



a world class African city

City of Johannesburg  
Supply Chain Management Unit

SUPPLIER NAME: \_\_\_\_\_

**REQUEST FOR QUOTATION FOR GOODS AND SERVICES FOR THE CITY OF JOHANNESBURG**

**Procurement Less than R 200 000 (Including Vat)**

**(For publication on the City of Johannesburg Notice Board/s & Website)**

The City of Johannesburg requests your quotation on the goods and/or services listed hereunder and/or on the available RFQ forms. Please furnish all information as requested and return your quotation on the date stipulated. Late and incomplete submissions will invalidate the quotation submitted.

ADVERTISEMENT DATE	15 NOVEMBER 2018
DEPARTMENT	EMS
RFQ NUMBER:	R0138/19
DESCRIPTION OF GOODS/SERVICES	REQUEST FOR QUOTATION FROM A SUITABLY QUALIFIED SERVICE PROVIDER TO CONDUCT A DETAILED FORMAL INVESTIGATION
RFQ SPECIFICATION FORMS/ DOCUMENTS ARE OBTAINABLE FROM:	The COJ Website – <a href="http://www.joburg.org.za/quotations">www.joburg.org.za/quotations</a>  OR  FROM INFORMATION DESK 15 <sup>TH</sup> FLOOR METRO CENTRE 158 Civic Boulevard street BRAAMFONTEIN
COMPULSORY REQUIREMENTS	PLEASE NOTE THAT NOT SUBMITTING THE COMPULSORY DOCUMENTS MAY LEAD TO DISQUALIFICATION.
ADDITIONAL COMPULSORY REQUIREMENTS	BIDDERS MUST BE REGISTERED WITH THE INSTITUTION OF FIRE ENGINEERS OR SIMILAR RECOGNIZED BODY. NON REGISTRATION WILL LEAD TO AUTOMATIC DISQUALIFICATION OF THE BID.
<u>SUBMISSION OF QUOTES:</u>	<u>QUOTATION BOX, GROUND FLOOR, METRO CENTRE</u> 158 Civic Boulevard street, Braamfontein
TIME: CLOSING DATE	10h30 22 NOVEMBER 2018
ENQUIRIES:	CLIFFORD MOKGATLHE 011 222 8040/1

Quotations above R30 000 will be evaluated on the basis of the 80:20 point system as stipulated in the Preferential Procurement Policy Framework Act (Act number 5 of 2000) & the City's Supply Chain Management Policies and Procedures.

## CHECKLIST

RFQ NO:           R0138/19          

**PLEASE USE THE CHECKLIST TO CONFIRM THAT ALL COMPULSORY DOCUMENTS HAVE BEEN ATTACHED TO YOUR QUOTATION. PLEASE NOTE THAT IF THESE DOCUMENTS ARE NOT ATTACHED COMPLETED AND SIGNED THE QUOTATION WILL BE DISQUALIFIED.**

No	Details	√
1.	Original Certified Copy of Company Registration Document ( <b>NOT A COPY OF CERTIFIED COPY AND IT MUST NOT BE OLDER THAN THREE MONTHS</b> )	
2.	Rates & Taxes Invoice for Company OR Certified Copy of Lease Agreement OR Original Certified Copy of Affidavit Certified by the SAPS. ( <b>NOT A COPY OF CERTIFIED COPY AND IT MUST NOT BE OLDER THAN THREE MONTHS</b> )	
3.	Rates and Taxes Invoice for All the Directors of the Company OR Original Certified Copy of Lease Agreement OR Affidavit Certified by the SAPS. ( <b>NOT A COPY OF CERTIFIED COPY AND IT MUST NOT BE OLDER THAN THREE MONTHS</b> )	
4.	Declaration on State of Municipal Account (Attached)	
5.	MBD 4: Declaration of Interest (Attached)	
6.	MBD 9: Certificate of Independent Bid Determination. (Attached)	
7.	MBD 6.1 Preference Points Claim Form In Terms Of The Preferential Procurement Regulations 2017	
8.	MBD 8: Declaration Of Tenderer Past Supply Chain Management Practices	
9.	Certified Copy of BBBEE certificate OR Certified copy of Sworn affidavit. ( <b>NOT A COPY OF CERTIFIED COPY AND IT MUST NOT BE OLDER THAN THREE MONTHS</b> )	
10.	Tax Clearance Certificate (TENDER NOT GOOD STANDING) and Tax Pin Code.	
11.	Training Suppliers to be accredited with SITA	
12.	Catering Suppliers to submit a Health Certificate	
13.	All alterations have been signed.	
14.	Registration report on Central Supplier Database (or supplied CSD Supplier number )	
15.	Quotation is signed.	
16.	Registration with the institution of fire engineers or a similar recognized body.	

