



a world class African city

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|--|---|------------------------------|
| RFQ NR | CoJ 0086 – 22/23 | |
| ADVERT DATE | 11 November 2022 | |
| CLOSING DATE | 18 November 2022 | |
| CLOSING TIME | 10:30 am | |
| DESCRIPTION OF GOOD/SERVICES | SUPPLY, DELIVERY AND OFFLOADING OF PROTECTIVE EQUIPMENT AND CLOTHING (PPE) FOR CITY OF JOHANNESBURG WATER SAMPLERS. | |
| COMPULSORY REQUIREMENTS | Designated Sector | Stipulated minimum Threshold |
| | (PPE) | 100% |
| ADDITIONAL COMPULSORY REQUIREMENTS | <p>SAMPLES WILL BE REQUEST FROM SHORTLISTED SUPPLIERS.</p> <p>FAILURE TO QUOTE FOR ALL ITEMS, TO COMPLETE AND SIGN LOCAL CONTENT ANNEXURES, WILL AUTOMATICALLY DISQUALIFY THE BID.</p> | |
| DEPARTMENT | EISD | |
| CONTACT PERSON | Mpho Zwane | |
| CONTACT NUMBER | mphoz@joburg.org.za or (011) 082 7967 | |
| 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: _____

CONTACT NUMBER: _____

CONTACT PERSON: _____

EMAIL ADDRESS: _____

SARS PIN CODE: _____

CENTRAL SUPPLIER DATABASE NUMBER: _____

COJ DATABASE NUMBER _____

BRIEFING SESSION DETAILS:

| |
|--|
| N/A |
| NB: IT IS OF UTMOST IMPORTANCE THAT THE TIME SET FOR THE OFFICIAL SITE INSPECTION IS STRICTLY ADHERED TO AS <u>NO LATE ARRIVALS</u> WILL BE ALLOWED |

CHECKLIST

RFQ NR: _____

CoJ 0086 - 22/23

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 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).

Firstly Service Providers will be evaluated in terms of the stipulated minimum threshold for local production and content as follows:-

LOCAL CONTENT

| DESIGNATED SECTOR | Stipulated minimum threshold |
|--------------------------|-------------------------------------|
| PPE | 100% |

South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 must be used to calculate local content. The following formula to calculate local content must be disclosed in the bid documentation:

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:

$$LC = 1 - \left(\frac{x}{y} \right) * 100$$

Where:

x imported content

y bid price 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 South African Reserve Bank (SARB) on the date of advertisement of the bid.

1.1. A bid will 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;

N.B Bidders that fails to comply with requirements for local content will be disqualified and not considered for Price and BBBEE Evaluation.

1.2 Final Proposal will be evaluated on the basis of the PPPFA 80/20 point system.

The 80/20 point system will be as follows:

| | |
|-----------------------------------|------------|
| Price Assessment | 80 |
| Preferential Elements-BBEE | 20 |
| TOTAL | 100 |

The **Formulae** to be utilized in calculating points scored for Price are as follows:

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

Where

P_s = Points scored for comparative price of bid or offer under consideration

P_t = Comparative price of bid or offer under consideration

P_{\min} = Comparative price of lowest acceptable bid or offer.

Points scored must be rounded off to the nearest 2 decimal places

1.2 Points for B-BBEE status level of contributor

1.2.1 Points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

Points will 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 |

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.

DESCRIPTION: SUPPLY, DELIVERY AND OFFLOADING OF PROTECTIVE EQUIPMENT AND CLOTHING (PPE) FOR CITY OF JOHANNESBURG WATER SAMPLERS.**1. BACKGROUND AND PURPOSE**

The city is obliged by national policy and legislation, and by international agreements to manage its water resources in a sustainable, equitable and efficient manner in order to provide for needs of the people, development within the city, and quality of life of city residents.

