



**PIKITUP JOHANNESBURG SOC LIMITED**

**INVITATION TO POTENTIAL BIDDERS TO APPLY FOR THE PANEL OF PRE-APPROVED SERVICE PROVIDERS TO PROVIDE INTERNAL AUDIT SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF 36 MONTHS**

**BID REFERENCE NO: PU134/2023**

**CLOSING DATE: 8 MARCH 2024**

**CLOSING TIME: 11:00AM**

**BIDDER NAME:** .....

**BID AMOUNT:** NOT APPLICABLE

**TENDER DOCUMENT FOR:**

**PIKITUP JOHANNESBURG SOC LTD  
JORISSEN PLACE  
66 JORISSEN STREET  
BRAAMFONTEIN, JHB**

**Contact person: Morne Koortzen**

**E-mail: mornekoortzen@pikitup.co.za**

**Enquiries relating to this bid may be e-mailed to the mentioned above contact person.**

**Bid document must be deposited at:  
Pikitup Head Office, Tender Office, Ground Floor,  
East Wing, Jorissen Place, 66 Jorissen Street,  
Braamfontein, JHB before the closing date and time.**

**No information or briefing session will be held for this tender invitation**

## **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 PU134/2023 – INVITATION TO POTENTIAL BIDDERS TO APPLY FOR THE PANEL OF PRE-APPROVED SERVICE PROVIDERS TO PROVIDE INTERNAL AUDIT SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF 36 MONTHS**

## MBD 1 - INVITATION TO BID - PART A

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY/ MUNICIPAL ENTITY)</b>					
BID NUMBER:	PU134/2023	CLOSING DATE:	8 MARCH 2024	CLOSING TIME:	11:00 AM
DESCRIPTION	<b>INVITATION TO POTENTIAL BIDDERS FOR THE PANEL OF PRE-APPROVED SERVICE PROVIDERS FOR THE PROVISION OF INTERNAL AUDIT SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF 36 MONTHS</b>				
BRIEFING/SITE MEETING	<b>Not applicable</b>				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).</b>					
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					
<b>BIDDER'S INFORMATION</b>					
LEGAL NAME OF BIDDING ORGANISATION					
TRADE NAME (If different from legal name)					
POSTAL ADDRESS					
STREET ADDRESS					
NAME OF CONTACT PERSON					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
E-MAIL ADDRESS					
COMPANY REGISTRATION NUMBER					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	MAAA
<b>A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE OR A SWORN AFFIDAVIT (FOR EME'S &amp; QSE'S) WILL BE REQUIRED AT THE FOLLOWING STAGE TO VERIFY PREFERENCE POINTS CLAIMED FOR OWNERSHIP AND SMME STATUS</b>					
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 ]	
<b>TOTAL BID PRICE (INCLUDING ALL COST AND TAXES)</b>	<b>NOT APPLICABLE</b>				
<b>VALIDITY: THE BID OFFER TO BE VALID FOR AT LEAST 120 DAYS FROM TENDER CLOSING DATE</b>					
<b>SIGNATURE OF BIDDER</b>			<b>DATE</b>		
<b>CAPACITY UNDER WHICH THIS BID IS SIGNED</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>			<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>		
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				

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## PART B

### TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>	
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 OR PUBLISHED (NOT TO BE RE-TYPED)	
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE NATIONAL TREASURY GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.	
<b>2. TAX COMPLIANCE REQUIREMENTS</b>	
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 BIDDERS 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, AND THE TAX STATUS MUST BE COMPLIANT.	
<b>3. QUESTIONNAIRE APPLICABLE FOR FOREIGN BIDDERS</b>	
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
<b>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.</b>	

**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:

.....

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# ANNEXURE 1.2

## DELEGATED AUTHORITY TO SIGN A BID

**AUTHORITY TO SIGN BID**

**TYPE OF ENTERPRISE (Please indicate with an “X” and complete the indicated section below)**

Company (Pty) Ltd. & Ltd.		Please complete <b>section 1</b> below
Close Corporation (CC)		Please complete <b>section 2</b> below
Sole Proprietor		Please complete <b>section 3</b> below
Partnership		Please complete <b>section 4</b> below
Consortium, Club, Trust, etc.		Please complete <b>section 5</b> below
Joint Venture		Please complete <b>section 6</b> below

<b>1. Companies</b>			
1.1 If a Bidder is a Company (i.e. Pty Ltd or Ltd) submitting a bid, a resolution by it's board of directors, 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.			
A valid resolution must be signed by:			
- Majority directors; or			
- Chairman of the Board; or			
- Company Secretary			
<b>Date Resolution was taken</b>			
<b>Resolution signed by (name and surname)</b>			
<b>Capacity</b>			
<b>Name and surname of delegated authorised signatory</b>			
<b>Capacity</b>			
<b>Specimen Signature</b>			
<b>Full name and surname of all Director(s)</b>			
1.		2.	
3.		4.	
5.		6.	
7.		8.	
9.		10.	
<b>Is a copy of the resolution attached?</b>			<b>YES</b>
			<b>NO</b>
<b>SIGNED ON BEHALF OF COMPANY</b>		<b>DATE</b>	
<b>PRINT NAME</b>			
<b>WITNESS 1</b>		<b>WITNESS 2</b>	

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<b>2. <u>Companies and Close Corporations</u></b>			
2.1 If a Bidder is 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.			
A valid resolution must be signed by:			
- Majority members; or			
- Member with majority shareholding but only if such shareholding is more than 50%; or			
- Company Secretary.			
<b>Date Resolution was taken</b>			
<b>Resolution signed by (name and surname)</b>			
<b>Capacity</b>			
<b>Name and surname of delegated authorised signatory</b>			
<b>Capacity</b>			
<b>Specimen Signature</b>			
<b>Full name and surname of all Member (s)</b>			
1.		2.	
3.		4.	
5.		6.	
7.		8.	
9.		10.	
<b>Is a copy of the resolution attached?</b>			<b>YES</b>
			<b>NO</b>
<b>SIGNED ON BEHALF OF CC</b>		<b>DATE</b>	
<b>PRINT NAME</b>			
<b>WITNESS 1</b>		<b>WITNESS 2</b>	

**3. Sole Proprietor (Single Owner Business) and Natural Person**

3.1 I, ..... , the undersigned, hereby confirm that I am the sole owner of the business trading as  
 .....

OR

3.2 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	

**4. Partnership**

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	

**5. Consortium / Club / Trust / etc**

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	

**6. 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.

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

<b>2<sup>nd</sup> PARTNER</b>			
NAME OF FIRM			
ADDRESS			
		TEL. NO.	
SIGNATURE		DESIGNATION	

<b>3<sup>rd</sup> PARTNER</b>			
NAME OF FIRM			
ADDRESS:			
		TEL. NO.	
SIGNATURE		DESIGNATION	

<b>4<sup>th</sup> PARTNER</b>			
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.

