



Turbine Hall 65 Ntengi Pilliso Newtown  P O Box 61542 Marshalltown 2107 Tel : (011) 688-1400 Fax : (011) 688-1556		 <b>Johannesburg Water</b>		PAGE NO.			
				CLOSING DATE AND TIME			
				23-Oct-25      16:00			
				Date of Issue 08 October 2025			
INITIATING DEPARTMENT		INITIATOR		QUOTATION DATE		VALIDITY	
MIDRAND DEPOT		Makhetha Paapae		60 DAYS			
QUOTATION REFERENCE		COLLECTIVE NO.					
RFQJW00142SM2025 - General building maintenance		QUOTATION REQUESTED FROM					
		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)					
		JW Contact Person : Simphiwe Mdlalose - Email Address : simphiwe.mdlalose@jwater.co.za Telephone Number : 011 688 1825					
ITEM NO.	DESCRIPTION	DESCRIPTION OF ITEM OFFERED	UOM	QTY REQUIRED	PRICE QUOTED EXCL. OF V.A.T.	DISCOUNT	PRICE QUOTED INCL. OF V.A.T.
	General building maintenance						
	Specification						
1	We need a contractor to do general building maintenance, plumbing and electrical repair work at both regional depot, standby quarters including stores.						
	Note: Contractor must be registered for CIDB GB 1 (Submit Certificate)						
	A Compulsory Site Meeting is Scheduled as follows:						
	Date: 16 October 2025						
	Venue: Midrand Depot Offices						
	Time: 10:00						
	Contact : Lesetja						
	Tel: 011 2059507						
	QUOTATION TO BE VALID FOR 60 DAYS AND REFLECTING ON THE QUOTE						
	<b>SPECIFIC GOALS</b>	<b>POINTS</b>					
	SMME (An EME or QSE) 51% or more black owned by Black People	20					
	QUOTATION REF AS ABOVE: RFQJW ..... & COMPANY NAME						
	NB: All suppliers responding to RFQs should use their own company letter head not JW RFQ Template AND MAKE SURE THEIR EMAIL ADDRESS IS VISIBLE ON THEIR QUOTATION.						
	NB: A copy of valid lease agreement or municipal account (not older than 3 months) should be submitted with a quote						
	NB: MBD forms attached should be completed and submitted with the quote						
	NB: All Quotes should be on PDF (MS WORD, MS EXCEL, PICTURES ARE NOT ALLOWED)						
	NB: Copy of valid BBBEE CERTIFICATE or SWORN AFFIDAVIT to be submitted with the quote						
	Quotation should be valid for 60 days						
	<b>SUBMISSIONS MUST BE MADE ON THE E-TENDER PORTAL</b>						
	OFFICIAL STAMP	AUTHORISED BY: .....	1. QUOTATIONS RECEIVED AFTER CLOSE OF BUSINESS ON THE CLOSING DATE WILL NOT BE ACCEPTED. 2. QUOTATIONS WITHOUT BRAND NAMES WHERE REQUIRED WILL NOT BE ACCEPTED 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 RFQ TEMPLATE) 5. ACCEPTANCE OF A QUOTATION WILL BE SUBJECT TO JOHANNESBURG WATER'S SUPPLY CHAIN POLICY 6. TOTAL QUOTATION VALUE TO INCLUDE V.A.T WHERE APPLICABLE				
		SIGNATURE: .....					
		DATE: .....					

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	Revision	00	Author:	OHS: Projects
	Effective Date	January 2017	Pages:	01

## 1. SCOPE OF WORK

**Various maintenance and Electrical repairs at Midrand Depot.**

## 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.
- Method statement for the entire works

## **11. WORKING IN ELEVATED POSITIONS**

- The principal contractor shall not be required or permitted to 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 safe as if he were working from scaffolding.

