



a world class African city



City of Johannesburg

Johannesburg Water SOC Ltd

Turbine Hall  
65 Ntengi Piliso Street  
Newtown  
Johannesburg

Johannesburg Water  
PO Box 61542  
Marshalltown  
2107

Tel +27(0) 11 688 1400  
Fax +27(0) 11 688 1528

[www.johannesburgwater.co.za](http://www.johannesburgwater.co.za)

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF JOHANNESBURG WATER**

**DESCRIPTION: Advertising Services**

<b>RFQ NUMBER: RFQJW0054SM2026 – Advertising Services</b>	
<b>ADVERT DATE: 19 May 2026</b>	
<b>CLOSING DATE: 26 May 2026</b>	
<b>CLOSING TIME: 16:00</b>	
<b>RFQ VALIDITY PERIOD: 60 Days</b>	
<b>TOTAL QUOTATION VALUE MUST BE INCLUSIVE OF ALL APPLICABLE TAXES. NB: FAILURE TO INCLUDE ALL APPLICABLE TAXES ON QUOTATION WILL LEAD TO DISQUALIFICATION.</b>	
<b>SUBMISSION OF QUOTATIONS: SUBMISSIONS MUST BE MADE ON THE E-TENDER PORTAL (<a href="https://www.etenders.gov.za/">https://www.etenders.gov.za/</a>)</b>	
<b>BRIEFING SESSION - VENUE:</b> <b>DATE:</b> <b>TIME:</b>	
<b>CONTACT PERSON SUPPLY CHAIN MANAGEMENT Name: Simphiwe Mdlalose Tel No: 011 688 1825 Email: Simphiwe.mdlalose@jwater.co.za</b>	<b>CONTACT PERSON END USER DEPARTMENT Name: Maria Chirindze Tel No: 011 688 6610 Email: maria.chirindze@jwater.co.za</b>
Name of Bidder: .....	
Total Amount excl. VAT: .....	
VAT Amount: .....	
Total Amount Incl. VAT: .....	

**Directors:**

Ms Dineo Majavu (Chairperson), Mr Ntshavheni Mukwevho (Managing Director and Executive Director), Mr Kgaugelo Mahlaba (Chief Financial Officer and Executive Director), Mr Siphon Mthembu, Ms Zandile Meeleso, Mr Pholoso Matjele, Mr Molate Mashifane, Ms Pamela Mabece, Mr Collen Sambo, Mr Makoko Makgonye, Ms Thabiso Kutumela, Mr Kefiloe Mokoena

Ms Kethabile Mabe (Company Secretary),  
Johannesburg Water SOC Ltd  
Registration Number: 2000/029271/30



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**THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT OF 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 22, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT**

**QUOTATIONS WILL BE EVALUATED ON THE 80/20 POINT SCORING SYSTEM. 80 POINTS WILL BE ALLOCATED TO PRICE AND THE REMAINING 20 POINTS WILL BE ALLOCATED FOR SPECIFIC GOALS AS PER PPPFA 2022**

**ALL SUPPLIERS RESPONDING TO QUOTATIONS SHOULD BE REGISTERED ON CENTRAL SUPPLIER DATABASE (CSD)**

- 1. QUOTATIONS MUST BE ON COMPANY LETTERHEADS**
- 2. QUOTATIONS RECEIVED AFTER CLOSING DATE AND TIME WILL NOT BE ACCEPTED.**
- 3. QUOTATIONS WITHOUT BRAND NAMES WHERE REQUIRED WILL NOT BE ACCEPTED**
- 4. TOTAL QUOTATION VALUE TO INCLUDE ALL APPLICABLE TAXES.**
- 5. SUBMIT A COPY OF A VALID BBBEE CERTIFICATE OR SWORN AFFIDAVIT.**
- 6. ENSURE THAT ALL ATTACHED MBD'S ARE DULY COMPLETED AND SIGNED**
- 7. SUBMIT A COPY OF VALID LEASE AGREEMENT OR MUNICIPAL ACCOUNT STATEMENT NOT OLDER THAN 3 MONTHS AND NOT IN AREAS FOR MORE THAN 90 DAYS**
- 8. ACCEPTANCE OF A QUOTATION WILL BE SUBJECT TO JOHANNESBURG WATER'S SUPPLY CHAIN POLICY**

