

 Johannesburg Water	Document title :	Minimum SHE Requirements for Construction Related RFQ projects		
	Revision	00	Author:	OHS: Projects
	Effective Date	January 2017	Pages:	01

1. SCOPE OF WORK

Emergency replacement of signages and gate repair at Northern Works

2. PURPOSE

The aim of the SHE specification is to ensure that any contractor which is appointed by Johannesburg Water to conduct any work complies with the SHE requirements of the SHE specification and any other legislative requirement applicable to the contract scope.

3. APPLICABILITY

This document is applicable to all contractors and suppliers conducting contractual activities for and on behalf of Johannesburg Water.

4. APPOINTMENTS

The contractor and its appointed sub-contractor must make the relevant legislative and non-statutory appointments, which must be maintained valid for the entire contract duration.

All appointees shall be suitably trained and found to be competent for the responsibilities there are assigned for.

Copies of all relevant appointments and the relevant competence certificates must be kept in the relevant SHE file.

5.INSURANCE

The contractor and all its appointed sub-contractor(s) shall be registered with an appropriate compensation commissioner and have a valid letter of good standing from commissioner. The contractor is responsible for ensuring the Letter of Good Standing is valid for the entire duration of the project/contract. A copy of the letter of Good Standing must be kept in the SHE file.

6.COSTING FOR SHE REQUIREMENTS

The contractor is responsible for ensuring that SHE costing is taken into consideration for the entire project/contract as this will ensure they comply with the SHE legislative requirements

7. INDUCTION

An initial induction shall be done with key personnel to familiarize them with the requirements on site and for compiling the SHE file.

Once labourers are appointed JW will conduct an induction on SHE requirements, and the contractor is also required to conduct their company specific induction

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8. SUBMISSION OF SAFETY FILE

- Once appointed the contractor can submit their safety file for approval.
- Approval will be granted when the critical items have been sufficiently addressed.

9. RISK ASSESSMENT

- Every Contractor who has been appointed contractually to conduct work for Johannesburg water shall do compile a baseline risk assessment prior to starting with work, subject to the approval of the Client.
- Thereafter the task based risk assessments will be done daily with every task being done.

10. SAFE WORKING PROCEDURES / METHOD STATEMENTS

The following method statements / safe working procedures must be compiled:

- Incident investigation, emergency plan, waste management plan, PPE procedure, hand tool procedure, hazardous chemical substance procedure.

11. WORKING IN ELEVATED POSITIONS

- JW shall not require or permit any person to work in an elevated position, and no person shall work in an elevated position, unless such work is performed safely from a ladder or scaffolding, or from a position where such person has been made as safe as if he were working from scaffolding.

12. WORKING ON A LADDER

- An employer shall ensure that every ladder is constructed of sound material and is suitable for the purpose for which it is used, and is fitted with non-skid devices at the bottom ends and hooks or similar devices at the upper ends or of the stiles which shall ensure the stability of the ladder during normal use; or is so lashed, held or secured whilst being used as to ensure the stability of the ladder under all conditions and at all times.

13. WELDING, FLAME, CUTTING, SOLDERING AND SIMILAR OPERATIONS

- JW shall not require or permit welding or flame cutting operations to be undertaken, unless the contractor operating the equipment has been fully instructed in the safe operation and use of such equipment and in the hazards which may arise from its use and effective protection is provided and used for the eyes and respiratory system and, where necessary, for the face, hands, feet, legs, body and clothing of persons performing such operations, as well as against heat, incandescent or flying particles or dangerous radiation;

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- The Contractor must ensure that the workplace is effectively partitioned off where practicable and where not practicable all other persons exposed to the hazards are warned and provided with suitable protective equipment

14. MEDICAL SCREENING REQUIREMENTS


- The contractor shall ensure that a medical surveillance programme is implemented for all employees.
- The medical examination shall be conducted in line with the employee job profile/job description.
- A valid medical fitness certificate must be submitted together with the SHE File for approval for all employees who will be doing work for Johannesburg Water.
- Any employee(s) who are declared conditionally fit must be provided with employment which does not aggravate their medical condition as to endanger themselves or other employees.
- The following tests shall be done:
 - Audiograms.
 - A cardio-respiratory examination
 - Lung function tests.
 - Eye/ sight tests.
 - A general physical examination.
 - A review of previous medical history.
 - Blood pressure tests
 - Glucose tests
 - Vaccinations (Hepatitis A & Typhoid)

15.TOOLBOX TALKS

- The contractor shall ensure they conduct toolbox talks with their employees on a weekly basis and records of these must be kept in the SHE file.
- The objective of toolbox talks should be to communicate relevant site information to assist in improvement of occupational health and safety performance.
- Employees must acknowledge the receipt of toolbox talks and this record must also be kept in the SHE file.