## **12. WELDING, FLAME CUTTING, SOLDERING AND SIMILAR OPERATIONS**

- The principal contractor or user of machinery shall require or permit welding or flame cutting operations to be undertaken, unless-
- The person 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.
- 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.
- Leads and electrode holders are effectively insulated; and
- 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


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### 13. RESPONSIBILTY FOR ELECTRICAL INSTALLATIONS

- The principal contractor shall be responsible for the safety, safe use and maintenance of the electrical installation he or she uses or leases.
- The principal contractor shall be responsible for the safety of the conductors on his or her premises connecting the electrical installation to the point of supply in the case where the point of supply is not the point of control.
- Where there is a written undertaking between the principal contractor and JW whereby the responsibility for an electrical installation has been transferred to JW, JW shall be responsible for that installation as if he or she were the user or lessor.

### 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)

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## **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.
- 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.

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#### **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				
<b>Project Scope: Various maintenance and Electrical repairs</b>				
<b>Depot / Site / Department: Midrand Depot.</b>				
<b>Estimated duration: TBC</b>				
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><b>Construction Supervisor</b></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><b>Safety Officer</b></u>				
Appointment	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/> N/A <input type="checkbox"/>
CV (and/ certificates)	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/> N/A <input type="checkbox"/>
<b>NB* Other appointments will be based on the number of employees on site as required by law.</b>				

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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





## OCCUPATIONAL HEALTH & SAFETY (OHS) SPECIFICATION: BASELINE RISK ASSESSMENT

PROJECT NUMBER:	Johannesburg Water
PROJECT LOCATION:	Midrand Depot
PROJECT DESCR:	Various maintenance and electrical repairs

### POSSIBLE RISKS FOR THIS PROJECT

Task	Hazard	Risk	Consequence	Rating	Controls
<b>Compliance with applicable legislation for safety, health and environment</b>	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	<b>E</b>	<ul style="list-style-type: none"> <li>✓ Planning, design and implementation to comply with legislative requirements, especially for Health, Safety and Environment together with Quality.</li> <li>✓ Appointment of a qualified person to assist with the development of legislative guided processes and procedures.</li> </ul>
<b>Conducting SHE Induction training</b>	Employees, contractors, suppliers, and visitors not aware of applicable legislating for the project and policies.	Non-compliance to legislation.	Work stoppages Multiple injuries	<b>E</b>	<ul style="list-style-type: none"> <li>✓ Every new employee or visitor must be inducted before entering company premises or starting work.</li> <li>✓ All employees absent from work or on leave for a period of 14days must be inducted.</li> <li>✓ Inducted visitors must at all times be accompanied when walking around company premises.</li> </ul>
<b>Arranging Medical surveillance or examination</b>	Employees not medically fit for work appointed for. No proof of medical fitness certificate.	Non-compliance to statutory requirements. Exposure to unidentified contagious diseases carriers.	Work stoppages. Incidents resulting to injuries	<b>E</b>	<ul style="list-style-type: none"> <li>✓ Medical examination or assessments must be conducted prior to start of work and annually by an Occupational Medical Practitioner.</li> <li>✓ 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.</li> </ul>
<b>Gate access to site premises - by people</b>	Walking on the vehicle's driveways Lack of observation Intoxicated pedestrian employee or visitor	Personal injuries due to vehicles driving over people. Personal fight due to arrogant intoxicated	Personal fight due to arrogant intoxicated people. Work stoppages	<b>H</b>	<ul style="list-style-type: none"> <li>✓ Only Authorised entry on JW premises</li> <li>✓ Zero alcohol tolerance</li> <li>✓ All Employees, contractors, suppliers and visitors to walk only on designated walkways in and around site/client</li> </ul>

