

SCAM ALERT

With an endeavor to promote transparent tender processes and to comply with the relevant legislation, bidding company names and bid values are called out at tender opening and such details are also published on the Pikitup website. Fraudsters however abuse the information available from various sources on the internet with fraudulent intentions.

It came to our attention that fraudsters are posing as municipal employees claiming that they are members of either the Bid Evaluation or Adjudication Committee and soliciting bribes from bidders for being favored during the tender evaluation or being awarded the tender.

Bidders are requested to be vigilant pertaining to the following:

- Pikitup tender documents are available free of charge from the National Treasury e-tender portal, thus do not pay for tender documents.
- Pikitup is using the National Treasury Central Supplier Database (CSD), hence Pikitup will not request bidders to pay for supplier registration forms.
- All Pikitup tenders are published on the National Treasury e-tender portal and / or the Pikitup website. Only respond to tenders that are published on these websites.
- Bid responses must be deposited in the Pikitup tender box as indicated in the respective tender documents.
- Only correspond in writing with the Pikitup contact person as indicated in the tender document. The Pikitup official and contact details are also advertised on the National Treasury e-tender portal and / or Pikitup website.
- Do not entertain any request for a bribe, and never pay money for being favoured or being awarded a tender.

REPORT FRAUD AND CORRUPTION

Please report fraud and corruption at the City of Johannesburg Anti-Fraud Hotline: 0800 002 587 or the National Treasury Anti-Corruption Hotline: 0800 701 701

TABLE OF CONTENTS

MBD1 - INVITATION TO BID	ANNEXURE 1.1
CONDITIONS OF TENDER	ANNEXURE 1.2
SPECIFICATIONS	ANNEXURE 2
TERMS OF REFERENCE	ANNEXURE 3
MBD 4 - DECLARATION OF INTEREST	ANNEXURE 4
MBD 5 - DECLARATION OF PROCUREMENT	ANNEXURE 5.1
DECLARATION OF PIS SCORE	ANNEXURE 5.2
NOT APPLICABLE FOR THIS TENDER	ANNEXURE 6.
MBD 7.2 - CONTRACT FORM: RENDERING OF SERVICES	ANNEXURE 7
MBD 8 – DECLARATION OF BIDDERS PAST SUPPLY CHAIN MANAGEMENT PRACTICES	ANNEXURE 8
MBD 9 - CERTIFICATE OF INDEPENDENT BID DETERMINATION	ANNEXURE 9
CORPORATE GOVERNANCE BREACH CLAUSE	ANNEXURE 10
GCC AND DRAFT SERVICE LEVEL AGREEMENT	ANNEXURE 11
BIDDER'S COMPULSORY AND OTHER RETURNABLE DOCUMENTS	ANNEXURE 12

ANNEXURE 1.1

MBD 1

INVITATION TO BID

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)

BID NUMBER:	PU123/2023	CLOSING DATE:	30 NOVEMBER 2023	CLOSING TIME:	11:00 AM
-------------	-------------------	---------------	-------------------------	---------------	-----------------

DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER/S FOR THE SUPPLY, OPERATION AND MAINTENANCE OF FULLY FUNCTIONAL LANDFIL PLANT AND EQUIPMENT AT ROBINSON DEEP, MARIE LOUISE, GOUDKOPPIES AND ENNERDALE LANDFILL SITES ON AN AS AND WHEN REQUIRED BASIS FOR A PERIOD OF 36 MONTHS
-------------	---

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

BID RESPONSE DOCUMENTS MUST BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

PIKITUP TENDER BOX, SITUATED AT PIKITUP JOHANNESBURG (SOC) LIMITED, JORISSEN PLACE, TENDER OFFICE, EAST WING, GROUND FLOOR, 66 JORISSEN STREET, BRAAMFONTEIN, JOHANNESBURG, 2000

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	UNIT RATES ON AN AS AND WHEN REQUIRED BASIS
-------------------------------	-----------------	---

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	SUPPLY CHAIN	CONTACT PERSON	Nomaswazi Lamola
CONTACT PERSON	Nomaswazi Lamola	TELEPHONE NUMBER	087 357 1119/20
TELEPHONE NUMBER	087 357 1119/20	FACSIMILE NUMBER	NOT APPLICABLE
FACSIMILE NUMBER	NOT APPLICABLE	E-MAIL ADDRESS	nomaswazilamola@pikitup.co.za
E-MAIL ADDRESS	nomaswazilamola@pikitup.co.za		

PART B TERMS AND CONDITIONS FOR BIDDING

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)
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? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> 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.	

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

AUTHORITY TO SIGN A BID
 (Complete the relevant form of the following options)

1. **Sole Proprietor (Single Owner Business) and Natural Person**

1.1 I, , the undersigned, hereby confirm that I am the sole owner of the business trading as

OR

1.2 I, , the undersigned, hereby confirm that I am submitting this tender in my capacity as natural person.

SIGNATURE		DATE	
PRINT NAME			
WITNESS 1		WITNESS 2	

2. Companies and Close Corporations

- 2.1 If a Bidder is a Company, a certified copy of the resolution by the board of directors, duly signed, authorising the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company must be submitted with this bid, that is, before the closing time and date of the bid.
- 2.2 In the case of a Close Corporation (CC) submitting a bid, a resolution by its members authorising a member or other official of the corporation to sign the documents on their behalf, shall be included with the bid.

Date Resolution was taken			
Resolution signed by (name and surname)			
Capacity			
Name and surname of delegated Authorised Signatory			
Capacity			
Specimen Signature			
Full name and surname of all Director(s) / Member (s)			
1.		2.	
3.		4.	
5.		6.	
7.		8.	
9.		10.	
Is a certified copy of the resolution attached?			YES
SIGNED ON BEHALF OF COMPANY / CC			NO
		DATE	
PRINT NAME			
WITNESS 1		WITNESS 2	

3. Partnership

We the undersigned partners in the business trading as
 hereby authorise Mr/Mrs to sign
 this bid as well as any contract resulting from the bid and any other documents and correspondence in
 connection with this bid and/or contract for and on behalf of the above mentioned partnership.

The following particulars in respect of every partner must be furnished and signed by every partner:

Full name of partner		Signature	
SIGNED ON BEHALF OF PARTNERSHIP		DATE	
PRINT NAME			
WITNESS 1		WITNESS 2	

4. Consortium

We the undersigned consortium partners, hereby authorise..... (Name of entity) to act as lead consortium partner and further authorise Mr/Ms to sign this offer as well as any contract resulting from this tender and any other documents and correspondence in connection with this tender and / or contract for and on behalf of the consortium.

The following particulars in respect of each consortium member must be provided and signed by each member.

Full name of Consortium Member	Role of Consortium Member	% Participation	Signature
SIGNED ON BEHALF OF CONSORTIUM		DATE	
PRINT NAME			
WITNESS 1		WITNESS 2	

5. JOINT VENTURE

We, the undersigned, are submitting this bid offer in joint venture and hereby authorize Mr / Ms

.....

Authorized signatory of the Company / Close Corporation / Partnership (name)

.....

Acting in the capacity of lead partner, to sign all documents in connection with the bid offer and any contract resulting from it on our behalf.

LEAD PARTNER (Whom the Pikitup shall hold liable for the purpose of the tender)			
NAME OF FIRM			
ADDRESS			TEL. NO.
SIGNATURE		DESIGNATION	

2nd PARTNER			
NAME OF FIRM			
ADDRESS			TEL. NO.
SIGNATURE		DESIGNATION	

3rd PARTNER			
NAME OF FIRM			
ADDRESS:			TEL. NO.
SIGNATURE		DESIGNATION	

4th PARTNER			
NAME OF FIRM			
ADDRESS:			TEL. NO.
SIGNATURE		DESIGNATION	

NOTE: A copy of the Joint Venture Agreement indicating clearly the percentage contribution of each partner to the Joint Venture, is to be submitted with the bid.
 A board resolution, authorising each signatory who signed above to do so, is to be submitted with the bid.

CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES

DECLARATION IN TERMS OF MUNICIPAL SCM REGULATIONS 21(d) (ii)

I, (full name) and (ID no.), hereby acknowledge that the Pikitup may reject the tender of the tenderer if any municipal rates and taxes or municipal service charges owed by the bidder or any of its directors/members/partners to the City of Johannesburg, or to any other municipality or municipal entity, are in arrears for more than 3 (three) months.

I declare that I am duly authorised to act on behalf of (name of the firm) and hereby declare, that to the best of my personal knowledge, neither the firm nor any director/member/partner of said firm is in arrears on any of its municipal accounts with any municipality in the Republic of South Africa, for a period longer than 3 (three) months.

I further hereby certify that the information set out in this schedule and/or attachment(s) hereto is true and correct. The bidder acknowledges that failure to properly and truthfully complete this schedule may result in the tender being disqualified, and/or in the event that the tenderer is successful, the cancellation of the contract.

PHYSICAL BUSINESS ADDRESS(ES) OF THE TENDERER	MUNICIPAL ACCOUNT NUMBER

Further details of the bidder’s director(s) / shareholder(s) / partner(s) / member(s), etc.:

Director / partner / member	Physical residential address of the director / partner / member	Municipal account number(s)

PLEASE NOTE:

1. Copies of all municipal accounts, not older than 3 months, to be submitted with the bid.
2. If the entity or any of its directors/shareholders/partners/members, etc. rents/leases premises a copy of the rental/lease agreement is to be submitted with this bid.

Signature	Position	Date

ANNEXURE 1.2

CONDITIONS OF TENDER

CONDITIONS OF TENDER

RETURN OF BIDS

This BID closes as indicated on the cover page of this tender document. 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, and no correction fluid (Tippex) may be used on the bid document. If the bidder wishes to make a change, the bidder must draw a line through the incorrect wording, write the correct wording next to the change, and also initial next to the change.

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.

BRIEFING OR INFORMATION MEETING

Compulsory briefing session details have been stated on the cover page and tender advert. Bidders who fail to attend the compulsory briefing session will not be considered for this tender.

ADJUDICATION OF BIDS

Bids submitted in response to this invitation will be adjudicated by PIKITUP in terms of the Supply Chain Management Policy and Procedure Manual developed in accordance with the requirements of the Municipal Finance Management Act 56 of 2003, the Preferential Procurement Policy Framework Act # 5 of 2000, and the Preferential Procurement Regulations of 2017. Enquiries in respect of the policy should be addressed to PIKITUP's Acting General Manager: Supply Chain Management – salomemalebye@pikitup.co.za

SUBMISSION OF FRAUDULENT DOCUMENTS

Should any documents at any stage of the contract be found fraudulently obtained the contract will be terminated.

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.

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 evaluation of tender 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.

PROVISO

In evaluating bids received and adjudicating the award of this tender, 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 bidder(s) will not necessarily be selected as a preferred bidder(s).

