



RFQ NR	CoJ 0109 – 22/23	
ADVERT DATE	01 March 2023	
CLOSING DATE	08 March 2023	
CLOSING TIME	10:30 am	
DESCRIPTION OF GOOD/SERVICES	SUPPLY, DELIVERY AND OFFLOADING OF BRANDED PERSONAL PROTECTIVE AND CORPORATE CLOTHING.	
COMPULSORY REQUIREMENTS	Designated Sector	Stipulated minimum Threshold
	(PPE & CLOTHING)	100%
ADDITIONAL COMPULSORY REQUIREMENTS	SAMPLES WILL BE REQUEST FROM SHORTLISTED SUPPLIERS. FAILURE TO QUOTE FOR ALL ITEMS, TO COMPLETE AND SIGN LOCAL CONTENT ANNEXURES, WILL AUTOMATICALLY DISQUALIFY THE BID.	
DEPARTMENT	Social Development	
CONTACT PERSON	Hlayiseka Mabasa	
CONTACT NUMBER	HlayisekaM@joburg.org.za or (011) 407 7466 / 083 925 8886	
TO BE DEPOSITED INTO THE QUOTATION BOX ON THE GROUND FLOOR, METRO CENTRE, 158 CIVIC BOULEVARD, BRAAMFONTEIN, JOHANNESBURG		

1. Conditions of Quotation, Form A.
2. Specification, Form B
3. RFQ Checklist
4. Form of Quotation and Form of Acceptance, Form C
5. Statement of Authorization, Form D
6. MBD 4: Declaration of Interest, Form E
7. MBD 8: Declaration of Tenderer's past Supply Chain Management Practices, Form F
8. MBD 9: Certificate of Independent Bid Determination, Annexure G
9. Declaration on State of Municipal Account., Form H
10. Article of Agreement in terms of the Occupational Health and Safety act, 1993, Form I
11. MBD 6.2: Declaration Certificate for Local Production and Content with annexures, Form K

N.B: TENDERERS ARE REMINDED THAT ALL FORMS ARE TO BE SIGNED OR THE RFQ WILL BE DISQUALIFIED.

Quotations will be received on the closing dates and times shown and must be enclosed in separate sealed envelopes, bearing the applicable quotation description and reference number as well as the closing time and due date, and must be addressed to the GROUP HEAD: STRATEGIC SUPPLY CHAIN MANAGEMENT, 15TH FLOOR METRO CENTRE, 158 CIVIC BOULEVARD STREET, BRAAMFONTEIN, and placed in the quotation box indicated above. Quotations will be opened at the latter address at the time indicated.

SUPPLIER NAME: _____

CONTACT NUMBER: _____

CONTACT PERSON: _____

EMAIL ADDRESS: _____

SARS PIN CODE: _____

CENTRAL SUPPLIER DATABASE NUMBER: _____

COJ DATABASE NUMBER _____

BRIEFING SESSION DETAILS:

N/A	
NB:	IT IS OF UTMOST IMPORTANCE THAT THE TIME SET FOR THE OFFICIAL SITE INSPECTION IS STRICTLY ADHERED TO AS NO LATE ARRIVALS WILL BE ALLOWED

CHECKLIST

RFQ NR: _____

CoJ 0109 – 22/23

PLEASE USE THIS CHECKLIST TO VERIFY WHETHER ALL COMPULSORY DOCUMENTS HAVE BEEN ATTACHED TO YOUR QUOTATION.