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**Advertising Services**

**Specification -see attached scope of work requirements**

**Tender Advertising**

**MANDATORY REQUIREMENTS:**

**1. ATTACH A VALID SIGNED CREDIT FACILITY CONFIRMATION LETTER OR ADVERTISING PLACEMENT SUPPORT LETTER OR A WRITTEN CONFIRMATION FROM THE NEWSPAPER / MEDIA HOUSE FOR THE PUBLICATIONS IN THE RELEVANT NEWSPAPERS**

**2. ATTACH TWO OR MORE SIGNED PURCHASE ORDERS OR REFERENCE LETTERS AS PROOF OF PREVIOUS EXPERIENCE IN PROVIDING ADVERTISING SERVICES:**

**I.E TENDERS OR VACANCIES OR PUBLIC NOTICES OR SIMILAR OFFICIAL COMMUNICATION. THIS EXCLUDES UNRELATED MARKETING OR RETAIL ADS.**

Description	Unit of measure	QTY
<b>Citizen - Advertise tender in the Citizen newspaper Classified Section of the Newspaper Black and White - Print Media</b>	<b>Rate per Column per Centimeter</b>	<b>1</b>
<b>Sowetan - Advertise tender in the Sowetan newspaper Classified Section of the Newspaper Black and White - Print Media</b>	<b>Rate per Column per Centimeter</b>	<b>1</b>

**NOTE: DURATION OF THE PURCHASE ORDER:**

**The contract duration will be for a maximum amount of R750 000.00 OR For a period of six (06) months on a month-to-month basis**



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## SCOPE OF WORK:

### 1. SCOPE OF WORK AND / OR SPECIFICATION

Johannesburg Water regularly advertises tenders, vacancies and other general notices in local newspapers to provide opportunities to interested service providers and job seekers as well as keeping the public informed on other general matters of interest. Advertisements will be placed mainly in the, Citizen and Sowetan, as these newspapers cater for our target market, i.e. both black and white owned businesses, and the general public and these are also widely read and circulated.

Johannesburg Water through this Tender, seeks responses from interested parties to perform the following:

- a) Receive draft advertisements from JW electronically.
- b) Design and format the advertisement to an acceptable standard and in the required space and size.
- c) Proofread all advertisements.
- d) Liaise with the responsive JW official to ensure accuracy.
- e) Liaise with newspaper houses.
- f) Ensure advertisements are placed in the appropriate section of the newspapers to ensure maximum exposure to interested parties.
- g) Ensure that the advertisement appears in the newspapers as requested and, on the date, required.
- h) Make provision for urgent ad hoc placements with newspapers in exceptional cases.
- i) Maintain a good relationship with newspaper houses.
- j) Ensure a quick turnaround time.
- k) Ensure that advertisements always comply with Johannesburg Water requirements and in the format approved.
- l) Ensure that adequate credit facilities or support from newspaper houses are in order at all times.

### 2. THE NEWSPAPERS THAT JOHANNESBURG WATER PLACES THEIR ADVERTS:

#### 2.1 Tender Advertisement: Black and White in Classified section

Johannesburg Water requires advertising of each tender in two national print newspapers of general circulation (daily during the week and Saturday) such as:

- Citizen
- Sowetan



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- Or equivalent.