SIGNATURE \_\_\_\_\_

NAME \_\_\_\_\_

## **PLEASE NOTE THAT NOT SUBMITTING THE COMPULSORY DOCUMENTS MAY LEAD TO DISQUALIFICATION COMPULSORY REQUIREMENTS**

**1. Tax clearance**

Please note that copies of tax clearance certificates are not valid as per SARS and they will not be accepted by the City of Johannesburg. Failure to provide the original tax clearance certificate will result in the quotation being disqualified.

**2. Latest copy of rates and taxes together with a completed "Declaration on State of Municipal Accounts" form. (Attached)**

Please note the following:

- a) There must be a Rates & Taxes invoice for each of the Directors of the Company as well as for the Company. The Rates & Taxes Invoice cannot be older than 3 months. If Rates & Taxes are in arrears for more than 3 months, the quotation will be disqualified.
  - b) If the business is operated from the residence of one of the directors, an affidavit, certified, must be submitted stating the address of the business premises.
  - c) If the premises from where business is conducted or where a director is residing, is leased a copy of the lease agreement or an affidavit must be submitted.
- 3. The quotation page must be signed. If you are using your own format on your Company's letterhead to quote please ensure that the quotation is signed.**
- 4. The attached MBD 9 form (Certificate of Independent Bid Determination) must be completed and submitted with the quotation. If the MBD 9 is incomplete or not attached the quotation may be disqualified.**
- 5. The attached MBD 4 form (Declaration of Interest) must be completed and submitted with the quotation. If the MBD 4 is incomplete or not attached the quotation may be disqualified.**
- 6. The attached MBD 8 form (Declaration of Tenderer Past Supply Chain Management Practices) must be completed and submitted with the quotation. If the MBD 8 is incomplete or not attached the quotation may be disqualified**
- 7. The attached MBD 6.1 form (Preference Points Claim Form In Terms Of the Preferential Procurement Regulations 2017) must be completed and submitted with the quotation. If the MBD 6.1 is incomplete or not attached the quotation may be disqualified.**
- 8. Both the MBD 6.1 & 9 forms must be original for each quotation. No copies will be accepted. Both the MBD 4 & 9 forms must be dated within the quotation period.**
- 8. Proof of Directors: A certified copy of your Company Registration Documents**
- 9. A certified copy of the B-BBEE Status Level Verification Certificate / Certified copy of sworn affidavit for QSE and EME must be attached. If not attached no points for B-BBEE will be awarded.**
- 10. All price alterations must be signed for by the Bidder confirming that such changes were made by the Bidder. PLEASE NOTE THAT PRICE CHANGES WITHOUT A SIGNATURE WILL LEAD TO THE DISQUALIFICATION OF THE QUOTATION SUBMITTED.**

