

#### SUPPLIER NAME:

a world class African city

# 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	18 JANUARY 2017
DEPARTMENT	EISD
RFQ NUMBER:	R0381/17
DESCRIPTION OF GOODS/SERVICES	TERMS OF REFERENCE (TOR) FOR THE REPAIRS AND MAINTANANCE OF BAROMETRIC PRESSURE SENSOR, RELATIVE HUMIDITY/TEMPERATURE PROBE SENSORS, MULTIPLATE RADIATION SHIELDS AND TIPPING BUCKET RAIN GAUGES IN THE CITY'S AIR QUALITY MONITORING STATIONS
RFQ SPECIFICATION FORMS/ DOCUMENTS ARE OBTAINABLE FROM:	The COJ Website – www.joburg.org.za/quotations  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	
SUBMISSION OF QUOTES:	QUOTATION BOX, GROUND FLOOR, METRO CENTRE 158 Civic Boulevard street, Braamfontein
TIME: CLOSING DATE	10h30 25 JANUARY 2017
ENQUIRIES:	LINDELANI MUNYADZIWA (011) 587 4246/ 073 245 9194

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:	R0381/17

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	V
1.	Original Certified Copy of Company Registration Document (NOT A COPY OF CERTIFIED COPY AND IT MUST NOT BE OLDER THAN THREE MONTHS)	
2.	Rates & Taxes Invoice for Company OR Certified Copy of Lease Agreement OR Original Certified Copy of Affidavit Certified by the SAPS. (NOT A COPY OF CERTIFIED COPY AND IT MUST NOT BE OLDER THAN THREE MONTHS)	
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. (NOT A COPY OF CERTIFIED COPY AND IT MUST NOT BE OLDER THAN THREE MONTHS)	
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 6.2: Local Content (Attached)	
8.	MBD 8: Declaration Of Tenderer Past Supply Chain Management Practices	
9.	Certified Copy of BBBEE certificate. (NOT A COPY OF CERTIFIED COPY AND IT MUST NOT BE OLDER THAN THREE MONTHS)	
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.	Quotation is signed.	

CICNATURE		
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.

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) <u>must</u> 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) <u>must</u> 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 6.2 form (Local Content) <u>must</u> be completed and submitted with the quotation. If the MBD 4 is incomplete or not attached the quotation may be disqualified.
- 8. Both the MBD 4 6.2 & 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 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

<b>SIGNATURE</b>	
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

**REQUEST FOR QUOTATION** 

VAT. NO: 4760117194

**BIDDER:** 

		RFQ NUM	/IBER	RFQ DATE	
	<del></del>	R0381/17		18 JANUARY 2017	
TEL:	<del>_</del>	(	CONTACT	PERSON	
FAX:	<del>_</del>	NAME:	LINDE	LANI	
Your Vendor Number With Us:	_	TEL No:	(011) 58	7 4246/ 073 245 9194	
PLEASE NOTE THAT YOU I SUPPLIER DATABASE	MUST BE R	REGISTEREL	ON THE	E CITY OF JOHANNE	SBURG
Submission Deadline: Submission Time:	25 JANUA 10H30	ARY 2017			
VALIDITY OF RFQ: 30 DAYS					
	OF	FICE USE ON	LY:		
	PRICE/S T	O BE VAT EX	CLUSIVE		
Please subm	it all Quota	tions to the fa	<u>x numbe</u>	r stated above	
RFQ'S above R30 000-00 to a m system as stipulated in the Prefe	rential Procu				
Points for price:	o.	80			
Points for B-BBEE (Max of 20):					
B-BBEE status Level of Con		Number of Points (80/20 system)			
1		20			
2		18			
3		16			
4		12			
5		8			
6		6			
7		4			
8		2			
Non-Compliant contribu	tor	0			

SIGNATURE OF BIDDER	
CAPACITY	

# PLEASE NOTE THAT NO PRICE INCREASES WILL BE APPROVED AFTER SUBMISSION OF THE QUOTATION.

REQUEST FOR QUOTATION (RFQ) NUMBER:	R0381/17

# **Delivery Address:**

ITE M NO.	DESCRIPTION	Quantity Required	Unit of Measure	Date required	Delivery Period / Lead time	Price per Unit of Measure (Excluding Vat)	Total (Excluding Vat)
	REPAIRS AND MAINTANANCE OF BAROMETRIC PRESSURE						
	SENSOR, RELATIVE HUMIDITY/TEMPERATURE PROBE						
1	SENSORS, MULTIPLATE RADIATION SHIELDS AND TIPPING	SEE					
1.	BUCKET RAIN GAUGES IN THE CITY'S AIR QUALITY	SPEC					
	MONITORING STATIONS						
NB A	NY AND ALL ALTERATIONS MUST BE SIGNED FO	OR BY TH	E BIDDER CO	ONFIRMING	THAT		
	SUCH ALTERATION WAS MADE BY THE BIDDER. PLEASE NOTE THAT PRICE CHANGES					Grand Total	
	OUT A SIGNATURE WILL BE DISQUALIFIED						