# ANNEXURE 1.3

# GENERAL CONDITIONS OF TENDER

## GENERAL CONDITIONS OF TENDER

### 1. GENERAL

1.1 All bids must be submitted in non-erasable black ink on the official forms supplied by Pikitup.

1.1.1 Under no circumstances, whatsoever may the bid forms be retyped or redrafted.

1.2 Subject to the provisions of clause 1.3 of this document, no alterations / corrections to the information in the document (including pricing) may be performed by pasting another page over it with glue.

1.2.1 The use of correction fluid or correction tape is prohibited.

1.3 Notwithstanding the provisions of clause 1.2 of this document, alterations and/or corrections may only be effected as follows:

1.3.1 By striking a straight line in black ink through the incorrect information in such a manner that the information that has been struck through remains legible; writing the altered or corrected information as appropriate (under, above or next to the information corrected), and initialling in the margin next to each and every alteration or correction.

1.3.2 All corrections or alterations to the Pricing Schedule or Bill of Quantities (BoQ) and / or any pricing not effected in accordance with clause 1.3.1 above, will be rejected.

1.4 Bids submitted must be complete in all respects.

1.4.1 The bidder is advised to check the number of pages and to satisfy himself that none are missing or duplicated.

1.4.2 The bidder must ensure that his/her bid document is securely bound.

1.4.2.1 All supporting documents must be submitted by either stapling it to the relevant form in the bid document, or by submitting a bound annexure containing all supporting documents.

1.4.2.2 Pikitup will not take any responsibility for missing or lost pages, in cases where the bidder submit loose pages that are not securely attached to the bid document or annexure with supporting documents.

### 2. PRICING

2.1 Rates and prices offered by the bidder must be written onto the pricing schedule or form of offer of this document by hand, completed in full and originally signed by the duly authorised signatory.

2.2 All prices shall be quoted in South African currency, and be INCLUSIVE of Value Added Tax (VAT).

2.3 Bid prices must include all expenses, disbursements and costs (e.g. transport, delivery, offloading, accommodation, insurance, etc.) which may be required for the execution of the bidder's obligations in terms of the Contract. Bid prices shall cover the cost of all general risks, liabilities and obligations set forth or implied in the Contract, as well as overhead charges and profit (in the event that the bid is successful), unless otherwise specified.

2.4 All bid prices will be final and binding.

2.5 A bid will not be invalidated if the amount in words and the amount in figures do not correspond, in which case the amount in words shall be read out at the bid opening and shall be deemed to be the bid amount; therefore, where there is a discrepancy between the amount in figures and the amount in words, the amount in words shall apply

2.6 Where the value of an intended contract will exceed R1,000,000.00 (R1 million) it is the bidder's responsibility to be registered with the South African Revenue Service (SARS) for VAT purposes in order to be able to issue tax invoices. Pikitup will deem the price above R 1 000 000,00 (R1 million) to be VAT inclusive even if it is indicated that no VAT is charged. Please ensure that provision is made for VAT in these instances.

2.6.1 The amended Value-Added Tax Act requires that a Tax Invoice for supplies in excess of R3,000 should, in addition to the other required information, also disclose the VAT registration number of the recipient, with effect from 1 March 2005. The VAT registration number of Pikitup Johannesburg SOC is 4790191292.

2.6.2 If a bidder becomes a registered VAT vendor during the contract period, the prices/rates as per the initial award will be considered to be inclusive of VAT and no price adjustment(s) will be allowed.

### 3. FORWARD EXCHANGE RATE COVER

3.1 In the event of price(s) based on the exchange rate, the successful bidder(s) will be required to obtain exchange rate cover in order to protect Pikitup against exchange rate variations.

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3.2 The bidder must provide proof of forward exchange rate cover within 14 days after an order was placed.

3.3 If proof that forward exchange rate cover was taken out within 14 days after the order was placed but is not submitted to Pikitup along with the invoice, the contract price adjustment will not be accepted and the contract may be cancelled.

#### 4. BRIEFING OR INFORMATION MEETING

4.1 In the instance where the bid document indicates that a compulsory briefing or site meeting or information meeting will be held as per the details provided on the invitation to bid and / or cover page and / or body of the bid document, it is a requirement of the bid that at least one of the bidder's representative must attend the briefing session as important information pertaining to the bid will be discussed at the meeting. Bidders must attend the compulsory briefing session and ensure to complete and sign the attendance register at the compulsory briefing session. Non-attendance of the compulsory briefing meeting and / or not signing the attendance register by the bidder's representative will result in the bid being disqualified for further evaluation.

4.2 Where the bid document indicates that the briefing or site meeting or information meeting is not compulsory, attendance of the meeting would be optional to accommodate questions relating to the bid.

4.3 Where the bid document indicates that no briefing or site meeting or information meeting will be held or does not indicate details for a briefing session, questions relating the bid may be email to the contact person as specified in the bid document. Queries must be e-mail at least 5 business days prior to tender closing date to allow the relevant officials sufficient time to respond to the request.

#### 5. SUBMITTING A BID

5.1 Sealed bids, with the "Bid Number and Title" clearly endorsed on the envelope, must be deposited in the Pikitup tender / bid box as indicated in the cover page and / or notice of the bid, on or before the closing date and time of the bid.

5.1.1 Any bid received without the "Bid Number and / or Title" clearly endorsed on the envelope will not be opened and read out during the bid opening session and will not be considered.

5.1.2 Any bid document received that are not in a sealed envelope or loose pages submitted will not be considered.

5.1.3 Any bid documents received after the closing date and time will not be considered for evaluation purposes.

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

5.1.5 Any tender / bid document sent or submitted to any other tender box or any other address besides the particular address stated in the tender invitation document will not be considered.

5.2 The Pikitup tender box is situated at the Pikitup Head Office, Tender Office, Ground Floor, East Wing, Jorissen Place, 66 Jorissen Street, Braamfontein, Johannesburg.

5.3 The tender box deposit slot is approximately 35cm x 10cm.

5.4 Mailed, telegraphic, e-mailed or faxed bids will not be accepted.

#### 6. BID OPENING

6.1 Bids shall be opened in public at the Pikitup Tender Office as soon as possible subsequent to the closing time for the receipt of bids.