In line with the provisions of Supply Chain Management Policy, Pikitup reserves the right to:

- request for a validity extension if necessary,
- award the bid in whole, or award the bid in parts, or not to award the bid at all,
- award the bid to one or more than one bidder(s)
- negotiate the bid price offered, and / or any other terms and conditions of this requirement with the preferred bidder(s), before the final award of the bid.

Pikitup further retain the right to:

- veto or conduct a due diligence on any bidder, and / or any of their sub-contractors or sub-service providers;
- request for samples, demonstrations, site visits or further information relating to the offered goods, services or works

- evaluate, review, test, inspect any of the products and / or staff offered for the tender, at Pikitup's sole discretion accept or reject such.

As per section 2(1)(f) of the PPPFA, one or more of the following "objective criteria" may be considered for final selection of bid(s):

- The spread of business amongst suppliers and / or rotation of contracts amongst suppliers,
- The protection of the environment or sustainability considerations,
- The geographical origin of resources utilised as inputs for the execution of the proposed contract,
- The development and / or impact on the local community,
- Considerations of after purchase costs, such as maintenance cost, operational costs, licence costs, or life cycle cost,
- Variants from the original scope of requirements,
- Financial stability and commercial status of the bidder(s),
- The receipt of an abnormally low bid amount, provided that the bidder in question is allowed an opportunity to justify its bid.

DECLARATION BY BIDDER:

I the undersigned, (Name and Surname), being the duly authorised undersigned representative of the Bidder and its associates hereby grant Pikitup Johannesburg (SOC) Limited the required consent in terms of the Protection of Personal Information (POPI) Act, 2013 for the use of the personal information relating to the Bidder (i.e. the company, its owner(s), employees and/or any associated persons' BEE credentials, demographic / ownership profile, location etc.) for the legitimate purposes relating to this bid submission, its evaluation and adjudication.

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

AUTHORISED SIGNATURE :

CAPACITY OF SIGNATORY :

DATE :

ADDRESS :

WITNESSES: 1 WITNESSES: 2

ANNEXURE 2.

SPECIFICATION OF REQUIREMENTS

APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO SUPPLY AND OPERATE VEHICLE, PLANT AND EQUIPMENT USED FOR ILLEGAL DUMPING AND GARDEN SITE SERVICES (INCLUSIVE OF FUEL, MAINTENANCE AND OPERATING STAFF) OVER A PERIOD OF 3 YEARS

1. TERMS AND DEFINITIONS

The Tender document shall be constructed and governed in accordance with the laws of the Republic of South Africa. For purposes of this tender, the following terms shall have the meaning and definitions assigned hereunder, unless the context requires otherwise.

Table 1: Terms and Definitions

DEFINED TERMS/ACRONYM	MEANING
ABNORMAL WEAR AND TEAR	Maintenance or repairs outside the normal wear and tear of a vehicle which form part of serviceable items like tyres, drivetrain (gearbox, differentials and engine) and mechanical components
ABUSE	Means any conscious act or omission attributable to a member of Pikitup staff which causes physical damage to any vehicle or equipment and which arises out of the willful or grossly negligent misconduct of such member of staff.
ACCIDENT EMERGENCY SERVICE	Means the service to be provided at the scene of any accident
CONTRACT MANAGER	Means any person and/or persons delegated to oversee the contract as per Pikitup delegation of authority
BBBEE	“Broad-based black economic empowerment” as contemplated under the Broad-Based Black Economic Empowerment Act, 2003
BEE REQUIREMENTS	The requirements in respect of BBBEE and Preferential Procurement Act
SERVICE PROVIDER	A successful bidder or potential service provider that submitted a response to this Tender
BRIEFING NOTES	Written Documentation issued by Pikitup to disseminate further instructions, program changes and information updates to the bidders in relation to the tender, each to be consecutively numbered and referenced to the tender
BUSINESS DAY	Any day of the week that is not a Saturday, Sunday, or public holiday in the Republic of South Africa.
CLOSING DATE	The date specified for the submission of this tender as contained herein
CoJ	City of Johannesburg Metropolitan Municipality
CONSTITUTION	Constitution of the Republic of South Africa Act, 1996
CPK	Cost per kilometer
WASTE	Means waste generated within residential and business premises and collected through bins prescribed by Pikitup and/or plastic bin liners
DRIVER/OPERATOR	Means a person declared to the Contractor in writing who:- is employed or contracted to operate a Vehicle (Leased or Owned); possesses the required valid driving and/or operator license or certificate; complies with the conditions of such driving license; and is not legally prohibited from operating the class of vehicle in question.
ENTERPRISE	A company, close corporation, juristic person, trust, partnership, joint venture, association, or sole proprietor, whether or not having separate legal personality.
GOOD INDUSTRY PRACTICE	The standards, practices, methods and procedures conforming to applicable law, and exercising that degree of skill, care, diligence,

DEFINED TERMS/ACRONYM	MEANING
	prudence, and foresight that would reasonable and ordinarily be expected from a skilled and experienced person engaged in similar type of undertaking under similar circumstances. Applying, in relation to the manner in which similar Project Deliverables are rendered.
INCIDENT	Means any random incident involving injury or damage to persons, animals, or property
AUTHORISED MEMBER	The delegated person by the bidder authorised to sign and bind the bidder.
MFMA	The Municipal Finance Management Act, (Act No.56 of 2003)
OEM	Original Equipment Manufacturer
PIKITUP	A wholly owned entity of the City established to render waste management services on behalf of the City
PLANT AND EQUIPMENT	Means the specialised machinery owned and/or leased operated by service provider.
PREFERRED SERVICE PROVIDERS	The recommended bidders, if any, selected through a transparent and open tender process to enter into any negotiations.
SOH	Standard Operating Hours
ToR	Terms of Reference
TVWH	Total Vehicle Working Hours including plant, equipment or machinery
TWH	Total Working Hours
VAT	Value Added Tax as contemplated under the Value Added Tax Act, 1991 as amended.
VWD	Vehicle Working Days including plant, equipment or machinery
VEHICLE	Means the specialised waste management vehicles/fleet owned and/or leased operated by service provider.

THE APPOINTMENT OF SERVICE PROVIDER/S FOR THE SUPPLY, OPERATION AND MAINTENANCE OF FULLY FUNCTIONAL LANDFILL PLANT AND EQUIPMENT AT ROBINSON DEEP, MARIE LOUISE, GOUDKOPPIES AND ENNERDALE LANDFILL SITES ON AS AND WHEN REQUIRED BASIS FOR A PERIOD OF 36 MONTHS.

2. PURPOSE OF TENDER IS TO:

- 2.1. Appoint and contract bidder/s to supply and operate a fully functional landfill plant and equipment on as and when required basis for a period of 36 months from date of the contract.
- 2.2. Provide landfill plant and equipment to support services insuring effective and efficient operation of the landfill sites.

3. REQUIREMENTS AND SCOPE OF WORK

- 3.1. Supply, Operate and maintain a fully functional landfill plant and equipment on as and when required basis. This shall include the provision of all personnel required for the operation of the plant and equipment, fuel and disposables required to operate, repair and maintain the landfill plant and equipment. All personnel involved in the landfill plant and equipment contract must be South African citizens.
- 3.2. Provide fleet management support services for landfill plant and equipment, including but not limited to:
 - 3.2.1. Plant and Equipment Management Technology and automated logbook;
- 3.3. Landfill plant and equipment administration services (Fleet performance reporting Daily, weekly and monthly).
- 3.4. Provision of plant and equipment for Pikitup landfill management services:
 - 3.4.1. Bidders must supply landfill plant and equipment that meets the approved specifications (Refer to Table 1) for consideration by Pikitup. The bidder must take into consideration: dealer footprint of plant and equipment manufacturers, spare part availability within 24 hours.
 - 3.4.2. Bidders must finance the entire landfill plant and equipment procurement and delivery process (including initial licencing, registration of the vehicles and including the operational cost) from their own resources for the entire duration of the contract period.
 - 3.4.3. Bidders must ensure that when they fit accessories required to ensure that the landfill plant and equipment are able to fulfil its functional requirements with 24 hours.
 - 3.4.4. Bidders must manage the logistics, value chain for the landfill plant and equipment, including production schedules, licencing and registration, visible identification stickers,

securing the relevant warranties and/ or plans, as well as the delivery of each landfill plant and equipment.

- 3.4.5. The successful bidder/s will be required to deliver fully operational landfill plant and equipment within a maximum period of six (6) weeks from date of award. (Refer to Table 1).
- 3.4.6. The successful bidder will be liable for a penalty for each instance where it fails to provide the services as required, (Refer to Table 2).
- 3.4.7. Pikitup may vary quantities required in respect of the landfill plant and equipment (units) specified in this document. Pikitup reserve the right to source the equipment outside the contract within 24 hours where the successful bidder fails to deliver the equipment and render the service on time as agreed.
- 3.4.8. All landfill sites operate day shift from 07h30 until 16h00, except for Robinson Deep which operates two (2) shifts (i.e. day: 07h30 – 16h00 and night; 16h00 until 24h00).
- 3.4.9. Reflected in table 1 is the requirements for landfill plant and equipment.
- 3.4.10. Bidders must submit proof of ownership documents or lease agreement with all landfill plant and equipment documents (with a copy of registration documents).

Table 1. Estimated Landfill plant and equipment to be supplied at the initiation of the contract

Item	Plant/Equipment	Capacity	Plant / Equipment maximum lifespan	Estimated Plant and Equipment (unit)/Landfill site				Total Quantity Required
				Robinson Deep	Marie Louise	Goudkoppies	Ennerdale	
Primary Plant								
1	Landfill Compactor	Minimum 32 ton / Not less than 260kw	0 to 5 years	4	1	1	1	7
2	Bull Dozer	Minimum 18ton (D6) / Not less than 140kw	0 to 5 years	3	1	2	1	7
3	Excavator Trax	Minimum 20 ton/Not less than 105kw	0 to 5 years	4	1	1	1	7
4	Articulated Dump Truck	Minimum 18 ton Truck /Not less than 200kw/ton	0 to 5 years	2	1	1	1	5
5	Back Hoe Loader (TLB)	8tons/Not less than 70kw/1m ³ bucket	0 to 5 years	1	1	1	1	4
6	Water Tanker	10m ³ Truck /Not less than 200kw/30ton	0 to 5 years	1	1	1	1	4
7	Tipper Truck	10m ³ Truck /Not less than 200kw/30ton	0 to 5 years	4	2	2	2	10
Secondary Plant								
8	Mechanical Sweeper		0 to 5 years	1	1	1	1	4
9	Grader	Minimum 8tons/Not less than 70kw/1m ³ bucket	0 to 5 years	1	1	1	1	4
10	Mobile Jaw Crushers		0 to 5 years	1	1	1	1	4

NB 1: Please note that number of units reflected in the above table are not guaranteed. The quantities indicated above, may be varied in at the sole discretion of Pikitup.

