

		2. QUOTATIONS WITHOUT BRAND NAMES WHERE REQUIRED WILL NOT BE ACCEPTED	
	SIGNATURE:.....	3. PRICES QUOTED MUST BE AS PER THE UNIT INDICATED AND BE EXCLUDED OF VAT	
		4. QUOTATIONS WITHOUT THE SUPPLIER'S AUTHORISED SIGNATURE WILL NOT BE ACCEPTED. (ONLY IF QUOTED ON THE JW RFO TEMPLATE)	
	DATE:.....	5. ACCEPTANCE OF A QUOTATION WILL BE SUBJECT TO JOHANNESBURG WATER'S SUPPLY CHAIN POLICY	
		6. TOTAL QUOTATION VALUE TO INCLUDE VAT WHERE APPLICABLE	



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REQUEST FOR QUOTATION FOR ARCHITECTURAL SERVICES (GOODS AND SERVICES)				Form No: JW SCM Dev MBD1 Revision No: 02 Effective Date: June 2025	
BID NUMBER:	RFQJW0089BZ25	CLOSING DATE:	13.06.2025	CLOSING TIME:	12:00
DESCRIPTION:	REQUEST FOR QUOTATION FOR ARCHITECTURAL SERVICES FOR THE PROPOSED UPGRADES AND RENEWALS AT SCOTT-ATHOL, HURSTHILL & HAMBERG DEPOT				
CIDB Grade	Not Applicable				
ISSUE DATE	6 June 2025				

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			
Bidding procedure enquiries <u>must</u> be sent to the below Official		Technical enquiries must be directed to	
CONTACT PERSON	Baxolile Zulu	CONTACT PERSON	Livhuwani Nemusombori
TELEPHONE NUMBER	011 688 1452	TELEPHONE NUMBER	011 688 1527
E-MAIL ADDRESS (Submissions must be made to this address)	baxolile.zulu@jwater.co.za	E-MAIL ADDRESS	livhuwani.nemusombori@jwater.co.za
SUPPLIER INFORMATION			
NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE		NUMBER
CELLPHONE			



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NUMBER			
E-MAIL ADDRESS			
E-MAIL ADDRESS			
VAT REGISTRATION NUMBER		CIDB GRADING	Not Applicable
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE VERIFICATION CERTIFICATE	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE SWORN AFFIDAVIT (EMEs OR QSEs)	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No

BID SUBMISSION:
<input type="checkbox"/> Bids must be submitted by email to baxoliile.zulu@jwater.co.za <ul style="list-style-type: none"> • Late bids will not be accepted for consideration. • All pricing/quotations must be submitted by completing the attached or on the official company letterhead, signed and accompanied by the returnable documents stated below.



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SCHEDULE OF TENDERED UNIT RATES – FOR THE PROPOSED UPGRADES AND RENEWALS AT SCOTT-ATHOL, HURSTHILL & HAMBERG DEPOT

ITEM No.	DESCRIPTION	UNIT	QTY	RATE	AMOUNT
1	Work Stage 1: Inception	Hours	40		
2	Work Stage 2: Design and Concept Viability	Hours	80		
3	Work Stage 3: Design Development	Hours	120		
4	Work Stage 4.1: Council Documentation and Approvals	Hours	80		
5	Work Stage 4.2: Construction Documentation & Procurement	Hours	65		
6	Work Stage 5: Construction and Site Inspection	Hours	80		
7	Work Stage 6: Close Out	Hours	40		
SUB - TOTAL 1					
Allow for Disbursements					
SUB – TOTAL 2					
Add 15% VAT					
GRAND TOTAL					

Payment will be made upon completion of the work within 30 days of submission of statement.



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C1 SCOPE OF WORK

C1.1 Employer's Objectives

The objective of the Employer is to appoint Architectural Services consultant to provide a professional service for the proposed upgrades and renewals at Johannesburg Water Scott-Athol, Hurthill and Hamberg Depot.

C1.2 Description of services

Standard professional services as per the Guideline Scope of Services rendered by persons registered in the relevant Built Environment Councils – South African Council for the Architectural Professions (SACAP). The works entails refurbishment of existing building and new buildings within the Hursthill and Scott-Athol Depot. Any scope relating to civil/structural, mechanical and electrical related works will be handled by the Johannesburg Water Engineering Services Unit (ESU).