### 3. RESPONSIBILITY OF SERVICE PROVIDER:

- Maintain credit facilities with newspapers houses or have a letter of support from the newspaper house and maintain a healthy working relationship with the newspaper houses for the RFQ duration.
- Maintain a good working relationship with Johannesburg Water.
- Upon receiving notice from Johannesburg Water, liaise with the above newspapers to inform them that they will be confirming adverts later on and that the newspaper should reserve space.
- Receive draft advertisements, proofread the advert and communicate electronically to Johannesburg Water of any changes that need to be done. This must be done within two (2) hours of receiving the draft advert.
- Prepare a quotation for adverts that will be placed and send them to the Johannesburg Water representative.
- Follow up on the approval of the quotation if the authorization has not been received.
- Place the adverts with the newspaper houses determined by Johannesburg Water before the cut off time.
- Confirm if you managed to secure a spot on the above newspaper by sending tear sheets to Johannesburg water within twenty-four (24) hours.
- Submit digital proof, such as a PDF tear sheet, of placement of advert within twenty-four (24) hours of placing the advert.
- Ensure placement in the correct section as per request and take corrective action at own cost if misplaced.
- Complete and submit the statement and invoice to Johannesburg Water finance department before the end of the month for payment to be made as per agreed payment terms.

### RESPONSIBILITY OF JOHANNESBURG:

- Maintain a good working relationship with Johannesburg Water.
- Electronically liaise with the service provider before 10 am so that the service provider can inform the new newspaper houses above requesting space confirmation for an advert the following day.
- Send a draft advert to the Service Provider.
- Urgently attend to any issues picked up by the Service Provider and resend the advert.



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- e) Sign off the final advert and submit electronically to the Service Provider before the agreed submission time to ensure that all the adverts will be placed on the determine newspaper houses for the advert.
- f) Pay Service Provider as per term provided Service Provider has submitted accurate and complete invoices and statements to finance before the due date and time.

### **DURATION OF THE PURCHASE ORDER:**

The contract duration will be for a maximum amount of R750 000.00 or a period of six (06) months on a month-to-month basis.

### **AWARD STRATEGY:**

Evaluation in terms of Price and Preference will be per item and award will be made to the highest scoring tenderer per item. In this instance award may be to one of more tenderers.

### **Stage 1: Mandatory Evaluation**

1. ATTACH A VALID SIGNED CREDIT FACILITY CONFIRMATION LETTER OR ADVERTISING PLACEMENT SUPPORT LETTER OR A WRITTEN CONFIRMATION FROM THE NEWSPAPER / MEDIA HOUSE FOR THE PUBLICATIONS IN THE RELEVANT NEWSPAPERS. FOR EXAMPLE, IF THE TENDERER IS TENDERING TO ADVERTISE TENDER ADVERTS ON THE CITIZEN, THE TENDERER MUST SUBMIT THE REQUIRED PROOF THAT THEY HAVE CREDIT FACILITY OR LETTER OF SUPPORT FROM OR WITH THE NEWSPAPER HOUSE.
2. ATTACH TWO OR MORE SIGNED PURCHASE ORDERS OR REFERNCE LETTERS AS PROOF OF PREVIOUS EXPERIENCE IN PROVIDING ADVERTISING SERVICES: **I.E** TENDERS OR VACANCIES OR PUBLIC NOTICES OR SIMILAR OFFICIAL COMMUNICATION. THIS EXCLUDES UNRELATED MARKETING OR RETAIL ADS.



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**FAILURE TO MEET THE MANDATORY EVALUATION CRITERIA WILL RESULT IN DISQUALIFICATION OR NON-RESPONSIVENESS FOR THE ITEM/S TENDERED FOR**

**ESTIMATED ANNUAL QUANTITIES.**

<b>TENDER ADVERTS</b>	
Number of tenders as per APP	171
Half yearly adjustment number	96
Number of adverts will be 8 per 1.5 month on one advert	8
Height in centimeters of the advert	38
The number of columns the advert spans	8
Area - expressed in column - cm squared - (height x no. of columns) on one advert	304



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## **MANDATORY REQUIREMENTS:**

- 1.1 Full Completion of the Bill of Quantities (BOQ)/ Specification (where applicable)**
- 1.2 Attendance of compulsory site briefing (where applicable)**
- 1.3 Attachment of datasheet, reference letter, proof of certification, proof of accreditation, functionality requirements (where applicable)**
- 1.4 No RFQ will be considered from persons in the service of the state**
- 1.5 No Bidder who is blacklisted by National Treasury or any National Authority due to non-performance will be considered**
- 1.6 All Quotes should be on PDF (MS WORD, MS EXCEL, PICTURES ARE NOT ALLOWED) and On Company Letterhead**
- 1.7 Submission of a Joint Venture Agreement, where applicable, which has been properly signed by all parties**