No	Details	✓
1.	Original Certified Copy of Company Registration Document	
2.	Rates & Taxes Invoice for Company OR Original Certified Copy of Lease Agreement OR Affidavit From the Lessor Certified by the Commissioner of Oath / SAPS	
3.	Rates and Taxes Invoice for All the Directors of the Company OR Original Certified Copy of Lease Agreement OR Affidavit From the Lessor Certified by the Commissioner of Oath / SAPS	
4.	Declaration on State of Municipal Account (Attached)	
5.	MBD 4: Declaration of Interest (Attached)	
6.	MBD 9: Certificate of Independent Bid Determination. (Attached)	
7.	MBD 6.2: Local Content for the Designated Sector (Attached) (IF REQUIRED)	
8.	Conditions of Quotation, Form A	
9.	Form of Quotation and Form of Acceptance, Form C	
10.	Statement of Authorisation, Form D	
11.	MBD 8: Declaration of Tenderer Past SCM Practices, Form F	
12.	Article of Agreement in terms of the Occupational Health and Safety Act, Form I	
13.	Original Certified Copy of B-BBEE certificate or Sworn Affidavit.	
14.	Original Tax Clearance Certificate or SARS One-Time Pin Code	
15.	Training Suppliers to be accredited with SETA (Certified Copy to be attached)	
16.	Catering Suppliers to submit a Health Certificate (Certified Copy to be attached)	
17.	Construction/Building Maintenance to submit CIDB Registration (Certified Copy to be attached)	
18.	Have all price alterations been signed for?	
19.	Has the Quotation been signed?	

SIGNATURE _____

NAME _____

CONDITIONS OF QUOTATION:

- 1 Quotation documents must be completed in black ink.
- 2 The lowest price or any quotation will not necessarily be accepted, and the City of Johannesburg reserves the right to accept the whole or any portion of a quotation.
- 3 Quotations are to remain open for acceptance for a period of thirty (30) days effective from the date on which they are lodged and shall be accepted at any time within the said period of thirty (30) days.
- 4 Tenderers are requested to furnish the full registered name of the tendering company/supplier on the Form of Quotation and Form of Acceptance, Form B.
- 5 Tenderers are also required to sign each page of the Form of Quotation and Form of Acceptance, Form B, in the space provided at the bottom of each page.
- 6 **In the event of a mistake having been made on the price schedule it shall be crossed out in ink and be accompanied by an initial at each and every price alteration. Corrections in terms of price may not be made by means of a correction fluid such as Tipp- Ex or a similar product. If correction fluid has been used on any specific item price, such item will not be considered. No correction fluid may be used in a Bill of Quantities where prices are calculated to arrive at a total amount. If correction fluid has been used, the quotation as a whole will not be considered. The Municipality will reject the quotation if corrections are not made in accordance with the above.**
7. **NO PRICE INCREASES WILL BE CONSIDERED.**
- 8 If items are not quoted for, a line must be drawn through the space in pen
- 9 All goods or services purchased will be subject to CoJ SCM Policy and Procedures. A copy of said conditions is available on the CoJ website.
- 10 All purchases will be made through an official purchase order form. Therefore no goods must be delivered or services rendered before an official purchase order has been forwarded to and accepted by the successful bidder.
- 11 To participate in the City's Quotation process for the procurement of goods and/or services, vendors are advised to get accredited and registered on the City's Supplier Database. Supplier registration forms are available from the Supply Chain Management Unit and on the CoJ website. The City will only deal with the registered and accredited suppliers on its Database.
- 12 All prices **must** be quoted in South African currency (SA rand)
- 13 All prices quoted must be exclusive of Value Added Tax (VAT). Suppliers who are not registered for VAT will be treated as Non - VAT Vendors.
- 14 All prices submitted must be firm. "Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.
- 15 All prices and details must be legible/readable to ensure the quotation will be considered for adjudication.

