



## Johannesburg Tourism Company NPC

A City of Johannesburg Metropolitan Municipality Entity

Reg No 2003/009873/08

Sandton Library Offices  
Nelson Mandela Square  
West Street, Sandton  
Johannesburg  
South Africa

P.O Box 7776  
Johannesburg  
South Africa  
2000

Tel +27 11 779 0200  
[www.joburgtourism.com](http://www.joburgtourism.com)

### REQUEST FOR QUOTATION

RFQ Number	JTC0018-2023/24
<p><b>REQUEST FOR QUOTATION TO APPOINT A SUITABLE AND QUALIFIED SERVICE PROVIDER FOR STORAGE, MAINTENANCE, SET UP &amp; BREAKDOWN, CLEANING, COLLECTING AND DELIVERING OF BRANDING MATERIAL AT 60 AD HOC JOBURG TOURISM EVENTS OVER A PERIOD OF SIX (6) MONTHS IN LINE WITH THE ORGANISATION MANDATE.</b></p>	
<p><b>THIS REQUEST FOR PROPOSAL IS FOR THE JOHANNESBURG TOURISM COMPANY</b></p>	

Date of advertisement:	28 February 2024
Closing date:	06 March 2024
Closing time:	10H00
Compulsory requirements	None
Compulsory briefing meeting date (if applicable)	N/A
<p><b>Quotations should be deposited in bid/tender box at: Sandton Library Offices</b></p> <p><b>Nelson Mandela Square</b></p> <p><b>West Street, Sandton</b></p>	<p>Quotations will be received on the closing dates and times shown and must be enclosed in sealed envelopes, bearing the applicable quotation description and reference number as well as the closing time and due date, and must be addressed to:</p> <p>THE ACCOUNTING OFFICER</p> <p>JOHANNESBURG TOURISM COMPANY</p> <p>Quotations will be opened at the latter address at the time indicated and <b>no late submissions will be received.</b></p>
Procurement Enquiries	<b>Sphiwem@JoburgTourism.com</b>
Technical Enquiries	<b>pontshom@JoburgTourism.com</b>

## ENTITY DETAILS

<b>Entity Type</b>	<b>Private</b>	<b>Partnership</b>	<b>Close Corporation</b>		<b>Sole Proprietor</b>
	<b>Other (Specify)</b>				
<b>Entity Name</b>	<b>Legal Name:</b>				
	<b>Trading as:</b>				
<b>Entity Registration Number</b>					
<b>City of Johannesburg/ JTC Vendor Registration Number (if already have)</b>					
<b>National Treasury Central Supplier Database number: (Compulsory)</b>					
<b>Entity Street Address</b>					
	<b>Postal Code:</b>				
<b>Contact Details of the Person Representing the Entity</b>	<b>Name</b>	:			
	<b>Telephone:</b>	:			
	<b>Cell phone:</b>	:			
	<b>E-mail address</b>	:			
<b>Income Tax Number</b>					
<b>VAT Reference Number (if applicable)</b>					

## **SCHEDULE OF PRICES/ RATES:**

**REQUEST FOR QUOTATION TO APPOINT A SUITABLE AND QUALIFIED SERVICE PROVIDER FOR STORAGE, MAINTENANCE, SET UP & BREAKDOWN, CLEANING, COLLECTING AND DELIVERING OF BRANDING MATERIAL AT 60 AD HOC JOBURG TOURISM EVENTS OVER A PERIOD OF SIX (6) MONTHS IN LINE WITH THE ORGANISATION MANDATE.**

<b>Pricing</b>	<b>(R)</b>
<b>Sub Total Price</b>	
<b>Vat 15% (if applicable)</b>	
<b>Total Quoted Price (Inclusive of VAT)</b>	

