



SCAM ALERT

With an endeavor to promote transparent tender processes and to comply with the relevant legislation, bidding company names and bid values are called out at tender opening and such details are also published on the Pikitup website. Fraudsters however abuse the information available from various sources on the internet with fraudulent intentions.

It came to our attention that fraudsters are posing as municipal employees claiming that they are members of either the Bid Evaluation or Adjudication Committee, and soliciting bribes from bidders for being favored during the tender evaluation or being awarded the tender.

Bidders are requested to be vigilant pertaining to the following:

- Pikitup tender documents are available free of charge from the National Treasury e-tender portal, thus do not pay for tender documents.
- Pikitup is using the National Treasury Central Supplier Database (CSD), hence Pikitup will not request bidders to pay for supplier registration forms.
- All Pikitup tenders are published on the National Treasury e-tender portal and / or the Pikitup website. Only respond to tenders that are published on these websites.
- Bid responses must be deposited in the Pikitup tender box as indicated in the respective tender documents.
- Only correspond in writing with the Pikitup contact person as indicated in the tender document. The Pikitup official and contact details are also advertised on the National Treasury e-tender portal and / or Pikitup website.
- Do not entertain any request for a bribe, and never pay money for being favored or being awarded a tender.

REPORT FRAUD AND CORRUPTION

Please report fraud and corruption at the City of Johannesburg Anti-Fraud Hotline: 0800 002 587 or the National Treasury Anti-Corruption Hotline: 0800 701 701

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ANNEXURE 1.1

MBD 1

INVITATION TO BID

BID NUMBER PU115/2022 FOR THE APPOINTMENT OF REPUTABLE RECRUITMENT SERVICE PROVIDERS TO
RENDER PIKITUP WITH RECRUITMENT, SELECTION AND HEADHUNTING SERVICES ON AN AS AND WHEN
REQUIRED BASIS OVER A PERIOD OF THREE YEARS

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)					
BID NUMBER:	PU115/2022	CLOSING DATE:	17 OCTOBER 2022	CLOSING TIME:	11:00 AM
DESCRIPTION	THE APPOINTMENT OF REPUTABLE RECRUITMENT SERVICE PROVIDERS TO RENDER PIKITUP WITH RECRUITMENT, SELECTION AND HEADHUNTING SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF THREE YEARS				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
PIKITUP TENDER BOX, SITUATED AT PIKITUP JOHANNESBURG (SOC) LIMITED, JORISSEN PLACE, TENDER OFFICE, EAST WING, GROUND FLOOR, 66 JORISSEN STREET, BRAAMFONTEIN, JOHANNESBURG, 2000					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT <input type="checkbox"/> Yes <input type="checkbox"/> No		
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]		
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE		R
SIGNATURE OF BIDDER		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT	SUPPLY CHAIN		CONTACT PERSON	SAME	
CONTACT PERSON	MORNE KOORTZEN		TELEPHONE NUMBER	SAME	
TELEPHONE NUMBER	087 357 1196		FACSIMILE NUMBER	SAME	
FACSIMILE NUMBER	NOT APPLICABLE		E-MAIL ADDRESS	SAME	
E-MAIL ADDRESS	MORNEKOORTZEN@PIKITUP.CO.ZA				

BID NUMBER PU115/2022 FOR THE APPOINTMENT OF REPUTABLE RECRUITMENT SERVICE PROVIDERS TO RENDER PIKITUP WITH RECRUITMENT, SELECTION AND HEADHUNTING SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF THREE YEARS

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS. 2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA. 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3. 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID. 2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER. 2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS
3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

DATE:

.....

**BID NUMBER PU115/2022 FOR THE APPOINTMENT OF REPUTABLE RECRUITMENT SERVICE PROVIDERS TO
RENDER PIKITUP WITH RECRUITMENT, SELECTION AND HEADHUNTING SERVICES ON AN AS AND WHEN
REQUIRED BASIS OVER A PERIOD OF THREE YEARS**

AUTHORITY TO SIGN A BID

Bidders must provide authority to sign the bid document. Bidders may use their own format or complete one of the following five templates that relates to the bidding organisation.

1. <u>Sole Proprietor (Single Owner Business) and Natural Person</u>			
1.1 I, , the undersigned, hereby confirm that I am the sole owner of the business trading as			
OR			
1.2 I, , the undersigned, hereby confirm that I am submitting this tender in my capacity as natural person.			
SIGNATURE		DATE	
PRINT NAME			
WITNESS 1		WITNESS 2	

2. <u>Companies and Close Corporations</u>			
2.1 If a Bidder is a Company, a certified copy of the resolution by the board of directors, duly signed, authorising the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company must be submitted with this bid, that is, before the closing time and date of the bid.			
2.2 In the case of a Close Corporation (CC) submitting a bid, a resolution by its members authorising a member or other official of the corporation to sign the documents on their behalf, shall be included with the bid.			
Date Resolution was taken			
Resolution signed by (name and surname)			
Capacity			
Name and surname of delegated Authorised Signatory			
Capacity			
Specimen Signature			
Full name and surname of all Director(s) / Member (s)			
1.		2.	
3.		4.	
5.		6.	
7.		8.	
9.		10.	
Is a certified copy of the resolution attached?			YES
SIGNED ON BEHALF OF COMPANY / CC			NO
		DATE	
PRINT NAME			
WITNESS 1		WITNESS 2	

3. <u>Partnership</u>			
We the undersigned partners in the business trading as hereby authorise Mr/Mrs to sign this bid as well as any contract resulting from the bid and any other documents and correspondence in connection with this bid and/or contract for and on behalf of the above mentioned partnership. The following particulars in respect of every partner must be furnished and signed by every partner:			
Full name of partner		Signature	
SIGNED ON BEHALF OF PARTNERSHIP		DATE	
PRINT NAME			
WITNESS 1		WITNESS 2	

4. Consortium

We the undersigned consortium partners, hereby authorise _____ (Name of entity) to act as lead consortium partner and further authorise Mr/Ms _____ to sign this offer as well as any contract resulting from this tender and any other documents and correspondence in connection with this tender and / or contract for and on behalf of the consortium.

The following particulars in respect of each consortium member must be provided and signed by each member.

