



PIKITUP JOHANNESBURG SOC LIMITED

**BID DOCUMENT FOR THE APPOINTMENT OF A SERVICE PROVIDER
FOR THE SUPPLY AND DELIVERY OF BIN LINERS ON AN AS AND
WHEN REQUIRED BASIS FOR A PERIOD OF 36 MONTHS.**

BID NO: PU125/2022

CLOSING DATE AND TIME: 07 JULY 2023 AT 11H00

BIDDER NAME:

TOTAL BID AMOUNT: R.....

TENDER DOCUMENT FOR:

PIKITUP JOHANNESBURG SOC LTD
JORISSEN PLACE
66 JORISSEN STREET
BRAAMFONTEIN, JHB

Contact person: Mlungisi Shongwe

E-mail: mlungisishongwe@pikitung.co.za

BID DOCUMENT MUST BE DEPOSITED AT:

The Pikitup Tender Box situated at Pikitup Head Office, Tender Office,
Ground Floor, East Wing, Jorissen Place, 66 Jorissen Street,
Braamfontein, JHB before the 07 July 2023 at 11H00.

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

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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:	PU125/2022	CLOSING DATE:	07 JULY 2023	CLOSING TIME:	11:00 AM
DESCRIPTION	THE APPOINTMENT OF A SERVICE PROVIDER FOR THE SUPPLY AND DELIVERY OF BIN LINERS 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 MAY 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]	☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	☐ Yes ☐ 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?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER PART B:3]	
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE	R	
SIGNATURE OF BIDDER			DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT	SUPPLY CHAIN		CONTACT PERSON	SAME	
CONTACT PERSON	MLUNGISI SHONGWE		TELEPHONE NUMBER	SAME	
TELEPHONE NUMBER	0873571228		FACSIMILE NUMBER	SAME	
FACSIMILE NUMBER	NOT APPLICABLE		E-MAIL ADDRESS	SAME	
E-MAIL ADDRESS	mlungisishongwe@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) OR ONLINE 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, 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)? ☐ YES ☐ NO 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

**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:

BID NUMBER PU125/2022 – THE APPOINTMENT OF A SERVICE PROVIDER FOR THE SUPPLY AND DELIVERY OF BIN LINERS ON AN AS AND WHEN REQUIRED BASIS FOR A PERIOD OF 36 MONTHS.

ANNEXURE 1.2

AUTHORITY TO SIGN A BID

AUTHORITY TO SIGN A BID

1. <u>Sole Proprietor (Single Owner Business) and Natural Person</u>			
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. <u>Companies and Close Corporations</u>			
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 NO
SIGNED ON BEHALF OF COMPANY / CC		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.

ANNEXURE 1.3

CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES

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 1.4

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.

INFORMATION MEETING

None

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

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,
- apply pre-qualification criteria to advance designated groups in terms of the PPPFA of 2000: Preferential Procurement Regulations of 2022
- 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 provider
- 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 follow "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.

WITNESSES:

1.
2.

AUTHORISED SIGNATURE

CAPACITY OF SIGNATOR

DATE

ADDRESS

BID NUMBER PU125/2022 – THE APPOINTMENT OF A SERVICE PROVIDER FOR THE SUPPLY AND DELIVERY OF BIN LINERS ON AN AS AND WHEN REQUIRED BASIS FOR A PERIOD OF 36 MONTHS.

ANNEXURE 2.

TERMS OF REFERENCE REQUIREMENTS

**THE APPOINTMENT OF A
SERVICE PROVIDER FOR THE
SUPPLY AND DELIVERY OF BIN
LINERS ON AN AS AND WHEN
REQUIRED BASIS FOR A PERIOD
OF 36 MONTHS.**

**TENDER REFERENCE NUMBER
PU125/2022**

TERMS OF REFERENCE: DESIGN, MANUFACTURE, SUPPLY AND DELIVERY OF BIN LINERS ON AS AND WHEN REQUIRED BASIS FOR A PERIOD OF THREE YEARS

1. GENERAL INFORMATION

The information within this document is supplied for tendering purpose.

The City of Johannesburg (“CoJ”) currently renders specific services to its residents and stakeholders through its core departments and municipal-owned entities (“MOE’S). One of the Municipal Owned Entity of the City is PIKITUP Johannesburg (SOC) Ltd (“PIKITUP”). PIKITUP is responsible for management of solid waste streams generated in the CoJ area of jurisdiction in line with the Service Delivery Agreement agreed to between the two parties.

Some of PIKITUP functions are

- Round collected refuse, street cleaning,
- Removal of carcasses,
- Collection of recyclable material.

In rendering these services PIKITUP uses plastic bin liners of different sizes and colors as waste receptacles.

