



a world class African city

RFQ NR	CoJ 0069 – 21/22
ADVERT DATE	25 November 2021
CLOSING DATE	02 December 2021
CLOSING TIME	10:30 am
DESCRIPTION OF GOOD/SERVICES	REQUEST FOR QUOTATIONS FOR SUPPLY AND DELIVERY OF HEALTH CARE RISK WASTE BOXES, CONTAINERS, SHARPS CONTAINERS, LINERS AND TAPE AND FOR THE SAFE COLLECTION, REMOVAL, TRANSPORTATION, TREATMENT AND/OR DISPOSAL OF HEALTH CARE RISK WASTE, BY A LICENSED SERVICE PROVIDER FOR A PERIOD OF THREE (3) MONTHS ON A AS AND WHEN REQUIRED BASIS.
COMPULSORY REQUIREMENTS	N/A
ADDITIONAL COMPULSORY REQUIREMENTS	N/A
DEPARTMENT	HEALTH
CONTACT PERSON	Corrie Bezuidenhout
CONTACT NUMBER	corrieb@joburg.org.za
TO BE DEPOSITED INTO THE QUOTATION BOX ON THE GROUND FLOOR, METRO CENTRE, 158 CIVIC BOULEVARD, BRAAMFONTEIN, JOHANNESBURG	

1. Conditions of Quotation, Form A.
2. Specification, Form B
3. RFQ Checklist
4. Form of Quotation and Form of Acceptance, Form C
5. Statement of Authorization, Form D
6. MBD 4: Declaration of Interest, Form E
7. MBD 8: Declaration of Tenderer's past Supply Chain Management Practices, Form F
8. MBD 9: Certificate of Independent Bid Determination, Annexure G
9. Declaration on State of Municipal Account., Form H
10. Article of Agreement in terms of the Occupational Health and Safety act, 1993, Form I
11. MBD 6.1: Preference points claim forms, Form J
12. MBD 6.2: Declaration Certificate for Local Production and Content with annexures, Form K

N.B: TENDERERS ARE REMINDED THAT ALL FORMS ARE TO BE SIGNED OR THE RFQ WILL BE DISQUALIFIED.

Quotations will be received on the closing dates and times shown and must be enclosed in separate sealed envelopes, bearing the applicable quotation description and reference number as well as the closing time and due date, and must be addressed to the GROUP HEAD: STRATEGIC SUPPLY CHAIN MANAGEMENT, 15TH FLOOR METRO CENTRE, 158 CIVIC BOULEVARD STREET, BRAAMFONTEIN, and placed in the quotation box indicated above. Quotations will be opened at the latter address at the time indicated.

SUPPLIER NAME: _____

EMAIL ADDRESS: _____

CONTACT NUMBER: _____

CONTACT PERSON: _____

SARS PIN CODE: _____

CENTRAL SUPPLIER DATABASE NUMBER: _____

COJ DATABASE NUMBER _____

COMPULSORY BRIEFING SESSION DETAILS: N/A

N/A

NB: IT IS OF UTMOST IMPORTANCE THAT THE TIME SET FOR THE OFFICIAL SITE INSPECTION IS STRICTLY ADHERED TO AS ~~NO LATE ARRIVALS~~ WILL BE ALLOWED

CHECKLIST
RFQ NR: _____

CoJ 0069 - 21/22

PLEASE USE THIS CHECKLIST TO VERIFY WHETHER ALL COMPULSORY DOCUMENTS HAVE BEEN ATTACHED TO YOUR QUOTATION.