- 16 Prices quoted must be all inclusive of delivery charges and goods must be delivered **to the address indicated on the quotation page.**
- 17 The successful company must provide labor for off-loading/delivering.
- 18 Quantities are given in good faith and without commitment to the City of Johannesburg. The City reserves the right to increase or reduce the quantity to be in line with the set threshold for quotations prescribed in the SCM Policy.
- 19 **The CoJ will not conduct business with an entity which does not comply with the Codes of Good Practice on BBEE as published from time to time by the Minister of Trade and Industry**
- 20 **Quotations must be deposited into the quotation box at the location indicated on the cover page. *THE CITY OF JOHANNESBURG DOES NOT TAKE RESPONSABILITY FOR ANY QUOTATIONS DEPOSITED IN THE WRONG BOX.***
- 21 **FORWARD EXCHANGE RATE COVER**
- In the event of price/prices being based on the exchange rate, the successful tenderer/s will be required to obtain exchange rate cover in order to protect the Municipality against exchange rate variations.
- Proof must be provided that forward Exchange Rate cover has been taken out within 14 days after an order has been placed.
- If proof that cover was taken out within 14 days after the order has been placed, is not submitted to the City of Joburg, with the invoice, the contract price adjustment will not be accepted and the contract may be cancelled.
- 22 **EXECUTION OF ORDERS**
- Tenderers are reminded that orders placed against accepted quotations are to be executed in strict accordance with the accepted specification and within the quoted delivery period.
- In this regard, the attention of tenderers is drawn in particular to Clause 20 of the Municipality's General Conditions Applicable to the Consideration of Written Quotations (Supply chain Management Policy), which is available on request and/or also available on the Municipality's website, www.joburg.org.za
23. **OCCUPATIONAL HEALTH AND SAFETY**
- The successful tenderer will be required to comply with the requirements of the Occupational Health and Safety Act and regulations.
24. **COPYRIGHT/PATENT RIGHTS**
- Copyright in any document produced, and the patent rights or ownership in any plant, machinery, thing, system or process designed, by a consultant/trainer in the course of the consultancy service is vested in the Municipality.
25. **SUPPLIER REGISTRATION**
- Prospective tenderers are required to register as suppliers/service providers on the City of Johannesburg supplier database prior to quoting. The tenderer is required to record the vendor number in the space provided on the cover page of this quotation document.
- 26 The municipality reserves the right, to cancel and re-issue the quotation.
- 27 **A valid Tax Clearance Certificate or the SARS Pin of the Company should be**

submitted with this quotation document. In cases where the tenderer has not submitted a Tax Clearance Certificate/SARS Pin, the Municipality reserves the right to at any time after the closure of the tender, but before the award of the tender, request from the tenderer to provide the valid Tax Clearance Certificate or a SARS Pin within 48 hours from date of notification. Bidders should note, that in accordance with legislation, no contract may be awarded to a/an person/entity who/which has failed to submit a Valid Tax Clearance Certificate issued by the South African Revenue Service (SARS), certifying that the taxes of that person/entity are in order, or that suitable arrangements have been made with SARS/SARS pin to enable the City of Johannesburg to verify that the Company is tax compliant. Each party to a consortium/joint venture should submit a separate tax clearance certificate or SARS Pins.

28 Quotations must be enclosed in separate sealed envelopes, bearing the RFQ Number, closing time and due date.

29 **PLEASE NOTE THAT NO PRICE CHANGES WILL BE ALLOWED AFTER THE CLOSING DATE AND TIME OF THE QUOTATION.**

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

31 **NB! RECOMMENDED BIDDER WILL BE SUBJECTED TO VETTING PROCESS**

32 **ALL PAGES MUST BE INITIALED**

33 **EVALUATION CRITERIA:**

VALIDITY OF RFQ: 30 DAYS

OFFICE USE ONLY: **PRICE/S TO BE VAT EXCLUSIVE**

RFQ'S will be evaluated on the basis of the 80:20 point system as stipulated in the Preferential Procurement Policy Framework Act (Act number 5 of 2000).

Firstly Service Providers will be evaluated in terms of the stipulated minimum threshold for local production and content as follows:-

LOCAL CONTENT

DESIGNATED SECTOR	Stipulated minimum threshold
PPE	100%

South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 must be used to calculate local content. The following formula to calculate local content must be disclosed in the bid documentation:

The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = 1 - \left(\frac{x}{y} \right) * 100$$

Where:

x imported content

y bid price excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid.