Table 1: Estimated Quantities

Item #	Type of bin liner	Estimated Quantities per annum
1.	85Litres Street Bin Liner	+ - 30 000 000
2.	85 Litres Dry Recycling Liners (Clear)	+ - 15 000 000
3.	Recycling Liners (85ltr Hessian Bag)	+ - 200 000
4.	Recycling Liners (750ltr Hessian Bag)	+ - 10 000
5.	Recycling Liners (1000ltr Hessian Bag)	+ - 10 000
6.	Carcasses Liners	+ - 1000

These quantities are given in good faith and without commitment from PIKITUP.

The Supplier shall be bound to supply whatever quantities PIKITUP actually requires during the period of the contract.

2. OBJECTIVES OF THE BID DOCUMENT

The objective of this tender is to appoint a service provider to supply and deliver bin liners in line with the specification as required by PIKITUP.

3. MINIMUM SPECIFICATION FOR THE BIN LINERS.

Table 2: Minimum performance characteristics of bin liners

Item	Type of bin liner	Colour	Minimum lay flat width	Minimum internal length	Thickness	Effective volume	Material Composition	Capacity	Seam strength			
1	85Ltr Street Bin Liners	Beige	800mm. Circumference: 1600mm	1050 mm	24 microns	85 litres	60 % recyclable and 40% virgin	to comply specification	15 KG			
2	85 L Dry Recycling Liners (Clear)	Clear	800 mm. Circumference: 1600mm	1050 mm	30 microns	85 litres	60 % recyclable and 40% virgin	to comply specification	15 KG			
3	Recycling Liners (85ltr Hessian Bag)	Hessian	800 mm. Circumference: 1050mm	1050 mm	50 GSM	85 litres	to comply specification	to comply specification	15 KG			
4	Recycling Liners (750ltr Hessian Bag)	Hessian	1000mm(L)*750mm(B)*1000mm(H)	750 mm	80 GSM	750 litre	to comply specification	to comply specification	100 kg			
5	Recycling Liners (1000ltr Hessian Bag)	Hessian	1000mm(L)*1000mm(B)*1000mm(W)	1000 mm	100 GSM	1000 litres	to comply specification	to comply specification	250 kg			
6	Carcasses Liners	Black	800 mm. Circumference: 1600mm	1000 mm	40 Microns	85 litres	60 % recyclable and 40% virgin	to comply specification	20 KG			

3.1. Material

No proposals will be considered which do not comply with the specification.

The film offered for the bin liners shall be polyethylene, with recycled (according to the SABS standards SANS 1264:2012 (2017-08-11) and virgin material to be supplied must comply with PIKITUP specification. The required ratio of material to be used is 60% of recyclable material plus 40% virgin material.

3.2. Seams

All bin liners/bags shall be sealed at only one end by means of a continuous heat seal. This seal shall be able to withstand a ten-minute tensile loading as per

stipulated kilograms in table 2, per meter length of seal without failure. The bin liner must be able to pass this test at any time through the course of a working day and under any weather conditions that the bin liner may be exposed to. Seams will be critically examined and inadequate seals shall lead to rejection of the consignment.

PIKITUP reserves the right to test the adequacy of seals by means of a technical test.

3.3. Mass, Strength and Size

For the bidder to comply with the three above as given on Table 2, bidder must indicate on Technical data sheet their minimum characteristics for bin liners (Table 4). Failure to comply with this clause may render the bidder's submission invalid.

3.4. Printing

The bidder must make provision for the following printing on the bin liners

Table 3: Respective printing on bin liners

Item	Type of bin liner	Colour of bag	Pikitup clean city logo incorporating COJ logo	Tidy man symbol	Danger symbol	Recycle symbol	Recycle inscription	Printing colour		
1	85 L Street Bin Liner	Beige	Yes	Yes	No	Yes	No	Black		
2	85 L Dry Recycling Liners (Clear)	Clear	Yes	Yes	No	Yes	As prescribed by Pikitup	Black		
3	Recycling Liners (85ltr Hessian Bag)	Hessian	Yes	Yes	No	Yes	As prescribed by Pikitup	Black		
4	Recycling Liners (750ltr Hessian Bag)	Hessian	Yes	Yes	Yes	Yes	As prescribed by Pikitup	Black		
5	Recycling Liners (1000ltr Hessian Bag)	Hessian	Yes	Yes	No	Yes	As prescribed by Pikitup	Black		
6	Carcasses Liners	Black	No	No	No	No	No	Black		

For the purpose of identification, the bin liners must be printed in colors (specified in table 3 above), on the front side of the liner showing "PIKITUP "in block letters approximately 7cm high and placed centrally on the liner.

In addition to the word “PIKITUP” being printed on the front, the bin liners, for these items, shall have the “Tidyman” symbol printed with an approximate 200mm diameter in colors identified in table 3 printed on the back of the liner. The symbol is also to be placed centrally on the back of the liner.

