



PIKITUP JOHANNESBURG SOC LIMITED

REQUEST FOR QUOTATION:

PROVISION OF PROTECTION OF PRIVATE INFORMATION COMPLIANCE REVIEW AUDIT

BID NO: PIK 076/2017

BIDDER NAME:

BID AMOUNT:

THIS DOCUMENT IS COMPILED FOR:

Pikitup Johannesburg SOC Ltd
66 Jorissen Street,
Braamfontein, JHB

CONTACT DETAILS:

David Muhadi
E-MAIL: Muhadid@pikitup.co.za
Cell: [073 156 1652](tel:0731561652)

QUOTATION BOX SUBMISSION IS SITUATED AT:

Pikitup Johannesburg SOC Ltd
66 Jorissen Street,
Jorissen Place
Tender Office
Ground Floor
East Wing
Braamfontein, JHB

Closing date: 12 DECEMBER 2017
Closing time: 10:00am
Validity Period: 90 days after
Briefing session: Not applicable

BIDDER'S COMPANY NAME: _____

BIDDER'S CONTACT PERSON: _____

BIDDER'S CONTACT NUMBER: _____

BIDDER'S EMAIL ADDRESS: _____

TOTAL BID AMOUNT: _____

CLOSING DATE: **12 DECEMBER 2017**

CLOSING TIME: **10:00AM**

BRIEFING SESSION: **Not Applicable**

DOCUMENT ISSUED BY:

PIKITUP JOHANNESBURG SOC LIMITED
PIKITUP HEAD OFFICE (GROUND FLOOR)
JORISSEN PLACE
66 JORISSEN STREET
BRAAMFONTEIN

TEL: +27 (0)87 357 1168

E-MAIL: *MUHADID@PIKITUP.CO.ZA*

WEBSITE WWW.PIKITUP.CO.ZA

Quotations received will be evaluated firstly on pre-compliance evaluation, then on functionality evaluation, and thereafter 80/20 point scoring basis. The 80 points will be for Price and 20 points are for Broad Based Black Economic Empowerment (BBBEE) for attaining the BBBEE Status level contribution in accordance with the table below:

- **MBD 4: Declaration of interest**
- **MBD 8: Declaration of bidders past supply management practices**
- **MBD 9: Certificate of Independent bid determination**

Failure to submit a fully compiled **MBD** forms quotation will result in your bid being rejected.

- **No quotation** will be considered from persons in the service of the state (**MBD4**).
- **As from the 7 December 2011**, all Service providers/contractors are required to submit valid, certified copies of their BEE certificate from an accredited BEE verification agency with their bid submission. Failure to submit will lead to forfeiture (loss) of the preference points.
- **In case of an Exempted Micro Enterprise (EME)** (turn over less than R 10m) a letter from a professional registered accountant/ auditor or a sworn affidavit is required in order to qualify for preference points. Failure to submit will lead to forfeiture (loss) of the preference points.

SECTION 2

1. **The Lowest or any bid will not necessarily be accepted** and the **PIKITUP reserves the right not to consider any bid** not suitably endorsed or comprehensively completed as well as the right to accept a bid in whole or part. In addition Pikitup also reserves the right to appoint more than one service provider/supplier as deemed necessary
2. In evaluating bids received and adjudicating the award of this bid, Pikitup Johannesburg (SOC) Limited will, in addition to the pre-compliance and functionality criteria included in the specifications and irrespective of the capital, pricing and black economic empowerment structures of the bidder, take into account as objective criteria (1) the desirability of rotating the work amongst service providers, (2) the past bidding practices of any bidder in relation to evidence and/or reports of combative practices including conduct reported, amongst others, in terms of the Prevention and Combatting of Corrupt Activities Act, 2004, (3) the past contractual performance of any bidder and (4) the nature and extent of disputes involving the bidder in relation to past and/or current contracts. Note that as a result of the application of these objective criteria, the highest scoring bidders will not necessarily be selected as a preferred bidders.
3. Where deliveries are quoted “ex-stock” the period of **delivery must not exceed Five (5) maximum working days after receipt of order. If this condition is not adhered to, the order could be cancelled.**
Quotations are to be completed in accordance with the conditions as set out in the quotation document and must be sealed and externally endorsed with the quotation number and place in the quotation box indicated above.
4. **Payments will be made thirty (30) days** after receipt of invoice by Pikitup.
5. Quotations received after the closing date and time will not be considered
6. Samples of the required items or goods are available for your perusal (when applicable.)
7. Should the above-mentioned conditions not be adhered to, the quotation will be considered invalid.
8. **Quotations must be valid for minimum of 90 days.**
9. **It is compulsory for all Service Providers and suppliers wanting to render services to PIKITUP to be registered and have a “compliance status” on the National Treasury Central Supplier Database (“CSD”) as per National Treasury Circular No 3 of 2015/6 – Central Supplier Database.** National Treasury will maintain the database of all suppliers for Government and its institutions. Prospective suppliers can register online on the CSD by accessing the National Treasury website at www.CSD.gov.za.