6.2 Where practical, prices will be read out at the time of opening bids.

6.3 Pikitup will record bid received by the closing date and time in a tender register (which is open to public inspection) and will thereafter publish the bids received register on the Pikitup website.

6.4 Any bid received after the appointed time for the closing of bids shall not be considered but shall be filed unopened with the other bids received, which bid(s) can be returned to the bidder on their request and cost.

6.5. Bids deposited in the tender box are kept on record for audit purposes, therefore bid documents recorded at tender closing will not be returned to bidders.

#### 7. REQUIREMENTS OF A VALID BID

7.1 The following duly completed documents and / or information must be submitted with the submission of the bid. Failure to comply with this requirement will invalidate the bid. The bid will

not be considered and no further correspondence will be entered into with regard to the following matters:

7.1.1 The tender document has not been completed in non-erasable ink,

7.1.2 Non-submission of a valid Tax Clearance Certificate and / or PIN,

7.1.3 The bidding organisation not CSD registered

7.1.4 Incomplete Pricing Schedule or Bill of Quantities,

7.1.5 A Form of Offer not signed in non-erasable ink,

7.1.6 Bid submissions with material alterations or corrections not in compliance with Clause 1.1 to 1.3 above will be rejected.

7.2 Pikitup may, after the closing date, request clarification of tenders in writing, which may include but not limited to the following;

7.2.1 To obtain a copy of the most recent municipal account, or rates and taxes account from the bidder, or give the bidder the opportunity to provide proof of payment of overdue account(s).

7.2.2 To clarify or verify pricing where the prices are unclear, confirm rates that are below market related rates, or an obvious mistake has been detected, e.g. a total price was given instead of a unit price or vice versa. The bidder will however not be allowed to increase the initial rates.

7.2.3 To obtain the personal income tax number(s) from the recommended bidder;

7.2.4 To obtain a more recent valid Tax Clearance Certificate and / or PIN if the certificate has expired or become inactive after the closing date of the tender;

7.2.5 To clarify or obtain outstanding information on the MBD forms if the document was not signed or partially completed. Note that MBD information used for evaluation of functionality, price and / or preference may not be requested.

7.2.6 To obtain an updated valid letter of good standing from the Workmen's Compensation Commissioner, the latest assessment and / or proof of payment thereof;

7.2.7. If a bidder failed to submit documentation in the bid, the bidder may not be given a second opportunity to submit documentation that was not initially submitted.

## 8. TEST FOR RESPONSIVENESS

8.1 A Bid will be considered non-responsive if:

8.1.1 the bid is not in compliance with the tender specifications;

8.1.2 the bid does not specify a bid price and / or the pricing schedule is incomplete;

8.1.3 the bidder did not attend the compulsory tender briefing session or site meeting (if applicable);

8.1.4 the bidder has not fully completed and signed where required, all the returnable documents as listed in the bid document; and/or

8.1.5 the bidder has failed to clarify or submit any supporting documentation within 5 business days of being requested to do so in writing.

8.2 Pikitup reserves the right to accept or reject:

8.2.1 any variation, deviation, bid offer, or alternative bid offer; may cancel the bidding process and reject all bid offers at any time before the formation of a contract. Pikitup shall not accept or incur any liability to a bidder for such cancellation and/or rejection, and will only provide written reasons for such action upon receipt of a written request to do so;.

8.2.2 a bid offer which does not, in Pikitup's opinion, materially and/or substantially deviate from the terms, conditions and specifications of the bid document.

8.2.3 the whole bid or part of a bid or any item or part of any item, or to accept more than one bid, and Pikitup is not obliged to accept the lowest or any bid.

8.3 Pikitup has the right to summarily disqualify any bidder who, either at the date of submission of a bid or at the date of its award, is indebted to the municipality in respect of any municipal rates and taxes or municipal service charges for more than three months. However, an agreement signed by the bidder whereby the bidder agrees that a percentage or fixed amount at the discretion of Pikitup, be deducted from payments due to him/her for this bid, until the debt is paid in full, will also be accepted by Pikitup.

## 9. INCORRECT INFORMATION

Where a contract has been awarded on the strength of the information furnished by the bidder which after the conclusion of the relevant agreement, is proven to have been incorrect, Pikitup may, in addition to any other legal remedy it has or may have, recover from the contractor all costs, losses or damages incurred or sustained by Pikitup as a result of the award of the contract.

10. VALIDITY PERIOD

The bid submission must remain valid for a period of **120 days** from the date of tender closing, unless specified differently in the tender invitation document. It will constitute an offer which remains open for acceptance during the validity period.

11. WITHDRAWAL OF BID DURING AND AFTER THE SCM PROCESS:

11.1 When a bidder withdraws his/her bid during the SCM bidding process, it must be in writing, prior to the award of the bid, of which Pikitup holds the right to accept or reject with or without a claim for any damages.

11.2 When a bidder withdraws or cancels the contract after award of the bid to the particular winner of the bid, the awarded bidder will be held responsible for any damages or administrative expenses incurred prior to the award of the bid. Depending on the nature of the default, the bidder may further be reported to National Treasury to be registered as a restricted supplier or tender defaulter.

12. EVALUATION AND ADJUDICATION

Pikitup will evaluate bids to ensure:

6.1 Compliance with the relevant specifications and minimum requirements;

6.2 Achieve value for money;

6.3 Determine capacity and capability of bidders to execute the contract;

6.4 PPPFA and associated regulations; and

6.5 Achieve specific goals and / or any other objective targets.

13. EVALUATION PROCESS

Bidders must fully comply with all the pre-compliance evaluation criteria and must meet the minimum functionality evaluation criteria threshold (if applicable) to be considered for further evaluation. The tenders will be evaluated on the basis of the point system as stipulated in the PPPFA. The preference points will be calculated based on specific goals specified in the invitation to bid document. The 80/20 price and preference principle will apply where the lowest acceptable bid price is R50 000 000 (fifty million rand) or below, and the 90/10 price and preference principle will apply where the lowest acceptable tender price is above R 50 000 000 (fifty million rand), unless stated differently in the tender invitation document. The invitation of bid may specify objective criteria for final considerations.