16. PERSONAL PROTECTIVE EQUIPMENT (PPE)

- Contractor must issue their employees SABS approved PPE. A copy of the PPE issue register signed by the employee issued with the PPE must be kept in the SHE file.

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- Contractor supervisor are required to conduct continuous inspections of the PPE issued to their employees to ensure that they are still in good condition to be used by the employee or they still comply with manufacture requirements.
- The contractor is responsible for ensuring that employees are trained on the safe use of the PPE issued to them, how to maintain it and the limitations of the PPE.
- NO SHORTS OR DRESSES WILL BE ALLOWED ON SITE

17. WORKPLACE SIGNAGE

- Appropriate symbolic signage must be displayed where it is required by legislation.
- Appropriate warning, mandatory and information signs must be placed where required.
- All signs must comply to SANS/SABS requirements.
- Contractors shall use mandatory and prescribed symbolic safety signs at their lay down and site areas.

18. INCIDENT REPORTING AND INVESTIGATION

- All incidents shall be reported to the Client before the end of the shift or within 24hrs of occurrence.
- Section 24 incidents shall be reported to DOL using the prescribed format.
- The contractor shall develop an incident management procedure and communicate with all employees.

19. NOTIFICATION OF CONSTRUCTION WORK

- The contractor shall notify the DOL in the prescribed format of the intended work prior to work.

20. COMPLIANCE MONITORING

- Weekly inspections and monthly audits will be conducted on site.


21. PROJECT COMPLETION

- Upon completion of the project the SHE file shall be returned to the Client for retention and close out.



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Project details				
Project Scope : Emergency replacement of signages and gate repair at Northern Works				
Depot / Site / Department: Northernworks				
Estimated duration: TBC				
Documents required				
Letter of Good Standing	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
SHE plan	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
Risk Assessment	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
Safe working Procedures	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
Notification of Construction work	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
Inspection registers	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
Items required before starting				
Medicals	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
Vaccinations	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/> N/A <input type="checkbox"/>
PPE (boots, hard hats, overall)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
Induction	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
Approval from OHS	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
APPOINTMENTS AND COMPETENCIES				
<u>Construction Supervisor</u>				
Appointment	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
CV (and/ certificates)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
<u>Safety Officer</u>				
Appointment	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
CV (and/ certificates)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/> N/A <input type="checkbox"/>
NB* Other appointments will be based on the number of employees on site as required by law.				

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RETURNABLE ANNEXURE A: ACKNOWLEDGEMENT OF SHE SPECIFICATION & ANNEXURES

CONTRACTOR:

I, the undersigned, hereby acknowledge that I have obtained copies of the following listed documentation and confirm that I fully understand the contents thereof and the consequences of non-compliance. The Contractor furthermore reiterates its commitment to compliance of the requirements contained within the following provided documentation:

- Johannesburg Water SOC Ltd, Safety, Health & Environmental (SHE) Specification, Annexure 1: Baseline risk assessment conducted for or on behalf of Johannesburg Water SOC Ltd;

Signed at on this Day of 20.....