3.5. Recycling liners

As part of the recycling initiatives within the COJ and PIKITUP, the following inscription must be printed on the front side of the liner bags for recycling:

- **Pikitup and City of Johannesburg Logo at the Front**
- **Recycling Logo**
- **At the back:**
 - **What goes in this bag (this would be pictorial messaging showing:**
 - **Cans, Plastics,**
 - **Bottles (plastic and glass),**
 - **All Paper, Cartons,**
 - **NO FOOD, GARDEN AND SANITARY WASTE.**

In addition to the word “PIKITUP” being printed on the front, the bin liner, shall also have the “Recycling” symbol printed with an approximate 200mm diameter in colors identified in table 3 printed on the back of the liner. The symbol is also to be placed centrally on the back of the bin liner.

NOTE: ALL PRINTING DESIGN MUST BE APPROVED BY THE PIKITUP COMMUNICATIONS DEPARTMENT BEFORE THE SUCCESSFUL BIDDER FINALISES ON THE DESIGN

3.6. Field performance

All bin liners/bags supplied in terms of this contract are to perform in the field to the satisfaction of PIKITUP. Acceptance of bin liners based on the quality control checks carried out by PIKITUP will not be considered proof of adequate field performance, and consignments may be rejected if the field performance is sub-standard, despite having been found acceptable in terms of the quality control checks.

The determination of adequacy of field performance will take the form of spot checks carried out by field staff to ascertain the number and cause of liner failures resulting in spillage. PIKITUP reserves the right to perform such spot checks on a random basis throughout the period of the contract. The supplier or his representative shall be entitled to be present at all of the field performance evaluations.

PIKITUP further reserves the right to invite third parties (e.g. the raw material suppliers or the SABs) to participate in the field evaluations from time to time. The results of any such evaluations may be communicated to the supplier at PIKITUP discretion.

If the field performance of a consignment of bin liners is found to be unacceptably low when compared to that of the minimum specified in Table 2, PIKITUP may require the supplier to arrange for some or all of the following laboratory test to be carried out by an independent laboratory of its choice (SANAS accredited):

- Tensile strength, tensile impact
- Puncture resistance.
- Extension – For virgin material – 400% minimum for HDPE liners, 600% minimum for LDPE liners.
- Melt flow index (minus 120 to 380C)
- Differential Thermal Analysis.

Should PIKITUP have any doubt regarding the quality of the supplied bin liners, all costs (including transport to the laboratory) incurred for the tests mentioned, will be paid by the supplier. Pikitup reserves the right to refer any testing to a laboratory of its choice.

3.7. Packaging

Each bale must consist of 5 packs of 100 bin liners. The bin liners must be palletized in batches of between 25 000 and 35 000 per pallet and each pallet must be sealed and wrapped. There will be no cost allocated to the pallets.

The bin liners delivered will be subjected to counting and inspection, in the presence of the supplier.

Random mass weighing might be conducted.

4. PLACEMENT OF ORDERS AND DELIVERY

Orders will be issued by PIKITUP during the contract period stating quantity required and place of delivery.

The delivery address will be stated on PIKITUP' Official Purchase Order.

No deliveries should be made without an official PIKITUP purchase order being issued.

5. QUALITY CHECKS

All bin liners and bags will be sampled in accordance with acceptable industry norms and procedures. Single sampling with an AQL (Acceptable Quality Level) will be applied.

The Supplier will be required to provide contingency stock to be used for replacement of defective bin liners and bags. Quantities of contingency stock will be agreed between Pikitup and the appointed Supplier.

Should the defective bin liners bags be more than the contingency stock the Supplier/s will be required to replace within 5 working days.

The film thickness of the sample liners/bags shall be checked in line with the minimum/maximum as specified by the bidder.

6. SAMPLES

A sample of each type of bin liner and bag will be requested from suppliers that met the minimum functionality scoring of 70 points (70 %) out of 100 points.

The samples shall consist of not less than five bin liners or bags of the type required as per the specification.

The Supplier must comply with the exact printing requirements in table 3. The samples will be at the cost of the supplier and they will be kept by Pikitup for the duration of the contract.

Samples that do not meet Pikitup technical specification inclusive of printing will not proceed to the next level of evaluation (Price and B-BBEE).

Samples must be properly parceled and labeled to show:

- The contract number and item number
- The name of the bidder
- Description of contents
- Name of supplier and item number printed on the samples.

Artwork on the sample must be approved by Pikitup before the commencement of printing on the bin liners.