1.1. A bid will be disqualified if –

(a) This Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

N.B Bidders that fails to comply with requirements for local content will be disqualified and not considered for Price and BBBEE Evaluation.

1,2

OFFICE USE ONLY:
PRICE/S TO BE VAT EXCLUSIVE

RFQ'S above R30 000-00 to a maximum of R200 000 VAT Inclusive will be evaluated on the basis of the 80:20 point system as stipulated in the Preferential Procurement Policy Framework Act (Act No. 5 of 2000), Preferential Procurement Regulations, 2022 and SCM practice note: 1/2023

Points will be allocated as follows:

Points for price:	80
Preferential Goals (Max of 20):	20
Preferential Goals	Allocated Points (80/20 system)
Business owned by 51% or more- Black people	5
SMMEs (An EME or QSE)	5
Enterprises located in a specific municipal area for work to be done or services to be rendered in that municipal area.	10

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

SIGNATURE_____

NAME_____

CENTRAL SUPPLIER DATABASE

The Central Supplier Database maintains a database of organisations, institutions and individuals who can provide goods and services to government. The CSD will serve as the single source of key supplier information for organs of state from 01 April 2016 providing consolidated, accurate, up-to-date, complete and verified supplier information to procuring organs of state.

Prospective suppliers interested in pursuing opportunities within the South African government are encouraged to self-register on the Central Supplier Database. This self-registration application represents an expression of interest from the supplier to conduct business with the South African government. Once submitted, your details will be assessed for inclusion on the Central Supplier Database.

NB: Suppliers are still required to register on the City of Johannesburg Supplier Database or keep up- to- date their registration profiles on the City of Johannesburg Supplier Database.

DESCRIPTION: SUPPLY, DELIVERY AND OFFLOADING OF BRANDED PERSONAL PROTECTIVE AND CORPORATE CLOTHING FOR CITY OF JOHANNESBURG.

3. SCOPE OF PROCUREMENT

The successful service provider will be expected to provide the following PPE/C to the City:

All clothing must be branded with COJ logo and UNEP logo.

The Jackets must be written ‘City of Joburg organic farming Programme’ at the back and in front it must be branded like all other clothing items.

Item	Product description	Quantity	Unit price EXCL VAT	Total price EXCL VAT
01	Men’ and ladies Jackets Wind and moisture proof • Outer- 100% polyester Oxford fabric • Lining – 100% polyester taffeta body • Hood send a message • Half Chest (CM) Standard • Tone-on-Tone Joburg Logo Colour: Military Green and B lack Men Sizes			
	Small	06		
	Medium	14		
	Large	06		
	X-Large	02		
	XX-Large	02		
	Ladies			
	Sizes			
	Large	02		
02	Men and Women Work suits Navy Blue • 50mm silver flame-retardant double-needle topstitched reflective tape on arms and legs • concealed brass zips with a 2-way slider • 2 breast pockets with V-flap • 2 hip side pockets and tool pockets on pants • 1 back hip pocket • Fully triple -stitched garment • Acid and flame retardant			

	Colour: Navy blue and Green Trousers Sizes			
	30	02		
	32	14		
	34	04		
	36	02		
	38	04		
	40	02		
	42	04		
	Jackets Sizes			
	30	02		
	34	06		
	36	10		
	38	08		
	42	06		
03	Men & Ladies Golf shirts- short sleeve 185 g/m2 100% pique knit performance polyester jersey knit - Half chest (CM) relaxed fit - Tone-on-tone Joburg logo - Colour Army Green and Grey Men Sizes			
	Small	06		
	Medium	14		
	Large	06		
	X-Large	04		
	Ladies			
	Large	02		
04	Men and Women shirts 100% Nylon taslan - Zip type coil standard - Relaxed fit - Colour Khaki and Navy Blue Men			
	Small	06		
	Medium	14		
	Large	06		
	X-Large	04		
	Ladies			