Full name of Consortium Member	Role of Consortium Member	% Participation	Signature
SIGNED ON BEHALF OF CONSORTIUM		DATE	
PRINT NAME			
WITNESS 1		WITNESS 2	

5. JOINT VENTURE

We, the undersigned, are submitting this bid offer in joint venture and hereby authorize Mr / Ms

.....
.....

Authorized signatory of the Company / Close Corporation / Partnership (name)

.....
.....

Acting in the capacity of lead partner, to sign all documents in connection with the bid offer and any contract resulting from it on our behalf.

LEAD PARTNER (Whom the Pikitup shall hold liable for the purpose of the tender)			
NAME OF FIRM			
ADDRESS			
		TEL. NO.	
SIGNATURE		DESIGNATION	

2nd PARTNER			
NAME OF FIRM			
ADDRESS			
		TEL. NO.	
SIGNATURE		DESIGNATION	

3rd PARTNER			
NAME OF FIRM			
ADDRESS:			
		TEL. NO.	
SIGNATURE		DESIGNATION	

4th PARTNER			
NAME OF FIRM			
ADDRESS:			
		TEL. NO.	
SIGNATURE		DESIGNATION	

NOTE: A copy of the Joint Venture Agreement indicating clearly the percentage contribution of each partner to the Joint Venture, is to be submitted with the bid.

A board resolution, authorising each signatory who signed above to do so, is to be submitted with the bid.

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CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES

DECLARATION IN TERMS OF MUNICIPAL SCM REGULATIONS 21(d) (ii)

I, (full name) and (ID no.), hereby acknowledge that the Pikitup may reject the tender of the tenderer if any municipal rates and taxes or municipal service charges owed by the bidder or any of its directors/members/partners to the City of Johannesburg, or to any other municipality or municipal entity, are in arrears for more than 3 (three) months.

I declare that I am duly authorised to act on behalf of (name of the firm) and hereby declare, that to the best of my personal knowledge, neither the firm nor any director/member/partner of said firm is in arrears on any of its municipal accounts with any municipality in the Republic of South Africa, for a period longer than 3 (three) months.

I further hereby certify that the information set out in this schedule and/or attachment(s) hereto is true and correct. The bidder acknowledges that failure to properly and truthfully complete this schedule may result in the tender being disqualified, and/or in the event that the tenderer is successful, the cancellation of the contract.

PHYSICAL BUSINESS ADDRESS(ES) OF THE TENDERER	MUNICIPAL ACCOUNT NUMBER

Further details of the bidder's director(s) / shareholder(s) / partner(s) / member(s), etc.:

Director / partner / member	Physical residential address of the director / partner / member	Municipal account number(s)

PLEASE NOTE:

1. Copies of all municipal accounts, not older than 3 months, to be submitted with the bid.
2. If the entity or any of its directors/shareholders/partners/members, etc. rents/leases premises a copy of the rental/lease agreement is to be submitted with this bid.

Signature	Position	Date

ANNEXURE 1.2

CONDITIONS OF TENDER

**BID NUMBER PU115/2022 FOR THE APPOINTMENT OF REPUTABLE RECRUITMENT SERVICE PROVIDERS TO
RENDER PIKITUP WITH RECRUITMENT, SELECTION AND HEADHUNTING SERVICES ON AN AS AND WHEN
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CONDITIONS OF TENDER

RETURN OF BIDS

This BID closes as indicated on the cover page of this tender document. Late bids will not be accepted or considered and bids delivered to any other address besides the address stated above will not be considered.

Neither PIKITUP nor any of its employees shall be liable in any way whatsoever for BIDS that are not placed in the bid box by the closing date and time.

No BID shall be considered unless it is accompanied by sufficient information to show that the goods offered comply with the specification.

Bidders must state the country of origin and the name of the manufacturer of the goods offered. Documentary proof must be produced, if required.

Bidding documents must be completed properly in permanent black ink, and no correction fluid (Tippex) may be used on the bid document. If the bidder wishes to make a change, the bidder must draw a line through the incorrect wording, write the correct wording next to the change, and also initial next to the change.

VALIDITY PERIOD

Your bid submission must remain valid for a period of **90 days** from the closing date of this bid. It will constitute an offer which remains open for acceptance during the validity period.

BRIEFING OR INFORMATION MEETING

Where the bid document indicates that no briefing or information meeting will be held. Questions relating the bid must be emailed to the contact person as indicated in the bid document.

ADJUDICATION OF BIDS

Bids submitted in response to this invitation will be adjudicated by PIKITUP in terms of the Supply Chain Management Policy and Procedure Manual developed in accordance with the requirements of the Municipal Finance Management Act 56 of 2003, the Preferential Procurement Policy Framework Act # 5 of 2000, and the Preferential Procurement Regulations of 2017. Enquiries in respect of the policy should be addressed to PIKITUP's Acting General Manager: Supply Chain Management – mornekoortzen@pikitup.co.za

CONTRACT

The terms of the proposed contract with PIKITUP are contained in the General Conditions of Contract, the Special Conditions of Contract and any of the sections of these bidding documents in which the bidder makes an undertaking as to its performance. You must read and understand the terms before you submit your BID as you will be bound by the Contract (as described) if your BID is successful.

ADMINISTRATIVE JUSTICE

In adjudicating bids, PIKITUP shall comply with the requirements of the Promotion of Administrative Justice Act 3 of 2000 and the Promotion of Access to Information Act 2 of 2000, to the extent that these Acts apply to the adjudication by a municipal entity of bids in response to a bid invitation.

BID NUMBER PU115/2022 FOR THE APPOINTMENT OF REPUTABLE RECRUITMENT SERVICE PROVIDERS TO RENDER PIKITUP WITH RECRUITMENT, SELECTION AND HEADHUNTING SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF THREE YEARS

INTERNAL APPEAL PROCESS

Following the evaluation of tender and selection of a preferred bidder, and provided that a procurement contract has not already entered into force, any bidder may submit a complaint in writing to the chairperson of the PIKITUP Board of Directors ("the Board") or the Managing Director that PIKITUP has not complied with the requirements of the PIKITUP Supply Chain Management Policy or the PIKITUP Code of Ethics, or has in any respect acted in a way that is irregular. The Chairperson of the Board or Managing Director shall not entertain a complaint unless it was submitted within 20 calendar days of when the supplier or contractor submitting it became aware of the circumstances giving rise to the complaint or of when that supplier or contractor should have become aware of those circumstances, whichever is earlier; or entertain a complaint after the procurement contract has entered into force.