Failure to submit samples as per the required specification, the bidder will be eliminated from the process. (samples will be requested from bidders that met the minimum functionality threshold)

6.1. Test results for samples submitted to Pikitup

Samples submitted to PIKITUP must be accompanied by SABS test results to confirm dimension, field performance including load carrying capacity within certain temperature range, melt flow index, material specification etc. Please follow the specifications.

7. TECHNICAL DATA SHEET

Table 4: Minimum characteristics for bin liners (*To be completed by the bidder*)

Item	Type of bin liner	Minimum lay flat width	Minimum internal length	Thickness	Effective volume	Material Composition	Capacity	Seam Strength
1	85Ltr Street Bin Liner							
2	85 L Dry Recycling Liners (Clear)							
3	Recycling Liners (85ltr Hessian Bag)							
4	Recycling Liners (750ltr Hessian Bag)							
5	Recycling Liners (1000ltr Hessian Bag)							
6	Carcasses Liners							

8. PENALTIES

Penalties will apply in case of non-performance, as per the draft contract agreement.

9. PRE-COMPLIANCE AND FUNCTIONALITY EVALUATION

9.1. EVALUATION CRITERIA

Pikitup will establish a Bid Evaluation Committee (BEC) whose responsibility is to evaluate bids and make recommendations to the Bid Adjudication Committee (BAC). The BEC will evaluate the bids in accordance with the predetermined evaluation criteria and make recommendations to the BAC. The BAC will review the recommendation made by the BEC and make a further recommendation to the Managing Director for his/her consideration, and

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.

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

9.2. PRE- COMPLIANCE EVALUATION

The appointed Bid Evaluation Committee (BEC) will evaluate compliance with the pre-compliance criteria based on the compulsory returnable documents as mentioned below. Only bidders that meet all the pre-compliance criteria will be considered for further evaluation at the functionality evaluation stage.

Bidders will be eliminated for not submitting compulsory returnable documents as stated below, should any documents at any stage of the contract be found fraudulently obtained the contract will be terminated.

Table for Compulsory returnable documents and pre-qualification evaluation criteria

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; • 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 compliant Note: - Refer to MDB 1 - The tax compliance status on CSD must be maintained, since the tax status will be confirmed on the CSD website during the evaluation process as well as prior to final recommendation to award)		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 continuously updated on CSD.
b1) Confirmation that the bidding company's rates and taxes are up to date: • 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		Was a Municipal Account Statement or landlord letter provided for the bidding company? The name and / or addresses of the bidder's statement correspond with CIPC document? Are correspondence recent (not older than 3 months)? Are all payment(s) up to date (i.e. not in arrears for more than 90 days)?

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)
be accompanied with a signed lease agreement.		
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>: • 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 ninety (90) days. or • Where the property is leased or arrangements are in place for the <u>owner / member / director / major shareholder</u> 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.		Was a Municipal Account Statement(s) or landlord letter(s) provided for ALL the bidding company's (SA based) directors? The names and/or addresses of all directors on statement correspond with CIPC document? Are correspondence recent (not older than 3 months)? Are all payments up to date (i.e. not in arrears for more than 90 days)?
c) Duly Signed and completed MBD forms (MBD 1, 4, 5, 8 and 9		All documents fully completed (i.e. no blank spaces)?

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)
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.		All documents fully signed? Signature authorised (any director / member / trustee as indicated on the CIPC document, alternatively a delegation of authority would be required? Documents completed in black ink (i.e. no "Tippex" corrections, no pencil, no other colour ink, will be considered)?
d) Financial Statements for the most recent three (3) years or financial statements from date of existence for companies less than three years. NB: <u>The bidder must submit signed audited annual financial statements for the most recent 3 years, or if established for a shorter period, submit audited annual financial statements from date of establishment.</u> 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. <u>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</u>	<i>(Applicable for tenders above R10m in conjunction with MBD 5)</i>	<u>Audited</u> financials provided (Audited financials must be signed by auditor)? If not, did the bidder provide proof by means of PIS score that financials must be either independently reviewed or no review required? If PIS score was provided, was the relevant financial statements provided (i.e. independently reviewed or where no review is required)? Where supplier is in existence for less than 3 years, the financial statements for the most recent operational years

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)
<u>confirm that Audited Financial Statements are not a requirement, together with their Financial Statements for the previous three financial years or since establishment.</u> PIS are as follows: - 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.		must be provided, and proof what date the company was registered must be provided, or proof of operational commencement. 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.
e) Joint Ventures (JV) – (Only applicable when the bidder tender as a joint venture) • Where the bidder bid as a Joint Ventures (JV), the required or relevant documents as per (a) to (e) 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.		If applicable. JV agreement provided? JV agreement complete and relevant? Agreement signed by all parties? All required documents as per (i.e. a to e) must be provided for all partners of the JV.
f) Valid SABS certification (Garbage Bin Liners) for the manufacturer and/or the supplier manufacturer's certification. Suppliers to submit permission from the original holder		Certification in compliance with SABS standards SANS 1264:2012
g) Proof of valid COIDA registration certificate.		Valid Certificate