DECLARATION

I, the undersigned hereby confirm that the information herein is a true reflection of the facts presented, and the person signing this document on behalf of the bidder duly authorized to do so. Should this not be the fact, stipulations regarding this as contained in the PIKITUP JOHANNESBURG SOC LTD Policy applies. I accept that the PIKITUP JOHANNESBURG SOC LTD may act against me in terms of the general conditions of contract should this declaration prove to be false.

Signing of the quotation in the appropriate space, as well as the initialing of each page by the bidder mandatory.

NAME OF PERSON

CAPACITY

DATE

COMPULSORY RETURNABLE DOCUMENTS

IMPORTANT PLEASE TAKE NOTE. In order for Bids to be evaluated timeously, it is imperative that Bidders ensure that applicable document listed below has been submitted with this bid. Failure to submit the applicable documentation as indicated below will make it impossible to evaluate the bid the submitted. Bidders will then need to submit all the outstanding documentation for their bids to be evaluated. A further inconvenience of not providing all documentation with the bid submitted is that all outstanding documentation which will now need to be dropped at Pikitup Head office

1. PRE-COMPLIANCE CRITERIA

- a. Bidders may be eliminated for not submitting compulsory returnable documents as stated below.

Table 4: Pre-compliance Schedule

Returnable Documentation (Submission of these are compulsory)	Submitted (YES or NO)
a) Valid Tax Clearance Certificate	
b1) <ul style="list-style-type: none"> • Original or copy of Municipal Statement of the Bidder (bidding company) must be recent and account must not be in arrears for more than ninety (90) days; or • Statement from landlord stating that the Bidder (bidding company) indicating that rates and taxes are included in the rent and indicate that the account is not in arrears for more than ninety (90) days; or • Letter from the landlord stating that the Bidder (bidding company) indicating that rates and taxes are included in the rent, and has no disputed account/s and is not in arrears for more than 90 days 	
In addition to the above, the following are also required	
b2) <ul style="list-style-type: none"> • Original or copy of Municipal Statement for <u>ALL the South African based owners / members / directors / major shareholders of the bidding company</u>, statement must be 	

Returnable Documentation (Submission of these are compulsory)	Submitted (YES or NO)
<p>recent and account must not be in arrears for more than ninety (90) days; or</p> <ul style="list-style-type: none"> • Statement from landlord stating that the <u>owners / members / directors / major shareholders</u> of the bidding company, indicating that rates and taxes are included in the rent and indicate that the account is not in arrears for more than ninety (90) days; or • Letter from the landlord stating that the <u>owners / members / directors / major shareholders</u> of the bidding company, indicating that rates and taxes are included in the rent and has no disputed account/s and is not in arrears for more than 90 days <p>NOTE: All above letters or landlord statements or municipal account statements must be recent, must be dated, and may not be older than 3 months from date of bid submission. Landlord letters must be signed by the landlord. Landlord statements must be on the landlord letterhead and/or signed by the landlord. Municipal Account Statements must be on the relevant Municipal letter head or statement account format.</p>	
<p>c) Duly signed and completed MBD forms (MBD 1, 4, 8 and 9)</p> <p><i>The person signing the bid documentation must be authorised to sign on behalf of the bidder. Where the signatory is not a Director / Member of the company, and official letter of authorization or delegation of authority should be submitted with the bid document.</i></p>	
<p>d) Proof of Registration with IRBA- Independent Regulatory Board of Auditors</p>	
<p>e) proof of Company Registration</p>	