Unless the complaint is resolved by mutual agreement of the bidder and the Chairperson of the Board or Managing Director, the Chairperson of the Board shall, within 30 calendar days after the submission of the complaint, issue a written decision. The decision shall state the reasons for the decision; and if the complaint is upheld in whole or in part, indicate the corrective measures that are to be taken.

The decision of the Chair of the Board shall, subject to the review powers of any competent court, be final.

PROVISO

In evaluating bids received and adjudicating the award of this tender, Pikitup Johannesburg (SOC) Limited will, in addition to the pre-compliance and functionality criteria included in the specifications and irrespective of the capital, pricing and black economic empowerment structures of the bidder, take into account as objective criteria (1) the desirability of rotating the work amongst service providers, (2) the past bidding practices of any bidder in relation to evidence and/or reports of combative practices including conduct reported, amongst others, in terms of the Prevention and Combatting of Corrupt Activities Act, 2004, (3) the past contractual performance of any bidder and (4) the nature and extent of disputes involving the bidder in relation to past and/or current contracts. Note that as a result of the application of these objective criteria, the highest scoring bidder(s) will not necessarily be selected as a preferred bidder(s).

In line with the provisions of Supply Chain Management Policy, Pikitup reserves the right to:

- request for a validity extension if necessary,
- apply pre-qualification criteria to advance designated groups in terms of the PPPFA of 2000: Preferential Procurement Regulations of 2017
- award the bid in whole, or award the bid in parts, or not to award the bid at all,
- award the bid to one or more than one bidder(s)
- negotiate the bid price offered, and / or any other terms and conditions of this requirement with the preferred bidder(s), before the final award of the bid.

Pikitup further retain the right to:

- veto or conduct a due diligence on any bidder, and / or any of their sub-contractors or sub-service providers;
- request for samples, demonstrations, site visits or further information relating to the offered goods, services or works
- evaluate, review, test, inspect any of the products and / or staff offered for the tender, at Pikitup's sole discretion accept or reject such.

As per section 2(1)(f) of the PPPFA, one or more of the following "objective criteria" may be considered for final selection of bid(s):

- The spread of business amongst suppliers and / or rotation of contracts amongst suppliers,
- The protection of the environment or sustainability considerations,
- The geographical origin of resources utilised as inputs for the execution of the proposed contract,
- The development and / or impact on the local community,
- Considerations of after purchase costs, such as maintenance cost, operational costs, licence costs, or life cycle cost,
- Variants from the original scope of requirements,
- Financial stability and commercial status of the bidder(s),
- The receipt of an abnormally low bid amount, provided that the bidder in question is allowed an opportunity to justify its bid.

DECLARATION BY BIDDER:

I the undersigned, (Name and Surname),
being the duly authorised undersigned representative of the Bidder and its associates hereby grant Pikitup Johannesburg (SOC) Limited the required consent in terms of the Protection of Personal Information (POPI) Act, 2013 for the use of the personal information relating to the Bidder (i.e. the company, its owner(s), employees and/or any associated persons' BEE credentials, demographic / ownership profile, location etc.) for the legitimate purposes relating to this bid submission, its evaluation and adjudication.

I FURTHER DECLARE THAT I/WE HAVE READ THE CLAUSES SET OUT ABOVE IN THIS OF THE TENDER DOCUMENTS AND ACCEPT THEIR CONTENTS, SUBJECT TO ANY DECLARATION, WE HEREBY OFFER TO CONTRACT WITH PIKITUP ON THE TERMS SET OUT IN THE BID DOCUMENTS SHOULD WE BE APPOINTED AS THE SUCCESSFUL BIDDER.

AUTHORISED SIGNATURE :

CAPACITY OF SIGNATORY :

DATE :

ADDRESS :

WITNESSES: 1 WITNESSES: 2

BID NUMBER PU115/2022 FOR THE APPOINTMENT OF REPUTABLE RECRUITMENT SERVICE PROVIDERS TO RENDER PIKITUP WITH RECRUITMENT, SELECTION AND HEADHUNTING SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF THREE YEARS

ANNEXURE 2.

TERMS OF REFERENCE / SPECIFICATION OF REQUIREMENTS

**TERMS OF REFERENCE FOR
THE APPOINTMENT OF REPUTABLE
RECRUITMENT SERVICE PROVIDERS
TO RENDER PIKITUP WITH
RECRUITMENT, SELECTION AND
HEADHUNTING SERVICES ON AN AS
AND WHEN REQUIRED BASIS OVER A
PERIOD OF THREE YEARS**

**TENDER / BID REFERENCE NUMBER
PU115/2022**

**BID NUMBER PU115/2022 FOR THE APPOINTMENT OF REPUTABLE RECRUITMENT SERVICE PROVIDERS TO
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1. PURPOSE

To appoint suitably qualified recruitment specialist service provider(s) with vast expertise and experience in recruitment and selection processes, who are familiar with and knowledgeable in the municipal landscape, to render recruitment and selection services as and when required over a period of three (3) years. These recruitment and selection processes include the advertising of vacancies in all media, competency assessments and headhunting.

2. SCOPE OF THE REQUIRED SERVICE

Interested service providers will be required to comply with all Pikitup policies and applicable regulations and maintain strict confidentiality.

Prospective candidates being recruited must fit the profile, competencies and characteristics described in the applicable regulations, adverts and the job descriptions.

The appointed service provider(s) will be required to provide Pikitup with the following services:

2.1. General recruitment (excluding executive recruitment)

- 2.1.1. Coordinate recruitment process, i.e. handling the scheduling of overall logistics and administration of shortlisting and / or interview meetings in line with company policies and procedures;
- 2.1.2. Attend feedback meetings with Pikitup Human Resource management as and when required
- 2.1.3. Prepare shortlisting and / or interview packs;
- 2.1.4. Draft a maximum of 10 interview questions based on competency profile for the post for each position and agree with the chairperson of the selection panel and the responsible HR official,
- 2.1.5. Facilitate and attend interviews as and when required
- 2.1.6. Compile recruitment reports after conclusion of shortlisting and / or interview meetings;
- 2.1.7. Prepare and send regret letters to unsuccessful candidates;
- 2.1.8. Prepare recruitment files with all recruitment documents.