### Directors:

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# POPIA PRIVACY STATEMENT

Johannesburg Water SOC Limited

In terms of the Protection of Personal Information Act 213 (Act 4 of 2013), also called the POPI Act or POPIA, Johannesburg Water SOC Limited, undertakes all reasonable measures to protect personal information and to keep it private and confidential.

## 1. Privacy Notice applies to:

Suppliers, vendors, contractors, service providers, etc whether appointed or prospective.

## 2. Definitions of personal information

According to the Act "personal information" means information relating to an identifiable living, natural person, and where it is applicable, an identifiable, existing juristic person. All addresses including residential, postal and email addresses.

## 3. About the Public Entity

Johannesburg Water (SOC) Limited, registration number 2000/029271/30

### 3.1 The information we collect

We collect information directly from you where you provide us with your personal details. Where possible, we will inform you what information you are required to provide to us and what information is optional.

### 3.2 How Johannesburg Water use your information

We will use your personal information only for the purposes for which it was collected and agreed with you. For example: to gather contact information, to confirm and verify your identity, for the evaluation and adjudication of bids and quotations for tenders, request for quotations, and other personal information for the procurement of goods and services by the Entity.

### 3.3 Disclosure of information

We may disclose your personal information to our Shareholder, the City of Johannesburg, and other Government agencies such as National Treasury, and the Auditor-General of South Africa. We have agreements in place to ensure that they comply with the privacy requirements as required by the Protection of Personal Information Act.

#### Directors:

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We may also disclose your information:

- Where we have a duty or a right to disclose in terms of law.
- Where we believe it is necessary to protect our rights.

### 3.4 Information Security

We are legally obliged to provide adequate protection for the personal information we hold and to stop unauthorized access and use of personal information. We will, on an ongoing basis, continue to review our security controls and related processes to ensure that your personal information remains secure.

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for is kept secure. We will ensure that anyone with whom we pass your personal information agrees to treat your information with the same level of protection as we are obliged to.

### 3.5 Your rights: Access to Information

You have the right to request a copy of the personal information we hold about you. To do this, simply contact us at [informationofficer@jwater.co.za](mailto:informationofficer@jwater.co.za), and specify what information you require.

### 3.6 Correction of your personal information

You have the right to ask us to update, correct or delete your personal information. We will require a copy of your identification document to confirm your identity before making changes to personal information we may hold about you. We would appreciate it if you would keep your personal information accurate and up to date.

### 3.7 How to contact us

If you have any queries about this document; you need further information about our privacy practices; wish to withdraw consent; exercise preferences or access or correct your personal information, please contact us at the numbers listed on our website or send an email to [informationofficer@jwater.co.za](mailto:informationofficer@jwater.co.za).

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**CONSENT TO PROCESS PERSONAL INFORMATION IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT, NO. 4 OF 2013 (POPIA)**

The purpose of the Protection of Personal Information Act, no. 4 of 2013 (POPIA), is to protect personal information of individuals and businesses and to give effect to their right of privacy as provided for in the Constitution. By signing this form, you consent to lawful collection, processing, storage and, where necessary, sharing your personal information by Johannesburg Water SOC Ltd. and consent is effective immediately and will remain effective until such consent is withdrawn in terms of POPIA.