Other Returnable required:

a) Methodology Approach	
b) Audit Service Experience	
c) List of contactable References confirming previous	
d) Understanding of Requirements	
e) Key Team Details	
f) Valid Original and certified copy of BBEE Certificate (No submission of certified certificate will lead to forfeiture (loss) of the preference points.	

MBD1
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE PIKITUP (SOC) LTD

BID NUMBER: **CLOSING DATE: 12 December 2017 CLOSING TIMES: 10:00.Am**

THE BID MUST DEPOSITED IN THE BID BOX SITUATED AT PIKITUP (SOC) Ltd, 66 Jorissen STREET, BRAAMFONTEIN, JOHANNESBURG, 2000

The bid box is available on weekdays during office hours between (8:00 and 16:30) at the Reception at the above address.

Bidders should ensure that bids are delivered timeously to the correct address stated above. If the bid is late, it will not be accepted for consideration.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT (PPPFA) AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (as defined in Regulation 1 of the Local Government: Municipal Supply Chain Management Regulations)

**THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)**

NAME OF BIDDER
POSTAL ADDRESS
PHYSICAL/STREET ADDRESS.....

TELEPHONE CODE.....NUMBER..... NUMBER

CELLPHONE NUMBER

FACSIMILE NUMBER..... NUMBER..... CODE.....

E-MAIL ADDRESS

VAT REGISTRATION..... NUMBER

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN ATTACHED? (MBD 2)
YES / NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (MBD 6.1)
YES / NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

- AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)
 - A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN NATIONAL ACCREDITATION SYSTEM (SANAS)
 - A REGISTERED AUDITOR
- (Tick applicable box)

(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED ? **YES / NO** (IF YES ENCLOSE PROOF)

SIGNATURE OF BIDDER
..... DATE.....

CAPACITY UNDER WHICH THIS BID IS SIGNED
.....

TOTAL BID PRICE..... TOTAL NUMBER OF ITEMS OFFERED.....

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Municipality / Municipal Entity: ...Pikitup (SOC) Ltd.....

Department: Supply Chain Management
Contact Person: David Muhadi
Tel:087 357 1168

RETURN OF BIDS

Late bids will not be accepted or considered and bids delivered to any other address besides the address stated above will not be considered.

Neither PIKITUP nor any of its employees shall be liable in any way whatsoever for bids that are not placed in the bid box by the closing date and time.

No bid shall be considered unless it is accompanied by sufficient information to show that the goods offered comply with the specification.

Bidders must state the country of origin and the name of the manufacturer of the goods offered. Documentary proof must be produced, if required.

Bidding documents must be completed properly in permanent black ink pen.

VALIDITY PERIOD

Your bid submission must remain valid for a period of 90 days from the closing date of this bid. It will constitute an offer which remains open for acceptance during the validity period.

INFORMATION MEETING

None.

ADJUDICATION OF BIDS

Bids submitted in response to this invitation will be adjudicated by PIKITUP in terms of a supply chain management policy developed in accordance with the requirements of the Municipal Finance Management Act 56 of 2003 and the PPPFA. Enquiries in respect of the policy should be addressed to the Head of PIKITUP's Supply Chain Management -

CONTRACT

The terms of the proposed contract with PIKITUP are contained in the General Conditions of Contract, the Special Conditions of Contract and any of the sections of these bidding documents in which the bidder makes an undertaking as to its performance. You must read and understand the terms before you submit your bid as you will be bound by the Contract (as described) if your bid is successful. At the time of award the contract may include other relevant terms and conditions.

ADMINISTRATIVE JUSTICE

In adjudicating bids, PIKITUP shall comply with the requirements of the Promotion of Administrative Justice Act 3 of 2000 and the Promotion of Access to Information Act 2 of 2000, to the extent that these Acts apply to the adjudication by a municipal entity of bids in response to a bid invitation.