2.2. Response Handling

- 2.2.1. Place vacancy advertisements on local and national media platforms, including newspapers and web-based media, as and when required.
- 2.2.2. Receive applications / responses through a link provided by Pikitup and / or the service provider.
- 2.2.3. Capture all application details (e.g. application form and/or CV's received in excel spreadsheet format). The spreadsheet format to be provided by Pikitup.
- 2.2.4. Screen and categorize candidates into four categories i.e. "A","B","C" and "D" per the legend below. All CV's to be compared against the requirements stated on advert. Both Pikitup and the service provider to have input to the drafting of the advert and agree on the advert prior to publishing
- 2.2.5. Within 10 working days of receipt of CV's provide Pikitup with an electronic file containing the following:
 - a) Excel spreadsheet of all candidates who applied for the particular position (i.e. master copy)
 - b) CV's of candidates categorised into four folders i.e. "A","B","C" and "D" in the form of a screening grid.
 - c) Preliminary shortlist of no more than 10 of the top candidates (i.e. A category) per position.

Legend to be used

- **"A" category** – Candidate is suitable to be interviewed and meets and exceeds the minimum requirements.
- **"B" category** – Candidate is suitable to be interviewed and meets all the minimum requirements.
- **"C" category** – Candidate does not meet the minimum requirements.
- **"D" category** – Incomplete and / or ambiguous applications.

2.3. Integrity Checks

- 2.3.1. Provide integrity check services that will enable Pikitup to identify the right candidate, with the best possible fit, while also highlighting potential risk areas. Verification checks conducted must include; ID, Criminal record, Credit checks, all relevant qualifications, Driver's license, References, and registration with professional bodies.

2.4. Executive Recruitment

- 2.4.1. Response handling, including vacancy advert, acknowledgement of receipt of applications
and preliminary screening of applications for each post;
- 2.4.2. Competency profiling and development of candidate matrix for applicants who meet the advertised requirements;
- 2.4.3. Preparation of a long list of no more than fifteen of the most eligible applicants based on competency profiles / candidate matrix;
- 2.4.4. Conduct pre-screening interviews of identified applicants on the long list;
- 2.4.5. Based on outcomes of pre-screening interviews, prepare final long list of no more than ten candidates and attend shortlisting meeting to present a detailed profile of each candidate to the selection panel for shortlisting (i.e. written and verbal presentation);
- 2.4.6. Prepare shortlisting packs for the Nominations Committee;
- 2.4.7. Make notes during shortlisting meeting and prepare a shortlisting report for signature by the Chair after the shortlisting meeting;
- 2.4.8. Conduct verification of previous employment (i.e. past eight years), reference checks, criminal vetting, credit checks, verification of ID and verification of qualifications for all shortlisted candidates and submit to Executive Manager: HR;
- 2.4.9. Draft up to 10 panel interview questions for each post and finalise in consultation with the Chairperson of the Nominations Committee;
- 2.4.10. Conduct candidate assessments as per Regulations on Appointment and Conditions of Employment of Senior Managers, including prescribed COGTA competency assessments for preferred candidates;
- 2.4.11. Present the results of competency assessments to the Nominations Committee for final decision and recommendation (i.e. Written report and verbal presentation);
- 2.4.12. Compile recruitment report for the Nominations Committee's approval;
- 2.4.13. Prepare and send regret letters to unsuccessful candidates;
- 2.4.14. Prepare recruitment files with all recruitment documents.

2.5. Headhunting

- 2.5.1. Facilitate the headhunting process, as and when required;

- 2.5.2. Identify candidates that meet the brief of Pikitup and minimum requirements;
- 2.5.3. Refer identified candidates to Pikitup.
- 2.5.4. All requirements of the Pikitup recruitment processes must be adhered to.

2.6. Competency testing

- 2.6.1. Psychometric and / or competency assessments to be conducted as and when required.

3. Location

All meetings relating to recruitment and interviews will be conducted at Pikitup Head Office and co-ordinated by HR official, other activities including but not limited to screening, assessments, verification, pre-screening interviews etc. can be executed at the suppliers' premises.

The service provider(s) must ensure that they avail themselves for meetings with Pikitup as and when required

4. Correspondence and Reporting

The service provider(s) must ensure that weekly progress reports are submitted to the delegated HR official at Pikitup.

5. Pricing

The bidder shall give the total all-inclusive prices in South African Rand inclusive of all taxes and discounts in the pricing schedule. This pricing will be recorded in the Tender Register. Where conflicts exist between the total bid price, the pricing schedule, or any other prices quoted by the bidder elsewhere, the price quoted in the pricing schedule shall prevail. Where applicable, the bidder must provide a price breakdown.

5.1. Pricing Schedules

Rates must be provided in South African Rand, and must include VAT and all other related costs.

Schedule A: Pricing Schedule for General Recruitment

ACTIVITY	YEAR 1 RATE PER ACTIVITY	YEAR 2 RATE PER ACTIVITY	YEAR 3 RATE PER ACTIVITY
Drafting and placement of vacancy advert (i.e. Rate per position)	R	R	R
Preliminary screening and categorising of all applications (i.e. Rate per position)	R	R	R
Prepare shortlisting and interview packs as well as reports for selection panel (i.e. Rate per position)	R	R	R
Conduct verification of previous employment (i.e. Rate per candidate)	R	R	R
Conduct verification of ID (i.e. Rate per candidate)	R	R	R
Conduct criminal checks (i.e. Rate per candidate)	R	R	R
Conduct reference checks (i.e. Rate per candidate)	R	R	R
Conduct credit checks (i.e. Rate per candidate)	R	R	R
Conduct verification of qualifications (i.e. Rate per candidate)	R	R	R
Conduct verification of driver's license (i.e. Rate per candidate)	R	R	R
Co-ordinate, attend interviews, and draft a maximum of 10 interview questions based on competency profile for the post (i.e. Rate per position)	R	R	R
Conduct psychometric assessment per candidate and present the results of competency assessments to the Panel for final decision and recommendation (i.e. Rate per candidate)	R	R	R
Prepare recruitment file with all documents including final recruitment report (i.e. Rate per position)	R	R	R
Subtotal per year for Schedule A *	R	R	R

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* Note: Bidders must add the “Rates per activity” in the schedule for each year to calculate the subtotal per year.

