GAUTENG FILM COMMISSION NPC

REQUEST FOR INFORMATION

GAUTENG PROVINCE FILM CITY

GAUTENG PROVINCE REPUBLIC OF SOUTH AFRICA

1. OBJECTIVE OF THE REQUEST FOR INFORMATION (RFI)

The Gauteng Film Commission is making a Request for Information Call and intends to use the information provided to:

A. Gather information on the suppliers available in the market.

B. Identifying appropriate organisations who can respond to can respond to an RFP and have keen interest on the development of film city infrastructure In Gauteng Province.

2. The Gauteng Film Commission ("GFC") invites you to submit a: Response to the Request for information (RFI), for the services as stated in the table below. (PART A) This RFI is a stand-alone information-gathering exercise, intended only to inform and assist GFC's further deliberation and development of a formal Request for Proposal (RFP) for the development of Film City in Gauteng Province.

GENERAL INTRODUCTION

The Gauteng Film Commission (GFC) is an agency of the Gauteng Provincial Government tasked with the development and promotion of the audio-visual industries in Gauteng. The GFC reports to the Gauteng Department of Sport, Arts, Culture and Recreation (DSACR).

Gauteng is Africa's creative hub, it is the home, to showcase Joburg and all things creative, such a music, dance, poetry, literature, film, photography etc. The GFC will allow citizens and tourists to relive this experience, through the film city. The film city will include film training institutions, partnerships with museum Africa and The Market Theatre Laboratory, postproduction facilities, a fully equipped filming studios filmmakers to make use of, mentorship programmes, a film history directory, a film club and so much more. This can also be used as the location for its masterclasses, roundtables, and film screenings, and can be the home of the GFC tv channel. The film city will change the lives and careers of many filmmakers, as it will make producing films less stressful, because we will be providing them with all necessary resources.

Many filmmakers funded by GFC overspend on equipment hire / purchases, studio hire, and postproduction facilities and they end up having to sacrifice other aspects of the project, such as crew hire, which decreases the number of jobs they create. The film city will allow filmmakers to get everything in one place and allow them to create more jobs. It will also create more jobs in general, as people will be needed to manage the film city.

STRATEGIC OBJECTIVES

The Gauteng Film Commission poised to position itself as a one-stop services shop, it is befitting for it to pioneer a project such as film city. Filming has proven to be a core industry that centralises and manifests all sectors of society and there is none other that has expressly fulfilled this function as the South African film industry, one of the most dynamic and fastest growing film industries in the world. It has proven to be a high revenue driver, a celebrator of our culture, a remarkable storyteller, a historical partaker, and an iatrical part of South African's lives, from the ordinary to the extra ordinary.

With the GFC celebrating 20 years of existence, there is no other way to embrace this milestone than through a robust legacy project that shall further propel the industry to a remarkable further 20 years ahead and more.

Coming from a trying period where Covid 19 threatened our very human existence, it has become not only a time of reflection, but a season of new dreams, visions, ambitions, and aspirations. A Mega project such as the building of the Gauteng Film City is not only long overdue, looking at its counterparts but is crucial for economic recovery in the post C-19 era.

PART A: STATEMENT OF REQUIRMENTS

The RFI should address all requirements in this table.

NO	REQUIREMENTS
1	Outline your vision for the Film city studios
2.	Has a site been identified for the Film city? If yes has town planning been done and/or finalized. Please provide plans. All plans will be treated confidentially.
3.	Outline the kind of infrastructure will be needed to establish Film City?
4.	Is there international collaboration or investors identified? If so, please explain?
5.	What are the key features that have been identified for the studios?
6.	Has a feasibility study been conducted?

7.	Has international benchmark been conducted? How many investors are likely to be attracted through the studios?
8.	What type of studios have been identified (indoor/outdoor)?
9.	Please outline the technical team that have been identified to be part of the project?
10.	What type of government collaboration is envisaged in the Film City project?
11.	How many jobs will be created through the Film City project?
12.	What are the economic benefit in Gauteng that will be realized as result of the film city establishment?
13.	What are the costs that have been identified for the development of the film city?