- 3.5 Management Services for landfill plant and equipment;
- 3.5.1 The successful Bidders will be required to submit operational plan on how the landfill plant and equipment will be managed to ensure its effective and efficient operation and this should include but not limited to:
- Ensuring that each landfill plant and equipment is available for the minimum required time, 98% of the scheduled operating hours (SOH) per day,
- 3.5.2 Bidders must outline mechanism of availing landfill plant and equipment replacement (s) temporarily in case of downtime which might be planned or unplanned in order to manage the 98% PPEA of the required landfill plant and equipment.
- 3.5.3 The replacement(s) of broken machines shall meets the requirements as set out in table 1.
- 3.5.4 Ensure that any unused landfill plant and equipment should be collected within 2 days from the date which it became redundant.
- 3.5.4.1 Bidders will be required to provide for the following regarding the landfill plant and equipment availability plan:
- Capturing and recording the availability information for each landfill plant and equipment into its management information system(MIS), including the PEAH of each landfill plant and equipment in order to monitor the achievement of 98% PPEA and to report such availability accurately.
 - Telemetric notification system to inform Pikitup about the anticipated downtime on landfill plant and equipment.
 - Paying a penalty, where it has failed to ensure the achievement of 98% PPEA of landfill plant and equipment.
- 3.5.5 Providing the following reports to Pikitup, in relation to the management and oversight of the landfill plant and equipment:
- 3.5.5.1 Provision of landfill plant and equipment management report:
- 3.5.5.1.1 Bidders must supply a fully functional landfill plant and equipment management to Pikitup. Failure to submit this report it will result in penalties.
- 3.5.5.1.2 The management system will be used to maintain and in extracting data as well as daily reporting. This data in the system to remain accessible to Pikitup for the duration of this contract; for monitoring, viewing of landfill plant and equipment movement and related activities.

- 3.5.5.1.3 Bidders must submit plans for arranging for and providing facilities to ensure that each landfill plant and equipment is fitted with GPS enable landfill plant and equipment management system and On Board Computers (OBC) including an electronic log book facility and the system management thereof.
- 3.5.5.1.4 All costs related to the web based system must be borne by the successful bidder (s).
- 3.5.5.1.5 The Global Positioning System (GPS) must provide for live tracking and reporting of all landfill plant and equipment.
- 3.5.5.1.6 The system must have its own back-up.
- 3.5.5.1.7 Bidders must make provision for driver/operator tagging and recognition via a biometric system.
- 3.5.5.1.8 The landfill plant and equipment management system must be able to monitor daily the driver/ operator behaviour and generate reports.
- 3.5.5.1.9 The landfill plant and equipment management system must have functionality for operation replay, accident reconstruction, and ignition sensors; recording of kilometres travelled and hours worked per vehicle; and reverse cameras with distance sensors on landfill plant and equipment.
- 3.5.5.1.10 The automated log book facility for each landfill plant and equipment must interface with the landfill plant and equipment management system.
- 3.5.5.1.11 The system adopted must be capable of interfacing with Pikitup's existing or, when required, newly developed ICT platforms without cost to Pikitup.
- 3.5.5.1.12 A daily report of availability for each landfill plant and equipment as well as a cumulative report depicting availability (on a monthly basis).
- 3.5.5.1.13 A continuous cumulative report (on a monthly basis), of all landfill plant and equipment serviced and/or repaired during the preceding month/s, including the date of repair and description of the repair in respect of maintenance, service and/or repairs.
- 3.5.5.1.14 A manual system provided by the service(s) for recording landfill plant and equipment operating hours must be maintained by Pikitup.
- 3.5.6 Bidders must ensure that all landfill plant and equipment are fully comprehensively insured.
- 3.5.7 Bidders must ensure that there is always sufficient fuel to operate the landfill plant and equipment with no interruptions.
- 3.6 Employment of personnel
 - 3.6.1 The Bidder shall ensure that its employed personnel for this contract are South African citizens.
 - 3.6.2 Certificate of fitness, driver's license and operator certificate of labour employed by the bidder should be provided where applicable within seven (7) days of award.

- 3.6.3 The bidder shall at the request of Pikitup's responsible official in conjunction with the General Manager: Disposal remove from Pikitup's site(s), any person employed by the bidder, who may be deemed by Pikitup as incompetent or conducts him/herself in a manner that is not in line with Pikitup's Code of Conduct. The bidder must replace such personnel with immediate effect.
- 3.6.4 The bidder must ensure that all persons used in the execution of this contract are lawfully employed.
- 3.6.5 The employment of personnel by the bidder on this contract does not imply entitlement of employment or benefits (present and future) by Pikitup. The bidder's employees will only be used for this Contract.
- 3.6.6 The bidder will be required to arrange for and provide facilities for the administration of driving licenses as well as the redirection and settlement of traffic fines, including but not limited to:
- 3.6.6.1 Registration and authorisation of each driver/operator that has been approved to drive/operate a landfill plant and equipment managed by the successful bidder.
- 3.6.6.2 Issuing each authorised driver/ operator with a driver tag and recognition via a biometric system to link each driver to a specific landfill plant and equipment at each time that the driver/operator has driven such landfill plant and equipment.
- 3.6.6.3 Informing Pikitup of the validity of the driver's licenses/ operator certificate or Professional Driving Permit of any driver/operator that intends to use a landfill plant and equipment.
- 3.6.6.4 Developing and maintaining an updated database of all authorised drivers/operators.
- 3.7 The successful bidder will be liable for a penalty for each instance where it fails to provide the services as required.
- 3.8 General requirements for the landfill plant and equipment
- 3.8.1 An hour meter, reverse cameras and warning safety device must be fitted to all landfill plant and equipment.
- 3.8.2 Pikitup reserves the right to access telematics systems or any other device installed to monitor equipment availability and performance.
- 3.8.3 Bidder must ensure that the landfill compactor is fitted with an on line real time information communication technology system which will enable Pikitup to remotely monitor the activity performance as follows:
- Daily compaction density.
 - Hours worked.
 - Area of operation.

3.9 Availability, Loss Control and Compliance Management

- 3.9.1 The successful bidder will be required to ensure that the goods and services are made available when required and that losses are minimized or avoided in the provision of the services.
- 3.9.2 Bidders must submit proposals of how they will ensure the availability of goods/services required in terms of this bid, and to ensure that losses are controlled/ avoided.
- 3.9.3 Bidders must provide mechanisms and systems to ensure that there is a total or acceptable level of compliance management with all applicable legislation and policies. Bidders must note that Pikitup will levy penalties for service level failures.
- 3.9.4 The availability, loss control and compliance management mechanisms must be articulated in detail and addressed under each of the proposal subheading in relation to the services required in terms of the bid.

3.10 Performance Reporting

3.10.1 The Bidder will be required to collect, maintain and provide “up to date” landfill plant and equipment, management records and related reports to stakeholders and line managers periodically.

3.10.2 Bidders must submit a plan with reporting schedule that includes, but not be limited to: -

- Detailed operational exception reports (Daily and Weekly);
- Detailed consolidated operational reports with detailed analysis, exceptions and interventions/ solutions (Monthly);
- Comparative summary reports with trend analysis and projections (Quarterly);
- Cumulative reports with trend analysis and projections (Annually).

3.11 Monthly Meetings

Pikitup and the successful bidder (s) will hold regular meetings. The meetings will amongst others discuss the following:

- Bidder’s performance (Monthly and Quarterly)
- Compliance with OHS Act. (Monthly and Quarterly)
- Payments. (Monthly)
- Penalties (Monthly)
- Incidents (Weekly and Quarterly)
- Operational Requirements and forward planning (Weekly)

3.12 Operating Procedures

Bidders are required to comply with Pikitup’ standard operational procedure.

3.13 Service Standards and Compliance to Service Level Standards

1.1.1. The successful bidder will be required to ensure that the solutions proposed in the bid are in line with the norms and standards..

1.1.2. The bidder will be required to maintain at least the minimum service levels and adhere to the key deliverables specified in this ToR and/or service specifications.

1.1.3. The successful bidder will be required to maintain compliance with relevant service levels and to report any non-compliance detected to Pikitup. Pikitup will use the reports or documentation provided by the successful bidder as well as its own records to confirm instances of non-compliance and levy the applicable penalties occurring due to the successful bidder's indefensible failures.

N.B: The general and specific conditions of the bid together with the acceptable elements of the accepted proposal will be carried over into the final contract with the successful bidder.

4. PENALTIES

Penalties shall be levied as per the table below.

Table 2: Penalties

Item	Description	Penalty
1	Failure to adhere to Pikitup's Health and Safety Requirements rules and regulations. Service personnel working without safety clothing/equipment.	10% of the monthly invoice on the first incident, 20% of the monthly invoice on the second incident, third incident amount to termination of the contract
2	Failure to keep activity records of plant and equipment	10% of the monthly invoice on the first incident, 15% of the monthly invoice on the second incident, third incident amount to termination of the contract
3	Failure to provide a replacement of landfill plant and equipment to achieve the 98 PPEA	
3.1	90 to 97 PPEA	5% of the monthly invoice
3.2	85 to 89 PPEA	10% of the monthly invoice
3.3	80 to 85 PPEA	20% of the monthly invoice
3.4	Less than 80 PPEA (Non achievement)	Contract gets terminated on condition that this none achievement occurs 3 times in that year

5. PRICING AND PRICING PRINCIPLES

- 5.1.** Bidders must provide costing of goods or services required by Pikitup, Bidders must not under any circumstances add or delete columns in the pricing schedule.
- 5.2.** Bidders must provide a complete cost breakdown of the service charges and provide distinct costing for each of the specified services in terms of this bid. It is compulsory for the bidder to ensure that all the primary plant are fully priced, failure to price all the primary plant will be disqualified.
- 5.2.1.** The prices must be fully inclusive of all cost that may be incurred by the bidder for the period of the contract.
- 5.2.2.** Bidders are required to quote prices per 8-hour shift, per landfill plant and equipment per day.
- 5.2.3.** Pikitup reserve the right to negotiate the price offered before the award of tender.
- 5.2.4.** The pricing will be recorded in the tender register. Where conflicts exists between the price quoted in the pricing schedule and the other prices quoted by the bidder elsewhere in the Bid document, the prices quoted in the pricing schedule shall prevail.