Schedule B: Pricing Schedule for Executive Placements

ACTIVITY	YEAR 1 RATE PER ACTIVITY	YEAR 2 RATE PER ACTIVITY	YEAR 3 RATE PER ACTIVITY
Drafting and placement of vacancy advert (i.e. Rate per position)	R	R	R
Competency profiling and development of candidate matrix for applicants who meet the advertised requirements (i.e. Rate per position)	R	R	R
Conduct pre-screening interviews of identified applicants applicable (not more than 15) on the preliminary long list (i.e. Rate per position)	R	R	R
Based on pre-screening interviews identify a final long list of between 5 - 10 candidates, prepare a detailed written profile on each candidate; attend shortlisting meeting to verbally present each candidate to selection panel for shortlisting (i.e. Rate per position)	R	R	R
Prepare shortlisting report / pack for Nominations Committee, and provide secretariat service (i.e. Rate per position)	R	R	R
Conduct verification of previous employment (eight years), reference checks, criminal vetting, credit checks, verification of ID and verification of qualifications, and driver's license for all shortlisted candidates (i.e. Rate per candidate)	R	R	R
Co-ordinate, attend interviews, and draft a maximum of 10 interview questions based on competency profile for the post for each position and finalise in consultation with the Chairperson of the Nomination	R	R	R

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Committee (i.e. Rate per position)			
Conduct candidate assessments as per Regulations on Appointment and Conditions of Employment of Senior Managers including prescribed COGTA competency assessments for preferred candidates (i.e. Rate per candidate)	R	R	R
Present the results of competency assessments to the Nomination Committee for final decision and recommendation (i.e. Rate per position)	R	R	R
Prepare recruitment file with all documents including final recruitment report (i.e. Rate per position)	R	R	R
Subtotal per year for Schedule B *	R	R	R

* Note: Bidders must add the “Rates per activity” in the schedule for each year to calculate the subtotal per year.

Schedule C: Summary of Bid Amount

Summary	YEAR 1	YEAR 2	YEAR 3
Subtotal (Schedule A - General Recruitment)	R	R	R
Subtotal (Schedule B - Executive Recruitment)	R	R	R
Total per annum (i.e. Subtotal A + Subtotal B) **	R	R	R
Grand Total or Bid Amount (i.e. Year 1 + Year 2 + Year 3) ***	R		

Note:

** Bidders must add together the Subtotal for schedule A with the Subtotal for Schedule B for each year.

*** Bidders must add together the total per annum for each year to calculate the grand total which should be used as the Bid Amount on the cover page of the tender.

The Total Bid Amount reflected in schedule C is the sum of all the activity rates of schedule A and B for comparison purposes and does not consider any quantities.

Schedule D: Pricing Schedule for Head Hunting

Bidders are required to propose a percentage of the annual remuneration package for head hunting, if required on an as and when required basis.

ACTIVITY	PERCENTAGE
Placement fee subject to approval by Pikitup	% of annual salary

6. BID EVALUATION

6.1. EVALUATION PROCESS

- a) Pikitup will establish a Bid Evaluation Committee (BEC) whose responsibility is to evaluate bids received, and make recommendations to the Bid Adjudication Committee (BAC) and / or the Accounting Officer.
- b) Bids will be evaluated based on the evaluation criteria as set out in this document and may not be altered during the evaluation process.
- c) Bids will be evaluated on the information as contained in the bid submissions. Bidder/s must meet the required minimum compliance requirements, failure to which the bid submission will be considered non-responsive and therefore disqualified.
- d) Evaluations will as far as possible be based on evaluation templates and must be in line with the evaluation criteria as established by the bid specification committee. The criteria set out in the document shall be applicable and may not be altered after the submissions have been opened unless it is clear that such alterations will not disadvantage any bidder or give an unfair advantage to any particular bidder/s
- e) Submissions will be adjudicated and the Contract awarded in accordance with the SCM regulations, MFMA and other applicable legislation.

- f) The evaluation of bids shall be based firstly on pre-compliance (i.e. mandatory requirements), functionality, then price and preference points in accordance with Revised Preferential Procurement Regulations of 2017 issued by National Treasury on the evaluation of bids.
- g) The assessment of functionality shall be done in terms of the evaluation criteria and the minimum threshold stipulated in the bid document. Only those bidders that meet the minimum threshold shall be considered for the subsequent stages of the evaluation process and all bidders who did not meet the minimum threshold shall not be considered for further evaluation.
- h) Bidders that scored less than 60 points out of 100 points allocated for functionality shall be regarded as non-responsive, and shall be disqualified for further evaluation.

6.2. PRE- COMPLIANCE EVALUATION AND MANDATORY REQUIREMENTS

The Bid Evaluation Committee (BEC) will validate the list of returnable documents as mentioned below for further evaluation to functionality stage.

6.2.1. COMPULSORY RETURNABLE DOCUMENTS REQUIRED

The appointed Bid Evaluation Committee (BEC) will evaluate compliance with the pre-compliance criteria based on the compulsory returnable documents as mentioned below. Only bidders that meet all the pre-compliance criteria will be considered for further evaluation at the functionality evaluation stage.

Bidders will be eliminated for not submitting compulsory returnable documents as stated below, should any documents at any stage of the contract be found fraudulently obtained the contract will be terminated.