	Large	02		
05	Hat - Adjustable drawstring chin strap with cord lock so that one size fits most - Brass screen vents and studs 175 gsm 100% cotton - Must be branded Colour: Khakhi	16		
06	Men and Ladies Norquay Insulated body warmer 260 g/m2 100% polyester 290T woven with water resistant coating and water repellent finish - Lining 100% polyester 290T 100% Polyester faux-down Colour: Military Green Men Sizes			
	Small	03		
	Medium	07		
	Large	03		
	X-Large	02		
	Ladies			
	Large	01		
07	Kidney belts - Dromex black elasticated and ribbed support kidney belt with Velcro closing - Elasticated and ribbed support kidney belt - Velcro closing 	16		
08	Reflector - Two tone utility style waistcoats - Shoulder and waist reflective tape - Cellphone and pen pocket - ID pocket with Velcro closure - Lower bellow pockets - Contrast binding at armholes and neckline 120g 100% polyester fabric	16		

	All large size 			
Grand total EXCL.VAT				

10. CONTACT DETAILS

For clarity on any of the aspects under this term of reference please contact:

Name	Telephone	E-mail
Hlayiseka Mabasa	(011) 407 7466 / 083 925 8886	HlayisekaM@joburg.org.za

SPECIAL REQUIREMENTS:

FAILURE TO QUOTE FOR ALL ITEMS, TO COMPLETE AND SIGN LOCAL CONTENT ANNEXURES WILL AUTOMATICALLY DISQUALIFY THE BID.

ALL CLOTHING MUST BE BRANDED WITH COJ LOGO AND UNEP LOGO.

THE JACKETS MUST BE WRITTEN 'CITY OF JOBURG ORGANIC FARMING PROGRAMME' AT THE BACK AND IN FRONT IT MUST BE BRANDED LIKE ALL OTHER CLOTHING ITEMS

SAMPLES WILL BE REQUESTED FROM ALL SHORTLISTED SUPPLIERS.

RFQ NR: **CoJ0109 – 22/23**

FORM B: FORM OF QUOTATION AND FORM OF ACCEPTANCE

Will the quoted price remain firm for a period of 30 days? (YES/NO)

If not: State the validity period _____

Is/Are the price/s quoted subject to the 2,5% settlement discount (YES/NO) _____

Is/Are the tender price firm until completion of order/work? (YES/NO)

If not:

- (a) Submit the cost factors which will be taken into account in the event of price increase/decrease, as well as the compilation of the tender price/s, i.e. cost price, transport cost, margin of profit, etc (clause of the Specification and Additional Conditions of Tender, Form A, refers)

	%	INDEX FIGURE AND BASE DATE (EG. SEIFSA TABLE E1 JUNE 1992)
Material		
Labour		
Transport		
Profit		
OTHER		
1		
2		
3		
TOTAL	100	

NB. If prices are variable due to fluctuation in the exchange rate, the acceptance of any order will be subject to forward cover taken out by yourselves.

SIGNATURE OF TENDERER:.....

FORM OF QUOTATION AND FORM OF ACCEPTANCE (contd)
Group Head: SSCM City
of Johannesburg

The CoJ reserves the right to increase or decrease the quantity

FORM OF QUOTATION AND FORM OF ACCEPTANCE (contd)

Is the Company VAT Registered? (YES/NO): _____

VAT Number: _____

VENDOR NUMBER _____

VENDOR SIGNATURE: _____

DATE: _____

SIGNATURE OF PERSON/S AUTHORISED TO SIGN QUOTATIONS:

NAME	ID NUMBER	CAPACITY	SIGNATURE

DATED THIS _____ DAY OF _____ 2022.