6. INVOICING

- 6.1.** Payment on this contract will be as follows:
- Invoices must be submitted covering a calendar month commencing on the 1st day of any month and ending on the last day of the month.
 - The service provider shall submit by the 3rd working day of following month a complete and detailed invoice, with supporting documents, for work done during the previous calendar month. Payment will be based on the invoices subject to any errors, downtime, penalties or any other claim, which Pikitup may have in respect of this Contract.
 - Payment shall be made at the tendered rates for every month by each landfill plant and equipment.
 - In any given week actual times worked shall be recorded and totaled at the end of the week.
 - Invoices for payment must be submitted under the Bidder's name as defined on the contract document.

7. EXPECTATION OF THE CONTRACT

- 7.1. It is intention of Pikitup to ensure that this contract is administered under strict operating procedures, taking into account industry best practices.

8. COMPLIANCE WITH LEGISLATION AND SPECIFICATION

- 8.1. The Bidder shall comply with the City's by-laws and any other Laws, Regulations or Ordinances and shall give all notices and pay all fees required by the provisions of such by-laws and regulations to the City and other authorities specified therein.
- 8.2. The Bidder shall comply with all the requirements prescribed in the specifications.
- 8.3. The Bidder shall at all times during the contract, at the service provider's own expense ensure that all personnel used for maintenance comply in all respects with the safety and other requirements of the Machinery and the Occupational Health and Safety Act No. 85 of 1993 and the regulations applicable thereunder as amended.
- 8.4. The service provider shall provide where necessary adequate protective clothing for its staff, as deemed a requirement by Pikitup's SHEQ Policies for the duration of the contract.

9. LANDFILL PLANT AND EQUIPMENT NOT COMPLYING WITH THE REQUIREMENTS

- 9.1. During the period of the contract any plant and equipment which in the opinion of the Pikitup responsible Official or his nominated representative in consultation with the Bidder senior operations manager is not capable of satisfactorily performing the duties as prescribed, owing to its mechanical conditions, or is in any way unsafe to operate shall be replaced within one working day.
- 9.2. The successful service provider must ensure that all plant and equipment are road worthy at all times for the duration of the contract.
- 9.3. At any time during the duration of this contract the Bidder may be called upon to produce any one or all of the following documents in respect of all road worthiness:
- Motor Carrier Certificate (Amended to Comply with this contract)
 - Letter from company of third party liability Insurance
 - Current Certificate of Fitness
 - Current Public Vehicle License
 - Driver's/Operator's License
 - Certificate of good standing with the Workmen's Compensation Commissioner.

10. OCCUPATIONAL HEALTH AND SAFETY PLAN

- 10.1.** The bidder shall have a safety plan for his operation on the landfill site, and shall ensure that the safety plan complies with the OHS Act. The Service provider shall submit the Safety Plan to Pikitup for comment/Approval at Contract award stage.
- 10.2.** The Service provider shall ensure that workers deployed to Pikitup have received health and safety training relevant to the work they are going to perform at Pikitup including use of hand tools training.

11. EVALUATION CRITERIA

11.1. PRE-COMPLIANCE AND FUNCTIONALITY EVALUATION PROCESS

- 11.1.1.** Firstly, pre-compliance evaluation will be conducted as per the pre-compliance requirements. Thereafter, all bidders that meet all the requirements will be further evaluated on functionality.
- 11.1.2.** The bidders that meet the minimum functionality evaluation threshold would then be evaluated on price and preference. The scores of the price and preference would be ranked from highest scoring bidder to the lowest scoring bidder.
- 11.1.3.** The award of this tender may be subjected to negotiations of fair market related prices with the preferred (i.e. highest scoring) bidders.
- 11.1.4.** It is the intention of Pikitup to award each landfill site separately, and may award contracts for the respective sites to one bidder or maximum of four bidders.
- 11.1.5.** The highest scoring bidder with all the available equipment would get preference in award for the largest landfill site, thereafter the second highest scoring bidder will get preference for the following largest site, etc.

12. EVALUATION CRITERIA

- 12.1.** PIKITUP will establish a Bid Evaluation Committee (BEC) whose responsibility is to make recommendations to the Bid Adjudication Committee (BAC). The BEC will short list and evaluate the bid in accordance with the criteria below and make recommendations to the BAC and thereafter to the Accounting Officer.
- 12.2.** The bid will be evaluated based on pre-compliance requirements, functionality evaluation, and lastly price and preference evaluation in terms of the PPPFA and Preferential Procurement Regulations of 2022.
- 12.3.** Bidders are required to demonstrate their ability to do the work by providing detailed previous and current performance reports including landfill operation, human capital, machinery where they performed work of a similar nature. The performance reports must be certified by the previous clients.

12.4. Pikitup reserves the right to verify and request additional reports that were not provided in the bid.

12.5. As a risk mitigating factor a service provider scoring functionality score of less than 70 out of 100 points will be considered to be posing a quality risk to the company and will therefore be disqualified. Only bidders who meet the minimum required score/ threshold for functionality will be further evaluation on Price and Preference.

13. PRE-COMPLIANCE EVALUATION CRITERIA

13.1. Compulsory briefing session

- Service providers will be required to attend a **Compulsory** briefing and information session that will be held as follows:

Venue: Robinson Deep Landfill Site Offices, 105 Turffontein Road, Johannesburg, South Africa

GPS co-ordinates: Latitude -26°23`16.07” S and Longitude 28°04`25.04” E

Date: 9 November 2023

Time: 11:00am

- The attendance of the briefing is **compulsory**. Bidders who fail to attend the compulsory briefing session, will not be considered for evaluation.

13.2. The appointed Bid Evaluation Committee will validate the list of returnable document as mentioned below for further evaluation to functionality stage.

13.3. Compulsory Returnable Documents Required:

- Bidders may be eliminated for not submitting compulsory returnable documents as stated below in line with Pikitup SCM Policies and Procedure Manual.

Table 3: Compulsory returnable documents required for pre-compliance evaluation:

Compulsory Returnable Documentation are required for pre-compliance evaluation purposes (Submission of these are compulsory)	Submitted (YES or NO)	Checklist (Guide for Bidder and the Bid Evaluation Committee)
a) To enable Pikitup to verify the bidder’s tax compliance status, the bidder must provide; <ul style="list-style-type: none"> • Copy of the Central Supplier Database (CSD) registration, where the CSD is fully tax compliant (CSD must not be older than 3 months); • or indicate their Master Registration Number / CSD Number; where the CSD is fully tax 		CSD must be in the same business name as the bidding company? CSD must be valid? The Tax status on CSD must be fully compliant? Bidders must ensure that their tax compliant status are

Compulsory Returnable Documentation are required for pre-compliance evaluation purposes (Submission of these are compulsory)	Submitted (YES or NO)	Checklist (Guide for Bidder and the Bid Evaluation Committee)
<p>compliant;</p> <ul style="list-style-type: none"> • or a copy of their Tax Clearance Certificate (TCS); <p>(Note: Refer to MDB 1)</p>		<p>continuously updated on CSD.</p> <p>Tax status must be compliant?</p>
<p>b1) Confirmation that the BIDDING COMPANY'S rates and taxes are up to date:</p> <ul style="list-style-type: none"> • Where the property is owned by the bidding company, an original or copy of the Municipal Account Statement of the bidding company confirming that the account is not in arrears for more than ninety (90) days. The correspondence may not be older than 3 months from date of tender closing; or • Where the property is leased or arrangements are in place for the bidding company to operate from the landlord's premises, a letter or statement or affidavit from landlord or the landlord's appointed property agent are required, confirming that the bidding company has no disputed account and / or that the account is not in arrears for more than ninety (90) days. Where possible, the landlord letter, landlord statement or landlord affidavit should be accompanied with a signed lease agreement. 		<p>Was a Municipal Account Statement or landlord letter provided for the bidding company?</p> <p>The name and / or addresses of the bidder's statement correspond with CIPC document?</p> <p>Are correspondence recent (not older than 3 months)?</p> <p>Are all payment(s) up to date (i.e. not in arrears for more than 90 days)?</p>
<p>b2) In addition to the above, confirmation is required that rates and taxes are up to date for all the bidding company's <u>Owners / Members / Directors / Major Shareholders</u>:</p> <ul style="list-style-type: none"> • Where an <u>owner / member / director / major shareholder</u> is not residing within South Africa, an affidavit is required from the <u>owner / member / director / major shareholder</u> confirming the aforesaid • Where the property is owned by the <u>owner / member / director / major shareholder</u> an original or copy of the Municipal Account Statement of the bidding company confirming that the account is not in arrears for more than 		<p>Was a Municipal Account Statement(s) or landlord letter(s) provided for ALL the bidding company's (SA based) directors?</p> <p>The names and/or addresses of all directors on statement correspond with CIPC document?</p> <p>Are correspondence recent (not older than 3 months)?</p> <p>Are all payments up to date</p>

Compulsory Returnable Documentation are required for pre-compliance evaluation purposes (Submission of these are compulsory)	Submitted (YES or NO)	Checklist (Guide for Bidder and the Bid Evaluation Committee)
<p>ninety (90) days. or</p> <ul style="list-style-type: none"> Where the property is leased or arrangements are in place for the owner / member / director / major shareholder to reside at the landlord's premises, a letter or statement or affidavit from landlord or the landlord's appointed property agent are required, confirming that the bidding company has no disputed account and / or that the account is not in arrears for more than ninety (90) days. Where possible, the landlord letter, landlord statement or landlord affidavit should be accompanied with a signed lease agreement. The above correspondence may not be older than 3 months from date of tender closing. Statements must be on a letter head and dated, and letters or affidavit must be dated and signed. 		(i.e. not in arrears for more than 90 days?)
<p>c) Duly Signed and completed MBD forms (MBD 1, MBD 4, MBD 5, MBD 8 and MBD 9)</p> <p>The person signing the bid documentation must be authorised to sign on behalf of the bidder. Where the signatory is not a Director / Member / Owner / Shareholder of the company, an official letter of authorization or delegation of authority should be submitted with the bid document.</p>		<p>All documents fully completed (i.e. no blank spaces)?</p> <p>All documents fully signed?</p> <p>Signature authorised (any director / member / trustee as indicated on the CIPC document, alternatively a delegation of authority would be required)?</p> <p>Documents completed in black ink (i.e. no "Tippex" corrections, no pencil, no other colour ink, will be considered)?</p>
<p>d) Approved Financial Statements for the most recent three (3) years or financial statements from date of existence for companies less than three years.</p> <p>NB: The bidder must submit signed audited annual financial statements for the most recent 3 years, or if established for a shorter period, submit audited</p>	<p><i>(Applicable for tenders above R10m in conjunction with MBD 5)</i></p>	<p><u>Approved Audited</u> financials provided (Audited financials must be signed by auditor)?</p> <p>If not, did the bidder provide proof by means of PIS score that financials must be either independently reviewed or no review required?</p>