	entering security gate Employees, visitors or contractors entering with firearm Unauthorized entry	people. Theft due to unauthorized entry.	resulting in delay to production  Theft due to unauthorized entry.		premises.
<b>Gate access to site / client premises – by motorists</b>	Speeding Intoxicated drivers. Unlicensed drivers Inexperienced drivers Vehicles not roadworthy	Vehicle accidents.	Fatalities and Injuries Death	<b>E</b>	<ul style="list-style-type: none"> <li>✓ Security guards at the gate to explain the access control procedure to all motorists entering site /client premises.</li> <li>✓ All motorists to adhere to all access control procedures explained to them at the gate.</li> <li>✓ Only roadworthy and licensed vehicles are allowed to drive into site/client premises.</li> <li>✓ All motorists to be sober</li> <li>✓ All vehicles must be searched when entering and leaving the premises.</li> <li>✓ Indemnity declaration to be used for all items/equipment entering with the vehicle in the premises (laptops,)</li> </ul>
<b>Driving from home to work</b>	Driving under the influence of alcohol	Vehicle accident	Fatalities and Injuries Death	<b>E</b>	<ul style="list-style-type: none"> <li>✓ Terminate - Stop any distractions such as cell phone usage while driving. Stop anyone that has consumed alcohol or taken non-prescription drugs from driving and working on site</li> </ul>
<b>Obtain necessary JW documentation and JW approvals</b>	Working without authorization from JW	JW removing Contractor from site	Delay in production	<b>H</b>	<ul style="list-style-type: none"> <li>✓ No work is allowed to start without the necessary documentation and approvals in place.</li> <li>✓ Occupational notices must be available on site kept on site in the Health and Safety File</li> </ul>
<b>Site woks</b>	Lack of experienced and qualified workers	Substandard performances Decrease in time management	Injuries  Delay in production Difficulties in fault findings	<b>E</b>	<ul style="list-style-type: none"> <li>✓ Appoint qualified and certified employees for the job</li> <li>✓ Supervision</li> </ul>

	Unauthorised persons entering work area.	Unauthorised person entering construction area	Injuries resulting in Liability for medical expenses	L	<ul style="list-style-type: none"> <li>✓ Allow only authorised persons to enter site</li> <li>✓ Place warning signs where work is taking place</li> <li>✓ Full time supervision</li> </ul>
	Electricity	Getting into contact with live electricity	Electricity burns and shocks	M	<ul style="list-style-type: none"> <li>✓ Lock out tag out</li> </ul>
	Uneven surfaces	Trip and falling	Body injuries	L	<ul style="list-style-type: none"> <li>✓ Focus at the task on hand</li> <li>✓ Wear PPE</li> </ul>
	Slippery surfaces	Slip and falling	Body injuries	M	<ul style="list-style-type: none"> <li>✓ Focus at the task on hand</li> <li>✓ Wear PPE</li> <li>✓ Ensure floors are dry from water</li> </ul>
	Floors openings	Falling in the opening	Body Injuries	M	<ul style="list-style-type: none"> <li>✓ Always barricade or cover openings when work is in progress</li> </ul>
<b>Employees use of hand tools</b>	Defective Hand tools	Unserviceable tools, damaged tools. The use of wrong tool for the job Hand tools not identified or pre-used inspected.	Hand injuries	M	<ul style="list-style-type: none"> <li>✓ Hand tools shall be assessed before the project/construction commences and at frequent intervals thereafter.</li> <li>✓ All hand tools must be identified and entered on a register/checklist.</li> <li>✓ All hand tools must be inspected. Records of such inspections must be kept on site in the Health &amp; Safety File.</li> </ul>
<b>Emergency planning</b>	No procedure for emergency response. No trained persons on emergencies responses. No emergency numbers available.	Employees, contractors, suppliers and visitors will not know how to react to any emergency situation which could result in further injuries.	Employees, contractors, suppliers and visitors will not know how to react to any emergency situation which could result in further injuries.	H	<ul style="list-style-type: none"> <li>✓ Emergency preparedness and response procedure must be developed and communicated to all employees and visitors.</li> <li>✓ An emergency response team must be established and be introduced to anyone in the project.</li> </ul>
<b>Driving (to &amp; from site or office)</b>	Unlicensed vehicle. Vehicle not roadworthy. Vehicle not maintained. Driver not licensed for	Vehicle colliding with other vehicles or driver losing control of vehicle  Breakdown due to unroadworthy vehicle	Injuries / death.	E	<ul style="list-style-type: none"> <li>✓ Terminate - Stop any distractions such as cell phone usage while driving. Stop anyone that has consumed alcohol or taken non-prescription drugs from driving and working on site.</li> <li>✓ Transfer - Ensure that drivers have the</li> </ul>