**I HEREWITH CONFIRM THAT HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED  
REQUIREMENTS**

SIGNATURE \_\_\_\_\_

NAME \_\_\_\_\_

## CONDITIONS

1. All goods or services purchased will be subject to CoJ SCM Policy and Procedures. A copy of said conditions is available from the SCMU office.
2. All purchases will be made through an official order form. Therefore no goods must be delivered or services rendered before an official order has been forwarded to and accepted by the successful bidder.
3. To participate in the City's Quotation process for the procurement of goods and/or services, vendors are advised to get accredited and registered on the City's Supplier Database. Supplier registration forms are available from the Supply Chain Management Unit. The City is dealing only with the registered and accredited suppliers on its Database.
4. All prices quoted must be exclusive of Value Added Tax (VAT). Suppliers who are not registered for VAT will be treated as Non VAT Vendors.
5. Prices quoted must include delivery charges and goods must be delivered to the address indicated on the quotation page.
6. All prices submitted must be firm. "Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.
7. Quantities are given in good faith and without commitment to the City of Johannesburg. The City reserves the right to increase or reduce the quantity to be in line with the set threshold for quotations prescribed in the SCM Policy.
8. ***THE CITY OF JOHANNESBURG DOES NOT TAKE RESPONSABILITY FOR ANY QUOTATIONS DEPOSITED IN THE WRONG BOX.***

**I HEREWITH CONFIRM THAT HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED REQUIREMENTS**

**SIGNATURE** \_\_\_\_\_

**NAME** \_\_\_\_\_

**ADDITIONAL REQUIREMENTS**

**DECLARATION**

I certify that the information supplied is correct and I have read and understood the COJ General Conditions and Policies and Procedures and accept same

I further certify that all the required information has been furnished and the relevant forms completed and are herewith submitted as part of the quotation.

**SIGNATURE:** \_\_\_\_\_

**NAME:** \_\_\_\_\_

**CAPACITY:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

SUPPLY CHAIN MANAGEMENT UNIT  
P.O. BOX 7776  
JOHANNESBURG  
2000

VAT. NO: 4760117194

BIDDER:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

TEL:

\_\_\_\_\_

FAX:

\_\_\_\_\_

CSD MAAA # :

\_\_\_\_\_

Your Vendor Number With Us:

\_\_\_\_\_

REQUEST FOR QUOTATION	
RFQ NUMBER	RFQ DATE
R0138/19	15 NOVEMBER 2018
CONTACT PERSON	
NAME:	CLIFFORD MOKGATLHE
TEL No:	011 222 8040/1

**PLEASE NOTE THAT YOU MUST BE REGISTERED ON THE CITY OF JOHANNESBURG SUPPLIER DATABASE**

22 NOVEMBER 2018

Submission Deadline:

Submission Time:

10H30

VALIDITY OF RFQ: 30 DAYS

**OFFICE USE ONLY:  
PRICE/S TO BE VAT EXCLUSIVE**

RFQ'S above R30 000-00 to a maximum of R200 000 will be evaluated on the basis of the **80:20** point system as stipulated in the Preferential Procurement Policy Framework Act (Act number 5 of 2000).

Points will be allocated as follows:

Points for price:	80
Points for B-BBEE (Max of 20):	
<b>B-BBEE status Level of Contributor</b>	<b>Number of Points (80/20 system)</b>
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0

SIGNATURE OF BIDDER	
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CAPACITY	
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**PLEASE NOTE THAT NO PRICE INCREASES WILL BE APPROVED AFTER SUBMISSION OF THE QUOTATION.**

REQUEST FOR QUOTATION (RFQ) NUMBER:  R0138/19

Delivery Address:

ITEM NO.	DESCRIPTION	Quantity Required	Unit of Measure	Date required	Delivery Period / Lead time	Price per Unit of Measure (Excluding Vat)	Total (Excluding Vat)
1.	CONDUCT A DETAILED FORMAL INVESTIGATION	SEE SPEC					
<b>NB ANY AND ALL ALTERATIONS MUST BE SIGNED FOR BY THE BIDDER CONFIRMING THAT SUCH ALTERATION WAS MADE BY THE BIDDER. PLEASE NOTE THAT PRICE CHANGES WITHOUT A SIGNATURE WILL BE DISQUALIFIED</b>						<i>Grand Total</i>	

**ALL BIDDERS MUST PLEASE MAKE SURE THAT THEY KNOW WHAT THEY ARE QUOTING FOR.**

**Conditions**

1. All prices quoted must be exclusive of Value Added Tax (VAT).
2. Prices quoted must include delivery charges and goods must be delivered to the address indicated.
3. All prices submitted must be firm. "Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.
4. Quantities are given in good faith and without commitment to the City of JHB.
5. Vendors not registered for Value Added Tax with SARS will be treated as Non VAT vendors.