Compulsory Returnable Documentation are required for pre-compliance evaluation purposes (Submission of these are compulsory)	Submitted (YES or NO)	Checklist (Guide for Bidder and the Bid Evaluation Committee)
<p>annual financial statements from date of establishment.</p> <p>If the bidder is not obliged by law to prepare signed annual financial statements for auditing purposes, then the bidder must submit annual financial statements for the most recent 3 years in accordance with any applicable law, or if established for a shorter period, submit annual financial statements from date of establishment. The annual financial statements must be for the most recent three consecutive periods. Where a bidder is established or operational for less than 3 years, documented proof must be provided to confirm the date of establishment or date of operational commencement.</p> <p>If the bidder is not obliged by law to prepare annual financial statements for auditing purposes they must submit their Public Interest Score (PIS) declaration to confirm that Audited Financial Statements are not a requirement, together with their Financial Statements for the previous three financial years or since establishment.</p> <p>PIS are as follows:</p> <ul style="list-style-type: none"> - Above 350, Financial Statement to be audited - 100 – 349, Financial Statement must have an independent review. - Less than 100, Financial Statement do not require to be audited nor an independent reviewed. <p>The average of the 3 year's financial statement will be used to calculate financial capability.</p>		<p>In PIS score was provided, was the relevant financial statements provided (i.e. independently reviewed or where no review is required)?</p> <p>Where supplier is in existence for less than 3 years, the financial statements for the most recent operational years must be provided, and proof what date the company was registered must be provided, or proof of operational commencement.</p> <p>Where the company was registered but dormant for a period of time, a certified affidavit is required from the managing director or principal member / trustee.</p>

Compulsory Returnable Documentation are required for pre-compliance evaluation purposes (Submission of these are compulsory)	Submitted (YES or NO)	Checklist (Guide for Bidder and the Bid Evaluation Committee)
<p>e) Joint Ventures (JV) – (Only applicable when the bidder tender as a joint venture)</p> <ul style="list-style-type: none"> • Where the bidder bid as a Joint Ventures (JV), the required or relevant documents as per (a) to (h) above must be provided for all JV parties. • In addition to the above the bidder must submit a Joint Venture (JV) agreement signed by the relevant parties. • Note: It is a condition of this bid that the successful bidder will continue with same Joint Venture (JV) for the duration of the contract, unless prior approval is obtained from Pikitup. 		<p>If applicable.</p> <p>JV agreement provided?</p> <p>JV agreement complete and relevant?</p> <p>Agreement signed by all parties?</p> <p>All required documents as per (a to h) must be provided for all partners of the JV.</p>
<p>f) Valid COID registration certificate. The certificate must be valid at the time of bidding</p>		<p>Copy of valid COIDA</p>
<p>g) Copies of the vehicle/ plant and equipment Natis ownership documents / or lease / or a rental commitment document.</p> <p>All proposed plant and equipment should not be older than 5 years (i.e. calculated from date of initial purchase or initial registration, to the tender closing date).</p>		<p>Proof of ownership / or a copy of lease / or a rental commitment document</p>

14. OTHER RETURNABLE DOCUMENTS TO BE USED IN THE EVALUATION PROCESS:

Table 4: Other Returnable Documentation

Other Returnable Documentation	Submitted (YES or NO)
a) Proof of Company Registration (Latest version of company registration showing the company's physical address, all the current registered owners / members / directors / shareholders, and all the owners / members / directors / shareholders' physical addresses.	
b) Proof of registration with Central Supplier Database established by National Treasury	
c) Copy of ID Documents of all owners/members/shareholders/directors	
d) Original or certified copy of BBBEE scorecard or Affidavit	
e) Company Profile	
f) CV of Site supervisor indicating previous experience of similar nature	
g) Copies of operators certificates/ driver's license	
h) Proof of current landfill plant and equipment as per table 1, that will be available at the time of award as stipulated in scope of services	
i) Proof of ownership of landfill plant and equipment listed or evidence of rental capacity from suppliers in the form of registration documents, asset register or letter of confirmation of landfill plant and equipment hire or lease agreements with suppliers	
j) Natis/ ownership document of all the plant and equipment must be attached	
k) Full completion of all other MBD forms attached on the tender document	
l) Health and Safety Plan (NB bidders are expected to develop their own plan)	

15. TECHNICAL AND / OR FUNCTIONALITY EVALUATION CRITERIA

The following criteria will be applicable and the maximum weights of each criterion will be as indicated in the document.

Table 5: Functionality Criteria

CRITERION	CRITERION DETAILS	POINTS
FINANCIAL CAPABILITY	<p>Financial standing/capability of the Company (Financial Capability) Provide 3 years consecutive approved financial statements, refer to item (d) on table 3 of the pre-compliance schedule.</p> <p>Liquidity Ratio =5 Current Assets divided by Current Liability If assets is greater than liabilities by:</p> <ul style="list-style-type: none"> • Above 2 = 5 • Above 1.5 but less than/equal to 2 = 4 • Above 1 but less than/equal to 1.5 = 3 • One (1) or less = 0 <p>Interest Cover ratio=5 Earnings before interest and Taxes divided by Interest:</p> <ul style="list-style-type: none"> • Above 5 = 5 • Above 4 but less than/equal to 5 = 4 • Above 3 but less than/equal to 4 = 3 • Above 2 but less than/equal to 3 = 2 • Above 1 but less than/equal to 2 = 1 • 1 or less = 0 <p>Return on Assets Ratio=5 Net Income divided by Average Total Assets</p> <ul style="list-style-type: none"> • Above 100% =5 • Above 75% but less than/equal to 100% = 4 • Above 50% but less than/equal to 75% = 3 • Above 25% but less than/equal to 50% = 2 • Above 0% but less than/equal to 25% = 1 • Less than 0 = 0 	15

CRITERION	CRITERION DETAILS		POINTS
TRACK RECORD	Bidder must provide performance report in relation to landfill operation. Records provided will be verified with previous and current clients.		35
	Track record of performance in the operation of landfill equipment.		
	Guideline	Rating 0-5	
	Company has never received any poor performance notification letters from client(s)	5	
	Company's contract was terminated due to poor performance before end of contracted term AND/ OR Company was issued with 1 or more notification/warning letter in relation to poor performance	0	
TECHNICAL CAPABILITY	Experience of the key personnel (CV's detailing experience in contract/project management for project manager and supervision experience in the operation of plant and equipment) (Specify key personnel on Table B, under annexures)		10
	Project Manager Experience in operation of plant and equipment in Landfills (5)		
	Guideline	Rating 0-5	
	Below 1 year experience	0	
	One (1) year –2 years' experience	1	
	Two (2) years –3 years' experience	2	
	Three (3) years - 4 years' experience	3	
	Four (4) years - 5 years' experience	4	
	Over 5 years' experience	5	
	Operations Supervisor (5)		
	Guideline	Rating 0-5	
	Below 1 year experience	0	
	One (1) year –2 years' experience	1	
	Two (2) years –3 years' experience	2	
	Three (3) years - 4 years' experience	3	
	Four (4) years - 5 years' experience	4	
	Over 5 years' experience	5	

CRITERION	CRITERION DETAILS	POINTS	
EXPERIENCE IN SUPPLY AND OPERATION	Company experience in the supply of plant and equipment (Also specify contracts schedule on Table A)		
	Track record (Company Profile or schedule of project undertaken) of experience in the supply and operation of plant and equipment in landfill. (10)	10	
	Guideline		Rating 0-5
	>5 years		5
	>4 to 5 years		4
	>3 to 4 years		3
	>2 to 3 years		2
	1 to 2 years		1
	Below 1 year/ no submission / no contract start and end dates		0
	Contactable References		
	Reference letters with contact details from different companies' / government institutions for the supply and operation of landfill plant and equipment. All the reference letters will be verified (10)		
	Guideline	Rating 0-5	
	0 Reference letter	0	10
	1 Reference letter	1	
	2 Reference letters	3	
3 or more Reference letters	5		
<p>Note: Only signed reference letters on official letterheads, and contactable references will be accepted</p> <p>Reference letters must comply with the following requirements:</p> <ul style="list-style-type: none"> - Reference letter must be for services that was rendered within 5 years - Reference letters must be signed by the client - Reference letters must be for projects exceeding R 5 million per project and the project value must be specified in the reference letter/s - References must be on the client official company letterheads - References must be contactable (i.e. with client's contact details) - References must be relevant to the required service (i.e. landfill plant and equipment) References may not be from affiliated companies and must be from clients where services were delivered to the end user. 			

CRITERION	CRITERION DETAILS	POINTS	
METHODOLOGY AND MANAGEMENT PLAN	Implementation Plan with firm timelines clearly demarcating lead time to deliver the landfill plant and equipment (10)	10	
	Bidder to develop and provide a project implementation plan which must be detailed, relevant and practical for delivery on the scope of work (Schedule). All required landfill plant and equipment must be fully functional in six (6) weeks NB: (Please submit a letter signed by the Accounting Officer indicating the delivery lead times)		
	Guideline		Rating 0-5
	Supply within 2 weeks from award		5
	More than 2 to 4 weeks		4
	More than 4 to 6 weeks		3
	No Submission/ above 6 weeks		0
LOCALITY	Locality	10	
	The address were the business premises are located or is operating from. (10)		
	Guideline		Rating 0-5
	Within COJ area		5
	Within Gauteng but Outside COJ area		3
	Outside Gauteng within RSA		2
Outside RSA	0		
Subtotal (In office functionality evaluation)		100	
Bidders must score 70 of 100 points to qualify for the next evaluation stage			

NB! The minimum cut off points for functionality is calculated out of a 100 points and any bidder scoring less than the threshold of 70 out of 100 points will not be considered for further evaluation.

15.1. Plant and Equipment verification

- Physical verification of all primary plant and equipment will be done for all the bidders that meet the threshold of 70%.
- The potential bidder will be expected to transport their plant and equipment to Pikitup's facility for verification at the bidder's cost.
- The bidder will be given 7 days to deliver the plant and equipment at Pikitup facility for verification.
- Bidders will be advised through written communication about location of delivery of all the primary plant and equipment for inspection and verification. The bidder who fails to meet the requirements of the physical verification may be disqualified. **(see Annexure F for verification criteria that will be used)** of the following machines (either on one or in combination):
 - Compactor,
 - Dozer,
 - Excavator and
 - Water truck

16. PRICE AND PREFERENCE POINTS EVALUATION CRITERIA

Final Proposal will be evaluated on the basis of the Preferential Procurement Regulations of 2022 and the Pikitup SCM Policy on the 90/10 preference point system. The 90/10 preference point system will be as follows:

Price	90
Preference (Specific Goals)	10
TOTAL	100

A maximum of 90 points will be allocated for price on the following basis:

90/10 formula.