No	Details	√
1.	Original Certified Copy of Company Registration Document	
2.	Rates & Taxes Invoice for Company OR Original Certified Copy of Lease Agreement OR Affidavit From the Lessor Certified by the Commissioner of Oath / SAPS	
3.	Rates and Taxes Invoice for All the Directors of the Company OR Original Certified Copy of Lease Agreement OR Affidavit From the Lessor Certified by the Commissioner of Oath / SAPS	
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 2011	
8.	MBD 6.2: Local Content for the Designated Sector (Attached) (IF REQUIRED)	
9.	Conditions of Quotation, Form A	
10.	Form of Quotation and Form of Acceptance, Form C	
11.	Statement of Authorisation, Form D	
12.	MBD 8: Declaration of Tenderer Past SCM Practices, Form F	
13.	Article of Agreement in terms of the Occupational Health and Safety Act, Form I	
14.	Original Certified Copy of B-BBEE certificate or Sworn Affidavit.	
15.	Original Tax Clearance Certificate or SARS One-Time Pin Code	
16.	Training Suppliers to be accredited with SETA (Certified Copy to be attached)	
17.	Catering Suppliers to submit a Health Certificate (Certified Copy to be attached)	
18.	Construction/Building Maintenance to submit CIDB Registration (Certified Copy to be attached)	
19.	Have all price alterations been signed for?	
20.	Has the Quotation been signed?	

SIGNATURE _____

NAME _____

CONDITIONS OF QUOTATION:

- 1 Quotation documents must be completed in black ink.
- 2 The lowest price or any quotation will not necessarily be accepted, and the City of Johannesburg reserves the right to accept the whole or any portion of a quotation.
- 3 Quotations are to remain open for acceptance for a period of thirty (30) days effective from the date on which they are lodged and shall be accepted at any time within the said period of thirty (30) days.
- 4 Tenderers are requested to furnish the full registered name of the tendering company/supplier on the Form of Quotation and Form of Acceptance, Form B.
- 5 Tenderers are also required to sign each page of the Form of Quotation and Form of Acceptance, Form B, in the space provided at the bottom of each page.
- 6 **In the event of a mistake having been made on the price schedule it shall be crossed out in ink and be accompanied by an initial at each and every price alteration. Corrections in terms of price may not be made by means of a correction fluid such as Tipp- Ex or a similar product. If correction fluid has been used on any specific item price, such item will not be considered. No correction fluid may be used in a Bill of Quantities where prices are calculated to arrive at a total amount. If correction fluid has been used, the quotation as a whole will not be considered. The Municipality will reject the quotation if corrections are not made in accordance with the above.**
7. **NO PRICE INCREASES WILL BE CONSIDERED.**
- 8 If items are not quoted for, a line must be drawn through the space in pen
- 9 All goods or services purchased will be subject to CoJ SCM Policy and Procedures. A copy of said conditions is available on the CoJ website.
- 10 All purchases will be made through an official purchase order form. Therefore no goods must be delivered or services rendered before an official purchase order has been forwarded to and accepted by the successful bidder.
- 11 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 and on the CoJ website. The City will only deal with the registered and accredited suppliers on its Database.
- 12 All prices **must** be quoted in South African currency (SA rand)
- 13 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.
- 14 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.
- 15 All prices and details must be legible/readable to ensure the quotation will be considered for adjudication.

- 16 Prices quoted must be all inclusive of delivery charges and goods must be delivered **to the address indicated on the quotation page.**
- 17 The successful company must provide labor for off-loading/delivering.
- 18 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.
- 19 **The CoJ will not conduct business with an entity which does not comply with the Codes of Good Practice on BBEE as published from time to time by the Minister of Trade and Industry**
- 20 **Quotations must be deposited into the quotation box at the location indicated on the cover page. *THE CITY OF JOHANNESBURG DOES NOT TAKE RESPONSABILITY FOR ANY QUOTATIONS DEPOSITED IN THE WRONG BOX.***

21 FORWARD EXCHANGE RATE COVER

In the event of price/prices being based on the exchange rate, the successful tenderer/s will be required to obtain exchange rate cover in order to protect the Municipality against exchange rate variations.

Proof must be provided that forward Exchange Rate cover has been taken out within 14 days after an order has been placed.

If proof that cover was taken out within 14 days after the order has been placed, is not submitted to the City of Joburg, with the invoice, the contract price adjustment will not be accepted and the contract may be cancelled.

22 EXECUTION OF ORDERS

Tenderers are reminded that orders placed against accepted quotations are to be executed in strict accordance with the accepted specification and within the quoted delivery period.