# 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

# TERMS OF REFERENCE (TOR) FOR THE REPAIRS AND MAINTANANCE OF BAROMETRIC PRESSURE SENSOR, RELATIVE HUMIDITY/TEMPERATURE PROBE SENSORS, MULTIPLATE RADIATION SHIELDS AND TIPPING BUCKET RAIN GAUGES IN THE CITY'S AIR QUALITY MONITORING STATIONS

# CITY OF JOHANNESBURG DECEMBER 2016

## 1. OBJECTIVE

To appoint a specialised service provider for the repairs and maintenance of barometric pressure sensor, RH temperature sensors and solar radiation for Ivory Park, Buccleuch, Alexandra, Jabavu and Orange farm ambient air quality monitoring stations. This is done to ensure accurate, timely and efficient logging of ambient air quality monitoring data gathered at these stations. And to provide all stakeholders with relevant and up to date and accurate information on ambient air quality monitoring activities within South Africa in order to support informed decision making.

## 2. BACKGROUND

In terms of the Air Quality Act (Act 39 of 2004), Metropolitan and District Municipalities are charged with monitoring ambient concentrations of priority pollutants as set out in the act. The City of Johannesburg is currently operating and maintaining eight ambient air quality monitoring stations. Data collected from these monitoring stations plays a key role in making informed decisions about the measures required to protect the health & safety of living entities and protection of the environment itself.

It is of great importance for the equipment's in the City's monitoring network to operate efficiently and for the data to be managed in accordance with South African National Accreditation System (SANAS)

#### 3. SCOPE OF THE PROCUREMENT

The City is seeking a specialized service provider for the repairs and maintenance of barometric pressure sensor, Relative Humidity/Temperature probe sensors, multiplate radiation shields and Tipping bucket rain gauges for Ivory Park, Buccleuch, Jabavu, Orange farm, Newtown and Alexandra.

# The quotation must include:

- · Detailed description of the actual work required
- Price breakdown indicating cost of actual work to be conducted
- Resources/infrastructure to perform the task at hand
- The quotation must also be accompanied by a company profile and CV's of the Directors and other personnel working on the project, experience (minimum of two years) and references of work done on meteorological equipment in the ambient Air Quality monitoring field
- Functionality (Threshold is 60%) to proceed to evaluation process

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In executing the project, the service provider is required to work closely with City officials in order to exchange, and transfer skills and knowledge.

Table1: The City's 5 (Five) ambient air quality monitoring stations

Monitoring station	Meteorological Sensors							
	Wind speed sensor	Wind direction sensor	Relative humidity sensor	Barometric pressure sensor	Ambient temperature sensor	Solar radiation sensor	Line voltage	
Ivory Park	•	•	•	•	•	•	•	
Buccleuch	•	•	•	•	•	•	•	
Jabavu	•	•	•	•	•	•	•	
Orange farm	•	•	•	•	•	•	•	
Alexandra	•	•	•	•	•	•	•	

#### 4. **DELIVERABLES**

The supplier of these services must do repairs and maintenance in line with section 3 of the (TOR) .The services are required on the below Items description and their quantities as listed:

- 7x RH/Temp probe sensors
- 4x Multiplate radiation shield
- 1x Barometric pressure sensor
- 2x Tipping bucket rain gauge

#### 5 INVOICES

- Invoices should indicate the output with and short description of work done
- No up-front payment will be made. Payment for work completed, to the satisfaction of the City, will be done within 30 days of submission of invoice
- Payment will be made after delivery of the equipment
- Invoices should be addressed to the City of Johannesburg
- The City reserves the right to commission only portion of the work completed with competence.

## 6 CRITERIA FOR EVALUATION OF PROPOSALS

After receipt of proposals, the proposals will be evaluated in terms of the most cost effective proposal and on a proposal that meets the requirements set out in the scope of procurement.

Similar experience	<ul> <li>Less than 2 years= 0 points</li> </ul>
	<ul> <li>Between 2 and 10 years= 20 points</li> </ul>
	<ul> <li>Greater than 10 years=30 points</li> </ul>
Company Profile	20 points
Member skills in Meteorological equipment	<ul> <li>Less than 2 years= 0</li> </ul>
	<ul> <li>Greater than 2 years= 30 points</li> </ul>
Pictures of the Meteorological equipment	• 10 points

- Functionality (threshold for supplier is 60%) to proceed to evaluation process
- Proposals will be evaluated in terms of the Preferential Procurement Policy
   Framework Act using the 80:20 points system.
- 80 points will be awarded for price and 20 points for affirmative business enterprises.

# Points and weighting for proposal evaluation

Point category	Points Allocation
Pricing	80
BEE	20

# 7 PENALTIES

Non-compliance with the submitted schedule in terms of Clause 3 & 4 above may result in termination of contract with the CoJ or withholding the payment that may be due to the Service Provider.

PS: THE CITY OF JOHANNESBURG IS NOT BOUND TO ACCEPT THE LOWEST OR ANY PROPOSAL AND RESERVES THE RIGHT TO ACCEPT ANY PROPOSAL EITHER IN WHOLE OR IN PART. NO LATE PROPOSALS WILL BE ACCEPTED.