CONTRACT MANAGER			
NAME	DESIGNATION	DATE	SIGNATURE
CONTRACT SUPERVISOR			
NAME	DESIGNATION	DATE	SIGNATURE
WITNESS (1)			
NAME	DESIGNATION	DATE	SIGNATURE
WITNESS (2)			
NAME	DESIGNATION	DATE	SIGNATURE



HEALTH, SAFETY & ENVIRONMENTAL (SHE) SPECIFICATION: BASELINE RISK ASSESSMENT

PROJECT NUMBER:	RFQ
PROJECT LOCATION:	Northern Works
PROJECT DESCR:	Emergency replacement of signages and gate repair at Northern Works

POSSIBLE RISKS FOR THIS PROJECT

Task	Hazard	Risk	Consequence	Rating	Controls
Compliance with applicable legislation for safety, health and environment	✓ Contractor processes and/or procedures not developed according to legislation requirements.	✓ Not complying with applicable legislation and client SHE specifications.	✓ Litigation, multiple injuries and death. ✓ Work stoppages	M	✓ Planning, design and implementation to comply with legislative requirements, especially for Health, Safety and Environment together with Quality. ✓ Appointment of a qualified person to assist with the development of legislative guided processes and procedures.
Conducting SHE Induction training	✓ Employees, contractors, suppliers, and visitors not aware of applicable legislating for the project and policies.	✓ Non-compliance to legislation.	✓ Work stoppages ✓ Multiple injuries	M	✓ Every new employee or visitor must be inducted before entering company premises or starting work. ✓ All employees absent from work or on leave for a period of 14days must be inducted. ✓ Inducted visitors must at all times be accompanied when walking around company premises.
Arranging Medical surveillance or examination	✓ Employees not medically fit for work appointed for.	✓ Non-compliance to statutory requirements.	✓ Work stoppages.	L	✓ Medical examination or assessments must be conducted prior to start of work and annually by an

	<ul style="list-style-type: none"> ✓ No proof of medical fitness certificate. ✓ Employees not Vaccinated 	<ul style="list-style-type: none"> ✓ Exposure to unidentified contagious diseases carriers. 	<ul style="list-style-type: none"> ✓ Incidents resulting to injuries 		<p>Occupational Medical Practitioner.</p> <ul style="list-style-type: none"> ✓ Every person must be declared medically fit for the type of work they performing and copies of employees' medical certificates to be kept on site. ✓ Employees must be vaccinated prior to work on site
Gate access to site premises - by people	<ul style="list-style-type: none"> ✓ Walking on the vehicle's driveways ✓ Lack of observation ✓ Intoxicated pedestrian employee or visitor entering security gate ✓ Employees, visitors or contractors entering with firearm ✓ Unauthorized entry 	<ul style="list-style-type: none"> ✓ Personal injuries due to vehicles driving over people. ✓ Personal fight due to arrogant intoxicated people. ✓ Theft due to unauthorized entry. 	<ul style="list-style-type: none"> ✓ Personal fight due to arrogant intoxicated people. ✓ Work stoppages resulting in delay to production ✓ Theft due to unauthorized entry. 	L	<ul style="list-style-type: none"> ✓ Only Authorised entry on JW premises ✓ Zero alcohol tolerance ✓ All Employees, contractors, suppliers and visitors to walk only on designated walkways in and around site/client premises.
Obtain necessary JW documentation and JW approvals	<ul style="list-style-type: none"> ✓ Working without authorization from JW 	<ul style="list-style-type: none"> ✓ JW removing Contractor from site 	<ul style="list-style-type: none"> ✓ Delay in production 	L	<ul style="list-style-type: none"> ✓ No work is allowed to start without the necessary documentation and approvals in place. ✓ Occupational notices must be available on site kept on site in the Health and Safety File

Working on site	<ul style="list-style-type: none"> ✓ Working during peak hours 	<ul style="list-style-type: none"> ✓ Employees and vehicles moving around the vicinity 	<ul style="list-style-type: none"> ✓ Serious injuries ✓ Vehicle damages 	M	<ul style="list-style-type: none"> ✓ Access to the work area must be restricted/monitored ✓ Designated pedestrian routes must put in place to restrict unauthorized access ✓ Work must be planned for quieter times of the day when reduced/restricted pedestrian access is required to the area ✓ Safe working area must be cordoned off around the area and signage must be used as appropriate ✓ High visibility clothing worn by Site Supervisor if working on traffic route.
Transportation of material to site	<ul style="list-style-type: none"> ✓ Unsafe road conditions ✓ Un-road worthy vehicles ✓ Equipment and material not safely secured ✓ Incompetent drivers ✓ Driving under the influence of alcohol ✓ Inclement weather ✓ Speeding 	<ul style="list-style-type: none"> ✓ Over-turning vehicles ✓ Vehicle Collisions 	<ul style="list-style-type: none"> ✓ Injuries ✓ Property damages ✓ Third party liability 	M	<ul style="list-style-type: none"> ✓ Adherence to the speed limit ✓ Only competent/authorized drivers should operate the vehicle. ✓ Inspection of vehicles ✓ Equipment and material to be properly secured ✓ Alcohol testing to be done ✓ The road to be paved to prevent accidents ✓ Traffic control to be implemented to avoid collisions