14. ADJUDICATION OF BIDS

Bids submitted in response to this invitation will be adjudicated by PIKITUP in terms of the Pikitup Delegation of Authority Frameworks, in conjunction with the Supply Chain Management Policy and Procedure Manual that was developed in accordance with the framework 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 2022, and related legislative requirements. Enquiries in respect of the policy should be addressed to PIKITUP's General Manager: Supply Chain Management – [mihlotim@pikitup.co.za](mailto:mihlotim@pikitup.co.za)

15. INVOICES

15.1 All invoices must be forwarded to the following address:

Pikitup Johannesburg SOC, 10th Floor, Jorissen Place, 66 Jorissen Street, Braamfontein

15.2 Legal requirements for invoices

Tax invoices must comply with the requirements as stipulated by SARS (VAT Act No 89 of 1991), i.e.:

15.2.1 VAT / Tax invoice

- Word 'TAX INVOICE' to be displayed in a prominent place
- Trade, legal name and registration number(if any) of supplier
- Address and VAT number of the supplier or service provider
- The official invoice number and date of invoice
- The invoice should be addressed to Pikitup Johannesburg SOC and Pikitup postal address and Pikitup VAT registration number 4790191292
- Accurate description of goods and / or services supplied or provided.
- Unit of measurement of goods or services supplied

**BID NUMBER PU134/2023 – INVITATION TO POTENTIAL BIDDERS TO APPLY FOR THE PANEL OF PRE-APPROVED SERVICE PROVIDERS TO PROVIDE INTERNAL AUDIT SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF 36 MONTHS**

- Price and VAT amount
  - The official Pikitup purchase order number and / or contract number
- 15.2.2 The following documentation must accompany the invoice / tax invoice.
- Copy of the purchase order
  - Copy of signed delivery note or signed proof of services rendered
  - Any other related documents that might be required or specified (i.e. timesheets, completion certificate, inspection certificate, test certificate, compliance certificate, etc.)
- 15.3 The aforementioned address, process or requirements may be modernised as needed by the Pikitup Finance Department and / or Accounts Payable unit.

## 16. PAYMENT TERMS

- 16.1 It is the policy of Pikitup to pay all creditors by means of electronic bank transfers.
- 16.2 Creditors will be paid within 30 days after receipt of a valid and complete invoice and statement for the month in question, detailing all invoices during that month and reflecting the total amount due by Pikitup. In exceptional circumstances, Pikitup may, at its discretion, deviate from the above.

## 17. PRECEDENCE OF TERMS AND CONDITIONS

- 17.1 Precedence of terms and conditions in documentation during the bidding process and after award, resulting in a formal agreement:
- 17.1.1 The following legislative and legal precedence will apply to documentation during the bidding process subsequent to the award of a bid to a bidder:
- 17.1.1.1 Municipal Financial Management Act 56 of 2003
  - 17.1.1.2 Municipal Supply Chain Management Regulations
  - 17.1.1.3 Supply Chain Management Policy
  - 17.1.1.4 Specifications of the bid document
  - 17.1.1.5 Special Conditions of Contract
  - 17.1.1.6 General Conditions of Contract
  - 17.1.1.7 Service Level Agreements / Service Delivery Agreements
  - 17.1.1.8 Memorandum of Understanding / Memorandum of Agreements

## 18. 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.

## 19. 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.

## 20. INTERNAL APPEAL PROCESS

- 20.1 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.
- 20.2 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.

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

## 21. PROVISIO AND OBJECTIVE

21.1 In evaluating bids received and adjudicating the award of this tender, Pikitup Johannesburg (SOC) Limited will, in addition to the pre-compliance criteria and functionality criteria (if applicable) included in the specifications and irrespective of the capital, pricing and preference 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) may not necessarily be selected as a preferred bidder(s).

21.2 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 2022, and the Pikitup SCM Policy and Procedure,
- 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.

21.3 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.

21.4 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.

## 22. 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'

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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 : .....

# ANNEXURE 1.4

# CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES

**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 account statements for the bidding entity and all of its directors/shareholders/partners/members, etc. not older than 3 months, and not in arrears for more than 90 days to be submitted with the bid.
2. If the bidding entity and / or any of its directors/shareholders/partners/members, etc. rents / leases premises a copy of the letter or statement or affidavit from landlord or the landlord’s appointed property agent is required, confirming that the bidding entity or its directors/shareholders/partners/members has no disputed account and / or that the account is not in arrears for more than ninety (90) days, supported by a rental / lease agreement to be submitted with this bid.
3. If the bidding entity and / or any of its directors/shareholders/partners/members, etc. do not own or lease the property, and alternative arrangements are in place for occupancy at the residence, a sworn affidavit from the landlord or the principal tenant or principal account holder is required, confirming that the bidding entity or any of its directors/shareholders/partners/members has no disputed account for occupancy at the residence.

<b>Signature</b>	<b>Position</b>	<b>Date</b>

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# ANNEXURE 2.

## TERMS OF REFERENCE / SPECIFICATION OF REQUIREMENTS

**TERMS OF REFERENCE FOR  
INVITATION TO POTENTIAL BIDDERS  
TO APPLY FOR THE PANEL OF PRE-  
APPROVED SERVICE PROVIDERS TO  
PROVIDE INTERNAL AUDIT SERVICES  
ON AN AS AND WHEN REQUIRED  
BASIS OVER A PERIOD OF 36  
MONTHS**

**REFERENCE NUMBER PU134/2023**

# **INVITATION TO POTENTIAL BIDDERS TO APPLY FOR THE PANEL OF PRE-APPROVED SERVICE PROVIDERS TO PROVIDE INTERNAL AUDIT SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF 36 MONTHS**

## **1. INTRODUCTION**

Pikitup Internal Audit is one of the key corporate governance functions that is there to support Pikitup to achieve its objectives and strategies. It does this by ensuring that risks are managed effectively; Pikitup consistently adheres to the regulatory environment as it implements programmes and strategies, and the internal control environment is reliable by conducting independent internal audits.

## **2. BACKGROUND**

Internal audit focuses on maximising advisory and assurance services, and took leadership in the formalisation of an integrated and combined assurance and oversight. The audit functions have evolved and transformed by adopting a collaborative and integrated approach which now includes collaboration with the compliance monitoring and advisory function.

The core mandate of internal audit is to promote a culture of risk governance and effective risk management, ensure adequate and effective control (compliance) systems and continuous improvements. Furthermore, internal audit ensures compliance with applicable legislations, policies, procedures, circulars and directives

Internal Audit work will normally include (but not restricted to) review, appraisal of, and report on the following:

- i. Systems established by management to ensure compliance with policies, plans, procedures, laws and regulations which could have a significant impact on operations;
- ii. Operations or programs to ascertain whether results are consistent with established objectives and goals and whether operations or programs are being carried out as planned;
- iii. Reliability and integrity of financial and operating information and the means used to identify, measure, classify and report such information;
- iv. Economy and efficiency with which company's resources are employed and identify opportunities to improve operating performance;

- v. Means of safeguarding assets and, as appropriate, verifying the existence of assets;
- vi. Risks are appropriately identified and managed;
- vii. Quality and continuous improvement are fostered in the organisation's control process;
- viii. Minimise fraud, corruption, theft and mal-administration.