C1.3 Extent of the Services

1.3.1 Scope of Works

Hursthill Depot

The proposed scope of works, include the following:

- Building of a new standby facility (approx.130m²)
- Re-configure the existing carport.
- The additional parking area to accommodate staff vehicles and visitors.
- Construction of retaining wall for parking area
- Separation of Male and Female standby facility
- The renovations of the existing ablution facility including plumbing repairs, electricity wiring, painting and repair to doors, door locks and windows
- The renovation of existing administration offices and Operations Manager Office.
- Upgrade the lighting in and around the depot complex



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Scott-Athol Depot

The proposed scope of works, include the following:

- Construction of new building of standby facility (approx. 72m²)
- Renovate and extend existing standby building with a new room (approx. 14m²)
- Upgrade the existing workshop and storeroom.
- The renovations of the existing change room and ablution facility including plumbing repairs, electricity wiring, painting and repair to doors, door locks and windows.
- Renovate the existing offices.
- Upgrade/conversion of access gate to be a swing gate
- Construct new concrete palisade fence
- Upgrade the lighting in and around the depot complex

Hamberg Depot

The proposed scope of works, include the following:

- Plumbing repairs to all ablution facilities at various buildings within the complex;
- Replacement of damaged doors including door frames and locks were applicable;
- Repair plaster cracks and re-paint all internal and external walls;
- Install new office and boardroom furniture including floor tiles.
- Complete the steel shed structure including cladding and surface bed;
- Undertake storage space planning and install heavy duty racks to store material.
- Construct new brick and mortar guardhouse as per standard drawing (approx. 25 m²). including access control system.
- Formalise the external works to include internal roads layout and parking.

1.3.2 Architectural Services Work Stage Breakdown

Work Stage 1: Inception – Appraisal and Project Definition

Receive, appraise and report on the client's requirements with regards to:

- The client's brief.
- The site and property rights and constraints.
- Budgetary constraints.
- The need for professional consultants.
- Project program.
- Methods of contracting.



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Work Stage 2: Design Concept and Viability

Prepare and initial design and advise on:

- The intended space provisions and planning relationships.
- Proposed materials and intended building services.
- The technical and functional characteristics of the design.
- Check for conformity of the concept with the property rights to the use of the land.
- Review the anticipated costs of the project.
- Review the project program.

Work Stage 3: Design Development

Develop the conceptual design further by:

- Confirmation of the scope and complexity of the design.
- Review the design and consult with local and statutory authorities.
- Develop the design, construction system, materials and components.
- Incorporate and co-ordinate all services and the work of consultants.
- Review the design, costing and program with the consultants.

Work Stage 4.1: Council Documentation and Approvals

Prepare documentation sufficient for local authority submissions:

- Co-ordinate technical documentation with the consultants and complete primary co-ordination.
- Prepare specifications for the works.
- Review the costing and program with the consultants.
- Obtain the client's authority and submit documents for building approval.

Work Stage 4.2: Construction Documentation and Procurement

Complete construction documentation and proceed to call for tenders:

- Obtain the client's authority to prepare documents to procure offers for the execution of the works.
- Obtain offers for the execution of the works.
- Evaluate offers and recommend on the award of the building contract.
- Prepare the contract documentation (and arrange the signing of the building contract)



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Work Stage 5: Construction and Site Inspection

Administer the Building Contract by:

- Hand over the site to the contractor.
- Issue construction documentation.
- Initiate and/or check sub-contract design and documentation as appropriate.
- Inspect the works for conformity to the contract documentation.
- Administer and perform the duties and obligations assigned to the principle agent in the JBCC building agreements, or fulfil the obligations provided for in other forms of contract.
- Issue the certificate of practical completion.
- Assist the client to obtain the occupation certificate.

Work Stage 6: Close Out

- Facilitate the project close-out including the preparation of the necessary documentation to effect completion, handover and operation of the project.
- After the contractors obligations with respect to the building contract are fulfilled, the architect shall issue the certificates related to contract completion.
- Provide the client with as-built drawings and relevant technical and contractual undertakings by the contractor and sub-contractors.

C1.4 Use of Reasonable Skill and Care

The Service Provider shall exercise reasonable skill and care in respect of the services required as per the Extent of the Services section.

C1.5 Co-operation with other Service Providers and Contractors

The Service Provider shall be required, for the successful execution of his service provision, to interact with other service providers where necessary.

C1.6 Applicable National and International Standards

- The service provider shall ensure cognisance of, and adherence to all applicable national standards and codes, quality standards, design standards, statutory and audit compliance are



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taken into consideration in the execution of its work in the design and compilation of specifications for this project.