In this regard, the attention of tenderers is drawn in particular to Clause 20 of the Municipality's General Conditions Applicable to the Consideration of Written Quotations (Supply chain Management Policy), which is available on request and/or also available on the Municipality's website, www.joburg.org.za

23. OCCUPATIONAL HEALTH AND SAFETY

The successful tenderer will be required to comply with the requirements of the Occupational Health and Safety Act and regulations.

24. COPYRIGHT/PATENT RIGHTS

Copyright in any document produced, and the patent rights or ownership in any plant, machinery, thing, system or process designed, by a consultant/trainer in the course of the consultancy service is vested in the Municipality.

25. SUPPLIER REGISTRATION

Prospective tenderers are required to register as suppliers/service providers on the City of Johannesburg supplier database prior to quoting. The tenderer is required to record the vendor number in the space provided on the cover page of this quotation document.

- 26 The municipality reserves the right, to cancel and re-issue the quotation.

- 27 **A valid Tax Clearance Certificate or the SARS Pin of the Company should be submitted with this quotation document. In cases where the tenderer has not submitted a Tax Clearance Certificate/SARS Pin, the Municipality reserves the right to at any time after the closure of the tender, but before the award of the tender, request from the tenderer to provide the valid Tax Clearance Certificate or a SARS Pin within 48 hours from date**

of notification. Bidders should note, that in accordance with legislation, no contract may be awarded to a/an person/entity who/which has failed to submit a Valid Tax Clearance Certificate issued by the South African Revenue Service (SARS), certifying that the taxes of that person/entity are in order, or that suitable arrangements have been made with SARS/SARS pin to enable the City of Johannesburg to verify that the Company is tax compliant.

Each party to a consortium/joint venture should submit a separate tax clearance certificate or SARS Pins.

28 Quotations must be enclosed in separate sealed envelopes, bearing the RFQ Number, closing time and due date.

29 **PLEASE NOTE THAT NO PRICE CHANGES WILL BE ALLOWED AFTER THE CLOSING DATE AND TIME OF THE QUOTATION.**

30 **EVALUATION CRITERIA:**

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 in terms of the Preferential Procurement Policy Framework Act of 2000 (Act No. 5 of 2000), using the 80/20-preference points system of the Preferential Procurement Regulations of 2017.

The evaluation of bids shall be based firstly on FUNCTIONALITY. Only those bidders that score 60 points and more on functionality shall proceed to be further evaluated in terms of price competitiveness. A bid that scores less than 60 points for functionality shall be regarded as non-responsive and shall not be considered for further evaluation.

Bids that meet the minimum requirements in respect of functionality shall be further evaluated on price and Broad-based Black Economic Empowerment (BBBEE), in accordance with MFMA Circular No. 53, issued on 3 September 2010 by the National Treasury. The 80/20-preference points system shall apply wherein 80 points will be allocated for price and 20 points for BBBEE.

Points will be allocated as follows:

Points for price:	80
Points for B-BBEE (Max of 20):	
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

I HEREWITH CONFIRM THAT I HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED CONDITIONS.

SIGNATURE _____

NAME _____

CENTRAL SUPPLIER DATABASE

The Central Supplier Database maintains a database of organisations, institutions and individuals who can provide goods and services to government. The CSD will serve as the single source of key supplier information for organs of state from 01 April 2016 providing consolidated, accurate, up-to-date, complete and verified supplier information to procuring organs of state.

Prospective suppliers interested in pursuing opportunities within the South African government are encouraged to self-register on the Central Supplier Database. This self-registration application represents an expression of interest from the supplier to conduct business with the South African government. Once submitted, your details will be assessed for inclusion on the Central Supplier Database.

NB: Suppliers are still required to register on the City of Johannesburg Supplier Database or keep up- to- date their registration profiles on the City of Johannesburg Supplier Database.

SPECIFICATION AS FOLLOWS

DESCRIPTION:

REQUEST FOR QUOTATIONS FOR SUPPLY AND DELIVERY OF HEALTH CARE RISK WASTE BOXES, CONTAINERS, SHARPS CONTAINERS, LINERS AND TAPE AND FOR THE SAFE COLLECTION, REMOVAL, TRANSPORTATION, TREATMENT AND/ OR DISPOSAL OF HEALTH CARE RISK WASTE, BY A LICENSED SERVICE PROVIDER FOR A PERIOD OF THREE (3) MONTHS ON A AS AND WHEN REQUIRED BASIS.