Internal Audit provides a written assessment on the effectiveness of the company's system of internal controls, financial controls and risk management to the Audit and Risk Committee and the Board on quarterly and annual basis in line with relevant standards and norms.

Types of audits to be conducted by internal audit function will include:

- a) Audit of Information and Communication Technology (ICT)
- b) Information security and cyber security
- c) Performance Management and Information Audits
- d) Audit of Pre-determined Objectives
- e) Financial Audits
- f) Compliance Audits
- g) Operational Audits
- h) Probity Audits
- i) Combined Assurance
- j) Enterprise Risk Management
- k) Forensic Audits and Investigation Related Services
- l) Business Continuity Management
- m) Assurance on Ethics
- n) Adhoc/special audits

### **3. SCOPE OF WORK**

The objectives of the panel of service providers is to ensure that Pikitup complies with Municipal Finance Management Act (MFMA), the Municipal Systems Act (MSA), Treasury Regulations, other relevant laws and regulations, King Code on Corporate Governance (King IV), Board of Directors and the Audit and Risk Committee directives.

The scope of work will be determined based on the approved annual internal audit plan and adhoc audit requests.

#### **4. DELIVERABLES**

The panel of service providers will be contracted for provision of internal audit services on an as and when required basis for the period of 36 months for the following types of services in line with the approved internal audit plan and adhoc audit requests:

- a) Audit of Information and Communication Technology (ICT)
- b) Information security and cyber security
- c) Performance Management and Information Audits
- d) Audit of pre-determined objectives
- e) Financial Audits
- f) Compliance Audits
- g) Operational Audits
- h) Probity Audits
- i) Combined Assurance
- j) Enterprise Risk Management
- k) Business Continuity Management
- l) Forensic Audits and Investigation Related Services
- m) Assurance on Ethics
- n) Adhoc/special audits

#### **5. PANEL REQUIREMENTS**

Service providers are required to submit proposals that demonstrate an understanding, proven track record, knowledge and experience in internal auditing.

#### **6. AUDIT FIRM EXPERIENCE**

The service provider must have relevant experience in internal auditing for services listed on Deliverables section 4 above.

#### **7. PROJECT PLAN**

A project plan outlining the processes map, activities, audit approach and how the methodology will meet stated deliverables (as indicated in section 4 above):

- Demonstrate by expanding on key deliverables, systematic project methodology aligned to relevant auditing standards and approach including final reporting phase.
- The plan should detail the key tasks to be performed, activities required and the milestones for each tasks to be undertaken. This must include a work programme.
- The team must consist of the following resources: Project manager and auditors aligned to the size and complexity of the project.
- The specific timeframes will be agreed upon with the appointed service providers based on the audit project undertaken when awarded.

## **8. ACTIVE PROFESSIONAL MEMBERSHIP AND / OR AFFILIATION**

The audit firm should consist of members affiliated with the following professional bodies:

- a) Institute of Internal auditors (IIA)
- b) Independent Regulatory Board of Auditors (IRBA)
- c) South African Institute of Chartered Accountants (SAICA)
- d) Information System Audit and Control Association (ISACA)
- e) Association of Certified Fraud Examiners (ACFE)

## **9. FRAUD**

Pikitup is committed to uphold the highest standard of honesty, integrity and ethical conduct and has adopted a zero tolerance on fraud and corruption. A bidder of who commits an act of fraud will be subject investigation and possible termination. Where relevant Pikitup may pursue full recovery of all losses resulting from such act of fraud.

## **10. EVALUATION CRITERIA AND PROCESS**

### **10.1. PRE- COMPLIANCE EVALUATION**

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 following stage.

**Table 1: Pre-compliance Evaluation Criteria and Compulsory Returnable Documents**

**Required:**

Bidders must comply with all the pre-compliance requirements and may be disqualified for not submitting the compulsory returnable documents required for pre-compliance evaluation purposes.

<b>Pre-compliance Evaluation Criteria and Compulsory Returnable Documentation</b>	<b>Submitted (YES or NO)</b>	<b>Checklist (Guide for Bidder and the Bid Evaluation Committee)</b>
<p>a) To enable the Pikitup evaluation committee to verify the bidder’s Central Supplier Database (CSD) registration and to confirm the bidder’s tax compliance status, the bidder must provide;</p> <ul style="list-style-type: none"> <li>• A copy of the bidding company’s Central Supplier Database (CSD) registration that confirms a compliant Tax Clearance status; or</li> <li>• A copy of the bidding company’s Central Supplier Database (CSD) registration with a copy of a valid compliant Tax Clearance Certificate (TCS); or</li> <li>• Indicate the bidding company’s CSD registration number and tax clearance master registration number. The CSD registration must be active and the tax status must be compliant.</li> </ul> <p>(Note: Refer to MDB 1)</p>		<p>The CSD and / or TCS must be in the same business name as the bidding company?</p> <p>The CSD and / or TCS must be valid?</p> <p>The Tax status must be compliant?</p>
<p>b1) Confirmation that the <u>bidding company’s</u> rates and taxes are up to date:</p> <ul style="list-style-type: none"> <li>• Where the property is owned by the <u>bidding company</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. The municipal account statement must reflect the bidding company name as the account holder, and the statement may not be older than 3 months as from the tender closing date; or</li> <li>• Where the property is leased or the <u>bidding company</u> is a tenant on the property; - a letter of good standing or account statement or sworn affidavit from landlord or the landlord’s appointed property agent are required, confirming that the bidding company has no disputed account and /</li> </ul>		<p>Was a Municipal Account Statement or landlord correspondence provided for the bidding company?</p> <p>The name and / or addresses of the bidder’s statement</p>