In particular:

- Section 19 of The National Water Act (no 36 of 1998), assigns responsibility of management of water resources to local authorities
- Agenda 21, to which our country is a signatory, is the international blueprint for sustainable development. Sustainability and equity are key elements of Agenda 21.
- The Constitution of South Africa (Act 108 of 1996) states that *everyone has the right to access to sufficient food and water and that everyone has the right to an environment that is not harmful to their health or well-being.*

The National Water Act is based on three fundamental principles:

- i. To achieve equity of access to water services, the use of water resources and the benefits from the use of water resources.
- ii. To achieve sustainable use of water by balancing water availability and legitimate water requirements and by implementing measures to protect water resources.
- iii. To achieve efficient and effective water use for optimum social and economic benefit.

In order to achieve the above objectives and principles, water resources must be managed in an integrated, co-ordinated and sustainable basis. Sustainable and integrated management of water resources requires the measurement and knowledge of the status of the resource. To this end, the City of Johannesburg has in place a Surface Water Monitoring Programme which is co-ordinated by the Environment and Infrastructure Services Department (EISD), more specifically the Water and Biodiversity Directorate. The programme is implemented in accordance with a water monitoring and sampling plan which seeks to ensure that the objectives of Integrated Water Resource Management and river health are informed by credible water quality data, considering all aspects that may influence water quality.

This task is undertaken by Environmental Health Practitioners (EHP's) at regional level as outlined in the Municipal Health Functions and co-operative governance arrangement with EISD. The samplers collect water samples in a manner that ensures that the sample taken is representative of the water body/source. EHPs also record aesthetic aspects, such as litter and colour of the water. Biological health aspects are recorded at a few selected sites.

Samples are also taken from time to time by other officials within EISD in relation to pollution incidents and investigations.

Samples are delivered to a designated laboratory for analysis.

There is a health and safety risk attached to carrying out the activity of sampling of the City's surface watercourses and water bodies. The samplers/officials encounter a wide range of hazards while carrying out this activity. Watercourses may be highly contaminated with sewage or chemicals,

access to sampling stations may involve crossing dangerous terrain, and wading in streams inevitably carries the possibility of slipping and personal injury. In addition, there may be a risk of infection from contact with water. It is therefore critical from an occupational health and safety perspective that suitable protective clothing is provided for officials undertaking water sampling within the City's watercourses.

2. OBJECTIVES

Supply Protective clothing/equipment (PPE/C) to Environmental Health Practitioners and EISD officials who undertake water sampling of watercourses and water bodies as part of their responsibilities for the City of Johannesburg (COJ).

3. SCOPE OF PROCUREMENT

The successful service provider will be expected to provide the following PPE/C to the City:

| ITEM DESCRIPTION | QUANTITY REQUIRED | PRODUCT CODE |
|------------------------------|-------------------|---|
| CLOTHING | | |
| Khaki sun-hats with CoJ Logo | 16 | 100% cotton, ONE SIZE FITS ALL Weight: 175 gm Colours: Khaki (16-1106 TPX) Unstructured/ 4 rows stitched sweatband metal eyelets/ brass studs/toggles cord |
| Dry Mac with CoJ logo | 16 | Fabric: Water Resistant polyester/polar fleece lining Weight: 140 gm ² /270 gm ² COLOUR: BLACK Water resistant/ self colour polar fleece lining/ concealed side entry pockets with zip closure/ concealed cellphone pocket/ inner chest and back safety pockets/ elasticized cuffs/ stow away hood (fits into collar with hook and loop)/ Toggles with petersham tape to secure toggles to prevent snagging/ YKK zip with puller/ Heat sealed seams for improved water resistance. |