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

Where

- Ps = Points scored for comparative price of bid under consideration
- Pt = Comparative price of bid under consideration
- Pmin = Comparative price of lowest acceptable bid

Therefore

Price Points **90**
Preference Points *((Points scored by the bidder in terms of specific goals))* **10**

100

Total points for Price and Preference **100**

PREFERENCE POINTS AWARDED FOR SPECIFIC GOALS

- 1.2. Preference points will be awarded for specific goals as stated in this tender. For the purposes of this tender the bidder will be allocated points based on the goals stated in the table below as may be supported by documented proof as stated in this tender.
- 1.3. The 90/10 preference point system will apply for this tender. In the case where it is unclear whether the 90/10 preference point system applies the highest scoring acceptable tender will be used to determine the applicable preference point system.
- 1.4. The following specific goals are determined by Pikitup for this tender with the intent to promote HDI and the local economy.

Specific goals	The specific goals points allocated by Pikitup for this tender	Means of verification	Points allocated for each goal (90/10 system)
Goal 1	Enterprises owned by black people with at least 51% shareholding	CSD, Valid BBBEE certificate, Affidavit sworn under oath, copy of owners ID, or shareholders certificate	3
	Enterprise owned by women with at least 51% shareholding	CSD, Valid BBBEE certificate, Affidavit sworn under oath, copy of owners ID, or shareholders certificate	2
	Enterprise owned by youth with at least 51% shareholding	CSD, Valid BBBEE certificate, Affidavit sworn under oath, copy of owners ID, or shareholders certificate	0
	Enterprise owned by people with disabilities with at least with 51% shareholding	CSD, Valid BBBEE certificate, Affidavit sworn under oath, or shareholders certificate	0
	Co-operatives or Non-Profit Organisations which is at least 51% owned by black people	CSD, Valid BBBEE certificate, Affidavit sworn under oath, copy of owners ID, or CIPC registration document	0
	Enterprise with B-BBEE status level 1 to 4	Valid BBBEE certificate, Affidavit sworn under oath	0
Goal 2	SMME's (An EME or QSE)	CSD, Valid BBBEE certificate, Affidavit sworn under oath	2
	Enterprises located within the City of Johannesburg Metropolitan Municipality	CSD, proof of municipal account, letter or statement from the landlord	3
	Enterprises located within a specific region within the CoJ for work to be done or services to be rendered in that region.	CSD, proof of municipal account, letter or statement from the landlord, letter from the Ward Council confirming the business address	0
	Enterprises located in Townships	CSD, proof of municipal account, letter or statement from the landlord, letter from the Ward Council confirming the business address	0
	Subcontracting to business owned by designated groups (up to 30%)	Commitment letter confirming subcontracting the designated groups, draft subcontracting agreement to the designated groups and Valid BBBEE certificate or Affidavit sworn under oath of the subcontracted business	0
Total (Maximum number of preference points)			10

Note to bidders:

- The bidder must complete and indicate in MBD 6.1 the points claimed against each specific goal according to provisions made for preference points to be claimed as indicated in Table 6 above.
- The maximum number of points that may be claimed for each goal are indicated above in the last column.
- Where the points allocated for a specific goal is "0" or indicated "N/A", that specific goal is not applicable for this tender and no points may be claimed for that goal.
- The total number of points claimed may not exceed the maximum of 10 points where the 90/10 preference point system applies.

TABLE “A”

PREVIOUS WORK IN SUPPLY AND OPERATION OF PLANT AND EQUIPMENT

In addition to the company profile also provide the following information on relevant previous experience to substantiate the total years of experience. Indicate comparable projects in supply and operation of plant and equipment.

NAME OF CLIENT	SHORT DESCRIPTION OF THE CONTRACT	VALUE OF CONTRACT	START DATE	END DATE

TABLE “B”

EXPERIENCE OF THE KEY PERSONNEL (ATTACH CV’S)

Attach CV’s detailing experience in project management for project manager and supervision experience in the operation of plant and equipment)

NAME OF PROJECT MANAGER	SUMMARY OF EXPERIENCE IN OPERATION PLANT AND EQUIPMENT	NUMBER YEARS OF EXPERIENCE

NAME OF OPERATIONS SUPERVISOR	SUMMARY OF EXPERIENCE IN OPERATION PLANT AND EQUIPMENT	NUMBER YEARS OF EXPERIENCE

TABLE “C”

SUMMARY OF EQUIPMENT AVAILABLE

Item	Plant/Equipment short description	Capacity Requirements	Plant / Equipment age requirements	Number of plant and equipment available
1	Landfill Compactor	Minimum 32 ton / Not less than 260kw	0 to 5 years	
2	Bull Dozer	Minimum 18ton (D6) / Not less than 140kw	0 to 5 years	
3	Excavator Trax	Minimum 20 ton/Not less than 105kw	0 to 5 years	
4	Articulated Dump Truck	Minimum 18 ton Truck /Not less than 200kw/ton	0 to 5 years	
5	Back Hoe Loader (TLB)	8tons/Not less than 70kw/1m ³ bucket	0 to 5 years	
6	Water Tanker	10m ³ Truck /Not less than 200kw/30ton	0 to 5 years	
7	Tipper Truck	10m ³ Truck /Not less than 200kw/30ton	0 to 5 years	
8	Mechanical Sweeper		0 to 5 years	
9	Grader	Minimum 8tons/Not less than 70kw/1m ³ bucket	0 to 5 years	
10	Mobile Jaw Crushers		0 to 5 years	

TABLE “E”: PRICING SCHEDULE

PRICING SCHEDULE OF PLANT AND EQUIPMENT FOR LANDFILL SITE: YEAR 1						
Item	Plant and Equipment	Capacity	Plant and Equipment Maximum Lifespan	Plant and Equipment Quantity (PEQ)	Hourly Wet Rate (Monday to Sunday and Public Holiday) per Unit with operators (Excl VAT)	Hourly Wet Rate (Monday to Sunday and Public Holiday) per Unit without operators (Excl VAT)
1	Landfill Compactor	Minimum 32ton / Not less than 260kw	0 to 5 years	1		
2	Bull Dozer	18ton (D6) / Not less than 140kw	0 to 5 years	1		
3	Excavator Trax	20ton/Not less than 105kw	0 to 5 years	1		
4	Articulated Dump Truck	10m ³ Truck /Not less than 200kw/ton	0 to 5 years	1		
5	Grader	8tons/Not less than 70kw and 1,5 m blade length	0 to 5 years	1		
6	Back Hoe Loader (TLB)	8tons/Not less than 70kw/1m ³ bucket	0 to 5 years	1		

7	Water Tanker Truck	16000L /Not less than 200kw/30ton	0 to 5 years	1		
8	Tipper Truck	10m ³ Truck /Not less than 200kw/30ton	0 to 5 years	1		
9	Mechanical Sweeper		0 to 5 years	1		
10	Mobile Jaw Crushers		0 to 5 years	1		
Sub Total						
Vat 15%						
Total (Year 1) Carry over to Grand Total						

PRICING SCHEDULE OF PLANT AND EQUIPMENT FOR LANDFILL SITE: YEAR 2

Item	Plant and Equipment	Capacity	Plant and Equipment Maximum Lifespan	Plant and Equipment Quantity (PEQ)	Hourly Wet Rate (Monday to Sunday and Public Holiday) per Unit with operators (Excl VAT)	Hourly Wet Rate (Monday to Sunday and Public Holiday) per Unit without operators (Excl VAT)
1	Landfill Compactor	Minimum 32ton / Not less than 260kw	0 to 5 years	1		
2	Bull Dozer	18ton (D6) / Not less than 140kw	0 to 5 years	1		
3	Excavator Trax	20ton/Not less than 105kw	0 to 5 years	1		
4	Articulated Dump Truck	10m ³ Truck /Not less than 200kw/ton	0 to 5 years	1		
5	Grader	8tons/Not less than 70kw and 1,5 m blade length	0 to 5 years	1		
6	Back Hoe Loader (TLB)	8tons/Not less than 70kw/1m ³ bucket	0 to 5 years	1		
7	Water Tanker Truck	16000L /Not less than 200kw/30ton	0 to 5 years	1		

8	Tipper Truck	10m ³ Truck /Not less than 200kw/30ton	0 to 5 years	1		
9	Mechanical Sweeper		0 to 5 years	1		
10	Mobile Jaw Crushers		0 to 5 years	1		
Sub Total						
Vat 15%						
Total (Year 2) Carry over to Grand Total						

PRICING SCHEDULE OF PLANT AND EQUIPMENT FOR LANDFILL SITE: YEAR 3

Item	Plant and Equipment	Capacity	Plant and Equipment Maximum Lifespan	Plant and Equipment Quantity (PEQ)	Hourly Wet Rate (Monday to Sunday and Public Holiday) per Unit with operators (Excl VAT)	Hourly Wet Rate (Monday to Sunday and Public Holiday) per Unit without operators (Excl VAT)
1	Landfill Compactor	Minimum 32ton / Not less than 260kw	0 to 5 years	1		
2	Bull Dozer	18ton (D6) / Not less than 140kw	0 to 5 years	1		
3	Excavator Trax	20ton/Not less than 105kw	0 to 5 years	1		
4	Articulated Dump Truck	10m ³ Truck /Not less than 200kw/ton	0 to 5 years	1		
5	Grader	8tons/Not less than 70kw and 1,5 m blade length	0 to 5 years	1		
6	Back Hoe Loader (TLB)	8tons/Not less than 70kw/1m ³ bucket	0 to 5 years	1		
7	Water Tanker Truck	16000L /Not less than 200kw/30ton	0 to 5 years	1		

8	Tipper Truck	10m ³ Truck /Not less than 200kw/30ton	0 to 5 years	1		
9	Mechanical Sweeper		0 to 5 years	1		
10	Mobile Jaw Crushers		0 to 5 years	1		
Sub Total						
Vat 15%						
Total (Year 3) Carry over to Grand Total						

Subtotals per annum	Hourly Wet Rate (Monday to Sunday and Public Holiday) per Unit with operators (Excl VAT)	Hourly Wet Rate (Monday to Sunday and Public Holiday) per Unit without operators (Excl VAT)
Subtotals Year 1 (including VAT)	R	R
Subtotals Year 2 (including VAT)	R	R
Subtotals Year 3 (including VAT)	R	R
Grand total (including VAT) (AMOUNT MUST BE TRANSFERRED TO THE COVER PAGE OF THE TENDER DOCUMENT)	R	R

Important Note:

- PIKITUP reserves the right to award the contract to one or more service providers.
- PIKITUP reserves the right to award the contract partially or not to award at all.

TABLE "F": VERIFICATION DOCUMENTS

THE DOCUMENTS BELOW WILL BE USED TO CONDUCT EVALUATION/ INSPECTION OF PLANT AND EQUIPMENT.

