



REQUEST FOR FORMAL PRICE QUOTATION

Procurement from R30 000.00 up to a maximum transaction value of R200 000.00 (Including Vat). Bids with bid values that exceed R200 000.00 will not be considered for evaluation

(For publication on Pikitup Website and Notice Board)

**APPOINTMENT APPOINT A CONTACTOR WITH CIDB GRADE 1EC OR HIGHER FOR THE REPAIRING OF ELECTRICAL POWER SUPPLY CABLE AT OUR ROBINSON DEEP LANDFILL SITE
(SEE ANNEXURE A FOR THE FULL DETAILS)**

BID NO: PIK 042/2021-22

BIDDER COMPANY NAME:

BID AMOUNT (VAT INCL): R _____

THIS DOCUMENT IS COMPILED FOR:

Pikitup Johannesburg SOC Ltd
Jorissen Place Building
66 Jorissen Street,
Braamfontein, JHB

CONTACT DETAILS:
Sagren Naidoo

Email: sagrennaidoo@pikitup.co.za
Landline: 0873571195
Mobile: 0824312373

QUOTATION BOX SUBMISSION IS SITUATED AT:

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

Closing date: 20.12.2021
Closing time: 11H00
Validity Period: 60 days from RFQ closing date
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: 20.12.2021

CLOSING TIME: 11H00

BRIEFING SESSION: Not Applicable

Document Issued by:

Pikitup Johannesburg SOC Limited
Pikitup Head Office (Ground Floor)
Jorissen Place Building
66 Jorissen Street
Braamfontein

Tel : +27 (0)87 357 1195
E-Mail : sagrennaidoo@pikitup.co.za

Website : www.pikitup.co.za

Quotations received will be evaluated firstly on pre-compliance evaluation, then on functionality evaluation (**IF APPLICABLE**), 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 bidder.
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 60 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 DOCUMENTATION

DOCUMENT CHECKLIST	Tick if Attached
COMPANY REGISTRATION DOCUMENT – CIPRO	_____
TAX CLEARANCE DOCUMENT – valid tax clearance required.	_____
MBD 4 – declaration of interest document provided	_____
MBD8 – declaration of bidders past practices document	_____
MBD 6.2 – Local Content and Production	_____
MBD 9 - declaration of interest document provided	_____
<u>FOR THE SITE WHERE THE BUSINESS IS CURRENTLY LOCATED</u>	_____
<ul style="list-style-type: none"> ○ Municipal statement - if the property is owned by The business _____ OR _____ ○ Lease Agreement – if the business is a tenant on the property _____ + _____ ○ Landlords Letter–then we also require a letter of good standing from the landlord/letting agency/proxy confirming the tenants account is not more than 90 days in arrears _____ OR _____ ○ Sworn Affidavit – compiled by the owner of the business if the business is being operated from the residence of the director 	_____
<u>FOR EACH DIRECTOR OF THE COMPANY</u>	_____
<ul style="list-style-type: none"> ○ Municipal Statement - for each director that owns the property where he/she currently resides _____ OR _____ ○ Lease agreement – if the director is a tenant at the place where he/she resides _____ + _____ ○ Landlords Letter– if the director is a tenant at the place where he/she resides then we will also require a letter of good standing from the Landlord/Letting Agency 	_____
<p style="text-align: center;">OR</p> <ul style="list-style-type: none"> ○ Sworn Affidavit –where a director is residing with parents or other relatives without any formal agreement in place then a sworn affidavit must be compiled by parent/relative confirming the following <ul style="list-style-type: none"> ▪ the director resides with parent/relative at the aforementioned property without there being any formal lease agreement or contract in place ▪ The director does not have any outstanding payments in terms of utility payments of more than 90 days. ▪ the director does ▪ Most recent Municipal statement for the place of residence. If the parent/relative is a tenant on the aforementioned property, then a copy of the lease agreement will need to apply ▪ Copy of Identity Document of the parent/relative 	_____

**MBD 1
INVITATION TO BID**

**YOU ARE HEREBY INVITED TO BID TO PURCHASE THE AFOREMENTIONED GOODS FROM PIKITUP
JOHANNEBURG SOC LTD**

BID NUMBER:	PIK 042/2021-22	CLOSING DATE:	20.12. 2021	CLOSING TIME:	11H00
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**APPOINTMENT APPOINT A CONTACTOR WITH CIDB GRADE 1EC OR HIGHER FOR THE
REPAIRING OF ELECTRICAL POWER SUPPLY CABLE AT OUR ROBINSON DEEP LANDFILL SITE

(SEE ANNEXURE A FOR THE FULL DETAILS)**

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).

**BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE
RFQ BOX SITUATED AT JORISSEN PLACE BUILDING,
66 JORISSEN STREET, BRAAMFONTEIN, TENDER OFFICE,
GROUND FLOOR**

SUPPLIER INFORMATION

NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		<input type="checkbox"/> Yes <input type="checkbox"/> No

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
SIGNATURE OF BIDDER	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	SCM UNIT	CONTACT PERSON	
CONTACT PERSON	Sagren Naidoo	TELEPHONE NUMBER	
TELEPHONE NUMBER	087 357 1195	FACSIMILE NUMBER	
FACSIMILE NUMBER	N/A	E-MAIL ADDRESS	
E-MAIL ADDRESS	sagrennaidoo@pikitup.co.za		

1. BID SUBMISSION:	
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.	
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE	
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.	
2. TAX COMPLIANCE REQUIREMENTS	
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.	
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.	
2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.	
2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B: 3.	
2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.	
2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.	
2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.	
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO

3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

YES NO

3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

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.

<p>----- AUTHORISED SIGNATURE</p>

CAPACITY OF SIGNATORY

DATE:

ADDRESS
.....

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 / shareholder's 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**

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. rejects 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:

- 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 BIDDERS(S)

DATE:

ADDRESS

.....

.....

SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE

I, the undersigned,

Full name & Surname	
Identity number	

1. I hereby declare under oath as follows:

- That the contents of this statement are to the best of my knowledge a true reflection of the facts.
- That I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name	
Trading Name	
Registration Number	
Enterprise Address	

3. I hereby declare under oath that:

- The enterprise is _____% black owned;
- The enterprise is _____% black woman owned;
- Based on the management accounts and other information available on the _____ financial year, the income did not exceed R10, 000,000.00 (ten million rands);

Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% black owned	Level One (135% B-BBEE procurement recognition)	
More than 51% black owned	Level Two (125% B-BBEE procurement recognition)	
Less than 51% black owned	Level Four (100% B-BBEE procurement recognition)	

4. The entity is an empowering supplier in terms of the **DTI** Codes of Good Practice.

5. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.

6. The sworn affidavit will be valid for a period of 12 months from the date signed by Commissioner.

Respondents Signature: _____ Date: _____

Commissioner of Oaths Signature _____
& Stamp

ANNEXURE A

TERMS OF REFERENCE

APPOINTMENT APPOINT A CONTACTOR WITH CIDB GRADE 1EC OR HIGHER FOR THE REPAIRING OF ELECTRICAL POWER SUPPLY CABLE AT OUR ROBINSON DEEP LANDFILL

1. DESCRIPTION OF THE WORKS

1.1. OVERVIEW OF THE WORKS

The purpose of this RFQ is to appoint a contractor with CIDB grade 1EC or higher for the repairing of electrical power supply cable, issuing of COC (Certificate of Compliance) for work done, balancing power between the panel and DB (Distribution Box) at Robinson Landfill Site.

1.2. EXTENT OF THE WORKS

The work to be carried out under this RFQ on both site mainly consists of the following: -

1.2.1. Replace damaged cable.

- Supply and installation of new 35mm x 4core PVC SWA cable between the LV and the weigh bridge.

1.2.2. Paving

- Remove existing paving, asphalt and kerbs to allow for the installation of the PVC flexible pipe underneath the road.

1.3. LOCATION OF THE WORKS

Name	Physical address	Longitude	Latitude
Robinson Deep Landfill Site	Corner Turffontein rd and Marlborough, Robinson Deep	28.042517	-26.231476

2. BREAKDOWN REPAIRS

Breakdown repairs refers to repairing defects (including malfunctions) which are carried out on an ad-hoc basis if and when a defect occurs. The Contractor will be paid for repairing breakdowns using the items listed in the Schedules of Quantities for breakdown maintenance.

3. REPLACEMENT OF ITEMS

Where it is necessary to replace any existing item with a new item under this RFQ, the new item shall be of at least the same quality as the existing item. The Project Manager shall have the right to reject the item if it is of inferior quality.