REGISTERED NAME OF TENDERING COMPANY/SUPPLIER: - (IN BLOCK LETTERS)

COMPANY REGISTRATION NUMBER: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

FAX NUMBER:

AS WITNESSES:

1 _____

(NAME & SURNAME IN BLOCK
LETTERS)

2 _____

(NAME & SURNAME IN BLOCK
LETTERS)

STATEMENT OF AUTHORISATION

IF THE TENDERER IS A COMPANY OR FIRM, STATE ON WHAT AUTHORITY THE UNDERSIGNED HAS THE AUTHORIZATION TO SIGN THE TENDER DOCUMENTS, FOR EXAMPLE: COMPANY'S RESOLUTION OR PROCURATION OR STATUTES OF PARTNERSHIP, ETC.

I/We the undersigned is/are authorized to enter into this contract on behalf of

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

..... by authority of

dated a certified copy of which may be attached to this tender.

SIGNATURE:

1. _____ ID NR _____ DATE: _____

2 _____ ID NR _____ DATE: _____

WITNESSES:

1. _____ ID NR _____ DATE: _____

2 _____ ID NR _____ DATE: _____

NB: **PROOF IS REQUIRED THAT THE COMPANY HAS BEEN REGISTERED AND DOES IN FACT EXIST, AND THAT THE PERSONS WHO HAVE SIGNED THE TENDER DOCUMENT HAVE INDEED BEEN SO AUTHORIZED**

MBD 4: DECLARATION OF INTEREST

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

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

3.2 Identity Number:

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

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

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

3.8 Are you presently in the service of the state? **YES / NO**

3.8.1 If yes, furnish particulars.

.....

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

(a) a member of –

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

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

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

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

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

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

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

3.9 Have you been in the service of the state for the past twelve months?YES / NO

3.9.1 If yes, furnish particulars.....

.....

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? YES / NO

3.10.1 If yes, furnish particulars.

.....
.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? YES / NO

3.11.1 If yes, furnish particulars

.....
.....

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? YES / NO

3.12.1 If yes, furnish particulars.

.....
.....

3.13 Are any spouse, child or parent of the company's directors trustees, managers, principle shareholders or stakeholders in service of the state? YES / NO

3.13.1 If yes, furnish particulars.

.....
.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. YES / NO

3.14.1 If yes, furnish particulars:

.....
.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

**MBD 8: DECLARATION OF TENDERER PAST SUPPLY
CHAIN MANAGEMENT PRACTICES**

1. This Municipal Tender Document must form part of all tenders/quotations 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 tender of any tenderer may be rejected if that tenderer, 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 tender:**

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

2/...

4.4	Does the tenderer 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 ☐	No ☐
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the tenderer 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 to comply with the contract?	Yes ☐	No ☐
4.5.1	If so, furnish particulars:		

CERTIFICATION

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

MBD9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____ (Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I _____ certify, _____ on _____ behalf
of: _____ that:

(Name of Bidder)

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

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

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

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No. 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CITY OF JOHANNESBURG
FINANCE DEPARTMENT: SUPPLY CHAIN MANAGEMENT UNIT
DECLARATION ON STATE OF MUNICIPAL ACCOUNTS

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

B Bid Information

1. Name of bidder

..... ii.

Registration Number

.....

iii. Municipality where business is situated

.....

iv. Municipal account number for rates

v. Municipal account number for water and electricity

vi. Names of all directors, their ID numbers and municipal account number.

1.

2.

3.

4.

5.

6.

7.

C Documents to be attached.

1. A copy of municipal account mentioned in B (iv) & (v) (Not older than 3 months)

2. A copy of municipal accounts of all directors mentioned in B(vi) (Not older than 3 months)

3. Proof of directors

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

.....

.....
.