9.3. Other Returnable Documents Required:

a) Proof of Company Registration	
b) Certified Copy of ID Documents of owners/members/directors/ major shareholders	
c) Company Profile(s)	
d) Attach all supporting documents as required in the Functionality Evaluation criteria included herein	

10. TECHNICAL/ FUNCTIONALITY EVALUATION CRITERIA

Item	Description	Weight
1	Delivery of 5 million 85Litre Street bin liners after receipt of a purchaser order Delivery of bin liners within 2 weeks - 5pts Delivery of bin liners within 3 weeks - 3pts 4 weeks and above / No submission- 0pts Attach a <u>Letter of Commitment</u> indicating delivery lead time signed by Director on a company letterhead and a <u>Signed Reference Letter</u> from previous and/or current clients with contactable reference confirming experience, quality provided and on time delivery on quantities of 5 million and above. NB: Two Compulsory Letters to be submitted (<u>Letter of Commitment and Signed Reference Letter</u>) failure to submit both letters will score 0.	25
2	Delivery of 2 million 85 Litre Dry Recycling Liners Clear bin liners after receipt of a purchaser order Delivery of bin liners within 2 weeks - 5pts Delivery of bin liners within 3 weeks - 3pts 4 weeks and above / No submission- 0pts Attach a <u>Letter of Commitment</u> indicating delivery lead time signed by Director on a company letterhead and a <u>Signed Reference Letter</u> from previous and/or current clients with contactable reference confirming experience, quality provided and on time delivery on quantities of 2 million and above. NB: Two Compulsory Letters to be submitted (<u>Letter of Commitment and Signed Reference Letter</u>) failure to submit both letters will score 0.	25

Item	Description	Weight
3	The Bidder must state the delivery lead time <u>in days</u> after receipt of the first purchase order to deliver a minimum of 200 000 bin liners. Within 3 working days = 5 Within 4 to 6 working days = 3 Within 7 to 9 working days = 1 10 and above or no submission = 0 Attach a Letter of commitment indicating delivery lead time after receipt of the first purchaser order signed by Director on a company letterhead	15
4	Experience in Supply and Delivery of Bin Liners (minimum of 3 reference letters) 5 years and more experience in written reference (s) = 5 Between 4 and 5 years of experience in written reference (s) = 4 Between 3 and 4 years of experience in written reference (s) = 3 Between 2 and 3 years of experience in written reference (s) = 2 Between 1 and 2 years of experience in written reference (s) = 1 Between 0 and 1 year experience written reference(s) = 0 NB: Letters must state that quality was provided as per the specification requirements and delivered on time, It must also be signed on letterhead by current and/or previous clients with contactable details (e-mails, cell phone, address and telephone numbers) (Award letters not acceptable)	20
5	Locality of the Business Within the City of Johannesburg = 5 Within Gauteng but outside COJ boundaries = 2 Within South Africa = 1 Outside the borders of South Africa = 0	5
6	Financial Capability <u>Liquidity Ratios = (5)</u> Current Assets divided by Current Liability If assets are greater than liabilities by • Above 2 = 5 • Above 1.5 but less than/equal to 2 = 4 • Above 1 but less than/equal to 1.5 = 3 • 1 or less = 0	10

Item	Description	Weight
	<u>Asset Turnover Ratio (5)</u> Net Sales divided by Ave Total Assets - Above 2 = 5 - Above 1.5 but less than/equal to 2 = 4 - Above 1 but less than/equal to 1.5 = 3 1 or less = 0	
	Total	100

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.

Bidder(s) that qualified in terms of the functionality cut-off points of 70 points, will be evaluated in terms of price and B-BBEE.

11. PRICE AND PREFERENCE POINTS EVALUATION CRITERIA

Firstly, bidders will be evaluated in terms of pre- compliance requirements, then functionality and lastly be evaluated on price and B-BBEE.

Bidders will be evaluated on the 90/10 Preference Point System.

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

- P_s = Points scored for comparative price of bid under consideration
 P_t = Comparative price of bid under consideration
 $P_{\min}$ = Comparative price of lowest acceptable bid

Therefore

Price Points

90

Preference Points ((Points scored by the bidder in terms of B-BBEE contribution level as per the DTI Codes of Good Practice)
(See Preference Points Table below))

10

Total points for Price and Preference

100

Important Note:

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

1. In terms of the Legislative framework, the B-BBEE Act of 2017. Service Providers with annual total revenue of R10 million or less qualify as Exempted Micro Enterprises (EMEs), or Service Providers with annual total revenue of R 50 million or less qualify as Qualifying Small Enterprises (QSEs) must submit sworn affidavit and a Certificate issued by Companies and Intellectual Property Commission (CIPC) confirming their annual turnover.
2. Service Providers other than Exempted Micro Enterprise (EME) and/or Qualifying Small Enterprise (QSE) must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating.
3. A consolidated BBBEE scorecard must be submitted for joint ventures to claim preference points.