| ITEM DESCRIPTION | QUANTITY REQUIRED | PRODUCT CODE |
|---|-------------------|--|
| | | SIZES:SmallX1; MediumX5; LargeX3; XL(5); XXL(2) |
| PPE | | |
| Steel tip safety shoes | 16 pairs | SIZES:6X1,7X3; 8X3;9X6; 10X2; 11X1 |
| Reflector jackets with CoJ logo | 16 | 100% polyester Weight: 120 g Lightweight/ full zip front/identification pocket/front and back reflection take SIZES: SmallX1; MediumX7; LargeX1;XXL(6);XXXL(1) |
| Dark Green work suits with CoJ logo | 16 | Fabric: 77/23 Polyviscose twill Weight: 230 gm2 25MM Reflective tape for increased visibility/Chemically treated to repel acid splashes, oil and water/ Triple needle stitching on all seams for extra strength/ Concealed zip/side slits for ease of movement/zip guard/bar tacks on all stress points SIZES: 30X1; 34X5; 36X2; 38X5; 40X1; 42X1;48X1 |
| Environmentally friendly Jumpsuit with CoJ logo | 16 | SIZES: 30X1; 34X5; 36X2; 38X5; 40X1; 42X1;48X1 COLOURS: Green RS Pro Contrast Bib & Brace are practical and safe protecting you lower body and chest in wet environments. The Bib & Brace dungarees are made from 100% polyester with a 300D weave and a PU coating of 190 g. The coating protects you in wet conditions with waterproof, breathable taped seams |

| ITEM DESCRIPTION | QUANTITY REQUIRED | PRODUCT CODE |
|-------------------------------------|-------------------|--|
| | | preventing water penetration. Reflective tape ensures that you are highly visible and contrast panels protect you from dirt. |
| Gum boots | 16 pairs | SIZES:6X2,7X3; 8X3;9X4; 10X3; 11X1 |
| | | |
| OTHER | | |
| Clipboards with CoJ logo on outside | 16 | |
| Sampling bailers/retriever sticks | 7 | |
| Ice packs | 44 | |
| Wheelie cooler boxes (36 liters) | 16 | |
| Paddle Dipped PVC Working Gloves | 16 pairs | |

- The preferred service provider is required to make samples of clothing and PPE available before proceeding with execution of order.
- The preferred service provider must make samples available of different grades of items procured in order to confirm quality. The proposal should allow for different grades options.

4. COSTS

- Bids should provide a detailed breakdown of costs for the work as well as the total price. Costing must be itemized per procurement item. The proposal should be calculated on the most costly item e.g. XXL pants.

5. INVOICES AND PAYMENTS

- No up-front payments will be made. Payment for work completed will be done within 30 days of submission of invoice.
- All invoices to be addressed to the City of Johannesburg quoting the City's VAT registration number.
- The City of Johannesburg reserves the right to commission only a portion of the work.
- The City of Johannesburg reserves the right to retain a portion of the service provider's fees pending completion of related work.

6. DURATION

Proposals should indicate lead times for delivery of items. The date for completion of the order is 30 June 2023.

7. CRITERIA FOR EVALUATION OF PROPOSALS

Proposals that meet the criteria specified in the scope of procurement will be evaluated in terms of the Preferential Procurement Policy Framework Act using the 80:20 points system. Proposals will be evaluated in accordance with the preferential points system as provided for in the Preferential Procurement Policy Framework Act and its Regulations of 2011, using the 80:20 points system, based on price competitiveness and the bidder's level of B-BBEE contribution based on Table below

TABLE: PRICE AND B-BBEE

| Criteria Application | Guidelines | | Points |
|-----------------------------|---|------------------|---------------|
| PRICE | Points to be allocated in respect of the financial proposal | | 80 |
| | B-BBEE status level | Number of points | |
| | 1 | 20 | |
| | 2 | 18 | |
| | 3 | 14 | |
| | 4 | 10 | |
| | 5 | 8 | |
| | 6 | 6 | |
| | 7 | 4 | |
| | 8 | 2 | |
| | Non-compliant contributor | 0 | |
| TOTAL | | | 100 |

8. RETURNABLE DOCUMENTS

- Original valid tax pin for tender
- B-BBEE accreditation certificate – valid original or certified copy (in case of joint venture bidders a consolidated accreditation certificate is required)
- Municipal rates and taxes for the Director/s and the Company (not older than 3 months and not in arrears for more than 90 days)

9. PENALTIES

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

10. CONTACT DETAILS

For clarity on any of the aspects under this term of reference please contact:

| Name | Telephone | E-mail |
|---|----------------|---------------------|
| Ms Mpho Zwane Traduna House, 118 Jorissen Street, Braamfontein 8 th Floor | (011) 082 7967 | mphoz@joburg.org.za |

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.