Joburg a world class African city		<i>Pikitup Plant and Vehicle @ Workshop Inspection Sheet</i>				PIKITUP JOHANNESBURG	
Vehicle Details							
Reg #		Inspector Name / Surname					
Make & Model		SAP Number					
Vehicle Type		Date (dd/m/yyyy)					
Depot		License / COF Expiry Date					
Mileage							
Tyre Inspections				Mechanical Functions			
		Pressure	Depth	Description	Comment		
		Pos 1		Batteries (Secured / In Place)			
		Pos 2		Starter (Noise / Grinding)			
		Pos 3		Gearbox (Noise/Gears/Oil Leaks)			
		Pos 4		Brakes (Low/None)			
		Pos 5		PTO Controls / Fluid Leaks			
		Pos 6		Steering (Play)			
		Pos 7		Diff (Noise/Leaks)			
		Pos 8		Engine Noise or Oil Leaks			
		Pos 9		Water Levels and Leaks			
		Pos 10		Hooter			
Comments:				Speed Limiter (Working /Speed)			
				Exhaust (Noise/Leaks/Manifold)			
Electrical Condition Inspections				Interior Damage Inspection			
Description		Comment		Description		Comment	
Front L & R Headlamps				Window Winders			
Left & Right Tail Lamps				Handbrake Lever			
Left & Right Brake Lights				Seats (Torn/Damage)			
Front L & R Indicators				Foot Pedal Rubbers			
Rear L & R Indicators				Door Handles			
Vehicle Cluster Operating				Door Panels			
Safe Stop Inspection				Warning Triangles			
Reverse Lights				Fire Extinguisher			
Number Plate Lights				Safety Belts			
Hazard Lights				Gear Lever			
Transmission Electric Fans							
Exterior Damages				Hydraulic Damage Inspection			
Description		Comment		Description		Comment	
Driver / Passenger Door				Bin Lifters Damage / Leaks			
Load Bin / Compactor Body				Sweeper Blade Functional / Leaks			
Front Bumper				Moving Parts Greased / Dry			
Front Grill				Hydraulic Hose Leaks			
Rear Bumper / Step Bar				Cylinder Leaks			
Rear Doors / Tail Gate				PTO in Working Order			
Windscreen							
				Safety Inspections			
L/F and R/F Fenders				Description		Comment	
Chevron Plates				Rear Side Crew Steps			
Side Crew Steps				REL Skip Bin Safety Locks			
Crew Cab				Winch Cable			
Skip Bins Safety Locks				Hydraulic Hose Leaks			
Left & Right Side Mirrors				Cylinder Leaks			
Signature:				Signature:			

Vehicle Photographic Evidence of Condition

Vehicle Details											
Reg #						Landfill					
Make & Model						Mileage					
Activity / Route						Reason for Scrap/Repair					
(Photo 1)						(Photo 2)					
(Photo 3)						(Photo 4)					
(Photo 5)						(Photo 6)					
Inspector Name / Surname:						Inspector Signature:					

ANNEXURE 4

MBD 4

DECLARATION OF INTEREST

MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
1. 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?
(Circle the applicable answer) 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?
(Circle the applicable answer)...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?

(Circle the applicable answer) 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?

(Circle the applicable answer)...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?

(Circle the applicable answer)...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?

(Circle the applicable answer)...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?

(Circle the applicable answer)...YES / NO

3.14.1 If yes, furnish particulars:

.....
.....

ANNEXURE 5.1

MBD 5

MBD 5

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED)

For all procurement expected to exceed R10 million (all applicable taxes included), bidders must complete the following questionnaire:

1 Are you by law required to prepare annual financial statements for auditing?

1.1 If yes, submit audited annual financial statements (signed and / or stamped by the relevant auditor) for the past three years or since the date of establishment if established during the past three years.

YES / NO *
(* Delete if not applicable)

1.2 If no, please complete the public interest scores (PIS) for each of the financial years for which you provided financial statements, to determine if the statements required to be independently reviewed or not.

2 Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than three months or any other service provider in respect of which payment is overdue for more than 30 days?

YES / NO *
(* Delete if not applicable)

2.1 If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than three months or other service provider in respect of which payment is overdue for more than 30 days.

2.2 If yes, provide particulars.

.....
.....

3 Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract?

YES / NO *
(* Delete if not applicable)

3.1 If yes, furnish particulars

BID NUMBER PU102/2022 – BID TO ESTABLISH A PANEL OF SERVICE PROVIDERS TO SUPPLY AND OPERATE VEHICLE, PLANT AND EQUIPMENT USED FOR ILLEGAL DUMPING AND GARDEN SITE SERVICES (INCLUSIVE OF FUEL, MAINTENANCE AND OPERATING STAFF) OVER A PERIOD OF 3 YEARS

4. Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic?

***YES / NO**
 (* Delete if not

applicable)

- 4.1 If yes, furnish particulars

.....

CERTIFICATION

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

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of Bidder

ANNEXURE 5.2

PIS SCORE

ONLY APPLICABLE
FOR TENDERS
ABOVE R10M

DECLARATION OF PUBLIC INTEREST SCORE (PIS) SCORE

Further to MBD 5 Question 1; where it was declared that your company is not required by law to prepare annual financial statements for auditing, please declare your company's PIS score below:

PIS SCORE FOR EACH SET OF FINANCIAL STATEMENTS (AS REQUIRED BY THE COMPANIES ACT OF 2008)

PIS SCORE (1st set of financials):

PIS SCORE (2nd set of financials):

PIS SCORE (3rd set of financials):

Indicate which Financial Statement classification apply to your company	PIS Score	First set of financial statements Tick relevant box below with an "X"	Second set of financial statements Tick relevant box below with an "X"	Third set of financial statements Tick relevant box below with an "X"
- Financial Statement provided <u>must be audited</u> (Where the bidder did not provide a PIS score or if the PIS score provided is 350 points and above; audited financial statements must be provided)	Above 350			
- Financial Statement provided <u>must have an independent review</u> (Where the bidder's PIS score is between 100 and 350; financial statements that are independent reviewed by a registered auditor or a chartered accountant must be provided)	Between 100 and 350			
- Financial Statement provided <u>do not require to be audited neither independent reviewed</u> (Where the bidder's PIS score is below 100, financial statements must be provided but don't have to be audited or independently reviewed)	Below 100			

IMPORTANT NOTE:

BIDDERS WHO DO NOT PROVIDE AUDITED FINANCIAL STATEMENTS MUST PROVIDE A PIS SCORE TO CONFIRM IF THE BIDDER SHOULD PROVIDE INDEPENDENTLY REVIEWED FINANCIAL STATEMENTS OR NOT. NON-COMPLIANCE TO THE AFOREMENTIONED WILL RESULT INTO DISQUALIFICATION FOR FURTHER EVALUATION.

BID NUMBER PU102/2022 – BID TO ESTABLISH A PANEL OF SERVICE PROVIDERS TO SUPPLY AND OPERATE VEHICLE, PLANT AND EQUIPMENT USED FOR ILLEGAL DUMPING AND GARDEN SITE SERVICES (INCLUSIVE OF FUEL, MAINTENANCE AND OPERATING STAFF) OVER A PERIOD OF 3 YEARS

CERTIFICATION

I, THE UNDERSIGNED (NAME) CERTIFY THAT THE PIS SCORE ABOVE IS CORRECT.

PIKITUP MAY REQUEST FOR SUPPORTING DOCUMENTS TO CONFIRM THE ABOVE SCORE.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

THE FOLLOWING INFORMATION RELATING TO THE PUBLIC INTEREST SCORE (PIS) CALCULATION IS PROVIDED BY PIKITUP FOR THE BIDDER'S INFORMATION ONLY AND THE INFORMATION MIGHT ASSIST THE BIDDERS RELATING TO THE COMPANIES AND INTELLECTUAL PROPERTY COMMISSION REQUIREMENTS IN TERMS OF THE FINANCIAL STATEMENT REQUIREMENTS OF THE COMPANIES ACT (2008) AND THE CLOSED CORPORATIONS ACT (1984).

Financial Statements and Independent Reviews

Private or personal liability companies that are required to be audited by the Companies Act, 2008 or regulation 28, must file a copy of the latest approved Audited Financial Statements on the date that they file their annual return with the CIPC.

The following private companies are required to have their annual financial statements audited:

- Any private or personal liability company if, in the ordinary course of its primary activities, it holds assets in a fiduciary capacity for persons who are not related to the company, and the aggregate value of such assets held at any time during the financial year exceeds R5 million;
- Any private or personal liability company that compiles its financial statements internally (for example, by its financial director or one of the owners) and that has a Public Interest Score (PIS) of 100 or more;
- Any private or personal liability company that has its financial statements compiled by an independent party (such as an external accountant) and that has a Public Interest Score (PIS) of 350 or more;

Unless the company has opted to have its annual financial statements audited or is required by its Memorandum of Incorporation (MOI) to do so, a private or personal liability company that is not managed by its owners may be subject to independent review if:

- It compiles its financial statements internally and its Public Interest Score is less than 100;
- It has its financial statements compiled independently at its Public Interest Score is between 100 and 349;

Private or personal liability companies that are not required to have their financial statements audited, may elect to voluntarily file their audited or reviewed statements with their annual returns. If such companies choose not to file a full set of financial statements, they must file a financial accountability supplement with their annual return.

How to calculate the Public Interest Score (PIS) of a company or close corporation

- a number of points equal to the average number of employees of the company during the financial year;
- one point for every R1 million (or portion thereof) in third party liability of the company, at the financial year end;
- one point for every R1 million (or portion thereof) in turnover during the financial year; and
- one point for every individual who, at the end of the financial year, is known by the company-
- in the case of a profit company, to directly or indirectly have a beneficial interest in any of the company's issued securities; or
- in the case of a non-profit company, to be a member of the company, or a member of an association that is a member of the company.

Source Companies and Intellectual Property Commission website: <http://www.cipc.co.za>

Does your CC follow the CC Act or the Companies Act?

If you're not 100% compliant with legislation for accounting officer duties, you'll face penalties. When the Companies Act (2008) came into effect, the Closed Corporations Act (1984) didn't fall away. The Companies Act didn't replace it either, thus both Acts apply.

According to the Close Corporations Act, you don't need an audit. You can use general accounting principles. For companies, you have to follow IFRS and the Companies Act. But if your CC grows the Companies Act kicks in and a full audit and IFRS or IFRS for SMEs is required.

Source: FSP Business Website: <http://fspbusiness.co.za/articles/accounting/do-you-know-when-and-why-you-need-to-create-financial-statements-7151.html>

Do you know when and why you need to create financial statements?

Here's what to do to calculate your PIS score:

The company gets 1 point for every:

- Number of shareholders and / or partners; and
 - Average number of staff members over the entire year (You need to look at the average of all the staff members for the entire year. So, if you have a high staff turnover, don't worry about having a high PIS score!)
 - Every R1 million rand of turnover or part thereof;
- and
- Every R1 million of outside debt / liabilities or part thereof, as at the end of the year.