1. INTRODUCTION

The City of Johannesburg is mandated to render Primary Health Care services, EMS and OHASA services which leads to the generation of health care risk waste, e.g., used syringes and needles, used gloves and soiled cotton wool, wound dressing, and bandages.

It is critical to ensure that the safe storage, collection, transportation, and disposal of health care risk waste should be done according to applicable legislation for the protection of staff and community members.

The Health Department is initiating the contract to seek the services of a service provider to assist the Department in ensuring that the abovementioned services are provided in a safe and controlled manner.

The City has (7) Regions (80) Eighty Clinics, 29 EMS sites ,15 OHASA sites and 10 Mobile Clinics. The facilities to be serviced is included in Annexure A of this document.

2. PURPOSE OF THE PROJECT

To request permission from Supply Chain Management to obtain a licensed service provider that will be responsible for the supply and delivery of health care risk waste boxes, containers, sharps containers, liners, and tape and for the safe collection, removal, transportation, treatment and/ or disposal of health care risk waste.

3. SCOPE OF WORK

The City of Johannesburg requires the services of an accredited Service Provider as prescribed in terms of Legislation relating to health care waste management in health establishments for:

3.1 The supply and delivery of

- 3.1.1 Impenetrable, tamperproof Bucket with Lid to dispose of sharps.
- 3.1.2 Destruction infection waste Box for medical waste, with Lid. Biohazard.
- 3.1.3 Liners.
- 3.1.4 Tapes (Biohazard).

3.2 The safe collection and removal of health care risk waste from health facilities and the Central Pharmacy in the City of Johannesburg.

3.3 The Service Provider shall replace the boxes and containers with the same quantity and capacity of containers that is been removed, or required by the facility, and at the same time provide the required tape and liners.

3.4 The safe transportation thereof, the Service Provider shall only use a vehicle that is licensed, enclosed with durable materials which is cleanable

3.5 The vehicle must be marked with the name, address and contact details of the Service Provider and indicating the type of waste transported

3.6 The service provider shall ensure weighing of the containers in the presence of the facility manager or a delegated person and enter the readings onto the "Health Care Waste Manifest Documents"

3.7 The service provider shall ensure the safe treatment and/or disposal thereof at licensed health care risk waste treatment/ disposal facilities as and when required and provide proof thereof.

4. PROJECT DELIVERABLES

To service all health care facilities as per Annexure A in the following manner:

- 4.1 To provide Health care waste consumables for a period of three (3) months on a as and when required basis. In addition, provide consumables as and when required by the health care facilities.
- 4.2 Collection and removal of health care waste monthly. In addition, as and when required by the health care facilities.
- 4.3 The safe transportation, storage, and disposal of health care waste to an approved/licensed facility
- 4.4 To ensure all documentation including invoices, delivery and collection notes, manifest etc. is provided within two weeks from date of collection.

5. POLICY AND MANDATORY REQUIREMENTS

The Service Provider shall render the services in compliance with the following:

- 5.1 The National Health Act, Act 61 of 2003
- 5.2 Gauteng Health Care Waste Management Regulations, 2004
- 5.3 Regulations relating to Health Care Waste Management in Health Establishments.
- 5.4 Regulation R 327, Government Gazette 23 May 2014, promulgated under the National Health Act, Act 61 of 2003
- 5.5 The City of Johannesburg's Waste Management By- laws and any amendments thereto. Provincial Gazette Extraordinary No 216 under Local Authority Notice 1012
- 5.6 National Environment Management Waste Act, Act 59 of 2008
- 5.7 South African National Standards (SANS): SANS 10228: 2006: The identification and classification of dangerous goods for transportation.
- 5.8 South African National Standards (SANS) 10229-2:2010 Transport of dangerous goods – inter-mediate Bulk Containers for Road and Rail Transport. Part 2: Large Packaging
- 5.9 South African National Standards (SANS)10232: 2008: Transport of dangerous goods – Intermate Bulk Containers for road and Rail Transport.
- 5.10 South African National Standards (SANS) SANS10248-3-:2011 Management of Health Care Waste-Part 3: Management from a healthcare risk Waste from minor generators – Registered healthcare professionals and non- healthcare professionals.
- 5.11 South African National Standards (SANS) 10248:2004: Management of Health Care Waste.
- 5.12 South African National Standards (SANS) SANS 1494:2014: Two-wheeled mobile refuse bins.
- 5.13 South African National Standards (SANS) SANS 452:2008: Non-reusable Sharp Containers.
- 5.14 United Nations Recommendations on the Transport of Dangerous goods, Chapter 6.
- 5.15 OHASA Act, Act 85 of 1993.
- 5.16 Compensation for Occupational Injuries and Diseases Act (Act No. 130 of 1993) and any amendments to the above legislations and National Standards.