4. SITE TO BE KEPT CLEAN

During progress of the works and upon completion thereof, the Site of the Works shall be kept and left in a clean and orderly condition. The Contractor shall store materials and equipment for which he is responsible in an orderly and safe manner, and shall keep the site free from debris and obstructions inter alia in compliance with Construction Regulations in the OHS Act
All redundant materials, rubbish and waste arising from the work must be regularly removed from the Site at the Contractor's cost and the Site and buildings left clean and tidy.

5. SANS SPECIFICATIONS AND CODES OF PRACTICE

All reference in this document to South African Bureau of Standards specifications and codes of practice, or any other standard specifications or codes of practice, including National Building Regulations, shall be deemed to be references to the latest issues of such specifications and codes.

6. MATERIALS

Should the work require additional material that are not specified on the schedule of quantity the Contractor must obtained approval from the project manager prior to carrying out the works. The Contractor shall attach to his accounts original supplier's tax invoices for new parts, components and materials to be used or that were used for repair work requiring non-scheduled items The full description similar to that required to order an item from a supplier, i.e. Make: model, serial number, size, capacity, etc. shall be listed on the account.

The Project Manager reserves the right to:

- (a) Supply to the Contractor new parts, components and materials required to undertake repairs, or
- (b) If the price submitted by the Contractor is considered to be unacceptably high, obtain quotations for such new parts, components and materials from other independent sources, and after making reasonable allowance for Contractor's mark-up, adjust the Contractor's price accordingly.
- (c) The above applies to new parts, components and materials which are to be used for both maintenance and repair.
- (d) Where no rate is tendered in the Schedule of Quantities for new items the prices for new items given by the Contractor shall be in line with prices of similar items in the Schedule of Quantities or reasonable prices in the industry.
- (e) Unless stated otherwise in writing by the Project Manager, all proprietary materials are to be used, mixed, applied, fixed, etc., strictly in accordance with the manufacturer's recommendations.

7. QUALITY CONTROL

The Contractor shall at all times ensure that his work complies with Specifications. The onus to produce work that conforms in quality and accuracy of detail to the requirements of the Specifications and Drawings rests with the Contractor, and the Contractor shall, at his own expense, institute a quality-control system and provide experienced Contract Managers, foremen, materials technicians, other technicians and technical staff, together with all transport, instruments and equipment to ensure adequate supervision and positive control of the Works at all times. The cost of supervision and process control, including testing carded out by the Contractor, will be deemed to be included in the rates tendered for the related items of work.

The Contractor's attention is drawn to the provisions of the various Specifications regarding the implementation of a quality assurance system and the minimum frequency of checking required. The Contractor shall, at his own discretion, increase this frequency where necessary to ensure adequate control.

The bill of quantity must be completed in full, and all prize should equipment, material and labour.

ITEM NO	DESCRIPTION OF ACTIVITIES	UNIT	QUANTITY	RATE	AMOUNT
1	Repairing the damaged cabling				
1.1	Supply and installation of 35mm x 4 core PVC SWA 35MM X 4 CORE cable from the main LV chamber to the weighbridge.	m	185		
1.2	Make provision for the cable glands and shrouds to fix the 35mm x 4 core cable	No	6		
1.3	Supply and install the 125AMP ABB T/P CB (Circuit Breaker)	No	4		
1.4	Excavation in all type material (cable trenching) 200mm wide x 500 mm deep for cabling.	m ³	120		
1.5	Supply and installation 65MM PVC flexible pipe to allow for crossing the road pavement.	m	10		
1.6	Excavate and reinstate the existing pavement to allow for the crossing of the cable.	m ²	15		
1.7	Supply and lay danger tape 150mm above the cable for future cable identification.	m	185		
1.8	Supply and lay 610mm high x 100mm wide x 76mm thick concrete cable markers to identify the cable route.	No	10		
1.9	Supply and install 65mm x 250mm core cable into the main building.		2		
1.10	Terminate all unnecessary cable and make it safe.	Sum	1		
1.11	Balance the power supply to all the distribution box and ensure that there is no electrical tripping in future.	Sum	1		
1.12	Issuing the Landfill management with the Certificate of Compliance (COC) on all the installation.	Sum	1		
SUB-TOTAL					
VAT @ 15%					
TOTAL AMOUNT					

NOTE:

- A minimum grading of 1EC is required
- Appointed bidder will be required to provide a Certificate of Compliance (COC) for work carried out