### **CONDITIONS OF QUOTATION**

- 1. Quotation documents must be completed in black ink.**
- 2. The lowest price or any quotation will not necessarily be accepted, and Joburg Tourism Company reserves the right to accept the whole or any portion of a quotation**
- 3. Quotations are to remain open for acceptance for a period of thirty (30) days effective from the date on which they are lodged and shall be accepted at any time within the said period of thirty (30) days.**
- 4. In the event of a mistake having been made on the price schedule it shall be crossed out in ink and be accompanied by an initial at each and every price alteration. Corrections in terms of price may not be made by means of a correction fluid such as Tipp- Ex or a similar product. If correction fluid has been used on any specific item price, such item will not be considered. No correction fluid may be used in a Bill of Quantities where prices are calculated to arrive at a total amount. If correction fluid has been used, the quotation as a whole will not be considered. The entity will reject the quotation if corrections are not made in accordance with the above**
- 5. NO PRICE INCREASES/ADJUSTMENTS WILL BE CONSIDERED.**
- 6. All purchases will be made through an official purchase order form; therefore no goods must be delivered or services rendered before an official purchase order has been forwarded to and accepted by the successful bidder.**
- 7. JOHANNESBURG TOURISM COMPANY WILL NOT MAKE ANY UPFRONT PAYMENTS AND TENDERERS MUST ENSURE THAT THEY HAVE SUFFICIENT CASH FLOW TO COVER THE PROVISION OF THE GOODS/SERVICES**

- 8. To participate in the City's Quotation process for the procurement of goods and/or services, vendors are advised to get accredited and registered primarily on the Central Supplier Database.**
- 9. All prices must be quoted in South African currency (SA rand), all applicable taxes included**
- 10. All prices quoted must be inclusive of Value Added Tax (VAT). Suppliers who are not registered for VAT will be treated as Non - VAT Vendors.**
- 11. All prices submitted must be firm. "Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.**
- 12. All prices and details must be legible/readable to ensure the quotation will be considered for adjudication**
- 13. Prices quoted must be all inclusive of delivery charges and goods must be delivered to the address indicated on the quotation page.**
- 14. The successful company must provide labour for off-loading/delivering.**
- 15. Quantities are given in good faith and without commitment to the Johannesburg Tourism Company. The City reserves the right to increase or reduce the quantity to be in line with the set threshold for quotations prescribed in the SCM Policy.**
- 16. In the event of price/prices being based on the exchange rate, the successful tenderer/s will be required to obtain exchange rate cover in order to protect the Municipality against exchange rate variations. Proof must be provided that forward Exchange Rate cover has been taken out within 14 days after an order has been placed. If proof that cover was taken out within 14 days after the order has been placed, is not submitted to Johannesburg Tourism Company, with the invoice, the contract price adjustment will not be accepted and the contract may be cancelled.**
- 17. Tenderers are reminded that orders placed against accepted quotations are to be executed in strict accordance with the accepted specification and within the quoted delivery period.**
- 18. Where applicable, the tenderer is required to record the vendor number in the space provided on the cover page of this quotation document.**
- 19. The Johannesburg Tourism Company reserves the right, to cancel and re-issue the quotation**
- 20. Bidders should note, that in accordance with legislation, no contract may be awarded to a/an person/entity who/which has failed to submit a Valid Tax Clearance Certificate issued by the South African Revenue Service (SARS), certifying that the taxes of that person/entity are in order, or that suitable arrangements have been made with SARS**

**21. Copyright in any document produced, and the patent rights or ownership in any plant, machinery, thing, system or process designed, by a consultant/trainer in the course of the consultancy service is vested in the Johannesburg Tourism Company**

**22. FALSE DECLARATION ON MUNICIPAL BIDDING DOCUMENTS FORM (MBD's) WILL LEAD TO AUTOMATIC DISQUALIFICATION.**

**VALIDITY OF RFQ: 30 DAYS**

**I HEREWITH CONFIRM THAT I HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED CONDITIONS.**

**SIGNATURE** \_\_\_\_\_

**NAME** \_\_\_\_\_

**SPECIFICATION/SCOPE OF WORK/TERMS OF REFERENCE**

Request qualified experienced service providers to submit quotations for storage, maintenance, set up, breakdown, cleaning, collecting, and delivering of branding material at 60 ad hoc Joburg Tourism events over a period of six (6) months in line with the organisation mandate.