6. MANDATORY DOCUMENTS

The Service Provider shall submit the following documents:

- 6.1 A valid Authorization Certificate for the transportation of health care risk waste as issued by the Gauteng Department of Agriculture and Rural Development in terms of the Gauteng Health Care Waste Management Regulations, 2004 and any amendments thereto.
- 6.2 A valid Certificate of Registration as a Hazardous Waste Transporter as issued by the Gauteng Department of Agriculture and Rural Development in terms of the Gauteng Waste Information System.
- 6.3 The Service Provider shall provide proof of an acceptable premises that will be used for the running of the business, storage of healthcare waste and the cleaning of vehicles used for the transportation of healthcare waste.
- 6.4 The Service Provider shall provide proof of an agreement with a licensed waste disposal facility where the waste shall be disposed.

The aforementioned documents must be renewed and/or remain valid throughout the contract period.

7. DAYS OF OPERATIONS AND HOURS

- 7.1.1 Collections shall be carried out from Monday to Friday and during the hours of 08:30 -15:30.

8. PRICING SCHEDULE

- 8.1 The Request for Quotation pricing is to be indicated in the schedule provided.
- 8.2 The fees payable at approved treatment/ disposal sites for the disposal or treatment of any matter, so removed from any premises, and or any other fee or charge so specified, including Toll- fees, should be included in the prices.

No:	Description	Size	Colour	Quantity
1.	Impenetrable, tamperproof Bucket with Lid to dispose of sharps.	10litre	Yellow	630
2.	Destruction infection waste Box for medical waste, with Lid. Biohazard	50litre	Red	1700
3.	Liners	50litre	Red	1700
4.	Tapes (Biohazard)	48mmx50m	White	180

9. DISCLAIMER.

In addition to any insurance required to be held by the Service Provider in terms of the Compensation for Occupational Injuries and Diseases Act (Act No. 130 of 1993) the Service Provider must be fully insured against all accidents, loss or damage arising out of the condition or operation of the vehicle or execution or any work, including third party's risks. Proof of insurance to be submitted within 21 days of the Service Provider accepting the letter of appointment.

10. FUNCTIONALITY

Competence Criterion	Key Aspect of Criterion		Total Points
Transportation	A valid Authorization Certificate for the transportation of health care risk waste as issued by the Gauteng Department of Agriculture and Rural Development in terms of the Gauteng Health Care Waste Management Regulations, 2004 and any amendments thereto.	Certificate = 30	30
		No Certificate = 0	
Acceptable premises for storage	The Service Provider shall provide proof of an acceptable premises that will be used for the running of the business, storage of healthcare waste and the cleaning of vehicles used for the transportation of healthcare waste	Certificate = 20	20
		No Certificate = 0	
Disposal facility	The Service Provider shall provide proof of an agreement with a licensed waste disposal facility where the waste shall be disposed	Certificate = 50	50
		No Certificate = 0	
TOTAL			100

The threshold 60/100

12. CONDITIONS OF AWARD

Notwithstanding the supplier's proposal being recommended for award; an award shall not be made to a supplier whose:

- a) A supplier whose tax matters are not in order, as confirmed in terms of the National Treasury`s Centralised Supplier Database (CSD) and the SARS.
- b) Municipal Rates and Taxes of the service provider and that of its Directors is in arrears for more than 90 days and there are no arrangements made with the relevant Municipality.
- c) Director and Principal members are in the Service of the State as defined in Regulation1, of the Municipality Supply Chain Management Regulations.
- d) Name of the service provider or that of its directors appears on the National Treasury`s database of Restricted Suppliers.