	<ul style="list-style-type: none"> ✓ Slippery road 				
Offloading of material	<ul style="list-style-type: none"> ✓ Faulty lifting machinery & equipment ✓ Suspended load ✓ Poor housekeeping 	<ul style="list-style-type: none"> ✓ Malfunctioning ✓ Objects falling on employees ✓ Obstructed walkways by materials 	<ul style="list-style-type: none"> ✓ Injuries 	M	<ul style="list-style-type: none"> ✓ Inspect lifting equipment prior to use. ✓ Ensure the safe working load prior to use ✓ Train the employees in manual lifting ✓ Ensure proper housekeeping ✓ The correct PPE must be worn ✓ Designate the stacking areas and put signs ✓ Stacking and storage inspector must be appointed and in charge
Electrical Installations	<ul style="list-style-type: none"> ✓ Electricity ✓ Incompetent personnel ✓ Wrong tools ✓ Damaged cables 	<ul style="list-style-type: none"> ✓ Contact with live electricity ✓ Incompetent person connecting electricity ✓ Electric shocks 	<ul style="list-style-type: none"> ✓ Electrocution ✓ Serious Injuries 	H	<ul style="list-style-type: none"> ✓ Follow lock out procedure ✓ Ensure that equipment are earthed to an approved earthing point ✓ Ensure a zero potential test is performed for electricity is isolated ✓ Inspect all tools ✓ Use correct tools for the job
	<ul style="list-style-type: none"> ✓ Exposure to arc flash when welding 	<ul style="list-style-type: none"> ✓ Skin burns, toxic gas inhalation, illuminous effect (eye damage), flying objects, explosion (pressure) 	<ul style="list-style-type: none"> ✓ Skin Burns ✓ Explosion ✓ Gas inhalation 	M	<ul style="list-style-type: none"> ✓ Safe Operating Procedure for Low Voltage Operating. PPE rated for arc flash
Entry and exit	<ul style="list-style-type: none"> ✓ No access Control 	<ul style="list-style-type: none"> ✓ Unauthorized entry into the construction site 	<ul style="list-style-type: none"> ✓ Injuries ✓ Theft of tools 	M	<ul style="list-style-type: none"> ✓ Appoint a full time, registered security guard on site

			and material		
Stacking and Storage	<ul style="list-style-type: none"> ✓ Unsafe stacks of materials or Pallets 	<ul style="list-style-type: none"> ✓ Falling of pallets and material on employees 	<ul style="list-style-type: none"> ✓ Injuries ✓ Property damage 	M	<ul style="list-style-type: none"> ✓ Supervision of all stacking of materials on site ✓ Materials of same base and heights stacked together ✓ Barricade the stacking area ✓ Unsafe stacks to be removed immediately ✓ Never stack materials during knocking off time or late at night ✓ Use task specific PPE
Lifting and pulling of a gate/signages	<ul style="list-style-type: none"> ✓ Manual handling ✓ Incompetent employees 	<ul style="list-style-type: none"> ✓ Muscles stretch due to pulling heavy gate/signages ✓ Employees can get their hands/finger trapped ✓ Twisting of ankle 	<ul style="list-style-type: none"> ✓ Back pain ✓ Injuries ✓ Fatality ✓ Property damages 	H	<ul style="list-style-type: none"> ✓ Correct PPE must always be used e.g. Hardhat with chin straps, gloves & shoes ✓ Observe proper lifting techniques ✓ Obey sensible lifting limits (60 lb. maximum per person manual lifting) ✓ Supervision and training on pulling methods. ✓ Housekeeping must be maintained prior to pulling of gate/signages.
Cutting and drilling	<ul style="list-style-type: none"> ✓ Drilling ✓ Drill pit ✓ Drill sharp metal fibres ✓ High Noise Levels ✓ Cutting Grinder/Disc 	<ul style="list-style-type: none"> ✓ Vibration ✓ Cutting edges ✓ Eye penetration ✓ Finger cuts ✓ Expose to high noise level area ✓ Uncontrolled Disc ✓ Electrical 	<ul style="list-style-type: none"> ✓ Damaged hearing ✓ Carpal tunnel syndrome ✓ Cuts/ injuries ✓ Eye irritation / Blindness ✓ Minor cuts 	M	<ul style="list-style-type: none"> ✓ Use hearing protection when exposed to excessive noise levels (greater than 85 dB over an 8-hour work period) ✓ Assess noise level with sound level meter if possibility exists that level may exceed 85Db