Signature

Date

ARTICLE OF AGREEMENT IN TERMS OF THE OCCUPATIONAL SAFETY ACT, 1993
BETWEEN

**The CITY OF
JOHANNESBURG**
(Hereinafter referred to as the
"EMPLOYER")

AND

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

Herein represented by in his/her capacity as
.....

duly authorised as per Form D , Attached hereto,(herein after referred to as the
(CONTRACTOR")

WHEREAS the CONTRACTOR is the mandatory of the EMPLOYER as contemplated in an
agreement in respect of

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

.....(RFQ
Description)

RFQ number.....

AND WHEREAS the Occupational Health and Safety act, 1993 (Act 85 of 1993, hereinafter
referred to as the "ACT"), imposes certain powers and duties upon the EMPLOYER.

AND WHEREAS the parties have agreed to enter into an agreement in terms of the ACT.
NOW THEREFORE the parties agree as follows:

- (a) The CONTRACTOR undertakes to acquaint the appropriate officials and employees of the CONTRACTOR with all relevant provisions of the ACT and the regulations promulgated in terms thereof.
- (b) The CONTRACTOR undertakes that all relevant duties, obligations and prohibitions imposed in terms of the ACT and Regulations will be fully complied with. Provided that should the EMPLOYER prescribe certain arrangements and procedures, that same shall be observed and adhered to by

the CONTRACTOR, his officials and employees. The CONTRACTOR shall bear the onus of acquainting himself/herself/itself with such arrangements and procedures.

- (c) The CONTRACTOR hereby accepts sole liability for such due compliance with the relevant duties, obligations, prohibitions, arrangements and procedure, if any, imposed by the ACT and Regulations and the EMPLOYER expressly absolves the EMPLOYER from itself being obliged to comply with any of the aforesaid duties, obligations, prohibitions, arrangements and procedure as the case may be.
- (d) The CONTRACTOR agrees that any duly authorised officials of the EMPLOYER shall be entitled, although not obliged, to take such steps as may be necessary to ensure that the CONTRACTOR has complied with the undertakings as more fully set out in paragraphs (a) and (b) above, which steps may include, but shall not be limited to, the right to inspect any appropriate site or premises occupied by the CONTRACTOR, or to inspect any appropriate records held by the CONTRACTOR or to take such steps it may deem necessary to remedy the default of the CONTRACTOR at the cost of the CONTRACTOR.

-2-

- (e) The CONTRACTOR shall be obliged to report forthwith to the EMPLOYER any investigations, complaint or criminal charge which may arise as a consequence of the provisions of the ACT and Regulations, pursuant to work performed in terms of this agreement, and shall, on written demand, provide full details in writing of such an investigation, complaint or criminal charge as the case may be.

Thus signed at JOHANNESBURG for and on behalf of the EMPLOYER on this the

..... day of20.....

AS WITNESSES:

1.

2.

SIGNATURE

NAME AND SURNAME.....

CAPACITY.....

Thus signed at for and on the behalf of the CONTRACTOR on
this the..... day of.....2022

AS WITNESSES:

1.

2.

SIGNATURE.....

..... NAME AND

SURNAME.....

CAPACITY.....

MBD 6.2: DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
PPE AND CLOTHING	100%
_____	_____ %

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

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

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.resbank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER

LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):

.....
NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the

local content be verified in terms of the requirements of SATS 1286:2011.

- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

ANNEXURE C										SAT5 1286.2011			
LOCAL CONTENT DECLARATION - SUMMARY SCHEDULE													
(C1)	Tender Number												
(C2)	Tender description	Note: VAT to be excluded from all calculations											
(C3)	Designated product(s)												
(C4)	Tender Authority												
(C5)	Tendering Entity Name												
(C6)	Tender Exchange Rate	Pula	EU	GBP									
(C7)	Specified local content %												
Calculation of local content								Tender summary					
Tender Item numbers	List of Items	Tender price - each (Excl. VAT)	Exempted imported value	Tender value net of exempted imported content	Imported value	Local value	Local content % (per item)	Tender Quantity	Total tender value	Total exempted imported content	Total imported content		
(C8)	(C9)	(C10)	(C11)	(C12)	(C13)	(C14)	(C15)	(C16)	(C17)	(C18)	(C19)		
1													
2													
3													
4													
5													
5													
6													
7													
8													
9													
10													
11													
12													
13													
14													
								(C20) Total tender value					
								(C21) Total Exempt imported content					
Signature of tenderer from Annexure B								(C22) Total Tender value net of exempt imported content					
								(C23) Total imported content					
								(C24) Total local content					
								(C25) Average local content % of tender					
Date: _____													