## SPECIFICATON;

### 1. STRATEGIC THRUST

Building Safer Communities

### 2. OBJECTIVE

The purpose of this request for quotation is to acquire the services of an independent investigation association/company to conduct a detailed formal investigation pertaining to the fire incident that occurred on the 05 September 2018 at the Bank of Lisbon Building, Cnr. Pixley Seme and Albertina Sisulu Street, Johannesburg which resulted in the death of three firefighters and hospitalisation of eight crew members.

### 3. SUMMARY

#### 3.1 Background

On the 05<sup>th</sup> September 2018 at approximately 10:00am. Fire-fighters responded to a high-rise building fire at the Bank of Lisbon building on Pixley Seme and Albertina Sisulu Street Johannesburg.

In terms of the pre-determined vehicle despatching procedures, the following vehicles with their crew initially despatched and their arrival times were recorded as follows:

#### City of Johannesburg

STATION	VEHICLE	CREW *	MOBILE	ARRIVED
Central	Engine 01	06	10h14	10h19
Fairview	Engine 06	06	10h15	10h21
Bronto	Rescue 08	02	10h50	11h01
Air truck	AT 01	02	10h13	10h19
Northview	Heavy Rescue	02	12h16	12h51
Eldorado park	Engine 22	06	12h16	12h43

#### Ekurhuleni

STATION	VEHICLE	CREW *	MOBILE	ARRIVED
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Germiston	Water tanker	02	16h22	17h18
Boksburg	Water tanker	02	16h22	17h44

As stated above, on the 5<sup>th</sup> of September 2018 at about 10H13, a structural fire incident was reported to the Emergency Communication Centre. Fairview and Central fire station were dispatched to the incident.

On arrival, they found a 24 x storey building which was involved in fire. Smoke could be seen from the 23<sup>rd</sup> floor. The crew immediately went in to assist with evacuation and after ensuring that all occupants were evacuated and accounted for, the crew proceeded up the floors to establish the exact location of the fire.

They managed to reach the 23<sup>rd</sup> floor and noticed puffs of smoke coming from the ceiling and some of the offices in the floor. As they were busy establishing water supply from inside the building, they realised that there was no water in the building's firefighting system and by then the smoke immediately filled the floor with an increased heat intensity. The crew lost visibility and as they were trying to search for a way out, they ran out of air from their breathing apparatus.

The crew became disoriented, lost each other and went on different directions, some of the crew members managed to locate a window and as they broke the window to seek refuge at the ledges of the building, one of the crew members slipped and fell from the 23<sup>rd</sup> floor to the ground.

Some crew members were trapped on the ledges while other two managed to escape on to the 24<sup>th</sup> floor and called for help. Additional resources were dispatched mostly with rescue technicians from various fire stations within the City. Rescue operations immediately began with the first two fire fighters hoisted from the roof of the building by the SAPS helicopter. The rest of the crew members trapped on the ledge of the floor were rescued by the responding technicians.

Search and rescue operations continued for two of the crew members who did not make it out of the burning building. One was located closer to the ledge and found to have suffered severe smoke inhalation with fatal results while the other one was found inside the building, trapped by a wall and ceiling debris which fell and trapped him. He had suffered severe fatal burn wounds with his lower extremities completely burnt out. They were all declared dead and removed from the incident at about 17h28. The other members were transported to hospital for the treatment of smoke inhalation and burnt wounds.

Firefighting operations immediately began after the rescue operations with a defensive mode being applied due to lack of sufficient water supply in the building until 06h00 the next Morning.

The mode of application was only converted into offensive at about 06h00 the following morning and continued until when the fire was stopped at about 17h00. Damping down operations continued until when the scene was declared safe at about 13h00 on Saturday the

**Date: 06/09/2018**

Firefighting operations continued from 06h00 am, the mode of operation was converted from defensive firefighting to offensive firefighting, additional resources from The City of Ekurhuleni, City of Tshwane and OR Tambo international airport arrived at about 12h15 for additional assistance.