INTERNAL APPEAL PROCESS

Following the adjudication of bids and selection of a preferred bidder, and provided that a procurement contract has not already entered into force, any bidder may submit a complaint in writing to the chairperson of the PIKITUP Board of Directors (“the Board”) or the Managing Director that PIKITUP has not complied with the requirements of the PIKITUP Supply Chain Management Policy or the PIKITUP Code of Ethics, or has in any respect acted in a way that is irregular. The Chairperson of the Board or Managing Director shall not entertain a complaint unless it was submitted within 20 calendar days of when the supplier or contractor submitting it became aware of the circumstances giving rise to the complaint or of when that supplier or contractor should have become aware of those circumstances, whichever is earlier; or entertain a complaint after the procurement contract has entered into force.

Unless the complaint is resolved by mutual agreement of the bidder and the Chairperson of the Board or Managing Director, the Chairperson of the Board shall, within 30 calendar days after the submission of the complaint, issue a written decision. The decision shall state the reasons for the decision; and if the complaint is upheld in whole or in part, indicate the corrective measures that are to be taken.

The decision of the Chair of the Board shall, subject to the review powers of any competent court, be final.

DECLARATION BY BIDDER:

WE HAVE READ THE CLAUSES SET OUT ABOVE IN THIS OF THE BIDDING DOCUMENTS AND ACCEPT THEIR CONTENTS, SUBJECT TO ANY DECLARATION, WE HEREBY OFFER TO CONTRACT WITH PIKITUP ON THE TERMS SET OUT IN THE BIDDING DOCUMENTS SHOULD WE BE APPOINTED AS THE SUCCESSFUL BIDDER.

WITNESSES:

- 1.
- 2.

AUTHORISED SIGNATURE

CAPACITY OF SIGNATORY

.....

DATE:

.....

ADDRESS:.....

.....

.....

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 favoritisms, 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.

.....

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 BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids 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 bid of any bidder may be rejected if that bidder, 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 bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>Audi alter am partum</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder 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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder 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 bidder 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 comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME)
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TRUE AND
CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN
AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

MBD 9

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 *per 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:

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of:

_____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and

- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or 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.
 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 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
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2

- a) The value of this bid is estimated to **exceed/not exceed** R50 000 000 (all applicable taxes included) and therefore the **.....** preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20 **or** **90/10**

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

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 (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	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:

- What percentage of the contract will be subcontracted.....%
- The name of the sub-contractor.....
- The B-BBEE status level of the sub-contractor.....
- 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 BIDDERS(S)
DATE:
ADDRESS
.....
.....

ANNEXURE A

TERMS OF REFERENCE

1. INTRODUCTION

1.1 Corporate Profile / Overview of Pikitup

Pikitup Johannesburg (SOC) Limited was established in 2001 as an independent municipal entity, wholly owned by the City of Johannesburg, to serve and provide waste management services in the Greater Johannesburg area. Pikitup vision is "to be *the* pioneering and environmentally focused waste management company in Africa". The City, by means of the service delivery agreement as monitored by the Infrastructure and Services Department of the City, regulates the service delivery in respect of the following:

- Financial services (annual operating and capital budgetary allocations and appropriate tariff levels), and
- Levels of service delivery in the different market segments covered by Pikitup.

1.2 Major Products and Services

Pikitup in terms of the service delivery agreement is contracted to the City of Johannesburg to provide a wide range of waste management services to its citizens. Pikitup provides two categories of services, viz. Council services and commercial services. The Council services, which the City of Johannesburg has mandated Pikitup to provide exclusively, comprise of the collection and disposal of domestic, business and putrescible waste, street cleaning, lane flushing, area cleaning, the management of litter bins, the collection of illegally dumped waste, the collection and disposal of animal carcasses found in a public place and the operation of garden sites.