Table 1: Compulsory returnable documents and pre-qualification evaluation criteria

Compulsory Returnable Documentation are required for pre-compliance evaluation purposes (Submission of these are compulsory)	Submitted (YES or NO)	Checklist (Guide for Bidder and the Bid Evaluation Committee)
<p>a) To enable Pikitup to verify the bidder's tax compliance status, the bidder must provide;</p> <ul style="list-style-type: none"> • Copy of the Central Supplier Database (CSD) registration, where the CSD is fully tax compliant (CSD must not be older than 3 months); • or indicate their Master Registration Number / CSD Number; where the CSD is fully tax compliant <p>Note:</p> <ul style="list-style-type: none"> - Refer to MDB 1 - The tax compliance status on CSD must be maintained, since the tax status will be confirmed on the CSD website during the evaluation process as well as prior to final recommendation to award. 		<p>CSD must be in the same business name as the bidding company? CSD must be valid? The Tax status on CSD must be fully compliant? Bidders must ensure that their tax compliant status are continuously updated on CSD.</p>
<p>b1) Confirmation that the bidding company's rates and taxes are up to date:</p> <ul style="list-style-type: none"> • Where the property is owned by the bidding company, an original or copy of the Municipal Account Statement of the bidding company confirming that the account is not in arrears for more than ninety (90) days. The correspondence may not be older than 3 months from date of tender closing; or • Where the property is leased or arrangements are in place for the bidding company to operate from the landlord's premises, a letter or statement or affidavit from landlord or the landlord's appointed property agent are required, confirming that the bidding company has no disputed account and / or that the account is not in arrears for more than ninety (90) days. Where possible, the landlord letter, landlord statement or landlord affidavit should be accompanied with a signed lease agreement. 		<p>Was a Municipal Account Statement or landlord letter provided for the bidding company? The name and / or addresses of the bidder's statement correspond with CIPC document? Are correspondence recent (not older than 3 months)? Are all payment(s) up to date (i.e. not in arrears for more than 90 days)?</p>
<p>b2) In addition to the above, confirmation is required that rates and taxes are up to date for all the bidding company's <u>owners / members / directors / major shareholders</u>:</p>		<p>Was a Municipal Account Statement(s) or landlord letter(s) provided for ALL the</p>

<ul style="list-style-type: none"> • Where an <u>owner / member / director / major shareholder</u> is not residing within South Africa, an affidavit is required from the <u>owner / member / director / major shareholder</u> confirming the aforesaid • Where the property is owned by the <u>owner / member / director / major shareholder</u> an original or copy of the Municipal Account Statement of the bidding company confirming that the account is not in arrears for more than ninety (90) days. or • Where the property is leased or arrangements are in place for the <u>owner / member / director / major shareholder</u> to reside at the landlord's premises, a letter or statement or affidavit from landlord or the landlord's appointed property agent are required, confirming that the bidding company has no disputed account and / or that the account is not in arrears for more than ninety (90) days. Where possible, the landlord letter, landlord statement or landlord affidavit should be accompanied with a signed lease agreement. <p>The above correspondence may not be older than 3 months from date of tender closing. Statements must be on a letter head and dated, and letters or affidavit must be dated and signed.</p>		<p>bidding company's (SA based) directors?</p> <p>The names and/or addresses of all directors on statement correspond with CIPC document?</p> <p>Are correspondence recent (not older than 3 months)?</p> <p>Are all payments up to date (i.e. not in arrears for more than 90 days)?</p>
<p>c) Duly signed and completed MBD forms (MBD 1, 4, 8 and 9)</p> <p>The person signing the bid documentation must be authorised to sign on behalf of the bidder. Where the signatory is not a Director / Member / Owner / Shareholder of the company, an official letter of authorization or delegation of authority should be submitted with the bid document.</p>		<p>All documents fully completed (i.e. no blank spaces)?</p> <p>All documents fully signed?</p> <p>Signature authorised (any director / member / trustee as indicated on the CIPC document, alternatively a delegation of authority would be required)?</p> <p>Documents completed in black ink (i.e. no "Tippex" corrections, no pencil,</p>

		no other colour ink, will be considered)?
d)	Pre-qualification criteria to advance designated groups. Minimum B-BBEE status level 1 (i.e. only BBEE level 1 bidders will be considered). Original or certified copy of valid BBEE certificate, or QSE / EME affidavit.	Original or certified copy of valid BBEE certificate, or QSE / EME affidavit.
e)	<p>Joint Ventures (JV) – (Only applicable when the bidder tender as a joint venture)</p> <ul style="list-style-type: none"> Where the bidder bid as a Joint Ventures (JV), the required or relevant documents as per (a) to (d) above must be provided for all JV parties. In addition to the above the bidder must submit a Joint Venture (JV) agreement signed by the relevant parties. Note: It is a condition of this bid that the successful bidder will continue with same Joint Venture (JV) for the duration of the contract, unless prior approval is obtained from Pikitup. 	<p>If applicable.</p> <p>JV agreement provided?</p> <p>JV agreement complete and relevant?</p> <p>Agreement signed by all parties?</p> <p>All required documents as per (i.e. a to e) must be provided for all partners of the JV.</p>

6.2.2. OTHER RETURNABLE DOCUMENTS REQUIRED

6.2.2.1. The following additional returnable documentation is required.

Table 2: Other Returnable Documentation

Other Returnable Documentation	Submitted (YES or NO)
a) Proof of Company Registration (Latest version of company registration showing the company's physical address, all the current registered owners / members / directors / shareholders, and all the owners / members / directors / shareholders' physical addresses.	
b) Copies of ID Documents of all owners / members / directors / shareholders	
c) Company Profile	
d) List of completed projects	

Other Returnable Documentation	Submitted (YES or NO)
e) References letters	
f) CV's	
g) Professional Registration	
h) Attach any other supporting documents relevant to the technical / functionality evaluation criteria that are not specified above	

6.2.2.2. The information contained in the OTHER RETURNABLE DOCUMENTS as indicated in the table above, will be used for further evaluation purposes.

6.2.3. FUNCTIONALITY CRITERIA:

6.2.3.1. The following functionality criteria will apply, and the maximum weights of each criteria will be as indicated below.

6.2.3.2. Bidders that score 60% and above on functionality evaluation will be further evaluated on price and preference, and bidders scoring less than the threshold on functionality shall be disqualified.