NB: Tenderer failing to submit proof of B-BBEE status level of contributor or is a non-compliant contributor to B-BBEE will only score points for price; and scores 0 points for B-BBEE.

Preference Points table for 90/10 points system:

B-BBEE Status Level Contributor	Number of Points
1	10
2	9
3	6
4	5
5	4
6	3
7	2
8	1
Non-Compliant Contributor	0

Important Note:

- **PIKITUP reserves the right to award the contract partially or not to award at all.**

12. PRICING SCHEDULE

Note: Please quote for all six (6) items, failure to quote for all items will lead to rejection of the bid.

PRICING SCHEDULE (PER TYPE OF BIN LINER)

The bidder shall give the unit price (**inclusive of VAT**) in South African Rands. This pricing will be recorded in the Tender Register.

The quantities indicated on the pricing schedule are the estimated quantities used for pricing and evaluation purposes only, and not final quantity of bin liners required. PIKITUP reserves the right to increase or decrease the required quantities

The quantity will be determined by the demand or need on an as and when required basis. At an estimated quantity on the table below for type of bin liner per annum.

Table for Estimated Quantities

Item #	Type of bin liner	Estimated Quantities per annum
1.	85Litres Street Bin Liner	+ - 30 000 000
2.	85 Litres Dry Recycling Liners (Clear)	+ - 15 000 000
3.	Recycling Liners (85ltr Hessian Bag)	+ - 200 000
4.	Recycling Liners (750ltr Hessian Bag)	+ - 10 000
5.	Recycling Liners (1000ltr Hessian Bag)	+ - 10 000
6.	Carcasses Liners	+ - 1000

SCHEDULE OF UNIT PRICE YEAR 1

Item #	Type of bin liner	Unit Price (Including All Costs)	Plus VAT @ 15%	Total Unit Price (Including All Costs)
1.	85 Litres Street Bin Liner			
2.	85 Litres Dry Recycling Liners (Clear)			
3.	Recycling Liners (85ltr Hessian Bag)			
4.	Recycling Liners (750ltr Hessian Bag)			
5.	Recycling Liners (1000ltr Hessian Bag)			
6.	Carcasses Liners			

SCHEDULE OF UNIT PRICE YEAR 2

Item #	Type of bin liner	Unit Including Costs	Price All	Plus VAT @ 15%	Total Unit Price (Including Costs)
1.	85 Litres Street Bin Liner				
2.	85 Litres Dry Recycling Liners (Clear)				
3.	Recycling Liners (85ltr Hessian Bag)				
4.	Recycling Liners (750ltr Hessian Bag)				
5.	Recycling Liners (1000ltr Hessian Bag)				
6.	Carcasses Liners				

SCHEDULE OF UNIT PRICE YEAR 3

Item #	Type of bin liner	Unit Including Costs	Price All	Plus VAT @ 15%	Total Unit Price (Including Costs)
1.	85 Litres Street Bin Liner				
2.	85 Litres Dry Recycling Liners (Clear)				
3.	Recycling Liners (85ltr Hessian Bag)				
4.	Recycling Liners (750ltr Hessian Bag)				
5.	Recycling Liners (1000ltr Hessian Bag)				
6.	Carcasses Liners				

SCHEDULE OF ESTIMATED QUANTITIES MULTIPLIED BY UNIT PRICE FOR YEAR 1

Item #	Type of bin liner	Estimated Quantities	Unit Price Including All Costs	Sub Total	Plus 15% Vat	Total Price Including VAT
		Year 1 Quantities		Estimated Quantities X Unit Price		
1	85Ltr Street Bin Liner	30 000 000				
2	85 L Dry Recycling Liners (Clear)	15 000 000				
3	Recycling Liners (85ltr Hessian Bag)	200 000				
4	Recycling Liners (750ltr Hessian Bag)	10 000				
5	Recycling Liners (1000ltr Hessian Bag)	10 000				
6	Carcasses Liners	1000				
TOTAL YEAR 1						

SCHEDULE OF ESTIMATED QUANTITIES MULTIPLIED BY UNIT PRICE FOR YEAR 2

Item #	Type of bin liner	Estimated Quantities	Unit Price Including All Costs	Sub Total	Plus 15% Vat	Total Price Including VAT
		Year 2 Quantities		Estimated Quantities X Unit Price		
1	85Ltr Street Bin Liner	30 000 000				
2	85 L Dry Recycling Liners (Clear)	15 000 000				
3	Recycling Liners (85ltr Hessian Bag)	200 000				
4	Recycling Liners (750ltr Hessian Bag)	10 000				
5	Recycling Liners (1000ltr Hessian Bag)	10 000				
6	Carcasses Liners	1000				
TOTAL YEAR 2						