The commercial services, which Pikitup provides in competition with other private waste management companies, comprise of the collection and treatment of healthcare risk waste, bulk collection services, the collection and disposal of waste, composting, recycling activities,

providing services for special events and the operation of landfill sites. The table below categories PIKITUP main product/service offerings:

Table1: Council Services / Commercial Services

COUNCIL SERVICES	COMMERCIAL SERVICES
Domestic round collected refuse	Healthcare risk waste
Business round collected refuse	Bulk services
Putrescible waste	Composting
Street cleaning	Recycling activities
Lane flushing	Special events
Area cleaning	Landfill services
Litter bin management	Safe disposal
Illegal dumping	
Animal carcasses	
Garden sites	

1.3 Area of Operations

Pikitup executes its mandate to the city and its residents through 11 depots, 4 landfill sites, 42 garden sites and one composting site called Panorama based in Ruimsig.

Figure 1: Pikitup area of operations



2. PURPOSE OF THE RFQ

2.1 The purpose of the RFQ is to procure a service provider(s) to conduct an internal audit engagements in accordance with the standards and best practices on the following audit areas:

Project number	Name of project
Quarter 3	
1.	Protection of Private Information (POPI) Compliance review (Full Audit including Follow-up Audit (CE))

Note that the quotation must reflect cost of each audit project (including disbursements). Allocation of projects may be made to different services providers in the panel list of suppliers. Audit project will also be conducted in the allocated quarter as indicated above.

3. SCOPE OF WORK.

The scopes of work will include the following:

Ref	Audit project	Audit focus area
1.	Protection of Private Information (POPI) Compliance review (Full Audit including Follow-up Audit (CE))	Review of: <ul style="list-style-type: none">• Compliance and Awareness• Condition for lawful processing of personal information.• Records retention• Security of Personal Data• Request of personal data• Unsolicited electronic Information.

4. EVALUATION CRITERIA

The evaluation of the proposal will be based on the Preferential Procurement Regulation of 2011 using Price:

Price: 80

Preference Points ((Points scored by the bidder in terms of their B-BBEE contribution level as per the DTI Codes of Good Practice): 20

Total points for Price and Preference : 100 POINTS

Important Note:

- Suppliers with annual total revenue of R5million or less qualify as Exempted Micro Enterprises (EMEs) in terms of the Broad-Based Black Economic Empowerment Act, and must submit a certificate issued by a registered auditor, accounting officer (as contemplated in section 60(4) of the Close Corporation Act, 1984 (Act No. 69 of 1984) or an accredited verification agency.
- Suppliers other than Exempted Micro Enterprises (EMEs) must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof from an accredited verification agency, substantiating their B-BBEE rating.

Failure to do so may result in points for Preference not being awarded to the bidder.

Preference Points table for 80/20 points system:

B-BBEE Status Level Contributor	Number of Points
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2
Non-Compliant Contributor	0

The scores of each of the evaluators will be averaged, weighted and then totaled to obtain the final score for quality

5. PROJECT TEAM

The appointed service provider will be required to allocate specific members to be dedicated to these assignments. Declaration letters of availability for the team members must be attached, and in case of resignation of one of members, the service provider must inform us in writing and immediately replace such member with another team member of the same stature e.g. same expertise, skills, qualifications and experience with the environment.

6. REPORTING

The successful supplier will be expected to submit a detailed report to the Chief Audit Executive or his delegated official on a weekly basis till completion of the project on progress of the project. The service provider may be required to make presentation to relevant governance structures of Pikitup.

7. PRICING SCHEDULE

QUARTER 3					
No	Audit Service Activity Description	No. of Hours	Activity Cost Fee Amount Vat Excl	Disbursement	Total Amount
1	Protection of Private Information (POPI) Compliance review (Full Audit including Follow-up Audit (CE))				
	Total Amount VAT Excl	R			
	Vat at 14%	R			
	Total Amount VAT Inclusive	R			

The pricing Schedule must include all chargeable items.

8. KEY-PERSONNEL

The Bidder must supply a complete list of categories of key-personnel which he intends to utilize on the contracts. Further details must be provided in a separate page and must be attached to this BID.

Employee name	Job title	Number of years' experience	Related projects completed	audit