Pre-compliance Evaluation Criteria and Compulsory Returnable Documentation	Submitted (YES or NO)	Checklist (Guide for Bidder and the Bid Evaluation Committee)
<p>or that the account is not in arrears for more than ninety (90) days. The landlord letter of good standing, or landlord account statement, or landlord sworn affidavit must reflect the bidding company name and must be accompanied with a signed lease agreement, or</p> <ul style="list-style-type: none"> <li>Where the property is not owned or leased by the <u>bidding company</u> and arrangements are in place for the bidding company to operate from the landlord's premises (for example: business operating from residence of the director, working from home, operating from premises free of charge, etc);- a sworn affidavit from the landlord is required, stating the nature of the arrangement with the bidding company and must confirm that the bidding company has no disputed account and / or that the account is not in arrears for more than ninety (90) days.</li> </ul>		<p>correspond with CIPC document?</p> <p>Are correspondence recent (not older than 3 months)?</p> <p>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> as reflected in the CIPC document:</p> <ul style="list-style-type: none"> <li>Where an <u>owner / member / director / major shareholder</u> is not residing within South Africa;- a sworn affidavit is required from the <u>owner / member / director / major shareholder</u> confirming that the <u>owner / member / director / major shareholder</u> is not residing within South Africa, or</li> <li>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 <u>owner / member / director / major shareholder</u> confirming that the account is not in arrears for more than ninety (90) days, or</li> <li>Where the property is leased by the <u>owner / member / director / major shareholder</u>;- a letter of good standing or account statement or sworn affidavit from the landlord or the landlord's appointed property agent are required, confirming that the <u>owner / member / director / major shareholder</u> has no disputed account and / or that the account is not in arrears for more than ninety (90) days. The letter of good standing from landlord or account statement from the landlord or affidavit from the landlord must reflect the relevant <u>owner / member / director / major shareholder</u></li> </ul>		<p>Was a Municipal Account Statement(s) or landlord letter(s) provided for ALL the 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</p>

Pre-compliance Evaluation Criteria and Compulsory Returnable Documentation	Submitted (YES or NO)	Checklist (Guide for Bidder and the Bid Evaluation Committee)
<p>name and must be accompanied with a signed lease agreement, or</p> <ul style="list-style-type: none"> <li>Where the property is not owned or leased, and special arrangements are in place for the <u>owner / member / director / major shareholder</u> to reside at the landlord's premises (for example: residing with wife, husband, partner, family member, etc);- a sworn affidavit from landlord is required, stating the nature of the residence arrangement for the bidding company's <u>owner / member / director / major shareholder</u> and must confirm that the bidding company's <u>owner / member / director / major shareholder</u> has no disputed account and / or that the account is not in arrears for more than ninety (90) days.</li> </ul> <p>Note that</p> <ul style="list-style-type: none"> <li>- the above correspondence may not be older than 3 months from date of tender closing.</li> <li>- A landlord statement must be on the landlord's or the landlord agent's letter head and dated</li> <li>- A landlord letter must be dated and signed by the landlord</li> <li>- An affidavit from the landlord must be signed by the landlord and must also be stamped, signed and dated by a commissioner of oath.</li> </ul>		<p>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 bidding company, an official letter of authorization or delegation of authority should be submitted with the bid document.</p> <p>The MBD documents must be fully completed and signed. Where a specific question or section is not applicable, the bidder must write "Not Applicable".</p>		<p>All documents fully completed?</p> <p>All documents fully signed?</p> <p>Signature authorised (any director / member / trustee as indicated on the CIPC, alternatively a delegation of authority would be required?)</p>

Pre-compliance Evaluation Criteria and Compulsory Returnable Documentation	Submitted (YES or NO)	Checklist (Guide for Bidder and the Bid Evaluation Committee)
<p>d) Joint Ventures (JV) – (Only applicable when the bidder tender as a joint venture)</p> <ul style="list-style-type: none"> <li>• Where the bidder bid as a Joint Ventures (JV), the required or relevant documents as per (a) to (c) above must be provided for all JV parties.</li> <li>• In addition to the above the bidder must submit a Joint Venture (JV) agreement signed by the relevant parties.</li> <li>• 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.</li> </ul>		<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 c) must be provided for all partners of the JV.</p>

Only bidders that fully meet all the pre-compliance evaluation criteria, will qualify for further functionality evaluation criteria, thus bidders that do not meet all the pre-compliance evaluation criteria requirements will be disqualified for further evaluation.

## 10.2. FUNCTIONALITY EVALUATION

**10.2.1.** The appointed Bid Evaluation Committee (BEC) will evaluate functionality criteria based on the list of other returnable documents.

### **Other Returnable Documentation required for Functionality or Technical Evaluation:**

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

**Table 2: Other Returnable Documentation required for further evaluation**

Other Returnable Documentation (Submission of these documents are required for evaluation and / or scoring purposes)	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) Copy of ID Documents of owners/members/directors/shareholders	
c) Company Profile	
d) CV's of project manager and audit team (minimum of 5 auditors) who would be working on the project.	
e) Copy of qualifications of project manager and audit team (minimum of 5 auditors) who would be working on the project.	
f) ID copies of project manager and audit team (minimum of 5 auditors) who would be working on the project.	
g) The project plan: Outlining the processes map, audit activities, and methodology to meet the selected deliverables.	
h) Contactable reference letters	
i) Complete schedule A and B.	
j) Attach any other supporting documents as required that is not listed above	

## 11. EVALUATION CRITERIA

Bids will be evaluated and scored on the functionality criteria as specified. Only those bidders that meet the minimum threshold of 70% 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 appointment.

The below indicated points will be used for evaluation criteria.

The following criteria will be applicable and the maximum weights of each criterion will be as indicated.

**Table 3: Functionality Criteria**

CRITERIA	GUIDELINES (Scores are allocated from 0 to 5)	WEIGHTING
<b>AUDIT METHODOLOGY</b>	<p><b>PROJECT PLAN</b></p> <p>A project plan outlining the processes map, approach to audit activities, and how the audit methodology will meet the selected deliverables :</p> <ul style="list-style-type: none"> <li>○ The Project Plan should demonstrate all three the following requirements: processes map, audit activities, and audit methodology = 5</li> <li>○ The Project Plan not submitted or do not demonstrate all 3 of the requirements i.e. processes map, audit activities, audit methodology = 0</li> </ul>	<b>15</b>
<b>AUDIT FIRM EXPERIENCE</b>	<p><b>AUDIT FIRM EXPERIENCE</b></p> <p>The bidding organisation must have minimum of 4 years' relevant experience in internal auditing which the organization provided audit services.</p> <p>The bidding company profile supported by the copy CIPC document will be used as evidence.</p> <ul style="list-style-type: none"> <li>○ Less than 4 years' relevant experience in internal auditing = 0</li> <li>○ 4 years' relevant experience in internal auditing = 3</li> <li>○ 5 years' relevant experience in internal auditing = 4</li> </ul>	<b>25</b>