Source: <http://practicalaccountancylooseleaf.co.za/content/aadppc2013b-does-your-cc-follow-cc-act-or-companies-act>

The following links might assist the bidder to calculate the Public Interest Score (PIS)

<http://statucor.co.za/public-interest-score>

<https://www.casewarefrica.co.za/interesting-reads/articles/calculate-your-business-s-public-interest-score/>

<http://www.ithembaonline.co.za/wp-content/uploads/2016/10/Public-Interest-Score-Calculator.xlsx>

https://www.exceedinc.co.za/assets/dynamic/70/files/79/6/6_public-interest-score-1--nuutste-weergawe.xlsx

The following links might assist the bidder to get a better understanding of legislative requirements and the Public Interest Score (PIS)

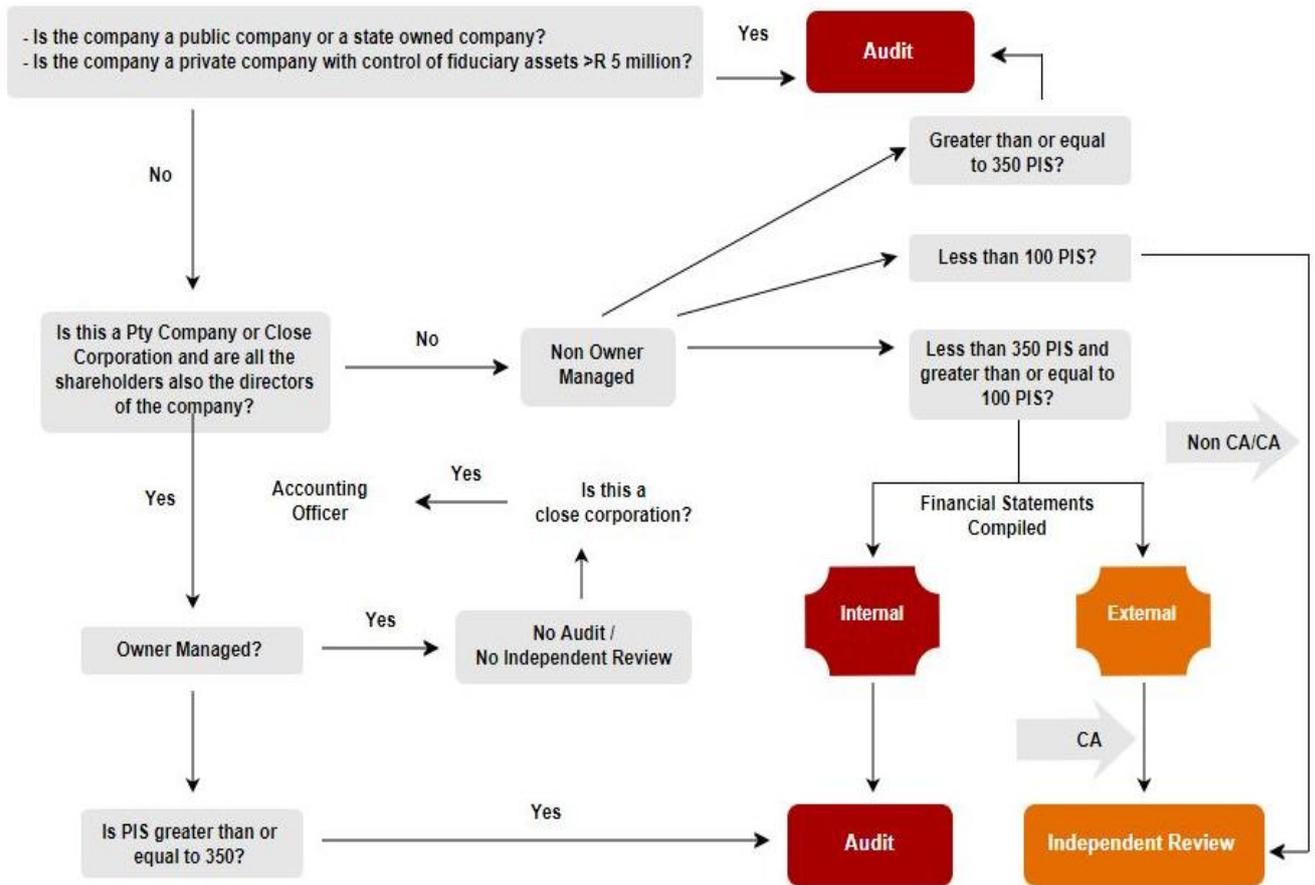
<http://www.cipc.co.za/index.php/manage-your-business/manage-your-company/private-company/compliance-obligations/financial-statements/>

<http://www.cipc.co.za/index.php/manage-your-business/compliance-and-recourse>

https://www2.deloitte.com/content/dam/Deloitte/za/Documents/governance-risk-compliance/ZA_AuditRequirementsAndOtherMattersRelatedToTheAudit_24032014.pdf

<http://www.mdacc.co.za/index.php/companies-act-and-annual-financial-statement-requirements/>

Example of PIS flow chart:



Example of PIS calculation (i.e. during a particular financial year):

Category	Points	Example company	Example score
Annual average Number of employees	1 pt per employee	45	45
Third party liabilities	1 pt per R 1m	R 2,500,000	3
Revenue Sales	1 pt per R 1m	R 5,600 ,000	6
Shareholders	1 pt per shareholder	3	3
Public interest score:			57

ANNEXURE 6.

(NOT APPLICABLE FOR THIS
TENDER)

ANNEXURE 7

CONTRACT FORM

MBD 7.2 – RENDERING OF SERVICES

**MBD 7.2
CONTRACT FORM - RENDERING OF SERVICES**

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to **PIKITUP JOHANNESBURG SOC LTD** in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number **PU128/2023** at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1
2
DATE:	

MBD 7.2

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I in my capacity as accept your bid under reference number PU128/2023 dated for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT:

NAME (PRINT):

SIGNATURE:

DATE:

Witness: 1.

Witness: 2.

ANNEXURE 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

BID NUMBER PU102/2022 – BID TO ESTABLISH A PANEL OF SERVICE PROVIDERS TO SUPPLY AND OPERATE VEHICLE, PLANT AND EQUIPMENT USED FOR ILLEGAL DUMPING AND GARDEN SITE SERVICES (INCLUSIVE OF FUEL, MAINTENANCE AND OPERATING STAFF) OVER A PERIOD OF 3 YEARS

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? (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 alteram partem</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)? 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	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?	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 ARE
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

ANNEXURE 9

BID NUMBER PU102/2022 – BID TO ESTABLISH A PANEL OF SERVICE PROVIDERS TO SUPPLY AND OPERATE VEHICLE, PLANT AND EQUIPMENT USED FOR ILLEGAL DUMPING AND GARDEN SITE SERVICES (INCLUSIVE OF FUEL, MAINTENANCE AND OPERATING STAFF) OVER A PERIOD OF 3 YEARS

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:

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.

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 _____ (Name of Bidder) that:

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or 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)

BID NUMBER PU102/2022 – BID TO ESTABLISH A PANEL OF SERVICE PROVIDERS TO SUPPLY AND OPERATE VEHICLE, PLANT AND EQUIPMENT USED FOR ILLEGAL DUMPING AND GARDEN SITE SERVICES (INCLUSIVE OF FUEL, MAINTENANCE AND OPERATING STAFF) OVER A PERIOD OF 3 YEARS

- (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. 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

³ 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

ANNEXURE 10

CORPORATE GOVERNANCE BREACH CLAUSE

CORPORATE GOVERNANCE BREACH CLAUSE

1. PIKITUP Johannesburg (SOC) LTD (“PIKITUP”) requires (“the Company”) to comply, *mutatis mutandis* with the Code contained in the King II Report and Code of Good Corporate Governance (below “the Code”) for the term of this Agreement and any extension thereof.

2. The Company irrevocably undertakes and agrees that it will, *mutatis mutandis*, comply with the Code for the term of this Agreement and any extensions thereof.

3. The Company acknowledges and agrees that:
 - 3.1 It is essential that the Company complies with the Code, in order to discharge all of its obligations under and in terms of the Agreement in a proper, efficient and professional manner, and

 - 3.2 PIKITUP will be prejudiced and may suffer damages in the event of the Company failing to comply with the Code.

4. The Company shall be required, within seven (7) days of the end of each calendar month during the term of this Agreement (and any extensions thereof), to furnish PIKITUP with a written certificate, signed by the directors of the Company **[alternatively members of the Close Corporation]**, certifying that the Company has complied with the provisions of the Code during the preceding months.

5. PIKITUP shall have the right, without assigning any reason therefore and at any time, to appoint either the Institute of Directors of South Africa or a firm of chartered accountants or attorneys, to conduct an audit of the business and affairs of the Company in order to ascertain whether the Company is indeed complying with the terms of the Code. To this end, the Company irrevocably undertakes and agrees to co-operate fully with the party conducting such investigation for and on behalf of PIKITUP and to make available to such party all such documentation and all such information as the investigation party may require to fully discharge its obligations under and in terms hereof and to report fully to PIKITUP.

In the event of it being found that the Company is not complying with the Code, then PIKITUP shall be entitled to (a) regard this as a breach of the agreement and (b) recover the costs of the investigation, on an attorney and client basis, from the Company. In the event of it being

found that the Company is, in fact, discharging its obligations under and in terms of the Code, then PIKITUP shall bear the costs incurred in such investigation. In either of the foregoing events, the Company shall be entitled to receive a copy of the written report once same has been concluded by the investigating party.

6. In the event of the Code being replaced with another Code (or similar document), then such replacement document shall replace the Code and a reference to the Code shall be deemed to be a reference to such replacement document. The reference to the Code shall be deemed to include any statutory codification of directors' obligations and duties which may be enacted in the Republic of South Africa at any time in the future.
7. In entering into this Agreement, the Company represents and warrants to PIKITUP that it is familiar with the Code, that it fully understands and appreciates the rights, obligations and recommendations therein contained and agrees to be bound thereby as herein recorded.

ANNEXURE 11

The National Treasury General Conditions of Contract 2010 as well as specific conditions of contract for this bid. This is available on www.nationaltreasury.gov.za. Any additional terms and conditions will form part of special conditions of contract to be agreed and signed upon award of the bid. This will be signed by the successful bidder/s before the project commences. Further a service level agreement must be entered into by the awarded bidder/s and PIKITUP within 60 days of award of contract.

ANNEXURE 12

**ALL COMPULSORY RETURNABLE DOCUMENTS AND
OTHER RETURNABLE DOCUMENTS TO BE
ATTACHED**