CRITERION	WEIGHTING	SCORING GUIDE (Score out of 5)
The bidding organisation must provide a list of previous projects completed as proof of experience relating to recruitment at all levels	30	<ul style="list-style-type: none"> • 5 recruitment projects of which 3 must be at executive level = 5 • 4 recruitment projects of which 2 must be at executive level = 4 • 3 recruitment projects of which 1 must be at executive level = 3 • 2 or more recruitment projects with no executive level = 2 • 1 recruitment project with no executive level = 1 • No information = 0

<u>Track Record</u> Submission of reference letters on client's letterhead	30	<ul style="list-style-type: none"> • Five or more reference letters for completed projects on client letterhead = 5 • Four reference letters for completed projects on client letterhead = 4 • Three reference letters for completed projects on client letterhead = 3 • Two reference letters for completed projects on client letterhead = 2 • One reference letter for completed project on client letterhead = 1 • No reference or not relevant = 0
CV's of the experience of lead individual working on projects of a similar nature	30	<ul style="list-style-type: none"> • Above 7 years' experience = 5 • Above 5 years up to 7 years = 4 • Above 3 up to 5 years = 3 • Above 1 up to 3 years = 1 • One year and below = 0
Valid Professional Registration Federation of African Professional Staffing Organisations (APSO)	5	<ul style="list-style-type: none"> • Professional registration of the service provider with APSO = 5 • No registration = 0
Location of the bidders' office	5	<ul style="list-style-type: none"> • Within CoJ = 5 • Within Gauteng = 3 • Outside Gauteng but in RSA = 1 • Outside South Africa = 0

6.2.3.3. The minimum cut off points for functionality is 60 points out of 100 points, and any bidder scoring less than the minimum threshold will not be considered for further evaluation.

6.2.3.4. Service provider(s) that qualified pre-evaluation in terms of the the minimum functionality threshold, will thereafter be evaluated in terms of price (80 points) and BBBEE (20 points).

6.2.4. PRICE AND PREFERENCE CRITERIA

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- 6.2.4.1. Bidders that comply in terms of the pre-compliance requirements and the minimum functionality threshold, will lastly be evaluated on price and preference.
- 6.2.4.2. Bidders will be evaluated on the 80/20 Preference Point System. A maximum of 80 points will be allocated for price and a maximum of 20 points will be allocated for BBEE (preference).
- 6.2.4.3. The price and preference evaluation of the proposal will be based on the Preferential Procurement Regulation of 2017. Also refer to MBD 6.1 of this bid document for details. Important Note:
- 6.2.4.4. In terms of the Legislative framework, the B-BBEE Act no. 53 of 2003 and the Codes of Good Practice for BBEE 2013, implemented with effect from 1 May 2015, Service Providers with annual total revenue of R10 million or less qualify as Exempted Micro Enterprises (EMEs), and must submit sworn affidavit or a Certificate issued by Companies and Intellectual Property Commission (CIPC) confirming their annual turnover of R10 million or less. A Consolidated BBEE scorecard must be submitted for joint ventures to claim preference points.
- 6.2.4.5. Service Providers other than Exempted Micro Enterprises (EMEs) must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating.
- 6.2.4.6. Bidders will be ranked from the highest scoring bidder to the lowest. The highest scoring bidder/s will get preference of selection to be included on the panel of service providers.
- 6.2.4.7. Pikitup have the discretion to:
- award the entire contract or part thereof to one or more bidders, a panel of service providers, or not to award at all;
 - request for additional information to clarify or confirm requirements; and / or
 - negotiate rates, terms and conditions before the final award.

7. CONTRACTING

- 7.1. The National Treasury General Conditions of Contract 2010 as well as specific conditions of contract for this bid. This is available on www.nationaltreasury.gov.za. Any additional terms and conditions will form part of special conditions of contract to be agreed and signed upon award of the bid. This will have to be signed by the successful bidder before the project begins. Further a service level agreement must be entered into by the awarded bidder and PIKITUP within 60 days of award of contract

ANNEXURE 3

MBD 3.1

PRICING SCHEDULE

REFER TO THE TERMS OF REFERENCE IN ANNEXURE 2, SECTION 5 FOR THE
PRICING SCHEDULES

**PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of Bidder: Bid Number: PU115/2022 Closing Time: 11:00am Closing Date: 17 October 2022

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID

ITEM NO. INCLUDED)	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES
-----------------------	----------	-------------	---

Details to be completed on the attached pricing schedule

- Required by Pikitup Johannesburg SOC Limited at Pikitup Head Office
- Brand and Model Not applicable
- Country of Origin Not applicable
- Does the offer comply with the specification(s)? *YES/NO
- If not to specification, indicate deviation(s)
- Period required for delivery As specified in the TOR
*Delivery: Firm/Not firm
- Delivery basis As and when required

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.

*Delete if not applicable

Except if indicated differently in the pricing schedule, the bid price will remain fixed for the proposed contract period.

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ANNEXURE 4

MBD 4

DECLARATION OF INTEREST

MBD 4

DECLARATION OF INTEREST

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

3. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

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

3.2 Identity Number:

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

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

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

3.8 Are you presently in the service of the state?

(Circle the applicable answer)

YES /

NO

3.8.1 If yes, furnish particulars.
.....

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

(a) a member of –

- (i) any municipal council;
- (ii) any provincial legislature; or
- (iii) the national Assembly or the national Council of provinces;

(b) a member of the board of directors of any municipal entity;

(c) an official of any municipality or municipal entity;

(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);

(e) a member of the accounting authority of any national or provincial public entity; or

(f) an employee of Parliament or a provincial legislature.

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

3.9 Have you been in the service of the state for the past twelve months?

(Circle the applicable answer)...YES

/ NO

3.9.1 If yes, furnish particulars.....

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.....

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?

(Circle the applicable answer) 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?

(Circle the applicable answer)...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?

(Circle the applicable answer)...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?

(Circle the applicable answer)...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?