SPECIAL REQUIREMENTS:

FAILURE TO QUOTE FOR ALL ITEMS, TO COMPLETE AND SIGN LOCAL CONTENT ANNEXURES WILL AUTOMATICALLY DISQUALIFY THE BID.

RFQ NR: CoJ 0086 – 22/23

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:

| ITEM DESCRIPTION | QUANTITY REQUIRED | PRODUCT CODE | PRICE PER UNIT (Excl. VAT) | TOTAL PRICE (Excl. VAT) |
|------------------------------|-------------------|---|----------------------------|-------------------------|
| CLOTHING | | | | |
| Khaki sun-hats with CoJ Logo | 16 | 100% cotton, ONE SIZE FITS ALL Weight:175 gm Colours: Khaki (16-1106 TPX) Unstructured/ 4 rows stitched sweatband metal eyelets/ brass studs/toggles cord | | |
| Dry Mac with CoJ logo | 16 | Fabric: Water Resistant polyester/polar fleece lining Weight: 140 gm ² /270 gm ² COLOUR: BLACK Water resistant/ self colour polar fleece lining/ concealed side entry pockets with zip closure/ concealed cellphone pocket/ inner chest and back safety pockets/ elasticized cuffs/ stow away hood (fits into collar with hook and loop)/ Toggles with petersham tape to secure toggles to prevent snagging/ YKK zip with puller/ Heat sealed seams for improved water resistance. SIZES:SmallX1; MediumX5; LargeX3; XL(5); | | |

| ITEM DESCRIPTION | QUANTITY REQUIRED | PRODUCT CODE | PRICE PER UNIT (Excl. VAT) | TOTAL PRICE (Excl. VAT) |
|-------------------------------------|-------------------|---|----------------------------|-------------------------|
| | | XXL(2) | | |
| PPE | | | | |
| Steel tip safety shoes | 16 pairs | SIZES: 6X1 7X3; 8X3; 9X6; 10X2; 11X1 | | |
| Reflector jackets with CoJ logo | 16 | 100% polyester Weight: 120 g Lightweight/ full zip front/identification pocket/front and back reflection take SIZES: SmallX1; MediumX7; LargeX1; XXL(6); XXXL(1) | | |
| Dark Green work suits with CoJ logo | 16 | Fabric: 77/23 Polyviscose twill Weight: 230 gm2 25MM Reflective tape for increased visibility/Chemically treated to repel acid splashes, oil and water/ Triple needle stitching on all seams for extra strength/ Concealed zip/side slits for ease of movement/zip guard/bar tacks on all stress points SIZES: 30X1; 34X5; 36X2; 38X5; 40X1; 42X1; 48X1 | | |

| ITEM DESCRIPTION | QUANTITY REQUIRED | PRODUCT CODE | PRICE PER UNIT (Excl. VAT) | TOTAL PRICE (Excl. VAT) |
|---|-------------------|---|----------------------------|-------------------------|
| Environmentally friendly Jumpsuit with CoJ logo | 16 | <p>SIZES: 30X1; 34X5; 36X2; 38X5; 40X1; 42X1; 48X1</p> <p>COLOURS: Green</p> <p>RS Pro Contrast Bib & Brace are practical and safe protecting you lower body and chest in wet environments. The Bib & Brace dungarees are made from 100% polyester with a 300D weave and a PU coating of 190 g. The coating protects you in wet conditions with waterproof, breathable taped seams preventing water penetration. Reflective tape ensures that you are highly visible and contrast panels protect you from dirt.</p> | | |
| Gum boots | 16 pairs | <p>SIZES: 6X2, 7X3; 8X3; 9X4; 10X3; 11X1</p> | | |
| OTHER | | | | |
| Clipboards with CoJ logo on outside | 16 | | | |
| Sampling bailers/retriever sticks | 7 | | | |
| Ice packs | 44 | | | |

| ITEM DESCRIPTION | QUANTITY REQUIRED | PRODUCT CODE | PRICE PER UNIT (Excl. VAT) | TOTAL PRICE (Excl. VAT) |
|----------------------------------|-------------------|--------------|--------------------------------|-------------------------|
| Wheelie cooler boxes (36 liters) | 16 | | | |
| Paddle Dipped PVC Working Gloves | 16 pairs | | | |
| | | | GRAND TOTAL (Excl. VAT) | R |