PART B:

Standard Conditions of Request for Information

1. GFC will not compensate offerors for preparation of their response to this RFI. All expenses incurred in the preparation of the Proposal in response to this RFI is at your sole cost and responsibility.

2. This RFI does not guarantee a resulting contract and GFC is under no obligation to offerors unless and until a written agreement is signed by GFC and offeror.

3. GFC may withdraw or amend this RFP at any time.

4. This RFI may result in one or more contracts for parts of activities.

5. GFC may request additional rounds of responses based on more detailed instructions or requirements.

6. Information provided by GFC in connection with the RFI process, including this document, is confidential to GFC. Proposals produced under this RFI belong to GFC. Any distribution of such Proposals must first have written authorization from GFC.

7. Offerors acknowledge that GFC in good faith will have the sole discretion to determine whether any compensation is due to offerors for use of any submitted materials. Offerors recognize that any creative materials, concepts, ideas, and techniques that are disclosed to GFC may be similar or identical to, in whole or in part, to creative materials, concepts, ideas and techniques already developed, in development, or to be developed in the future by GFC.

8. Offeror will retain a copy of its Proposal and hereby releases GFC from any liability for loss of, or damage to the copy of the Proposal that is submitted to GFC.

9. All intellectual property and related materials provided to offeror by GFC shall remain the sole and exclusive property of GFC and no license is granted to offeror other than as may be necessary for offeror to prepare and submit its Proposal hereunder. Offeror understands and agrees that GFC is entitled to use any part of the Proposal which is not concrete or does not itself constitute protectable and/or copyrightable property without compensation to offeror.

10. No work may be subcontracted out on this proposal, unless otherwise agreed to by GFC.

11. Any contract to be entered into between GFC and an offeror will be for work provided solely as work-made-for-hire, with ownership and all rights belonging to GFC.

12. The cost estimate and proposed timeline and all other terms and conditions stated in your Proposal must remain valid for 30 (thirty) days from the date of delivery of the Proposal to GFC.

PART C

SHORTLISTING CRITERIA

SHORTLISTING CRITERIA	SCORING GUIDE	SCORE
Understanding of the GFC requirement of the Film City	SUB TOTAL 40	
Experience in providing a similar project	10 years - 5 point 7 years- 3 points	

	5 years- 1 point (Minimum requirement is 5 years) Subtotal (5)	
Experience of technical team	10 years - 5 point 7 years- 3 points 5 years- 1 point (Minimum requirement is 5 years) Subtotal (5)	
Letters of recommendation and/or support	3 letters – 5 points 2 letters-3 points 1 letter- 1 point	

PART D: Supporting Documents to be included:

- CIPC / Registration Documents
- B-BBEE Certificate / Affidavit
- Tax Clearance certificate
- Agency Accreditation
- Declaration of interests
- Reference Letters
- Letter of good standing (SARS)

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 B-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); and

1.2

a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the .....80/20..... preference point system shall be applicable;

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
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price 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 purchaser 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 purchaser.

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) **"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;

(j) **"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 PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 points is allocated for price on the following basis:

80/20

$$Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right)$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = Price of lowest 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	14

4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

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?

(***Tick applicable box***)

YES		NO	

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)

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

8.8 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.

WITNESSES 1. ..... 2.	..... SIGNATURE(S) OF BIDDERS(S) DATE: ..... ADDRESS ....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1 This Standard Bidding Document must form part of all bids invited.

2 It serves as a declaration to be used by institutions 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 disregarded if that bidder, or any of its directors have-

a. abused the institution's supply chain management system;
b. committed fraud or any other improper conduct in relation to such system; or
c. failed to perform on any previous contract.

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 of Restricted Suppliers as companies or persons 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 Accounting Officer/Authority of the institution that imposed the restriction after the *audi alteram partem* rule was applied).** 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.	Yes ☐	No ☐
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)? **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.**	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐

4.4.1	If so, furnish particulars:

SBD 8

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	**Date**
……	**……**
Position	**Name of Bidder**

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Standard Bidding Document (SBD) must form part of all bids[1] 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 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:

a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.

b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

4 This SBD 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 (SBD 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.**

SBD 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 Institution)

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[3] 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

Js914w 2