CRITERIA	GUIDELINES (Scores are allocated from 0 to 5)	WEIGHTING
	<ul style="list-style-type: none"> <li>○ 6 years' or more relevant experience in internal auditing = 5</li> </ul> <p>Note that only full years will be considered and the cycle must be rounded down to the last full year. (e.g. 4 years and 11 months experience = 4 years experience)</p>	
<p><b>PROJECT MANAGER QUALIFICATIONS AND EXPERIENCE</b></p>	<p><b>PROJECT MANAGER / DIRECTOR QUALIFICATIONS AND EXPERIENCE</b></p> <p>The project manager or director should either be a Certified Internal Auditor (CIA) or Certified Chartered Accountant (CA (SA)) or Certified Information Systems Auditor (CISA) or Certified Fraud Examiner (CFE) with a minimum of 8 years' internal audit experience.</p> <p><b>Means of verification :</b> Copy of the relevant and valid professional qualification supported by CV confirming the years' of relevant internal audit experience.</p> <ul style="list-style-type: none"> <li>○ Copy of CIA or CA (SA) or CISA or CFE Qualification and, CV of the Project Manager confirming at least 8 years' relevant experience = 5</li> <li>○ If any of the above documents are not submitted or the minimum requirements not complied with = 0</li> </ul>	<p><b>20</b></p>
<p><b>PROJECT TEAM</b></p>	<p><b>PROJECT TEAM QUALIFICATIONS AND EXPERIENCE</b></p> <p>The <b>project team</b> should consist of at least 5 members excluding project manager with a minimum qualification of a 3-year diploma or degree in either auditing, internal auditing, accounting, law, risk, IT or finance. Each member should have a minimum of 4 years working experience related to any of the deliverables in section 4.</p> <p><b>Means of verification:</b> Copy of a valid relevant qualification supported by CV.</p> <p>Qualification and CV confirming 4 years' experience for each of the five team members. = 5</p> <p>Qualification and CV confirming 4 years' experience for each of the five team members not submitted = 0</p>	<p><b>20</b></p>

CRITERIA	GUIDELINES (Scores are allocated from 0 to 5)	WEIGHTING
<b>REFERENCES</b>	<p><b>Contactable references.</b> The bidder to submit the original or copy of references or testimonials on the respective client company letterheads and the document must be signed by the client:</p> <ul style="list-style-type: none"> <li>• No references or testimonials submitted, or documentation submitted do not comply with specified requirements = 0</li> <li>• Less than 3 references or testimonials, on client's organization letter head and signed by the client = 1</li> <li>• 3 references or testimonials , on client's organization letter head and signed by the client = 3</li> <li>• 4 references or testimonials, on client's organization letter head and signed by the client = 5</li> </ul> <p>Note that only reference letters or testimonials will be considered. Purchase orders, appointment letters or any other documents shall not be considered.</p>	<b>20</b>
<b>TOTAL POINTS FOR FUNCTIONALITY</b>		<b>100</b>

The minimum functionality evaluation threshold of 70 points out of a total of 100 points will apply. Bidders that scored below the minimum threshold will be disqualified for further consideration.

## 12. EVALUATION PROCESS AND ESTABLISHMENT OF THE PANEL OF PRE-APPROVED SERVICE PROVIDERS

Bids will be evaluated as follows:

- The evaluation of bids for the panel shall be based on pre-compliance and functionality for selection of the shortlisted bidders.
- The qualifying bidders shortlisted for the panel of pre-approved service providers will be limited to bidders that meets the minimum functionality evaluation threshold of 70 points over a total of 100 points.
- Based on the outcome of the initial bid evaluation, the Bid Evaluation Committee will make a recommendation to the Bid Adjudication Committee for consideration.

- Depending on the delegation of authority, the BAC would either make a final resolution or make a further recommendation to the Managing Director for final consideration and approval.
- If approved and accepted, the successful shortlisted service providers will be included on the panel of pre-selected service providers.
- Bidders must note that the purpose of this invitation is to establishment of a panel of pre-approved service providers and the outcome does not constitute any commitment or an award. The objective of this process is to establish framework agreements with the shortlisted bidders that qualified.
- Subsequent to finalisation of the panel of pre-approved service providers, the pre-approved service providers will be invited on an as and when required basis, to quote on specific work packages and will be evaluated on the applicable price and preference system.

### **13. CONDITIONS RELATING TO THE ACQUISITION**

The general conditions are as follows:

- Copyright of information obtained through the course of the project is the property of Pikitup and may not be sold or reproduced by the service provider without prior permission from Pikitup.
- No presentations of the publications may be made without prior permission of Pikitup.
- The evaluation of proposals and the selection of the service provider will be at the discretion of Pikitup in accordance with its supply chain management procurement policy.

### **14. GENERAL CONDITIONS OF CONTRACT**

- 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](http://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.

## **15. SCHEDULES**

### **15.1. SCHEDULE INSTRUCTIONS**

- Bidders must fully complete and sign the following schedules.
- Information recorded by the bidder in the schedules must be supported by the required supporting documentation as specified in the tender document.
- Information recorded in the schedules without the relevant supporting documentation as specified in the tender document will be considered incomplete, and no score will be allocated.
- Where discrepancies arise between the information recorded in the schedule and the supporting documentation, the supporting documents will be used for evaluation and scoring purposes.
- Bidders that provide incorrect, or false declaration of information might be disqualified.

## 15.2. SCHEDULE A

Project manager or director's details. Bidders must ensure that schedules are fully completed and supporting documents are submitted substantiating the information in the schedule as per the evaluation criteria requirements specified in the tender document. A copy of the valid qualification and CV of the project manager or director must be submitted with the bid document to support the information provided in the schedule.

Description of requirements	Bidder to complete the details below
Project manager or director's Name(s)	
Project manager or director's Surname	
Project manager or director's ID Number	
Date employed by bidding company	
Number of years' work experience relating to internal auditing (The CV must confirm the number of years' experience)	
Description of relevant Qualification i.e. Certified Internal Auditor (CIA) or Chartered Accountant (CA (SA)) or Certified Information systems auditor (CISA) or Certified Fraud Examiner (CFE). A copy of a valid professional qualification to be attached.	
Date the above qualification was obtained	

\_\_\_\_\_  
Name and Surname

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Bidding Company

\_\_\_\_\_  
Date

**15.3. SCHEDULE B**

Project team details. The bidder must complete the below schedule with details of the proposed project team (i.e. at least 5 team members that comply with the minimum requirements, excluding the project manager or director).