	operating the vehicle.				required competence and the required skills for driving
<b>Ladder work</b>	Fall from ladder Manual Handling	Ladders not secured Incorrect handling	Body injuries Back pains	H	<ul style="list-style-type: none"> <li>✓ Ensure that ladders are secure always</li> <li>✓ Follow proper handling techniques</li> <li>✓ Obey sensible sharp ends</li> </ul>
<b>Site works - various</b>	Not conducting DSTI	Site hazards not identified	Personal injury	H	<ul style="list-style-type: none"> <li>✓ Task planning is done prior commencement of work</li> <li>✓ Conduct DSTI daily</li> </ul>
	Poor lighting and visibility	Strip and fall	Personal Injuries	H	<ul style="list-style-type: none"> <li>✓ Task planning is done prior commencement of work</li> <li>✓ Conduct DSTI daily</li> </ul>
	Using hand tools	Unsafe tools	Hand injuries	L	<ul style="list-style-type: none"> <li>✓ Inspect tools prior use.</li> <li>✓ All defective tools must be removed from working area</li> </ul>
	Wiring devices	Electric shock	Body injuries	H	<ul style="list-style-type: none"> <li>✓ All defective tools must be removed from working area</li> </ul>
	Electrical cables	Electrocution	Body injuries	H	<ul style="list-style-type: none"> <li>✓ Lock out tag out</li> </ul>
<b>Loading and offloading of material</b>	Poor equipment handling. Handling errors Poor housekeeping around loading/offloading area Pinch point	Handling errors. Trip and falling due to poor housekeeping in the area where loading/offloading is carried out or repetitive bending.	Personal injuries	M	<ul style="list-style-type: none"> <li>✓ Correct manual handling techniques when lifting material/equipment by hands must be followed for good ergonomic practice – lift with legs not back, put the back straight when lifting to avoid back pains.</li> <li>✓ The area where loading/offloading is carried out must be of good housekeeping practice.</li> <li>✓ The employees offloading material/equipment must wear correct PPE (gloves, hard hat and safety shoes with steel toe)</li> </ul>
<b>Investigating and resolving roof leaks</b>	Incorrect equipment/tools or not available or unserviceable. PPE not assessed, issued, worn or inspected	Fall from a fall risk position.	Fatalities and Injuries	E	<ul style="list-style-type: none"> <li>✓ Hook up at heights</li> <li>✓ Hardhats, working at heights PPE and safety boots will be worn during the operation.</li> </ul>

<b>Locating existing pipes</b>	Existing underground services	✓ Explosion, electrocution, damage service, asbestos pipe	Fatalities, injuries	<b>M</b>	<ul style="list-style-type: none"> <li>✓ Get existing pipe drawings</li> <li>✓ Check relevant Authority (e.g. power, water, gas, council) records for location of services.</li> <li>✓ If in doubt uses experienced/ accredited service locators.</li> <li>✓ When using hand prodders to locate pipes, prodders must never be driven in to the ground by hammers or other implements.</li> </ul>
<b>Repairing/ replacing handrails and door handles</b>	The use of wood	handling wood	Cuts from splinters.	<b>M</b>	<ul style="list-style-type: none"> <li>✓ Handling wood with care.</li> <li>✓ Use hand gloves</li> </ul>
<b>Servicing and replacing geyser consumables</b>	Use of a step ladders and scaffolding Lack of the correct PPE and suitable or PPE not worn correctly, accessing facilities, coupled to unplanned work methods.	Employees falling from heights which could result in a fatality ✓ Personal injuries ✓ Unsecured ladders	Fatality, disability injuries	<b>E</b>	<ul style="list-style-type: none"> <li>✓ Wear task specific PPE</li> <li>✓ Adhere to correct safe work procedure</li> <li>✓ Provide proper training for employees working at heights</li> <li>✓ Only employees that are fit to work at heights are permitted to conduct this task</li> <li>✓ Compile fall protection plan, developed by a competent person</li> <li>✓ Inspect the scaffold whenever weather conditions changes (winds, storms)</li> <li>✓ Inspect fall protection and fall prevention equipment</li> <li>✓ Appoint scaffold inspector</li> <li>✓ Use tag system to notify employees of the safety of the scaffold</li> <li>✓ Display proper signages</li> </ul>
<b>Repair/ install lighting</b>	Use of ladder/ working from an elevate position Exposure to electricity	Falling from heights Electrocution	Injuries	<b>H</b>	<ul style="list-style-type: none"> <li>✓ Place construction signs</li> <li>✓ Barricade the area</li> <li>✓ Supervisor should always be at work</li> <li>✓ Appoint ladder inspector</li> <li>✓ Inspect ladders</li> <li>✓ Comply to the safe use of ladders</li> <li>✓ Appoint a competent electrician</li> </ul>
<b>Portable electrical power tools use</b>	Extension cords joined and poorly insulated.	Electric shock due to contact with live	Bodily injuries	<b>L</b>	<ul style="list-style-type: none"> <li>✓ All portable electrical tools must be identified and a unique number</li> </ul>