1. I ..... a natural person “herein referred to as the Data Subject” with ID Number.....hereby give my consent to Johannesburg Water SOC Ltd. “herein referred to as the Responsible Party” to collect, process and distribute my personal information where Johannesburg Water SOC Ltd. is legally required to do so.
2. I understand my right to privacy and the right to have my personal information processed in accordance with the conditions for the lawful processing of personal information.
3. I understand the purposes for which my personal information is required and for which it will be used and consent to third parties accessing my personal information and to Johannesburg Water SOC Ltd. sharing my personal information strictly for reporting purposes.
4. I understand that, should I refuse to provide Johannesburg Water SOC Ltd. with the required consent and/or information, Johannesburg Water SOC Ltd. will be unable to assist me.
5. I declare that all my personal information supplied to Johannesburg Water SOC Ltd. is accurate, up to date, not misleading and that it is complete in all respects and that I will notify Johannesburg Water SOC Ltd. of any changes to my Personal Information should any of these details change.
6. I also understand that I have the right to request that my personal information be corrected or deleted, if it is inaccurate, irrelevant, excessive, out of date, incomplete, misleading, or obtained unlawfully or that the personal information or record be destroyed or deleted if the Responsible Party is no longer authorised to retain it.

Signed at ..... this ..... day of .....20.....

.....  
Signature of data subject/designated person

.....  
Full Name/Dept of Responsible Party

.....  
Signature

.....  
Date

**DATA SUBJECT CONSENT WITHDRAWAL FORM  
IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT, NO. 4 OF  
2013 (POPIA)**

**CONSENT**

I .....a natural person “herein referred to as the “Data Subject” with identification number ..... hereby withdraw my consent to process my personal information by Johannesburg Water SOC Ltd (Responsible Party). Therefore, Johannesburg Water SOC Ltd. no longer has my consent to process my personal information for the intended purpose

.....  
.....  
.....

which was previously granted using the DATA SUBJECT CONSENT FORM.

The withdrawal of consent does not affect the lawfulness of the processing activities up to the date on this form.

**Details of Data Subject**

Name and surname: .....

Identification number: .....

Date of Birth: .....

Residential address: .....

.....

.....

Contact number(s): .....

E-mail address: .....

Relationship to Responsible Party: .....

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
Signature of Data Subject

\_\_\_\_\_  
Information Officer/Deputy  
Johannesburg Water SOC Ltd.



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## **ADMINISTRATIVE REQUIREMENTS**

### **PLEASE SUPPLY THE FOLLOWING DOCUMENTS TO ENABLE US TO EVALUATE YOUR SUBMISSION:**

<b>Returnable Documents</b>	<b>Description</b>	<b>Yes/No</b>
1	Original Valid Tax Clearance Certificate /valid SARS PIN	<b>COMPULSORY</b>
2	A, certified /original/valid, BBEE certificate /affidavit (Please note that the Sworn Affidavit must be compliant as per B- BBEE Practice Guide 01 of 2018 , NON-COMPLIANT AFFIDAVIT WILL BE SCORED ZERO)	<b>COMPULSORY</b>
3	Municipal rates and taxes (Must not be older than 90 days in arrears in line with regulation 38.	<b>COMPULSORY</b>
4	Signed Declaration of Interest form (MBD 4)	<b>COMPULSORY</b>
5	Declaration of Bidders past supply chain management practices (MBD 8)	<b>COMPULSORY</b>
6	Certificate of Independent Proposal Determination (MBD 9)	<b>COMPULSORY</b>
7	Proof of CSD registration /MAAA Supplier Number	<b>COMPULSORY</b>
8	Preference points claim form in terms of the preferential procurement regulations 2022 (MBD 6.1)	<b>COMPULSORY</b>
9	Company registration documents with ID copies of directors / shareholders.	<b>COMPULSORY</b>

#### Directors:

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**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.....
Closing Time .....	Closing Date.....

**OFFER TO BE VALID FOR 60 DAYS FROM THE CLOSING DATE OF BID.**

ITEM NO.	QUANTITY (QTY)	DESCRIPTION	UNIT PRICE (P)	TOTAL PRICE (QTY*P)
<b>SUB-TOTAL</b>				R
<b>VAT AT 15%</b>				R
<b>GRAND TOTAL (BID PRICE IN RSA CURRENCY WITH ALL APPLICABLE TAXES INCLUDED)</b>				R

I (full name) \_\_\_\_\_, in my capacity as \_\_\_\_\_, the duly authorized representative of \_\_\_\_\_ (company name) hereby declares that the offer is in

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accordance with the attached specification, notes to suppliers & accepts all conditions/ clauses contained in the said documents.