**NB: SERVICE PROVIDERS SHOULD NOT QUOTE FOR PRODUCTION OF BRANDING MATERIAL. JOBURG TOURISM ALREADY HAS BRANDING MATERIAL TO HAND OVER TO THE SERVICE PROVIDER FOR THE DURATION OF THE CONTRACT.**

**The scope of work entails the following deliverables:**

- Receive and respond to event brief as per specification by Marketing representative
- Keep Joburg Tourism branding material at your storage for easy access for branding set ups.
- Maintain, secure and return branding material in a clean and good condition at all times
- Collect and deliver Joburg Tourism branding at site for every event branding set up request.
- Compile evidence/ branding report with images for all events branded and submit via email.
- Do monthly stock take of branding material, report damaged branding material and submit to marketing representative via email.
- Replace broken or damaged branding if it broke under the service provider's custody.

## EVALUATION CRITERIA

Evaluation will be undertaken using the 80:20 evaluation principle where 80 points will be for price and the 20 points will be for the attainment of the empowerment goals as stipulated below.

**TABLE 1: PRICING SCHEDULE:**

<b>Item</b>	<b>NUMBER OF EVENTS</b>	<b>PRICE PER UNIT Excl VAT(R)</b>	<b>TOTAL PRICE Excl VAT (R)</b>
<b>Small Set Up</b>	10		
1x Banner Wall, 4 x Pull Up Banners, 6 x Tear Drops and 6x Floor Decals and 2 x Pop Up Banners			
<b>Medium Set Up</b>	30		
2x Banner Walls, 8 x Pull Up Banners, 20 x Tear Drops , 4 x Pop Up Banners , 2 x Gazebo's			
<b>Large Set Up</b>	20		
2 x Banners Walls, 20 x Pull Up Banners, 45 x Tear Drops, 10 x Garden Umbrellas,			
<b>TOTAL PRICE excl VAT</b>			
<b>VAT</b>			
<b>TOTAL PRICE incl VAT</b>			

### Note:

- Please quote as per the line item for clarity purpose and also submit additional quotation on your company letter head.
- Return the quotation with the RFQ document attached.
- You are required to quote for ALL items. Failure to do so will render your quote incomplete and therefore non-responsive

### Requirements

- (i) Cost containment regulations must be taken into account
- (ii) Service providers must use the Treasury's booking guideline when quoting for the City of Johannesburg.

(iii) The entity reserves the right to choose different service providers.

**TABLE 2: PRICE AND EMPOWERMENT POINTS**

<b>PRICE</b>	<b>80 POINTS</b>
<b>EMPOWERMENT IN TERMS OF PREFERENTIAL PROCUREMENT REGULATIONS, 2022</b>	<b>20 POINTS</b> EME/QSE's – 10 points Enterprises located within the jurisdiction of the City of Johannesburg – 10 points

**PRICING REQUIREMENTS**

<b>QUOTATION DESCRIPTION:</b>	
REQUEST FOR QUOTATION TO APPOINT A SUITABLE AND QUALIFIED SERVICE PROVIDER FOR STORAGE, MAINTENANCE, SET UP & BREAKDOWN, CLEANING, COLLECTING AND DELIVERING OF BRANDING MATERIAL AT 60 AD HOC JOBURG TOURISM EVENTS OVER A PERIOD OF SIX (6) MONTHS IN LINE WITH THE ORGANISATION MANDATE.	
<b>Pricing</b>	<b>(R)</b>
<b>Sub Total Price</b>	
<b>Vat 15% (if applicable)</b>	
<b>Total Quoted Price (Inclusive of VAT)</b>	

**Bidders are required to quote for ALL items in the pricing schedule and failure to do so will render the offer non-responsive based on the proposal being considered an incomplete offer**

**RETURNABLE DOCUMENTS**

1. Completed and signed form of pricing schedule
2. Completed and signed MBD forms (MBD 3.1, 4, 6.1, 8 and 9)
3. Declaration on State of Municipal Accounts
4. Current/recent CSD report of the bidder (not older than 3 months)
5. Municipal accounts of both the bidder and ALL directors not in arrears of more than 90 days and not older than 3 months, or valid lease agreement/s or sworn affidavit/s

6. Valid copies of all mandatory documents

#### **DISQUALIFICATION CRITERIA**

1. Failure to quote for all items in the pricing schedule

#### **CONDITIONS OF AWARD**

1. Compliant tax status in terms of the CSD.
2. Municipal accounts not older than 90 days for the Company and all its director's not more than 90 days in arrears, or a valid lease agreement or sworn affidavit. If in arrears proof of acknowledgement of debt must be provided
3. Directors and Principal members not in the Service of the State
4. Name of the bidder or that of its directors should not appear on the National Treasury's database of Restricted Suppliers.