		<ul style="list-style-type: none"> ✓ equipment failure ✓ Sharp window edges 	<ul style="list-style-type: none"> ✓ resulting into injury ✓ Injuries to persons operating ✓ Eye injuries 		<ul style="list-style-type: none"> ✓ Rotate drilling tasks to minimize worker exposure to equipment vibration ✓ Use right size of a drill to drill different layers of the ground ✓ Assess manual guide carefully to ensure correct usage of portable electrical devices.
Hacksaw	<ul style="list-style-type: none"> ✓ Use of manual Hacksaw and Electrical Hacksaw 	<ul style="list-style-type: none"> ✓ Damaged blade and flying objects 	<ul style="list-style-type: none"> ✓ Injuries 	M	<ul style="list-style-type: none"> ✓ Conduct training about using hand tools and provide proper PPE (gloves, safety boots, overalls, goggles). Hand tools SOP ✓ Only qualified Artisans to operate the electrical powered hacksaw and proper lock out procedure to be implemented. Periodic equipment inspection. Proper PPE (safety boots, goggles, overalls, gloves)
Using hand tools	<ul style="list-style-type: none"> ✓ Using hand tools (spanners, screw drivers etc.) 	<ul style="list-style-type: none"> ✓ Damaged Tools 	<ul style="list-style-type: none"> ✓ Injuries 	L	<ul style="list-style-type: none"> ✓ Conduct training about using hand tools and provide proper PPE. Hand tool SOP. Use proper PPE
Working at heights	<ul style="list-style-type: none"> ✓ Heights ✓ Unfit employees ✓ Using hand tools ✓ Unsecured tools and equipment 	<ul style="list-style-type: none"> ✓ Falls ✓ Unfit for the job ✓ Damaged hand tools ✓ Falling onto Employees 	<ul style="list-style-type: none"> ✓ Injuries 	M	<ul style="list-style-type: none"> ✓ Employees to use proper PPE including safety harnesses when working at heights. ✓ Inspect all tools prior to use. ✓ Provide training for using safety harnesses correctly.

					<ul style="list-style-type: none"> ✓ Employees working at heights must be certified fit to work. ✓ Hand tools must be attached to lanyards when working at heights. ✓ Use tool bags
Installation of signages	<ul style="list-style-type: none"> ✓ Manual handling 	<ul style="list-style-type: none"> ✓ Poor ergonomics ✓ Hands stuck between equipment/sign ages/gate 	<ul style="list-style-type: none"> ✓ Back sprains ✓ Pinch point injuries 	L	<ul style="list-style-type: none"> ✓ Two employees to carry heavy equipment ✓ Use the correct lifting techniques ✓ Train employees on the correct lifting techniques ✓ Use hand gloves
Use of hazardous chemical substances (Paint)	<ul style="list-style-type: none"> ✓ The use of Chemicals (Paint) 	<ul style="list-style-type: none"> ✓ Inhalation of chemicals ✓ Fumes from the paint ✓ Wrong handling of the paint ✓ Paint getting into the eyes. 	<ul style="list-style-type: none"> ✓ Skin burns or irritation caused by contact with a cement ✓ Material in contact with the employee's skin resulting in skin irritation. ✓ Paint dropping into the eyes resulting in blindness ✓ Inhaling fumes from hazardous material resulting in lung infection/problems 	M	<ul style="list-style-type: none"> ✓ Using respiratory mask; replace ✓ Respirators/Dust mask to be used at all times when working with hazardous material. ✓ Rotate workers working with hazardous material. ✓ Paint risk assessment must be communicated before commencement of work ✓ Visual inspection for any signs of damage must be conducted before work commences ✓ Wear gloves at all times, wear full PPE to avoid skin contact. ✓ Ensure standard safety procedures are followed. ✓ Wear safety goggles properly at all times. Training on SDS.
Weather conditions	<ul style="list-style-type: none"> ✓ Weather conditions; 	<ul style="list-style-type: none"> ✓ Eye strains 	<ul style="list-style-type: none"> ✓ Fall injuries, 	M	<ul style="list-style-type: none"> ✓ Employees assesses the weather conditions