13. QUERIES

For further information, kindly contact:
Mr. Corrie Bezuidenhout
Email: corrieb@joburg.org.za

14. CONTRACTING ARRANGEMENTS

The successful service provider will enter into a service level agreement with the City of Johannesburg.

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FORM B: FORM OF QUOTATION AND FORM OF ACCEPTANCE

Will the quoted price remain firm for a period of 30 days? (YES/NO)

If not: State the validity period _____

Is/Are the price/s quoted subject to the 2,5% settlement discount (YES/NO) _____

Is/Are the tender price firm until completion of order/work? (YES/NO)

If not:

- (a) Submit the cost factors which will be taken into account in the event of price increase/decrease, as well as the compilation of the tender price/s, i.e. cost price, transport cost, margin of profit, etc (clause of the Specification and Additional Conditions of Tender, Form A, refers)

	%	INDEX FIGURE AND BASE DATE (EG. SEIFSA TABLE E1 JUNE 1992)
Material		
Labour		
Transport		
Profit		
OTHER		
1		
2		
3		
TOTAL	100	

NB. If prices are variable due to fluctuation in the exchange rate, the acceptance of any order will be subject to forward cover taken out by yourselves.

SIGNATURE OF TENDERER:.....

FORM OF QUOTATION AND FORM OF ACCEPTANCE (contd)

Group Head: SSCM City
of Johannesburg

Sir/Mam,

I/We the undersigned, having examined the specification, hereby offer to supply, deliver and offload the items in accordance therewith, at the following price:

PRICING SCHEDULE

The Request for Quotation pricing is to be indicated in the schedule provided.

The fees payable at approved treatment/ disposal sites for the disposal or treatment of any matter, so removed from any premises, and or any other fee or charge so specified, including Toll- fees, should be included in the prices.

No:	Description	Size	Colour	Quantity	Price Per Unit (Excl.VAT)	Total Price (Excl.VAT)
1.	Impenetrable, tamperproof Bucket with Lid to dispose of sharps.	10litre	Yellow	630		
2.	Destruction infection waste Box for medical waste, with Lid. Biohazard	50litre	Red	1700		
3.	Liners	50litre	Red	1700		
4.	Tapes (Biohazard)	48mmx50m	White	180		
					Total Price	R

SPECIAL REQUIREMENTS:

1. ALL BIDDERS MUST PLEASE MAKE SURE THAT THEY KNOW WHAT THEY ARE QUOTING FOR.
2. FAILURE TO QUOTE FOR ALL ITEMS WILL DISQUALIFY YOUR QUOTATION.

Is the Company VAT Registered? (YES/NO): _____

FORM OF QUOTATION AND FORM OF ACCEPTANCE (contd)

VAT Number: _____

VENDOR NUMBER _____

VENDOR SIGNATURE: _____

DATE: _____

SIGNATURE OF PERSON/S AUTHORISED TO SIGN QUOTATIONS:

NAME	ID NUMBER	CAPACITY	SIGNATURE

DATED THIS _____ DAY OF _____ 2013.

REGISTERED NAME OF TENDERING COMPANY/SUPPLIER: - (IN BLOCK LETTERS)

COMPANY REGISTRATION NUMBER: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

FAX NUMBER:

AS WITNESSES:

1 _____

(NAME & SURNAME IN BLOCK LETTERS)

2 _____

(NAME & SURNAME IN BLOCK LETTERS)

STATEMENT OF AUTHORISATION

IF THE TENDERER IS A COMPANY OR FIRM, STATE ON WHAT AUTHORITY THE UNDERSIGNED HAS THE AUTHORIZATION TO SIGN THE TENDER DOCUMENTS, FOR EXAMPLE: COMPANY'S RESOLUTION OR PROCURATION OR STATUTES OF PARTNERSHIP, ETC.