	Stop-start mechanism faulty. Guarding removed Broken or damaged plugs or socket. Electrical tool not inspected Equipment not tagged	electricity on exposed electric cable Hand and bodily injuries resulting from the use of portable electrical tool.			<ul style="list-style-type: none"> <li>allocated and entered on a register.</li> <li>✓ Portable electrical tools identified must be inspected before use.</li> <li>✓ Records of such inspections must be kept in the working file and master file after shift.</li> <li>All damaged parts of the tools must be repaired or a replacement arranged promptly.</li> </ul>
<b>Brick work</b>	Entering a confined space - Use of a step ladder Lack of the correct PPE and suitable or PPE not worn correctly, Unplanned work methods.	Employees falling from heights Unsafe erection of scaffold.	Fatality. Personal injuries	<b>H</b>	<ul style="list-style-type: none"> <li>✓ Only competent/ appointed and trained employees should enter the confined space/ space that restricts movement.</li> <li>✓ Wear task specific - overalls, hand gloves, dust masks.</li> <li>✓ Monitor gas levels inside the chamber.</li> <li>✓ Adhere to correct safe work procedure</li> <li>✓ Display proper signages</li> <li>✓ First aider must be amongst the employees that will be working in the manhole</li> <li>✓ One employee must stay outside the manhole, to alert or get help should there be a need.</li> </ul>
	The use of cement	Exposure to cement-inhalation of cement, accidental ingestion	Skin irritation Respiratory irritation Vomiting	<b>M</b>	<ul style="list-style-type: none"> <li>✓ Keep MSDS of cement</li> <li>✓ Communicate the content of the MSDS the employees.</li> </ul>
	Brick laying	Incorrect handling of bricks Bricks falling from heights	Cuts, scratches Injuries	<b>M</b>	<ul style="list-style-type: none"> <li>✓ Use hand gloves/ hard hat</li> <li>✓ Follow the correct method of working</li> </ul>
<b>Electrical work / Installation</b>	Electrical shocks from getting in contact with live wires	Electrocuted	Electrical shocks, Injuries Asphyxia	<b>H</b>	<ul style="list-style-type: none"> <li>✓ Open, Isolated, test, earth bond before touch</li> <li>✓ Use danger &amp; Caution Tags</li> <li>✓ Lock out Tag out (LOTO)</li> <li>✓ PPE</li> </ul>
	Faulty electrical equipment	Fire and smoke	Injuries Death Property damage	<b>E</b>	<ul style="list-style-type: none"> <li>✓ Develop and implement switchgear SOP</li> <li>Regular checks and Supervision</li> <li>✓ Toolbox talks</li> <li>✓ LOTO</li> </ul>

