costs	R
4	Professional Fees	R
5	Sundry Development Costs	R
6	External/Bulk Services Contributions	R
7	Other	R
8	Totals	

1.3 Estimated development time frames

Estimated time, in months, from date of signature of lease agreement to date of start of construction.	Months
Estimated time, in months, from start of redevelopment/ refurbishment to completion of construction.	Months

The lease will be concluded with the successful tenderer.

REU MBD 18: SUSTAINABILITY MODEL (FUNDING/ DONOR/ SPONSOR)

<p>Ideas in sourcing and growing the following aspects:</p> <ul style="list-style-type: none">- Membership- Subsidy- Sponsor- Donation- Fund Raising- Bank Institution	
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REU MBD 19: PUBLIC/SOCIAL BENEFIT PROPOSAL

It is a requirement that bidding entity or individual should demonstrate the following social benefits:

1. Demonstrate how the development will benefit disadvantaged communities, youth, women and people with disabilities	
2. Demonstrate how the development will benefit the local community and/or community based organisations	

REU MBD 20: PROPOSED EMPOWERMENT PLAN

FRAMEWORK FOR ACCELERATING ECONOMIC EMPOWERMENT AND TRANSFORMATION

1. EThekweni municipality is and will remain deliberate about transformation and its economic empowerment goals and is committed to the empowerment agenda.
2. The successful bidder will be required to champion the entrenchment of true economic transformation and empowerment in its spheres of influence. The successful bidder will be required to go beyond redressing historical imbalances and towards intrinsic true value that will result in active deliberate facilitation of sustainable and meaningful participation of Black people in the mainstream of the economy through its assets, investments and projects.
3. The bidder will be required to commit to the achievement of the following specific targets by completing the table below. The commitments made on the table below will be measured against the targets and used in the evaluation of the functional compliance evaluation. The commitments made in this table will form part of the contractual obligations of the successful bidder:

EMPOWERMENT TARGETS

DESCRIPTION	TARGET	Bidders Commitment in numbers of persons
Job Creation & Job intensive plan		
Total number of jobs to be created in the project	Total jobs created	
Number of jobs created for unemployed black people in this project	60% of total jobs	
Number of job created for black people in this project	30 % of total jobs	
Training & Development programme		
Number of black people Trained in some aspect of the project	60% of workforce	
Rand value of spend to local SMMEs that have black ownership	50% of project value	
Full use of locally sourced or locally assembled material and/or products	70% of project value.	
Enterprise and supplier Development		
Number of Local SMMEs to be supported in terms of the Enterprise and supplier development plan for this project, including Demonstration graduation of suppliers in this project	30 % of the project value.	

REU MBD 21: EXPERIENCE AND CAPABILITIES OF BIDDER

- a) Details of proposed team including relevant experience and qualifications.
- b) The team must be appropriately qualified.
- c) Provide CVs and certified copies (copy with original stamp) of their relevant qualifications etc.

Details of experience completed by professional team.				
(PLEASE EXPAND TABLE IF REQUIRED)				
NB: DO NOT ATTACH A SEPARATE TABLE				
DISCIPLINE	EMPLOYER/ CLIENT	NATURE OF WORK	VALUE OF WORK	Client & contact Numbers

THE BIDDER MUST INCLUDE TRACABLE REFERENCES FOR EACH PROFESSION.

Relevant Company Experience and References

(a) Certificate of completion or traceable reference letters must be attached for project of similar nature.

No	PROJECT SUMMARY / SCOPE	START DATE – END DATE	PROJECT VALUE IN RANDBS	CONTACTABLE REFERENCE INFORMATION

REU MBD 22: ACCESS TO FUNDING

<p>It is assumed that 70% of the development will be financed via debt finance (development bond loan).</p> <p>The bidder must however submit proof of the availability of finance to fund 30% of the development cost through equity funding</p> <p>Please note that the following definitions will be used in assessing the proof of availability of finance:</p> <p>Proof of available funds (bank statements or financial statements of the bidder)</p> <p>Provide funding model to incorporate how and where the funding will be sourced/raised and it must include collateral to be pledged against such funding if required.</p> <p>Development Cost (Total Investment Value)</p>	
Total Development Cost	R
Debt Finance	R
Equity Investments (if any)	R
<p>Source of Debt Finance</p> <ul style="list-style-type: none"> Letter confirming access to debt funding 	
<p>Source of Equity Finance</p> <ul style="list-style-type: none"> Written confirmation of equity funding <p>(Note: this source may not be a bank loan).</p>	

ANNEXURES

- 1.27 Proposed Closure of Road Reserve and Lease of Proposed Portion (A) of (43) of Erf 101 KwaDabeka B Plan SJ 4732/7 (Extent 2289m² (17/2/1/2/5/5/4):
(Page 706 : Human Settlements and Infrastructure Committee – Supplementary Agenda 2021-04-13)

COMMITTEE RECOMMENDS:

- 1.27.1 That the Municipality approves that the right be granted to use control manage the capital asset described as proposed Portion (A) OF (43) of Erf 101 KwaDabeka B in extent 2289m² as depicted on hand plan no SJ 4732/7 in terms of Regulation 34(1)(b) read together with Regulation 36 and 41 of the Municipal Asset Transfer Regulations for a period of 30 years that:
- 1.27.1.1 The Proposed Portion [A] (of 43) of Erf 101 KwaDabeka B in extent 2289m² is not required to provide the minimum level of basic Municipal service for a period of 30 years
- 1.27.1.2 The current market rental value of the property is currently assessed at a base value of R 35 000.00 (Thirty-Five Thousand Rand) per annum exclusive of VAT.
- 1.27.1.3 The property described as Proposed Portion [A] of (43) of Erf 101 KwaDabeka B, be leased by way of public tender at a base rental of R35 000.00 per annum exclusive of VAT for a period not exceeding 30 years.
- 1.27.2 That in terms of Section 211 of Ordinance 25 of 1974 the closure of the road reserve over Proposed Portion [A] of (43) of Erf 101 KwaDabeka B as per Hand Plan No.: 4732/7, be approved
- 1.27.3 That this closure be advertised via the Land Use Management application process and it is to be read together with Section 28 (2) (1) of the eThekweni Municipality Planning and Land Use Management By law 2016
- 1.27.4 That in the event of objections being lodged to the proposed closure of the road reserve over Proposed Portion[A] of 43 of Erf 101 KwaDabeka B when it is advertised the Planning and Land Use Management By Law process be followed to attend to these objections.
- 1.27.5 That all cost incidental to the transaction shall be at the cost of the lessee to whom the right use control or manage the capital asset is to be granted.
- 1.27.6 That the cost of rezoning shall be at the cost of the Municipality.
- 1.27.7 That all developmental plans and applications must be submitted and approved by the local authority prior to any commencement of construction
- 1.27.8 That the Head: Real Estate be authorized to sign all documents necessary to give effect to this transaction in terms of the Supply Chain Management Policy of the City and any other applicable legislation and it shall be further subject to such further conditions as the Head: Real Estate considers necessary to protect Council interest.

ADOPTED.

PROPOSED ROAD CLOSURE & SUBDIVISION

Plan showing

Portion of Road to be Permanently Closed and Alienated

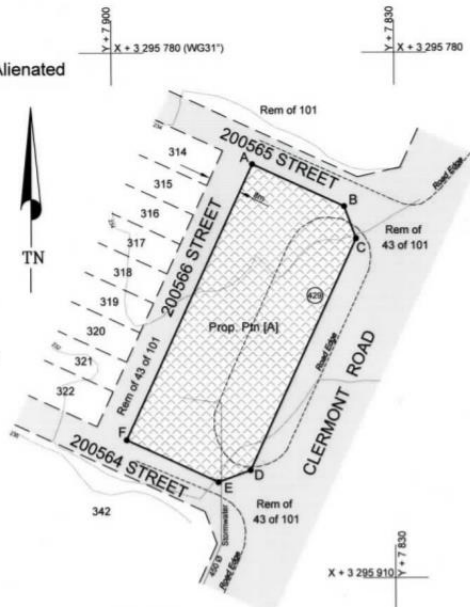
Clermont Road
Suburb of Kwadabeka B
Ethekwini Municipality

Cadastral Description:

Proposed Portion [A] (of 43) of Erf 101 Kwadabeka

Notes:

1. Street address is encircled
2. Proposed Portion [A] (of 43) of Erf 101 is to be subject to the General Servitude Condition upon registration into private ownership
3. All contours and services, shown or otherwise, are obtained from the Corporate GIS database or other relevant internal or external Departments and should be verified on site as applicable
4. Area and dimensions are approximate and subject to final survey as required
5. The Ethekwini Municipality has power of Attorney to administer Erf 101 Kwadabeka (PA 85/2001)
6. Remainder of Portion 43 of Erf 101 is currently zoned as Road Reserve. Zoning information is obtained from Corporate GIS database



Prop. Ptn [A]

Sides	Metres
AB	25.0
BC	8.5
CD	63.0
DE	8.5
EF	25.0
FA	75.0

Area = 2289 sq m

SCALE 1:750

Existing Road Area

Portion of Road to be Permanently Closed & Alienated for Commercial Purposes (2289 sq m)



OWNERSHIP SCHEDULE

PROPERTY	REGISTERED OWNER	DIAGRAM	CURRENT DEED
Rem of Ptn 43 of Erf 101 Kwadabeka B	Unregistered	SG No. 3289/1994	-
Underlying Property Erf 101 Kwadabeka	Regional & Land Affairs	SG No. 2051/1992	CCT 15899/1998

Ownership details obtained via "WINDEED"

<p>ETHEKWINI MUNICIPALITY</p>	<p>Approved</p> <p>Deputy Head: Surveying & Land Information</p>
	<p>Prelim. Plan Date : 2016/07/11</p> <p>Final Plan Date : 2017/02/28</p> <p>Compilation Sheet No. : FTSP - 431, FTSP - 432</p> <p>Drawn by : N. Jacob</p> <p>Checked by : Z. Noyiyana</p> <p>Survey Correspondence Ref. : 1711/24/316</p> <p>Land Transactions Ref. : LA 12204</p> <p>Vote No. : 31521.27998.7101.99000.7101.P0001.0001</p> <p>Prepared by: Surveying & Land Information Department Engineering Unit 166 K.E. Masingsa Road (Old Fort Road) Durban</p>