- Projects will be managed in accordance with the JW Project Management Manual and Processes.
- All CAD data must adhere to the standards and requirements set out in the JW.
- Timeous submission of all necessary plans and drawings to the relevant Authorities and expedite the necessary approvals and permission to proceed, including any negotiations in this regard.

C1.7 Procurement

The Service Provider will take account of the Employer's Preferential Procurement Policy and broad-based black economic empowerment ownership participation requirements for this Contract and note that:

- a) The Employer reserves the right to conduct broad-based black economic empowerment ownership participation audits during the Contract Period of Performance to ensure that the appointed broad-based black economic empowerment ownership is either maintained or improved during such period. Thus, the Employer reserves the right to verify or re-verify the Service Provider's or any sub-contractor appointed by the Service Provider's Broad-based black economic empowerment status should he deem it necessary, without having to specify any reason. Such verification may be extended to include other preferential procurement criteria, should the Employer deem it necessary.

Access to public areas is not restricted, however, personal access permits are required for access to restricted areas. The service provider will be required to apply for such personal access permits prior to commencement of project.

C1.8 Planning and Programming

C1.8.1 Planning

The Service Provider shall ensure that he/she:

- a) is well informed regarding the Employer's overall implementation programme for the project and make available resources as required to efficiently complete required services on time to avoid delays to the implementation plan.

C1.8.2 Programming

The Service Provider shall, prior to commencement of any work, provide an activity schedule showing the total duration required to complete the architectural services required. The programme shall at minimum contain:



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- a) Time Scale (minimum):
Days: Where the project period does not exceed three months.
Weeks: Where the project period exceeds three months.
- b) Tasks: Tasks shall be allocated timeframes. Where phases or stages are anticipated, all tasks related to the successful accomplishment of that phase of the project shall be grouped. Resources allocation and task dependency shall be indicated.
- c) Multiple Project Programming: Where multiple projects are part of the same Contract, the Service Provider shall provide a programme per project. However, where interdependency exists the programmes shall be integrated, but divided on the highest level per project followed subsequently by further divisions per phase or stage.
- d) Start and Finish Dates: All tasks shall have specific start and finish dates.
- e) Critical Path: All tasks forming the programme line that will establish any delays in the overall project period shall be clearly indicated and an indication of their sensitivity characteristics shall be provided.
- f) Progress Tracking: The Service Provider shall be required to periodically indicate the project progress per task graphically and on a percentage basis.
- g) Non-working Time: All South African public holidays, weekends and the local traditional annual builder's break shall be incorporated in the programme.

C1.9 Software Application for Programming

Only Windows Microsoft Project programming software package will be accepted.

C1.10 Format of Communications

All communications must be in English and in writing by means of letters and e-mails only. Design documentation, drawings, etc. must be in hard copy and electronic format.

C1.11 Management meeting and reporting

Attend as and when required the following regular meetings necessary for the management of the project, including but not limited to; progress, coordination, cost review, risk review, project board and project management meetings which will be scheduled during the life of the project s appointed for.



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All reports relevant to the projects, including but not limited to the design reports, monthly progress reports, ad-hoc reports and close out report will be submitted on set project calendar dates or as and when required by the Employer.

C1.12 Key Personnel & Company Experience

The Service Provider shall be required to allocate sufficiently experienced personnel to conduct scope of work and the actual implementation thereof, to execute the Contract successfully. The personnel and company experience should be as per table below:

The service provider must meet criteria specified below:

Criteria	Description
Qualification	BTech/BSc/ BEng in Architecture Certified copies of qualification must be submitted
Professional Registration	South African Council for the Architectural Profession (SACAP) as a Professional Senior Architectural Technologist / Professional Architect . Certified copies of registration documents must be submitted
Years of Experience	Minimum requirements: 5 Years and above in architectural services Means of verification: CV's to be submitted outlining experience.
Company Experience with respect to specific of the project <ul style="list-style-type: none"> Proof of completed project. 	Minimum requirements: Completed atleast minimum of Two (2) relevant projects in the built environment with corresponding Reference Letter/ Completion Certificate Means of verification: Reference Letters or Completion Certificate (to be on Client's Letterhead) must be submitted

C1.13 Professional Indemnity Insurances

The Service Provider shall provide copies of the details of existing insurances against professional indemnity.



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Confirmation of Insurance in line with Johannesburg Water's Requirements will be requested as and when the bidders are allocated scope of works for pricing of specific projects after they have been appointed.