#### City of Johannesburg

STATION	VEHICLE	CREW *
Central	Engine 01	06
Fairview	Engine 08	06
Bronto	Rescue 08	02
Air truck	AT 01	02
Eldorado park	Engine 22	06
Northview	Heavy rescue	06
Florida Park	Ladder 20	06
Sandton	IC vehicle	01

#### City of Ekurhuleni

STATION	VEHICLE	CREW *
Boksburg	Bronto	06
Boksburg	Master stream	02
Germiston	Water tanker	02
Boksburg	Water tanker	02

#### City of Tshwane

STATION	VEHICLE	CREW *
Rosslyn	Engine 981	05
Mamelodi	Engine 966	05
Bronto	Engine 992	02
Rosslyn	Command 839	02
Silverton	Command 840	02
Innesdal	Command 895	02

### OR Tambo international airport

STATION	VEHICLE	CREW *
OR Tambo	Foam tender	05

The offensive Firefighting mode continued until when fire stop was announced at about 18h23. The South African National Defence Firefighting unit arrived on scene at about 16h53, it must be noted that their arrival was unannounced since there was no request from the incident management team on scene.

Damping down operations continued from 18h30 until 00h00. Both Ekurhuleni, Tshwane, OR Tambo international and the SANDF were released from the incident.

**Date: 07/09/2018**

### City of Johannesburg

STATION	VEHICLE	CREW *
Central	Engine 01	06
Fairview	Engine 08	06
Bronto	Rescue 08	02
Air truck	AT 01	02
Eldorado park	Engine 22	06

Chances of re-ignition remained high due to the type of fire load involved in the structure, The City of Johannesburg resources remained on site and continued to monitor and to extinguish any hotspot which was posing any threat of re-ignition. At about 12h45, the crew noticed signs of building collapse at the 16<sup>th</sup> and 17<sup>th</sup> floor. Structural engineers were requested to assist with assessment. Both floors were declared unsafe for any operations at about 15h48. However the crew remained and monitored hot spots on other floors.

**Date 08/09/2018**

### City of Johannesburg

STATION	VEHICLE	CREW *
Central	Engine 01	06
Fairview	Engine 08	06
Bronto	Rescue 08	02
Air truck	AT 01	02
Eldorado park	Engine 22	06

All floors were declared free of any fire or hot spot, the Acting Chief of EMS briefed all the crew on scene. The incident was terminated and handed over to SAPS.

### **3.2 Remedial actions by the incident commander**

- Requested SAPS helicopter for assistance
- Inform the Executive Head EMS.
- Requested Chaplaincy to the scene to debrief the crew
- Assigned Media officer to communicate with the media.
- Assign the Chaplaincy and the Divisional Chief of the district to inform the family of the crew.
- Requested OHS

### **3.3 Names of the deceased**

- Firefighter/ EMT S Maropane
- Acting Platoon Commander K Muedi
- Acting Platoon Commander M Ndlovu

### **3.4 Crews transported to hospital**

8 Fire fighters were transported to hospital with 4 admitted at Garden City Hospital, while the other 4 admitted at Milpark Hospital.

### **3.5 Cause of the fire**

Under investigation.

(Fire Safety; Occupational Health and Safety; Department of Labour and SAPS Forensic)

### **3.6 Resources dispatched**

- 3x Engines (CoJ) City of Johannesburg
- 1x Air Truck(CoJ)
- 1x Hydraulic platform(CoJ)
- 1x Ladder Truck(CoJ)
- 1X Incident command unit(CoJ)
- 1x USAR Truck(CoJ)
- 2x COJ Ambulances
- 2x Response vehicles(CoJ)

- 2X Water tankers(CoE) City of Ekurhuleni
- 1X Hydraulic platform(CoE)
- 1x Master stream unit(CoE)
- 1x Foam tanker(OR Tambo international Airport)
- 3x engines(CoT) City of Tshwane
- 3x engines(SANDF)

### **3.7 Terms of Reference / Scope of Work**

The services required should be conducted by a qualified and accredited institution/association, and should include the following:

- Conduct all necessary interviews
- Research, data collection and analysis
- Collect all relevant documents (Pre-and Post-incident information and records)
- Compile, Submit and Present Basic Assessment Report
- Periodically provide feedback on progress
- Review and analyse information collected
- Prepare, Submit and present a final report
- Conduct a presentation to the management of the City of Johannesburg EMS on the findings and recommendations.