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

\*Delete if not applicable

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.

## **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?):.....

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

## **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**

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### **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 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 The maximum points for this tender are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	<b>80</b>
<b>SPECIFIC GOALS</b>	<b>20</b>
<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

### 6.1. POINTS AWARDED FOR PRICE

#### 6.1.1. THE 80/20 PREFERENCE POINT SYSTEMS

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

**80/20**

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

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{min}$  = Price of lowest acceptable tender

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

### 6.2.1. POINTS AWARDED FOR PRICE

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

**80/20**

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

Where

$P_s$  = Points scored for price of tender under consideration

$P_t$  = Price of tender under consideration

$P_{max}$  = Price of highest acceptable tender

## 7. POINTS AWARDED FOR SPECIFIC GOALS

7.1. 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:

7.2. 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—

- (a) 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

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system 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.**

THE SPECIFIC GOALS ALLOCATED POINTS IN TERMS OF THIS TENDER	MEANS OF VERIFICATION DOCUMENTS REQUIRED	NUMBER OF POINTS ALLOCATED (80/20 SYSTEM)	NUMBER OF POINTS CLAIMED (80/20 SYSTEM) (TO BE COMPLETED BY THE TENDERER)
<b>GOAL 1: DESIGNATED GROUP</b>			
SMME's (EME/QSE)	CSD and BBEE Certificate/ Affidavit Sworn under oath	<b>10</b>	
<b>GOAL 2: SPECIFIC GOAL</b>			
Enterprises located within the jurisdiction of the City of Johannesburg	CSD Report and Proof of municipal account	<b>10</b>	

**DECLARATION WITH REGARD TO COMPANY/FIRM**

7.3. Name of company / firm .....

7.4. Company registration number: .....

7.5. 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]

7.6. 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:

- a) The information furnished is true and correct;
- b) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- c) 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;
- d) 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 –
  - (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.

## **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) wilfully 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. (Tick applicable box).**

Item	Question	Yes	No
4.1	<p><b>Is the bidder or any of its directors listed on the National Treasury’s database as a company or person prohibited from doing business with the public sector?</b></p> <p><b>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p><b>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></p> <p><b>(To access this Register enter the National Treasury’s website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon “Register for Tender Defaulters” or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p><b>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?</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

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

## CERTIFICATION

I, THE UNDERSIGNED (NAME)

.....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE STATE AND/OR THE EMM MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Capacity

.....

Name of Bidding Entity

## **MBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION**

1. This Form "I" 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 Form "I" 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 must be completed and submitted with the bid:

## CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by: **Johannesburg Tourism Company** 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 rep bid opening or of the awarding of the 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
Full Names of Person Representing Company	Position in Company

**DECLARATION ON STATE OF MUNICIPAL ACCOUNTS**

A Any bid will be rejected if:  
Any municipal rates and taxes or municipal service charges owed by the bidder or any of the directors to the municipality or a municipal entity, or to any other municipality or municipal entity, are in arrears for more than three months.

B Bid Information

- 1. Name of bidder .....
- ii. Registration Number .....
- iii. Municipality where business is situated  
.....
- iv. Municipal account number for rates .....
- v. Municipal account number for water and electricity .....
- vi. Names of all directors, their ID numbers and municipal account number.  
1. ....  
2. ....  
3. ....  
4. ....  
5. ....  
6. ....  
7. ....

C Documents to be attached.

- 1. A copy of municipal account mentioned in B (iv) & (v) (Not older than 3 months)
- 2. A copy of municipal accounts of all directors mentioned in B(vi) (Not older than 3 months)
- 3. Proof of directors

I/We declare that the abovementioned information is true and correct and that the following documents are attached to this form:

.....  
.....

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date