**SCHEDULE OF ESTIMATED QUANTITIES MULTIPLIED BY UNIT PRICE FOR
YEAR 3**

Item #	Type of bin liner	Estimated Quantities	Unit Price Including All Costs	Sub Total	Plus 15% Vat	Total Price Including VAT
		Year 3 Quantities		Estimated Quantities X Unit Price		
1	85Ltr Street Bin Liner	30 000 000				
2	85 L Dry Recycling Liners (Clear)	15 000 000				
3	Recycling Liners (85ltr Hessian Bag)	200 000				
4	Recycling Liners (750ltr Hessian Bag)	10 000				
5	Recycling Liners (1000ltr Hessian Bag)	10 000				
6	Carcasses Liners	1000				
TOTAL YEAR 3						

PRICING SCHEDULE SUMMARY YEAR 1; YEAR 2 AND YEAR 3

TOTAL COSTS	TOTAL PRICE INCLUDING VAT
YEAR 1	
YEAR 2	
YEAR 3	
TOTAL BID PRICE	

SIGNATURE OF AUTHORISED PERSON:

NAME OF SIGNATORY

DATE:

ANNEXURE 3.1

MBD 3.1

PRICING SCHEDULE – FIRM PRICES**(PURCHASES)**

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of Bidder:	
Bid Number:	PU125/2022
Closing Time:	11H00
Closing Date:	07 JULY 2023

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID

ITEM NO. INCLUDED)	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES
-----------------------	----------	-------------	---

Details to be completed on the attached pricing schedule (REFER TO PAGE 37 - 40)

- Required by Pikitup Johannesburg SOC Limited
- At various sites in and around the City of Johannesburg area as specified in the
- Brand and Model To be completed in a separate schedule
- Country of Origin To be completed in a separate schedule
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery As specified in the TOR
*Delivery: Firm/Not firm
- Delivery basis As specified in the TOR

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

*Delete if not applicable

Except if indicated differently in the pricing schedule, the bid price will remain fixed for the proposed contract period.

BID NUMBER PU125/2022 – THE APPOINTMENT OF A SERVICE PROVIDER FOR THE SUPPLY AND DELIVERY OF BIN LINERS ON AN AS AND WHEN REQUIRED BASIS FOR A PERIOD OF 36 MONTHS.

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.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

3. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

3.1 Full Name of bidder or his or her representative:.....

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, shareholder²):.....

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state?

(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:

.....
.....

4. Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

ANNEXURE 5.1

DECLARATION OF PROCUREMENT

MBD 5

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (VAT INCLUDED)

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

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

YES / NO

1.1 If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.

.....

.....

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

YES / NO

2.1 If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards a municipality 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

3.1 If yes, furnish particulars

.....

.....

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?

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

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.

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 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.casewareafrica.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)