I/We the undersigned is/are authorized to enter into this contract on behalf of

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

..... by authority of

dated a certified copy of which may be attached to this tender.

SIGNATURE:

1. _____ ID NR _____ DATE: _____

2. _____ ID NR _____ DATE: _____

WITNESSES:

1. _____ ID NR _____ DATE: _____

2. _____ ID NR _____ DATE: _____

NB: **PROOF IS REQUIRED THAT THE COMPANY HAS BEEN REGISTERED AND DOES IN FACT EXIST, AND THAT THE PERSONS WHO HAVE SIGNED THE TENDER DOCUMENT HAVE INDEED BEEN SO AUTHORIZED**

MBD 4: DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
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, shareholder²):.....

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.

.....

¹MSCM 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.

² 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

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? (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> (listen to the other side) rule was applied).	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)? (To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012)3265445)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
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

MBD9: 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.

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.

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

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

- 1. Name of bidder
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.

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

ARTICLE OF AGREEMENT IN TERMS OF THE OCCUPATIONAL SAFETY ACT, 1993
BETWEEN

The CITY OF JOHANNESBURG
(Hereinafter referred to as the
"EMPLOYER")

AND

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

Herein represented by in his/her capacity as
duly authorised as per Form D , Attached hereto,(herein after referred to as the (CONTRACTOR")
WHEREAS the CONTRACTOR is the mandatory of the EMPLOYER as contemplated in an
agreement in respect of

.....
.....(RFQ Description)

RFQ number.....

AND WHEREAS the Occupational Health and Safety act, 1993 (Act 85 of 1993, hereinafter referred to as the "ACT"), imposes certain powers and duties upon the EMPLOYER.

AND WHEREAS the parties have agreed to enter into an agreement in terms of the ACT. NOW THEREFORE the parties agree as follows:

- (a) The CONTRACTOR undertakes to acquaint the appropriate officials and employees of the CONTRACTOR with all relevant provisions of the ACT and the regulations promulgated in terms thereof.
- (b) The CONTRACTOR undertakes that all relevant duties, obligations and prohibitions imposed in terms of the ACT and Regulations will be fully complied with. Provided that should the EMPLOYER prescribe certain arrangements and procedures, that same shall be observed and adhered to by the CONTRACTOR, his officials and employees. The CONTRACTOR shall bear the onus of acquainting himself/herself/itself with such arrangements and procedures.
- (c) The CONTRACTOR hereby accepts sole liability for such due compliance with the relevant duties, obligations, prohibitions, arrangements and procedure, if any, imposed by the ACT and Regulations and the EMPLOYER expressly absolves the EMPLOYER from itself being obliged to comply with any of the aforesaid duties, obligations, prohibitions, arrangements and procedure as the case may be.
- (d) The CONTRACTOR agrees that any duly authorised officials of the EMPLOYER shall be entitled, although not obliged, to take such steps as may be necessary to ensure that the CONTRACTOR has complied with the undertakings as more fully set out in paragraphs (a) and (b) above, which steps may include, but shall not be limited to, the right to inspect any appropriate site or premises occupied by the CONTRACTOR, or to inspect any appropriate records held by the CONTRACTOR or to take such steps it may deem necessary to remedy the default of the CONTRACTOR at the cost of the CONTRACTOR.

- (e) The CONTRACTOR shall be obliged to report forthwith to the EMPLOYER any investigations, complaint or criminal charge which may arise as a consequence of the provisions of the ACT and Regulations, pursuant to work performed in terms of this agreement, and shall, on written demand, provide full details in writing of such an investigation, complaint or criminal charge as the case may be.

Thus signed at JOHANNESBURG for and on behalf of the EMPLOYER on this the

..... day of20.....

AS WITNESSES:

1.

2.

SIGNATURE

NAME AND SURNAME.....

CAPACITY.....

Thus signed at for and on the behalf of the CONTRACTOR on this the..... day of.....2014

AS WITNESSES:

1.

2.

SIGNATURE.....

NAME AND SURNAME.....

CAPACITY.....

**MBD 6.1: 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	20
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

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

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		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 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 BIDDER(S)

DATE:

ADDRESS:

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