(Circle the applicable answer)...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

ANNEXURE 5

NOT APPLICABLE

ANNEXURE 6

MBD 6.1 - PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

EME's / QSE's without a BBEE certificate may complete a SWORN AFFIDAVIT FOR BBEE-EXEMPT MICRO ENTERPRISE. Download affidavit at http://www.dti.gov.za/economic_empowerment/bee_codes.jsp

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - ~~— the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).~~
- 1.2 a) The value of this bid is estimated to ~~exceed~~/not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
- b) ~~Either the 80/20 or 90/10 preference point system will be applicable to this tender (delete whichever is not applicable for this tender).~~
- 1.3 Points for this bid shall be awarded for:
- (a) Price; and
 - (b) B-BBEE Status Level of Contributor.
- 1.4 The maximum points for this bid are allocated as follows:
- | | POINTS |
|---|--------|
| PRICE | |
| B-BBEE STATUS LEVEL OF CONTRIBUTOR | |
| Total points for Price and B-BBEE must not exceed | 100 |
- 1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$P_s = 80 \left(1 - \frac{Pt - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{Pt - P_{\min}}{P_{\min}} \right)$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

P_{min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

- 5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

- 7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES		NO	
-----	--	----	--

- 7.1.1 If yes, indicate:

- What percentage of the contract will be subcontracted.....%
- The name of the sub-contractor.....
- The B-BBEE status level of the sub-contractor.....
- Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES		NO	
-----	--	----	--

BID NUMBER PU115/2022 FOR THE APPOINTMENT OF REPUTABLE RECRUITMENT SERVICE PROVIDERS TO RENDER PIKITUP WITH RECRUITMENT, SELECTION AND HEADHUNTING SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF THREE YEARS

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
☐ One person business/sole propriety
☐ Close corporation
☐ Company
☐ (Pty) Limited
 [TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
☐ Supplier
☐ Professional service provider
☐ Other service providers, e.g. transporter, etc.
 [TICK APPLICABLE BOX]

8.7 MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:

8.8 Total number of years the company/firm has been in business:.....

8.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

WITNESSES

1.

2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....
.....

ANNEXURE 7

CONTRACT FORM

MBD 7.2 – RENDERING OF SERVICES

CONTRACT FORM - RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to **PIKITUP JOHANNESBURG SOC LTD** in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number **PU...../2016** at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of Bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES

1

2

DATE:

BID NUMBER PU115/2022 FOR THE APPOINTMENT OF REPUTABLE RECRUITMENT SERVICE PROVIDERS TO RENDER PIKITUP WITH RECRUITMENT, SELECTION AND HEADHUNTING SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF THREE YEARS

CONTRACT FORM - RENDERING OF SERVICES

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I in my capacity as accept your bid under reference number dated for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT:

NAME (PRINT):

SIGNATURE:

DATE:

Witness: 1.

Witness: 2.

ANNEXURE 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

MBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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). The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		

BID NUMBER PU115/2022 FOR THE APPOINTMENT OF REPUTABLE RECRUITMENT SERVICE PROVIDERS TO RENDER PIKITUP WITH RECRUITMENT, SELECTION AND HEADHUNTING SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF THREE YEARS

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

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)
 CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM ARE
 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

ANNEXURE 9

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

MBD 9
CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of _____ (Name of Bidder)
that:

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor.
However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. 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

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract

ANNEXURE 10

CORPORATE GOVERNANCE BREACH CLAUSE

CORPORATE GOVERNANCE BREACH CLAUSE

1. PIKITUP Johannesburg (SOC) LTD (“PIKITUP”) requires (“the Company”) to comply, *mutatis mutandis* with the Code contained in the King II Report and Code of Good Corporate Governance (below “the Code”) for the term of this Agreement and any extension thereof.
2. The Company irrevocably undertakes and agrees that it will, *mutatis mutandis*, comply with the Code for the term of this Agreement and any extensions thereof.
3. The Company acknowledges and agrees that:
 - 3.1 It is essential that the Company complies with the Code, in order to discharge all of its obligations under and in terms of the Agreement in a proper, efficient and professional manner, and
 - 3.2 PIKITUP will be prejudiced and may suffer damages in the event of the Company failing to comply with the Code.
4. The Company shall be required, within seven (7) days of the end of each calendar month during the term of this Agreement (and any extensions thereof), to furnish PIKITUP with a written certificate, signed by the directors of the Company **[alternatively members of the Close Corporation]**, certifying that the Company has complied with the provisions of the Code during the preceding months.
5. PIKITUP shall have the right, without assigning any reason therefore and at any time, to appoint either the Institute of Directors of South Africa or a firm of chartered accountants or attorneys, to conduct an audit of the business and affairs of the Company in order to ascertain whether the Company is indeed complying with the terms of the Code. To this end, the Company irrevocably undertakes and agrees to co-operate fully with the party conducting such investigation for and on behalf of PIKITUP and to make available to such party all such documentation and all such information as the investigation party may require to fully discharge its obligations under and in terms hereof and to report fully to PIKITUP.

In the event of it being found that the Company is not complying with the Code, then PIKITUP shall be entitled to (a) regard this as a breach of the agreement and (b) recover the costs of the investigation, on an attorney and client basis, from the Company. In the event of it being found that the Company is, in fact, discharging its obligations under and in terms of the Code, then PIKITUP shall bear the costs incurred in such investigation. In either of the foregoing events, the Company shall be entitled to receive a copy of the written report once same has been concluded by the investigating party.

6. In the event of the Code being replaced with another Code (or similar document), then such replacement document shall replace the Code and a reference to the Code shall be deemed to be a reference to such replacement document. The reference to the Code shall be deemed to include any statutory codification of directors' obligations and duties which may be enacted in the Republic of South Africa at any time in the future.
7. In entering into this Agreement, the Company represents and warrants to PIKITUP that it is familiar with the Code, that it fully understands and appreciates the rights, obligations and recommendations therein contained and agrees to be bound thereby as herein recorded.

ANNEXURE 11

The National Treasury General Conditions of Contract 2010 as well as specific conditions of contract for this bid will apply. The GCC is available on www.nationaltreasury.gov.za. Any additional terms and conditions will form part of special conditions of contract to be agreed and signed upon award of the bid. The contract will have to be signed by the successful bidder before the project commence. A service level agreement must be entered into by the awarded bidder and PIKITUP within 30 days of award of contract.

The following agreement is a draft agreement (indicating the specific conditions of contract) and will be concluded at bid award with the successful bidder/s.

ANNEXURE 12

**ALL COMPULSORY RETURNABLE DOCUMENTS
AND OTHER RETURNABLE DOCUMENTS TO BE
ATTACHED**