# **ENQUIRIES:**

Attention: Alfred Pheko

Specialist : Air Quality Management

6<sup>th</sup> Floor

Traduna House

118 Jorriesen Street

Braamfontein

2000

## **Contact Details:**

Tel: 011 587 4245/6

Email: AlfredP@joburg.org.za

# TAX CLEARANCE CERTFICATE 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.

- 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 separateTax 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 <a href="https://www.sars.gov.za">www.sars.gov.za</a>.

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

#### 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, hareholder²):
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>&</sup>lt;sup>2</sup> Shareholder" means a person who owns shares in the company and is actively involved in the

3.9	Have you been in the service of the state for the past twelve months?	YES / NO
0.0	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?  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:	

Full Name	Identity Number	State Emp Numb
Signature		Date
Capacity		ne of Bidder

4.

## **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 bidrigging.
- 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 e	very respect:
I certify, on behalf of:(Name of Bidder)	that:

- 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. <u>In order to give effect to the above, the following questionnaire must be completed and submitted with the tender:</u>

4.1	Is the tenderer any of its directors listed on the National Treasury's database as a company or persons prohibited from	Yes	No
	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 audi alteram partem rule was applied).		
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, <a href="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)	Yes	No □
4.2.1	If so, furnish particulars:	I	1
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 □	No
4.3.1	If so, furnish particulars:	1	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	No 🗆
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	No 🗆
4.5.1	If so, furnish particulars:		

# **CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME)INFORMATION FURNISHED ON THIS DECLARA	
I ACCEPT THAT, IN ADDITION TO CANCELLAT TAKEN AGAINST ME SHOULD THIS DECLARA	· · · · · · · · · · · · · · · · · · ·
SIGNATURE	DATE
POSITION	NAME OF TENDERER

# DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011 and the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

#### 1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x/y] *100$$

#### Where

- x is the imported content in Rand
- y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as required in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on http://www.thedti.gov.za/industrial development/ip.jsp at no cost.

1.6. A bid may be disqualified if -

- (a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and
- (b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

# 2. Definitions

- 2.1. "bid" includes written price quotations, advertised competitive bids or proposals;
- 2.2. "bid price" price offered by the bidder, excluding value added tax (VAT);
- 2.3. "contract" means the agreement that results from the acceptance of a bid by an organ of state;
- 2.4. "designated sector" means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;
- 2.5. "duly sign" means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility(close corporation, partnership or individual).
- 2.6. "imported content" means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour and intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 2.7. "**local content**" means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.8. "stipulated minimum threshold" means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. "sub-contract" means the primary contractor's assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.
- 3. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

Description of services, works or goods	Stipulated minimum threshold
	%
	%
	%

	YES	NO			
4.1	prescribed in	n pàragraph	1.5 of the	be used in this bid to calculate the local content as general conditions must be the rate(s) published by the 2:00 on the date of advertisement of the bid.	Э
	The relevant	rates of ex	change info	ormation is accessible on www.reservebank.co.za.	
	Indicate the Annex A of S			ainst the appropriate currency in the table below (refe	r to
	Currency			Rates of exchange	
	US Dollar				
	Pound Ster	ling			
	Euro				
	Yen				
	Other				
5.		cal Content	•	he SARB rate (s) of exchange used.  n Templates (Annex C, D and E) audited and certified	as
5.1. If (a (b (c (c	) Practice nu c) Telephone	of auditor: mber: and cell nui		S: 	
				declaration will, when required, be submitted to the er / Accounting Authority)	

6. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the Accounting Officer / Accounting Authority provide directives in this regard.

# LOCAL CONTENT DECLARATION (REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OF LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITIN EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMEN (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)	G BY THE CHIEF
IN RESPECT OF BID NO.	
ISSUED BY: (Procurement Authority / Name of Municipality / Municip	* *
NB	
1 The obligation to complete, duly sign and submit this declaration to an external authorized representative, auditor or any other third pa the bidder.	
2 Guidance on the Calculation of Local Content together with Local Templates (Annex C, D and E) is accessible on	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Municipality / Municipal Entity has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Municipal / Municipal Entity imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE:	DATE:
WITNESS No. 1	DATE:
WITNESS No. 2	DATE:

# CITY OF JOHANNESBURG FINANCE DEPARTMENT: SUPPLY CHAIN MANAGEMENT UNIT

# **DECLARATION ON STATE OF MUNICIPAL ACCOUNTS**

A Any bid will be rejected if:

В

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.

	Bid Information
i.	Name of bidder
	ii.
	Registration Number
iii.	Municipality where business is situated
iv.	Municipal account number for rates
٧.	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

Signature	Date
are attached to this form:	
documents	vementioned information is true and correct and that the following
IMA doctors that the abo	vomentianed information is true and correct and that the following
. ,	ccounts of all directors mentioned in B(vi) (Not older than 3 of directors
	ccount mentioned in B (iv) & (v) (Not older than 3 months) ii.

С

Documents to be attached.