<b>Painting</b>	Exposure to paint	Skin contact Inhalation of paint Eye contact Accidental ingestion of paint	Skin irritation Eye irritation Lung irritation Vomiting/ nausea/ stomach upset	<b>M</b>	<ul style="list-style-type: none"> <li>✓ Wear full PPE, eye protection, BA sets, overall</li> <li>✓ Employees must wash hands before they eat</li> </ul>
<b>Removing and fitting ceiling</b>	Use of hand tools Working in a confined space Working at heights The use of roof sealant The use of a ladder/ working from heights	Poor ergonomics Defective hand tools Wrong tool for the task Insufficient air in the ceiling/ heat Falling from height Exposure to chemicals/ inhalation Falling from heights	Back injuries Hand injuries Pinch injuries Respiratory illnesses Injuries	<b>H</b>	<ul style="list-style-type: none"> <li>✓ Train employees on the correct lifting techniques</li> <li>✓ Use the correct tool for each task.</li> <li>✓ Use job specific PPE.</li> <li>✓ Ensure there is enough in the ventilated the area.</li> <li>✓ Appoint a ladder inspector</li> <li>✓ Compile a safe working procedure for the use of a ladder.</li> <li>✓ Appoint confined space supervisor</li> <li>✓ Encourage buddy system and ensure 2 employees or more perform the task in a confined space</li> <li>✓ Appoint first aider</li> </ul>
<b>Testing and commissioning</b>	Site risk assessment not conducted prior commencement of work	Task specific risks and hazards not identified, and control measures not known	Injuries (Electrical shocks and burns)	<b>H</b>	<ul style="list-style-type: none"> <li>✓ Full time supervision</li> <li>✓ Toolbox talks</li> </ul>
	Not following manufactures maintenance and testing procedures	Lack knowledge regarding manufacture technical safety instructions provision	Injuries (Electrical shocks and burns)	<b>H</b>	<ul style="list-style-type: none"> <li>✓ Full time supervision</li> <li>✓ Toolbox talks</li> </ul>
	Work carried out by untrained workers	Electrical shocks /burns and damage to property	Injuries Damage to property Asphyxia	<b>H</b>	<ul style="list-style-type: none"> <li>✓ Only trained certified people to work on the switchgear</li> <li>✓ Full time supervision</li> </ul>

### 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

LEGENDS							
LOW	L	MODERATE	M	HIGH	H	EXTREME	E



## **Guide: How to submit a response on the E-tender Portal**

- Submit on E tender portal, following the below:
  1. (<https://www.etenders.gov.za/>)
  2. Search/Click Browse Opportunities by organ of state (Johannesburg Water)/search by RFQ reference number .
  3. Click the **+ sign** to expand the tender/ RFQ information.
  4. start the e submission process.
  5. Supplier login
  6. Use your CSD Credentials to Login. Contact CSD on ([csd@treasury.gov.za](mailto:csd@treasury.gov.za)) in case you forgot your login credentials. "My profile should show if you have logged in successfully".
  7. select supplier.
  8. check the submission checklist and attached the compulsory documents.
  9. confirm and proceed .

### **If the application is not going through on the E-tender portal Contact:**

eTenders Contact Centre

+27(0)12 406 9222 / 012 406-9229 / 012 312-5000

[etenders@treasury.gov.za](mailto:etenders@treasury.gov.za)

<https://etenders.treasury.gov.za>

# 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.

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 unauthorised access and use of personal information. We will, on an ongoing basis, continue to review our security

# POPIA PRIVACY STATEMENT

Johannesburg Water SOC Limited

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 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).



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)

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

Returnable Documents	Description	Yes/No	
1	Original Valid Tax Clearance Certificate /valid SARS PIN		<b>COMPULSORY</b>
2	A, certified /original/valid, BBEE certificate /sworn 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:**

Ms Gugulethu Phakathi (Chairperson), Mr Ntshavheni Mukwevho (Managing Director and Executive Director),  
Mr Johan Koekemoer (Financial Director and Executive Director), Mr Phetole Modika, Mr Siphamandla Mnyani, Mr Siyabonga Mthembu,  
Mrs Zandile Meeleso, Mr Pholoso Matjele, Mr Kgaile Mogoye, Mr Sandiso Mgengwana, Mr Molate Mashifane, Ms Pamela Mabece,  
Mr Lunga Bernard

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

## MBD 4

## DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
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, shareholder<sup>2</sup>):.....

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. ....

.....

<sup>1</sup>MSCM 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.

<sup>2</sup> 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
<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
- (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
SMME (An EME or QSE) 51% or more black owned by Black People	20		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.

#### **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	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?  (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).  <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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

4.3.1	If so, furnish particulars:		
<b>Item</b>	<b>Question</b>	<b>Yes</b>	<b>No</b>
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 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.

**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 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.

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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