The CoJ reserves the right to increase or decrease the quantity

- 1. FAILURE TO QUOTE FOR ALL ITEMS, TO COMPLETE AND SIGN LOCAL CONTENT ANNEXURES WILL AUTOMATICALLY DISQUALIFY THE BID.**
- 2. MISCALCULATION ON TOTAL PRICE OR GRAND TOTAL WILL AUTOMATICALLY DISQUALIFY THE BID.**

FORM OF QUOTATION AND FORM OF ACCEPTANCE (contd)

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

VAT Number: _____

VENDOR NUMBER _____

VENDOR SIGNATURE: _____

DATE: _____

SIGNATURE OF PERSON/S AUTHORISED TO SIGN QUOTATIONS:

| NAME | ID NUMBER | CAPACITY | SIGNATURE |
|------|-----------|----------|-----------|
| | | | |
| | | | |
| | | | |

DATED THIS _____ DAY OF _____ 2022.

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.....2022

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 | <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:

| 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:

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

MBD 6.2: 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, 2017, 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: Summary Schedule), D (Imported 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, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders 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 South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 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 this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. 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:

| <u>Description of services, works or goods</u> | <u>Stipulated minimum threshold</u> |
|--|-------------------------------------|
| PPE | 100% |
| _____ | _____ % |

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

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

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.resbank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

| Currency | Rates of exchange |
|----------------|-------------------|
| US Dollar | |
| Pound Sterling | |
| Euro | |
| Yen | |
| Other | |

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. 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 AO/AA provide directives in this regard.

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

LOCAL CONTENT DECLARATION BY 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)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):

.....
NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

| | |
|--|---|
| Bid price, excluding VAT (y) | R |
| Imported content (x), as calculated in terms of SATS 1286:2011 | R |
| Stipulated minimum threshold for local content (paragraph 3 above) | |
| Local content %, as calculated in terms of SATS 1286:2011 | |

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 3.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution 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 / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

ANNEXURE C

LOCAL CONTENT DECLARATION - SUMMARY SCHEDULE

| | | |
|------|---------------------------|---|
| (C1) | Tender Number | |
| (C2) | Tender description | |
| (C3) | Designated product(s) | |
| (C4) | Tender Authority | |
| (C5) | Tendering Entity Name | |
| (C6) | Tender Exchange Rate | Pula EU GBP |
| (C7) | Specified local content % | |

Note: VAT to be excluded from all calculations

Calculation of local content

Tender summary

| Tender Item numbers | List of Items | Tender price - each (Excl. VAT) | Exempted imported value | Tender value net of exempted imported content | Imported value | Local value | Local content % (per item) | Tender Quantity | Total tender value | Total exempted imported content | Total imported content |
|---------------------|---------------|---------------------------------|-------------------------|---|----------------|-------------|----------------------------|-----------------|--------------------|---------------------------------|------------------------|
| (C8) | (C9) | (C10) | (C11) | (C12) | (C13) | (C14) | (C15) | (C16) | (C17) | (C18) | (C19) |
| 1 | | | | | | | | | | | |
| 2 | | | | | | | | | | | |
| 3 | | | | | | | | | | | |
| 4 | | | | | | | | | | | |
| 5 | | | | | | | | | | | |
| 5 | | | | | | | | | | | |
| 6 | | | | | | | | | | | |
| 7 | | | | | | | | | | | |
| 8 | | | | | | | | | | | |
| 9 | | | | | | | | | | | |
| 10 | | | | | | | | | | | |
| 11 | | | | | | | | | | | |
| 12 | | | | | | | | | | | |
| 13 | | | | | | | | | | | |
| 14 | | | | | | | | | | | |

(C20) Total tender value

(C21) Total Exempt imported content

(C22) Total Tender value net of exempt imported content

(C23) Total imported content

(C24) Total local content

(C25) Average local content % of tender

Signature of tenderer from Annexure B

Date: _____