Bidders must ensure that supporting documents are submitted substantiating the information in the schedule as per the evaluation criteria requirements specified in the tender document.

Only details of team member that do qualify with the minimum requirements must be completed and submitted. A copy of the valid qualification and CV of each team member must be submitted with the bid document to support the information provided in the schedule.

Team member	Name(s)	Surname	ID Number	Qualification/s (i.e. a 3-year diploma or degree in auditing, internal auditing, accounting, law, risk, IT or finance)	Years of relevant experience
1					
2					
3					
4					
5					

\_\_\_\_\_  
Name and Surname                      Signature                      Bidding Company                      Date

**BID NUMBER PU134/2023 – INVITATION TO POTENTIAL BIDDERS TO APPLY FOR THE PANEL OF PRE-APPROVED SERVICE PROVIDERS TO PROVIDE INTERNAL AUDIT SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF 36 MONTHS**

## **16. WORK PACKAGE ALLOCATION AGAINST THE PANEL OF PRE-APPROVED SERVICE PROVIDERS**

- Subsequent to the establishment of the panel of pre-approved service providers, only the bidders who were successfully qualified for the panel of service providers will be invited for quotations on an as and when required basis during the validity of the panel for specific work packages or projects.
- Bidders must note that the price and preference evaluation will be performed in the final stage when quotations are being obtained from the pre-approved service providers that qualified for the panel. The evaluation will be in accordance with circular 53 issued by National Treasury on the evaluation of bids and the revised Preferential Procurement Regulations, 2022 and its associated Regulations using the 80:20 evaluation principle.
- The following process will be used at the time to award specific projects to bidders:
  - The service providers that qualified on the panel will be requested to provide quotations
  - Evaluation of the quotations will be based on 80/20 system, where 80 points will be calculated based on the quoted price and 20 for preference points.
  - Preference points will be calculated as per the specific goals that will be outlined in the invitation for quotation document.
  - In addition to the aforementioned criteria, objective criteria might be specified in the invitation for quotation and applied accordingly.
- Service provider will be expected to adhere to the terms as indicated in the engagement letter i.e. timeliness.

### **16.1. PRICE AND PREFERENCE EVALUATION THAT WILL BE APPLIED TO QUOTATIONS SOURCED FROM THE PANEL OF PRE-APPROVED SERVICE PROVIDERS**

- Price and preference evaluation will be performed at the following stage when quotations are being invited for specific projects from the appointed panel of service providers. The evaluation will be based on the 80/20 system in accordance with National Treasury revised Preferential Procurement Regulations, 2022 and the Pikitup SCM Policy.

Bidders will be evaluated on the 80/20 Price and Preference Point System.

<b>Price Points</b>	<b>80</b>
<b>Preference Points</b> (See Preference Points Table below)	<b>20</b>
<hr/>	
<b>Total points for Price and Preference</b>	<b>100</b>

## 16.2. PREFERENCE POINTS TO BE AWARDED FOR SPECIFIC GOALS

- At evaluation of quotations from the panel of pre-approved service providers, preference points will be awarded for specific goals. The bidder will be allocated points based on the goals stated in the table below as may be supported by documented proof as stated in the invitation for quotation.
- For example, the following specific goals are determined by Pikitup with the intent to promote historical disadvantaged individuals (HDI) and the local economy.

**Table: Specific goals for preference points**

Specific goals	The specific goals points allocated by Pikitup for this tender	Means of verification	Points allocated for each goal (80/20 preference point system)
Goal 1	Enterprises owned by black people with at least 51% shareholding	CSD, Valid BBBEE certificate, Affidavit sworn under oath, copy of owners ID, or shareholders certificate	5
	Enterprise owned by women with at least 51% shareholding	CSD, Valid BBBEE certificate, Affidavit sworn under oath, copy of owners ID, or shareholders certificate	5
Goal 2	SMME's (An EME or QSE)	CSD, Valid BBBEE certificate, Affidavit sworn under oath	5
	Enterprises located within the City of Johannesburg Metropolitan Municipality	CSD certificate, bidding company municipal account statement, letter or statement from the landlord confirming company address	5
Total (Maximum number of preference points)			20

## 17. RECOMMENDATION AND AWARD OF WORK PACKAGES AGAINST THE PANEL

The bids for the work **package or project** will be ranked from the highest to the lowest scoring bidder as per the final price and preference scores for the particular work package or project. The recommendation will be presented to the relevant delegated authority for final consideration and approval.

## **18. OBJECTIVE CRITERIA**

The highest scoring bid will be recommended for award, unless the objective criteria specified in the invitation to bid / quote justify the award to the following or another bidder.

Further to the price and preference ranking, the Accounting Officer or delegate may consider the following objective criteria:

- (1) the desirability of rotating the work amongst service providers. If a bidder was already allocated a project and the project is not completed, the Accounting Officer or delegated authority may consider rotating work to the next highest scoring bidder on condition that value for money still prevail,
- (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) past contractual poor performance, and
- (4) the nature and extent of disputes involving the bidder in relation to past and/or current contracts. As a result of the application of these objective criteria, the highest scoring bidder may not necessarily be selected for the project award.

# ANNEXURE 3

# NOT APPLICABLE

# 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 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, hareholder<sup>2</sup>):.....

3.4 Company Registration Number: .....

3.5 Tax Reference Number:.....

3.6 VAT Registration Number: .....

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

3.8 Are you presently in the service of the state?  
(Circle the applicable answer) 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?  
(Circle the applicable answer)...YES

/ NO

3.9.1 If yes, furnish particulars.....

**BID NUMBER PU134/2023 – INVITATION TO POTENTIAL BIDDERS TO APPLY FOR THE PANEL OF PRE-APPROVED SERVICE PROVIDERS TO PROVIDE INTERNAL AUDIT SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF 36 MONTHS**

.....

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

# ONLY APPLICABLE

# ANNEXURE 6

**NOT APPLICABLE AT THIS STAGE**

# ANNEXURE 7

NO APPLICABLE

# 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	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		

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

**CERTIFICATION**

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

**BID NUMBER PU134/2023 – INVITATION TO POTENTIAL BIDDERS TO APPLY FOR THE PANEL OF PRE-APPROVED SERVICE PROVIDERS TO PROVIDE INTERNAL AUDIT SERVICES ON AN AS AND WHEN REQUIRED BASIS OVER A PERIOD OF 36 MONTHS**

## MBD 9

### CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *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:

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

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

**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 consortium<sup>3</sup> will not be construed as collusive bidding.

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

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

# 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

## CONDITIONS OF CONTRACT

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](http://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**