	high winds, heavy rain, hot weather etc		sun burn, heat exhaustion		before undertaking external work and does not undertake the task if conditions unsuitable ✓ Employees wears clothing appropriate to the weather conditions ✓ Employees wears clothing to cover skin and wears sunscreen in hot sunshine ✓ Employees keeps well hydrated and takes regular breaks in hot weather.
Ladder	✓ Use of Ladder	✓ Fall from ladder	✓ Injuries	M	✓ SOP when using ladder must always be adhered to
Climbing down on ladder or structure	✓ Working at heights	✓ Falling onto / Falling objects ✓ Mechanical failure of step ladder bolts ✓ Loosing footing and falling to ground ✓ Smooth angle iron surfaces that can be slippery	✓ Employees falling from heights which may result in fatality ✓ Personal injuries from elevated equipment	M	✓ Admin: provide training for personnel working at heights ✓ Developing a safe working procedures and inspections should be conducted on regular basis
Clean site and remove Rubble	✓ Waste Disposal	✓ Injuries or property damaged	✓ Injuries	H	✓ A proper waste disposal system should be in place ✓ Waste should be removed daily and placed in the correct waste disposal system
	✓ Poor house keeping	✓ Trip and fall	✓ Injuries	H	✓ Good housekeeping to be maintained
General activities in and around site	✓ Protection of public	✓ Injury to member of public from site works	✓ Injuries	M	✓ Barriers and signage to be in place.

RISK ASSESSMENT MATRIX

Likelihood	Consequences				
	Insignificant (minor problem easily handled by normal day to day processes	Minor (Some disruption possible e.g., damage equal to R150k	Moderate (significant time / resources required. E.g., damage equal to R500k	Major (Operations severely damaged. E.g., damages equal to R1m	Catastrophic (business survival is at risk. Damage equal to R5m – 10m
Almost certain (90% chance)	High	High	Extreme	Extreme	Extreme
Likely (between 50-90%)	Moderate	High	High	Extreme	Extreme
Moderate (between 10-50%)	Low	Moderate	High	Extreme	Extreme
Unlikely (between 3-10%)	Low	Low	Moderate	High	Extreme
Rare (<3%)	Low	Low	Moderate	High	High

MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

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

3.2 Identity Number:

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

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

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

3.8 Are you presently in the service of the state? **YES / NO**

3.8.1 If yes, furnish particulars.

.....

¹MSCM Regulations: "in the service of the state" means to be –

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

² Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

3.9 Have you been in the service of the state for the past twelve months?**YES / NO**

3.9.1 If yes, furnish particulars.....

.....

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?**YES / NO**

3.10.1 If yes, furnish particulars.

.....

.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.11.1 If yes, furnish particulars

.....

.....

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

3.12.1 If yes, furnish particulars.

.....

.....

3.13 Are any spouse, child or parent of the company's directors trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

3.13.1 If yes, furnish particulars.

.....

.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. **YES / NO**

3.14.1 If yes, furnish particulars:

.....

.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

1.2 **To be completed by the organ of state**

a) The applicable preference point system for this tender is the 80/20 preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

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

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

3.1.1. POINTS AWARDED FOR PRICE

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

80/20

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \text{ o}$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Number of points claimed (80/20 system)	Proof of documents per specific goals
Business owned by 51% or more – Black Youth	20		Valid BBBEE Certificate issued by SANAS accredited verification agency or Affidavit sworn under oath.

DECLARATION WITH REGARD TO COMPANY/FIRM

4.2. Name of company/firm.....

4.3. Company registration number:

4.4. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.5. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;
 - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

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

4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.

- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

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

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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