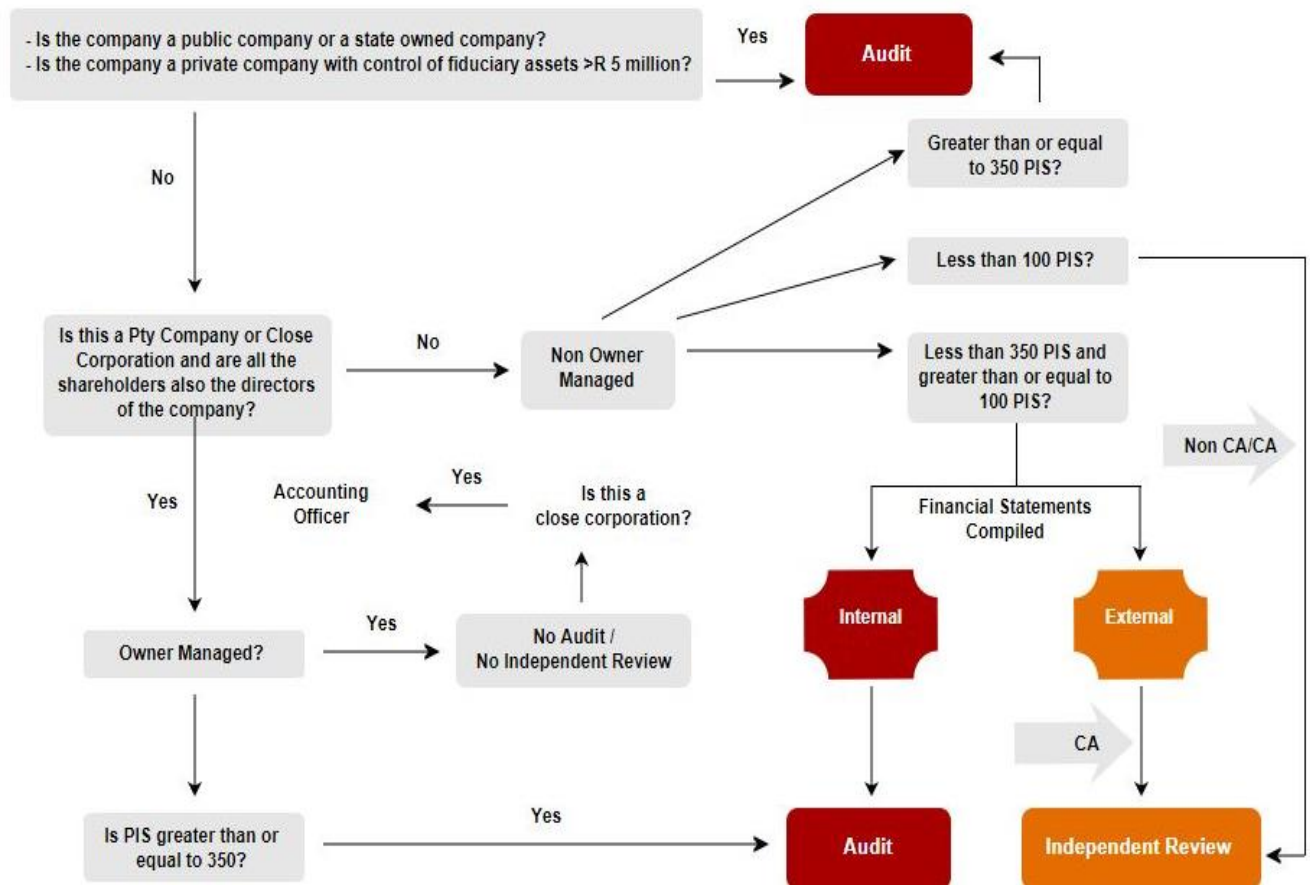
<http://www.cipc.co.za/index.php/manage-your-business/manage-your-company/private-company/compliance-obligations/financial-statements/>

<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:



ANNEXURE 6

MBD 6.1 - PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

EME's / QSE's without a BBEE certificate may complete a SWORN AFFIDAVIT FOR BBEE-EXEMPT MICRO ENTERPRISE. Download affidavit at http://www.dti.gov.za/economic_empowerment/bee_codes.jsp

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 a) The value of this bid is estimated to **exceed** R50 000 000 (all applicable taxes included) and therefore the **90/10** preference point system shall be applicable; or

b) Either the 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	90
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	

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

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

2. DEFINITIONS

(a) **“B-BBEE”** means broad-based black economic empowerment as defined in

section 1 of the Broad-Based Black Economic Empowerment Act;

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

3. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

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

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

P_{min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

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

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES		NO	
-----	--	----	--

7.1.1 If yes, indicate:

- What percentage of the contract will be subcontracted.....%
- The name of the sub-contractor.....
- The B-BBEE status level of the sub-contractor.....
- Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
-----	--	----	--

- Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		

Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name _____ of
company/firm:.....

8.2 VAT _____ registration
number:.....

8.3 Company _____ registration
number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
 - ☐ One person business/sole propriety
 - ☐ Close corporation
 - ☐ Company
 - ☐ (Pty) Limited
- [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
 - ☐ Supplier
 - ☐ Professional service provider
 - ☐ Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

8.7 MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:

8.8 Total number of years the company/firm has been in business:.....

8.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

ANNEXURE 7

CONTRACT FORM

MBD 7.1 – PURCHASE OF GOODS/WORKS

1. CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

2. PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and specifications stipulated in bid number..... 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 time of 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);
 - Technical Specification(s);
 - 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 goods and/or works 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 fulfilment 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.

CONTRACT FORM - PURCHASE OF GOODS/WORKS

3. PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity as..... accept your bid under reference numberdated.....for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

--

WITNESSES

1.

2.

— — —

ANNEXURE 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

MBD 8

4. 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	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). 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.	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	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.	Yes ☐	No ☐
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 ☐	No ☐
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 ☐	No ☐
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 ☐	No ☐
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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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.

CERTIFICATE OF INDEPENDENT BID DETERMINATION MBD 9

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)
 - (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 will apply. The GCC 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. The contract will have to be signed by the successful bidder before the project commence. A service level agreement must be entered into by the awarded bidder and PIKITUP within 30 days of award of contract.

ANNEXURE 12

BIDDER'S COMPULSORY AND OTHER RETURNABLE DOCUMENTS