Note:

- Should additional services outside the scope of work be required to complete any task, such requirements will be brought to the attention of the City of Johannesburg Metropolitan Municipality and will need to be considered and be approved by the Executive Director: Public Safety

**N.B!! BIDDERS MUST BE REGISTERED WITH THE INSTITUTION OF FIRE ENGINEERS OR A SIMILAR RECOGNIZED BODY. NON REGISTRATION WILL LEAD TO AUTOMATIC DISQUALIFICATION OF THE BID.**

Clifford Mokgatlhe  
 Acting Deputy Director  
 Emergency Management Services  
 Tel No 011 222 8040/1)

## 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](http://www.sars.gov.za).

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](http://www.sars.gov.za)

**MBD 4**

**DECLARATION OF INTEREST**

1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his or her representative:.....

3.2 Identity Number: .....

3.3 Position occupied in the Company (director, trustee, hareholder<sup>2</sup>):.....

3.4 Company Registration Number: .....

3.5 Tax Reference Number:.....

3.6 VAT Registration Number: .....

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

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

3.8.1 If yes, furnish particulars. ....

.....

<sup>1</sup>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.

<sup>2</sup> Shareholder” means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

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

3.9.1 If yes, furnish particulars.....

.....

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

3.10.1 If yes, furnish particulars.

.....  
.....

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

3.11.1 If yes, furnish particulars

.....  
.....

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

3.12.1 If yes, furnish particulars.

.....  
.....

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

3.13.1 If yes, furnish particulars.

.....  
.....

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

3.14.1 If yes, furnish particulars:

.....  
.....



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

Full Name	Identity Number	State Employee Number

.....  
**Signature**

.....  
**Date**

.....  
**Capacity**

.....  
**Name of Bidder**

**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; or

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	80
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:

**80/2**

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

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = 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 10 or 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	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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

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

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME</b> √	<b>QSE</b> √
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		
<b>OR</b>		
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.

WITNESSES
1. ....
2. ....

.....
SIGNATURE(S) OF BIDDERS(S)
DATE: .....
ADDRESS .....
.....
.....

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> 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:

**<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.**

**<sup>2</sup> 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 consortium<sup>3</sup> 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.

**<sup>3</sup> 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 8: DECLARATION OF TENDERER PAST SUPPLY  
CHAIN MANAGEMENT PRACTICES**

1. This Municipal Tender Document must form part of all tenders/quotations 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 tender of any tenderer may be rejected if that tenderer, 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 tender:

Item	Question	Yes	No
4.1	Is the tenderer any of its directors listed on the National Treasury's database as a company or persons prohibited from doing business with the public sector? <b>(Companies for persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the tenderer 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)? <b>(To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012)3265445)</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the tenderer or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

2/...

4.4	Does the tenderer 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 tenderer 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 to comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.5.1	If so, furnish particulars:		

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME) ..... CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TO BE 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 TENDERER**

**CITY OF JOHANNESBURG  
FINANCE DEPARTMENT: SUPPLY CHAIN MANAGEMENT UNIT**

**DECLARATION ON STATE OF MUNICIPAL ACCOUNTS**

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

B Bid Information

i. Name of bidder

.....

ii. Registration Number

.....

iii. Municipality where business is situated

.....

iv. Municipal account number for rates

.....

v. Municipal account number for water and electricity

.....

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

1. ....

2. ....

3. ....

4. ....

5. ....

6. ....

7. ....

C Documents to be attached.

- i. A copy of municipal account mentioned in B (iv) & (v) (Not older than 3 months) ii.
- A copy of municipal accounts of all directors mentioned in B(vi) (Not older than 3 months) iii. Proof of directors

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

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

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**