Signature of duly authorized representative

Date:

- Required by: .....

- At: .....

.....

- Brand and Model .....

- Country of Origin .....

- Does the offer comply with the specification(s)? \*YES/NO

- If not to specification, indicate deviation(s) .....

- Period required for delivery .....

\*Delivery: Firm/Not firm

- Delivery basis .....

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.

Directors:

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MBD 4

DECLARATION OF INTEREST

- 1. No bid will be accepted from persons in the service of the state.
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.

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, hareholder?):
3.4 Company RegistrationNumber:
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.

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- (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 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.....

.....

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3.12 Are any of the company's directors, trustees, managers, principal 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: .....

.....

Directors:

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

Full Name	Identity Number	State Employee Number

.....

**Signature**

.....

**Date**

.....

**Capacity**

.....

**Name of Bidder**

Directors:

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## MBD 6.1

### 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.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

#### 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
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

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

*(delete whichever is not applicable for this tender).*

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/highest acceptable tender will be used to determine the accurate system once tenders are received.

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.

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

The maximum points for this tender are allocated as follows:

	POINTS
<b>PRICE</b>	80
<b>SPECIFIC GOALS:</b>	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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

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

The maximum points for this tender are allocated as follows:

	POINTS
<b>PRICE</b>	80
<b>SPECIFIC GOALS:</b>	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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.

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(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 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmin} \right) \text{ or } Ps = 90 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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## 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

### 3.2.1. POINTS AWARDED FOR PRICE

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

$$Ps = 80 \left( 1 + \frac{Pt - Pmax}{Pmax} \right) \text{ or } Ps = 90 \left( 1 + \frac{Pt - Pmax}{Pmax} \right)$$

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:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system: or
  - any other invitation for tender, that either the 80/20 or 90/10 preference point system

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will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

***(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)***

***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) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)	Proof of documents as per spec
SMME (An EME or QSE) <b>51% or more black owned by Black People</b>	80		<ul style="list-style-type: none"> <li>Valid BBBEE Certificate issued by SANAS accredited verification agency or DTI /CIPC BBBEE Certificate for Exempted Micro Enterprises or Qualifying Small Enterprise or Affidavit sworn under oath.</li> </ul>

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DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number.....

4.5. 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]

4.6. 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.

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- (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 box containing fields for SIGNATURE(S) OF TENDERER(S), SURNAME AND NAME, DATE, and ADDRESS.

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**MBD 8**

## DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

**Directors:**

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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><b>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></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><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></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:		

Directors:

Ms Dineo Majavu (Chairperson), Mr Ntshavheni Mukwevho (Managing Director and Executive Director), Mr Kgaugelo Mahlaba (Chief Financial Officer and Executive Director), Mr Siphon Mthembu, Ms Zandile Meeleso, Mr Pholoso Matjele, Mr Molate Mashifane, Ms Pamela Mabece, Mr Collen Sambo, Mr Makoko Makgonye, Ms Thabiso Kutumela, Mr Kefiloe Mokoena

Ms Kethabile Mabe (Company Secretary),  
Johannesburg Water SOC Ltd  
Registration Number: 2000/029271/30



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Table with 4 rows and 4 columns. Row 1: Question 4.4 about municipal rates and taxes, with Yes/No checkboxes. Row 2: Sub-question 4.4.1 for particulars. Row 3: Question 4.5 about contract termination, with Yes/No checkboxes. Row 4: Sub-question 4.7.1 for 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

Directors:
Ms Dineo Majavu (Chairperson), Mr Ntshavheni Mukwevho (Managing Director and Executive Director),
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## MBD 9

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> 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:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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.

Directors:

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**MBD 9**

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by:

\_\_\_\_\_

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

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

**Directors:**

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## MBD 9

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 consortium<sup>3</sup> 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.

<sup>3</sup> 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.

Directors:

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**MBD 9**

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

Directors:

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