C1.14 Site Information

Johannesburg Water has the following Depots that require architectural services: refer to Annexure A

- Hursthill Depot
- Scott-Athol Depot
- Hamberg Depot

C2 RETURNABLE DOCUMENTS

The following documents **must** be returned together with this Request for Quotation:

1. This request for quotation document must be completed and submitted with pricing or quotation.
2. Certified copy of a valid BBBEE certificate issued by SANAS accredited verification agency or DTI/CIPC BBBEE Certificate for Exempted Micro Enterprises or Affidavit sworn under oath.
3. Complete and sign the following Municipal Bidding Documents (MBD).
 - i. MBD 4 form (Declaration of Interest).
 - ii. MBD 6.1 (Preference Points Claim Form)
 - iii. MBD 8 (Declaration of Bidder's Past Supply Chain Management Practices)
 - iv. MBD 9 (Certificate of Independent Bid Determination).
4. Latest municipal account/statement not older than three months or valid lease agreement for both the company and all active Directors.
5. The required documentary evidence for functionality or technical evaluation (where Applicable).

C3 GENERAL TERMS AND CONDITIONS

Price(s) quoted must be valid for at least ninety (90) days from date of your offer.

Price(s) quoted **must** be firm for the duration of the quotation and must be inclusive of VAT.

Bidders will be afforded a period of three (7) days to complete the following returnable documents (MBD 4, MBD 8 and MBD 9) in instances where such forms are incomplete.



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Bidders who did not submit municipal statement of account or valid lease agreement for both the company and all active directors will be afforded a period of three (3) days to submit. In a case where the company or active Directors have municipal commitments overdue for more than 90 days they will be offered three (3) days to settle their overdue amounts or submit proof of an arrangement agreed to between that municipality and that company or Director.

THE CONTRACT APPLICABLE IS THE NATIONAL TREASURY GENERAL CONDITIONS OF CONTRACT (JULY 2010). A copy of the document may be obtained from treasury website www.treasury.gov.za

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

--- END OF PART ---

C4 ANNEXURE A







Hursthill Proposed Building

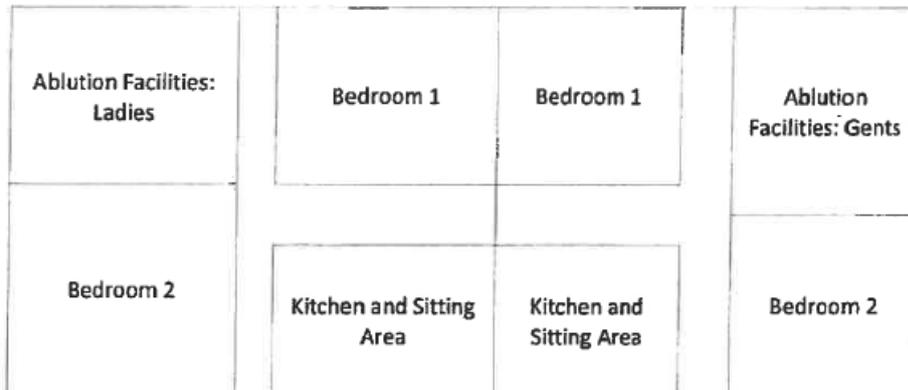


Figure 1: Proposed Standby building

Scott-Athol Proposed Building

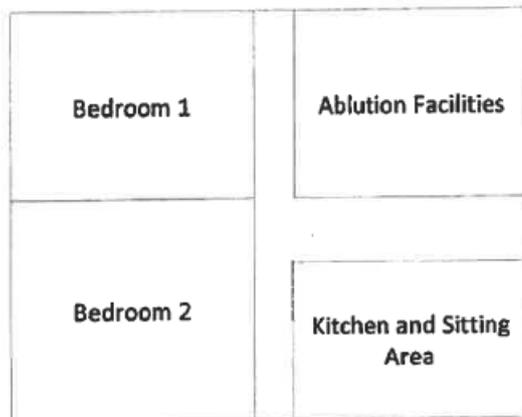


Figure 2: Proposed Standby building

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, hareholder²):.....

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

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

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

3.8.1 If yes, furnish particulars.

.....

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

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

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

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

3.9.1 If yes, furnish particulars.....

.....

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

3.10.1 If yes, furnish particulars.

.....

.....

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

3.11.1 If yes, furnish particulars

.....

.....

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

3.12.1 If yes, furnish particulars.

.....

.....

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

3.13.1 If yes, furnish particulars.

.....

.....

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

3.14.1 If yes, furnish particulars:

.....

.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

**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

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

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = 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

$$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) \circ$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{max} = 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 BBEE 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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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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