											STS 1286.2011	
Annexure D												
Imported Content Declaration - Supporting Schedule to Annexure C												
(D1)	Tender Number										Note: VAT to be excluded from all Calculations	
(D2)	Tender description											
(D3)	Designated product(s)											
(D4)	Tender Authority											
(D5)	Tendering Entity Name											
(D6)	Tender Exchange Rate		Pula		EU		GBP					
A. Exempted Imported Content				Calculation of imported contents						Summary		
Tender Item numbers	Description of Imported content	Local Supplier	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Exchange Rate	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed costs (Excl. VAT)	Tender Quantity	Exempted imported value	
(D7)	(D8)	(D9)	(D10)	(D11)	(D12)	(D13)	(D14)	(D15)	(D16)	(D17)	(D18)	
										(D19) Total exempt imported value		
										This total must correspond with Annexure C - C21		
B. Imported directly by the Tenderer				Calculation of imported contents						Summary		
Tender Item numbers	Description of Imported content	Local Supplier	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Exchange Rate	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed costs (Excl. VAT)	Tender Quantity	Exempted imported value	
(D20)	(D21)	(D22)	(D23)	(D24)	(D25)	(D26)	(D27)	(D28)	(D29)	(D30)	(D31)	
										(D32) Total imported value by Tenderer		
C. Imported directly by 3rd party to the Tenderer				Calculation of imported contents						Summary		
Tender Item numbers	Description of Imported content	Local Supplier	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Exchange Rate	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed costs (Excl. VAT)	Tender Quantity	Exempted imported value	
(D3)	(D34)	(D35)	(D36)	(D37)	(D38)	(D39)	(D40)	(D41)	(D42)	(D43)	(D44)	
										(D45) Total imported value by 3rd party		
			Calculation of foreign currency payments								Summary of payments	
D. Other foreign currency payments												
Type of payment	Local supplier making the payment	Overseas beneficiary	Foreign currency value paid	Tender Rate of Exchange							Local value of payments	
(D46)	(D47)	(D48)	(D49)	(D50)							(D51)	
					(D52) Total of foreign currency payments declared by tenderer and/or 3rd party							
Signature of tenderer from Annexure B					(D53) Total of imported contents & foreign currency payments - (D32, D45) & (D52) above							
										This total must correspond with Annexure C - C23		
Date: _____												

ANNEXURE E

LOCAL CONTENT DECLARATION - SUPPORTING SCHEDULE TO ANNEXURE E

[illegible]

Note: VAT to be excluded from all Calculations

Evaluation of local content

Tender summary

	Local Products (Goods, Services and Works)	Description of items purchased	Local Suppliers	Value
		(E6)	(E7)	(E8)
		(E9) Total local products (Goods, Services and Works)		

(E9) Total local products (Goods, Services and Works)

(E10) Manpower costs	(Tenderer's manpower cost)		
(E11) Factory overheads	(Rental, depreciation & amortisation, utility costs, consumables etc.)		
(E12) Administration overheads and mark-up	(Marketing, insurance, financing, interest, etc.)		
		(E13) Total local content	
		This total must correspond with Annex C-C24	

(E13)	Total local content	
-------	---------------------	--

This total must correspond with Annex C-C24

Signature of tenderer from Annexure B

Date: