

Turntime Hub 53 Nereus Drive Midrand P.O Box 61542 Midrand 2107 Tel: 011 558 1469 Fax: 011 558 1469		 Johannesburg Water		PAGE NO.			
INITIATING DEPARTMENT Avalon- Prepayment		INITIATOR Fiona Peachy		CLOSING DATE AND TIME 26-Jun-24 16:00:00 PM			
QUOTATION REFERENCE RFQJW0124DM24		COLLECTIVE NO.		Date of Issue 19 June 2024			
SUPPLIER AND DELIVERY OF Storage Containers		QUOTATION REQUESTED FROM		QUOTATION DATE 60 DAYS		VALUITY 7 DAYS	
QUOTATIONS WILL BE EVALUATED ON THE 80/20 POINT SCORING SYSTEM. 80 POINTS WILL BE ALLOCATED TO PRICE AND THE REMAINING 20 POINTS WILL BE ALLOCATED FOR SPECIFIC GOALS AS PER PPPFA 2022							
ALL SUPPLIERS RESPONDING TO QUOTATIONS SHOULD BE REGISTERED ON CENTRAL SUPPLIER DATABASE (CSD)							
JW Contact Person : Dabalo Mvungu Telephone Number : 011 558 1611							
ITEM NO.	DESCRIPTION	DESCRIPTION OF ITEM OFFERED	UOM	QTY REQUIRED	PRICE QUOTED EXCL. OF V.A.T	DISCOUNT	PRICE QUOTED INCL. OF V.A.T
	HIRE OF 3m x 6m Storage Containers- Good Quality			2			
	Please include the following Cost						
	Safety Fee			1			
	Delivery of Containers						
	Monthly rental of Containers 36 months						
Quotations to be valid for 60 Days							
Location 1 Calendula Road, Klipspruit West, Soweto (Avalon Prepayment Depot)							
For information Contact: Fiona Peachy / 011 959-1469							
SPECIFIC GOALS		POINTS					
Youth - Businesses owned by Black People - 51% or more		20					
QUOTATION REF AS ABOVE, RFQJW & COMPANY NAME ON THE EMAIL SUBJECT LINE							
NB: All suppliers responding to RFQs should use their own company letter head not JW RFQ Template AND MAKE SURE THEIR EMAIL ADDRESS IS VISIBLE ON THEIR QUOTATION.							
NB: A copy of valid lease agreement and municipal account(not older than 3 months)should be submitted with a quote							
NB: MSD forms attached should be completed and submitted with the quote							
NB: All Quotes should be on PDF (MS WORD, MS EXCEL, PICTURES ARE NOT ALLOWED)							
NB: Copy of valid BBBEE CERTIFICATE or SWORN AFFIDAVIT to be submitted with the quote							
Send All quotations to: jw.directsquotations@jwater.co.za							
OFFICIAL STAMP		AUTHORISED BY:		1. QUOTATIONS RECEIVED AFTER CLOSE OF BUSINESS ON THE CLOSING DATE WILL NOT BE ACCEPTED.			
		SIGNATURE:		2. QUOTATIONS WITHOUT BRAND NAMES WHERE REQUIRED WILL NOT BE ACCEPTED			
		DATE:		3. PRICES QUOTED MUST BE ABOVE THE LINE INDICATED AND BE EXCLUDED OF VAT			
				4. QUOTATIONS WITHOUT THE SUPPLIER'S AUTHORISED SIGNATURE WILL NOT BE ACCEPTED. (ONLY IF QUOTED ON THE JW RFQ TEMPLATE)			
				5. ACCEPTANCE OF A QUOTATION WILL BE SUBJECT TO JOHANNESBURG WATER'S SUPPLY CHAIN POLICY			
				6. TOTAL QUOTATION VALUE TO INCLUDE V.A.T WHERE APPLICABLE			

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	Effective Date	January 2017	Pages:	08

1. SCOPE OF WORK:

Avalon Prepayment

2. PURPOSE

The aim of the SHE specification is to ensure that any Contractor which is appointed by Johannesburg Water to conduct any work complies with the SHE requirements of the SHE specification and any other legislative requirement applicable to the contract scope.

3. APPLICABILITY

This document is applicable to all Contractors and suppliers conducting contractual activities for and on behalf of Johannesburg Water.

4. APPOINTMENTS

The contractor and its appointed sub-contractor must make the relevant legislative and non-statutory appointments, which must be maintained valid for the entire contract duration.

All appointees shall be suitably trained and found to be competent for the responsibilities there are assigned for.

Copies of all relevant appointments and the relevant competence certificates must be kept in the relevant SHE file.

- Rigger
- First Aider (if more than 10 employees will be on site)
- SHE Representative (if more than 10 employees will be on site)
- Incident investigator
- Risk Assessor
- Hand tools inspector
- Line man/ Signal Man
- Lifting Machinery Inspector
- Rope, chain, hook, hoist Inspector

5.INSURANCE

The Contractor and all its appointed sub-contractor(s) shall be registered with an appropriate compensation commissioner and have a valid letter of good standing from commissioner. The Contractor is responsible for ensuring the Letter of Good Standing is valid for the entire duration of the project/contract. A copy of the letter of Good Standing must be kept in the SHE file.



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6. COSTING FOR SHE REQUIREMENTS

The contractor is responsible for ensuring that SHE costing is taken into consideration for the entire project/contract as this will ensure they comply with the SHE legislative requirements

7. INDUCTION

An initial induction shall be done with key personnel to familiarize them with the requirements on site and for compiling the SHE file.

Once labourers are appointed JW will conduct an induction on SHE requirements, and the contractor is also required to conduct their company specific induction.

8. SUBMISSION OF SAFETY FILE

- Once appointed the contractor can submit their safety file for approval.
- Approval will be granted when the critical items have been sufficiently addressed.

9. RISK ASSESSMENT

- Every Contractor who has been appointed contractually to conduct work for Johannesburg water shall do compile a baseline risk assessment prior to starting with work, subject to the approval of the Client.
- Thereafter the task-based risk assessments will be done daily with every task being done.

10. SAFE WORKING PROCEDURES / METHOD STATEMENTS

The following method statements / safe working procedures must be compiled:

- Lifting study/ Methodology
- Traffic management procedure
- Maintenance procedure for lifting machinery and vehicles
- Fall protection plan
- Safe lifting operation procedures
- Emergency preparedness plan
- Incident management

11. TOOLBOX TALKS

- The contractor shall ensure they conduct toolbox talks with their employees on a weekly basis and records of these must be kept in the SHE file.
- The objective of toolbox talks should be to communicate relevant site information to assist in improvement of occupational health and safety performance.



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- Employees must acknowledge the receipt of toolbox talks and this record must also be kept in the SHE file.

12. PERSONAL PROTECTIVE EQUIPMENT (PPE)

- Contractor must issue their employees SABS approved PPE. A copy of the PPE issue register signed by the employee issued with the PPE must be kept in the SHE file.
- Contractor Supervisor are required to conduct continuous inspections of the PPE issued to their employees to ensure that they are still in good condition to be used by the employee or they still comply with manufacture requirements.
- The contractor is responsible for ensuring that employees are trained on the safe use of the PPE issued to them, how to maintain it and the limitations of the PPE.
- NO SHORTS OR DRESSES WILL BE ALLOWED ON SITE

All employees shall, as a minimum, be required to wear the following personal protective equipment on any of Johannesburg Water SOC Ltd's projects:

- Protective overalls;
- Hand gloves
- Protective footwear;
- Protective headwear; and
- Eye, face and ear protection.

13. WORKPLACE SIGNAGE

- Appropriate symbolic signage must be displayed where it is required by legislation.
- Appropriate warning, mandatory and information signs must be placed where required.
- All signs must comply to SANS/SABS requirements.
- Contractors shall use mandatory and prescribed symbolic safety signs at their lay down and site areas.

14. INCIDENT REPORTING AND INVESTIGATION

- All incidents shall be reported to the Client before the end of the shift or within 24hrs of occurrence.
- Section 24 incidents shall be reported to DOL using the prescribed format.
- The contractor shall develop an incident management procedure and communicate with all employees.

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15. NOTIFICATION OF CONSTRUCTION WORK

- The contractor shall notify the DOL in the prescribed format of the intended work prior to work.

16. PUBLIC HEALTH AND SAFETY

The Principal Contractor is responsible for ensuring that non-employees affected by the lifting operation are made aware of the dangers likely to arise from the construction work as well as the precautionary measures to be observed to avoid or minimise those dangers. This includes:

- Non- employees entering the site for whatever reason;
- The surrounding community; and
- Passers-by the site.
- The Principal Contractor shall organize the site in such a manner that pedestrians and vehicles can move safely and without risks to health, including sufficient and suitable traffic routes and safe walkways with relevant signage.

17. ACCOMMODATION ON SITE

No employees shall be accommodated on site.

18. WELFARE FACILITIES

The provision of toilets for each sex is required in terms of the National Building Regulations and Construction Regulation 28. Chemical toilets are allowed instead of the water borne sewerage type. Toilets have to be provided at a ratio of 1 toilet per 30 workers. The Principal Contractor shall provide flushing toilets on the construction premises.

- At least cold-water showers for each sex have to be provided at a ratio of 1 shower per 15 workers.
- Some form of screened off changing facility must be provided separately for each sex.
- Some form of eating facility sheltered from the sun, wind and rain must be provided.

The employer needs to provide his employees with the following:

- Potable water for drinking.
- Water and soap for hand washing.
- Toilet paper.



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19. HAND TOOLS

The Principal Contractor must inspect all hand tools before it is brought onto the site.

- As far as possible all hand tools must be numbered and placed on register to be inspected monthly by a person designated to do so.
- Any tools found to be in an unsafe condition must immediately be removed from service and either discarded or rectified.
- No chisels with “mushroomed” heads must be used.
- No hammer shall be used with a cracked or damaged handle.
- All files must be fitted with handles.
- All trolleys, pushcarts, etc. used on site must be identifiable, placed on register and inspected at least once every month.
- Non-sparking tools must be used in areas where the risk of fire or explosion is present.
- No homemade hand tools are allowed on the project.
- All tools shall be attached to a suitable lanyard when utilised in elevated positions.

20. LIFTING OPERATION

- Only appointed competent Operator will be authorised to operate lifting machinery (Competency must be valid)
- Lifting Machine must be inspected before use, and finding to be recorded on checklist, any deviations must be recorded and reported to supervisor.
- Load test certificate and maintenance schedule (Service history) must be available and valid for the lifting machine to be used.
- All lifting equipment must be inspected before use and findings to be recorded on a checklist, any deviations must be recorded and reported to Supervisor.
- Load test for all lifting equipment must be valid and available on site.
- Appointed / competent Rigger to indicate the correct lifting equipment to be used. Rigger to use a whistle as communication method when lifting is taking place to warn surrounding areas.
- Operator to inspect work area before work, to identify any unsafe ground conditions or uneven surfaces, Operator to ensure outrigger are used with base plates to level the lifting machine.
- Lifting operations will not be allowed in windy conditions or when raining.
- SWP & Risk assessment to be communicated to all involved with lifting operations.
- Lifting area to be barricaded with solid barricading and warning signage to be posted. No other work operations will be allowed in close vicinity with the lifting operations.
- Ensure 3-point contact when climbing on and off the lifting machine.



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- Lifting equipment to be clearly and conspicuously marked with the maximum SWL that it is designed to carry safely. When the SWL varies with the conditions of use, the table of maximum loads should be used by the Operator.
- Lifting equipment be fitted with a brake or other applicable device capable of holding the load. This brake or device must automatically prevent the downward movement of the load when the lifting power is interrupted.

22. COMPLIANCE MONITORING

- Weekly inspections and monthly audits will be conducted on site.

23. PROJECT COMPLETION

- Upon completion of the project the SHE file shall be returned to the Client for retention and close out.



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Project details				
Project Scope:	Supply good quality 9m x3m Storage container.			
Depot / Site / Department:	Avalon Prepayment			
Estimated duration:	TBC			
Documents required				
Letter of Good Standing	Yes	☒	No	☐ N/A ☐
SHE plan	Yes	☒	No	☐ N/A ☐
Risk Assessment	Yes	☒	No	☐ N/A ☐
Safe working Procedures	Yes	☒	No	☐ N/A ☐
Notification of Construction work	Yes	☒	No	☐ N/A ☐
Inspection registers	Yes	☒	No	☐ N/A ☐
Items required before starting				
Medicals	Yes	☐	No	☒ N/A ☐
Vaccinations	Yes	☐	No	☒ N/A ☐
PPE (boots, hard hats, overall)	Yes	☒	No	☐ N/A ☐
Induction	Yes	☒	No	☐ N/A ☐
Approval from OHS	Yes	☒	No	☐ N/A ☐
APPOINTMENTS AND COMPETENCIES				
<u>Construction Supervisor</u>				
Appointment	Yes	☒	No	☐ N/A ☐
CV (and/ certificates) <i>Rigger</i>	Yes	☒	No	☐ N/A ☐
<u>Safety Officer</u>				
Appointment	Yes	☐	No	☐ N/A ☒
CV (and/ certificates)	Yes	☐	No	☐ N/A ☒
NB* Other appointments will be based on the number of employees on site as required by law.				



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RETURNABLE ANNEXURE A: ACKNOWLEDGEMENT OF SHE SPECIFICATION & ANNEXURES

CONTRACTOR:

I, the undersigned, hereby acknowledge that I have obtained copies of the following listed documentation and confirm that I fully understand the contents thereof and the consequences of non-compliance. The Contractor furthermore reiterates its commitment to compliance of the requirements contained within the following provided documentation:

- Johannesburg Water SOC Ltd, Safety, Health & Environmental (SHE) Specification, Annexure 1: Baseline risk assessment conducted for or on behalf of Johannesburg Water SOC Ltd;

Signed at on this Day of 20.....

CONTRACT MANAGER			
NAME	DESIGNATION	DATE	SIGNATURE
CONTRACT SUPERVISOR			
NAME	DESIGNATION	DATE	SIGNATURE
WITNESS (1)			
NAME	DESIGNATION	DATE	SIGNATURE
WITNESS (2)			
NAME	DESIGNATION	DATE	SIGNATURE



HEALTH, SAFETY & ENVIRONMENTAL (SHE) SPECIFICATION: BASELINE RISK ASSESSMENT

PROJECT NUMBER:	RFQ
PROJECT LOCATION:	Avalon Prepayment Depot
PROJECT DESCR:	Supply good quality 9m x3m Storage container.

POSSIBLE RISKS FOR THIS PROJECT

Task	Hazard	Risk	Consequence	Rating	Controls
Supply of 9m x3m Storage container: Good Quality	✓ Un-roadworthy vehicles	✓ Driving vehicle which was not inspected.	✓ Damage to property and people for driving vehicle which was not inspected.	H	✓ Delivery vehicles shall be inspected prior entering site.
	✓ Un-licensed drivers	✓ Failure to follow road rules by driving without driving license.	✓ Injuring the people and damage to properties on site for driving without driving licence	H	✓ All drivers shall be licensed, certified, and authorized to drive on site.
	✓ Public Safety/Traffic Control	✓ Failure to notify relevant road traffic authorities in municipality. ✓ Unsecured load	✓ Road accidents ✓ Injuries ✓ Property damages ✓ Traffic fines	H	✓ Notify Traffic authorities. ✓ Secure load. ✓ Travel when there is less traffic or be escorted by Traffic Officials.
	✓ Reckless driving	✓ Failure to obey road traffic signs and rules	✓ Damaged to property and injuring people for not obeying road traffic sign	H	✓ Operators to be competent and experienced obeying all traffic signs and warnings.
	✓ Drinking and driving	✓ Serious injuries/ Damage to property for driving under the influence of alcohol	✓ Serious injuries/ Damage to property	H	✓ Alcohol random test to be done to all Operators. ✓ Drivers that shall be found under the influence of alcohol will not be permitted to drive on site.

	✓ Truck without reversing alarm	✓ Truck bumping employees due to no reversing alarm	✓ Serious injuries to personnel for truck reversing on site without fitted reverse alarm	M	✓ All trucks must be fitted with reverse alarms to ensure clear warning is given to employees.
	✓ Untrained lifting truck operator and Guide man/ Signalmen	✓ Crane to topple up.	✓ Damage to property/ ✓ serious injury for parking the crane without stoppers	E	✓ Only competent persons to operate the crane and guide the load.
	✓ Working load calculations	✓ Load on any rigging component not calculated correctly.	✓ Damage to property ✓ Injuries to people	E	✓ Properly calculate loads on every rigging component prior to use of rigging. ✓ Develop a rigging study and method.
	✓ Lifting truck and offloading container	✓ Truck outriggers hydraulic system failure/ leakage. ✓ Unstable outriggers ✓ Uneven floor area or ground surface. ✓ Damaged crane boom	✓ Damage to property/environment impact for not using drip trays	E	✓ Operators licensed must be checked to ensure he is authorized and certified. ✓ Barricade the working area. ✓ No unauthorised employee should be inside the barricaded area. ✓ Inspections to be conducted prior any activity. ✓ Analyze work site for slippery or loose rocks, falling hazards on the ground and/or overhead hazards. ✓ All leakage to be reported, drip trays to be used on suspected leaks

	✓ Line safety	✓ Improper inspection of equipment. ✓ Faulty setup of equipment.	✓ Damage to property ✓ Injuries to people		✓ Rigging team should be educated and trained on how to inspect, setup, and operate equipment. ✓ All equipment will be inspected prior to use. ✓ Wear job specific Personal Protective Equipment (PPE) ✓ Use a trained line man.
	✓ Communication	✓ Poor communication between the rigging team when the load is still suspended in the air. ✓ Load falling on passerby	✓ Property damage ✓ Injuries	E	✓ Conduct a tailgate briefing session at the beginning of each project. ✓ Coordinate how the crew will communicate. ✓ Use verbal and nonverbal communication to move load (hand signals and radios). ✓ Always acknowledge that commands have been received and understood. ✓ Brief and educate the crew on the terminology and use of equipment prior to handling. ✓ Implement an emergency evacuation plan.
	✓ Lifting operation	✓ Incompetent Operator ✓ Unsafe Lifting Machine (Substandard) ✓ Man - Machine interface.	✓	E	✓ Only appointed competent Operator will be authorised to operate lifting machinery (Competency must be valid)

		✓ Defecting Lifting equipment (slings, chains, ropes etc.) ✓ Incorrect lifting equipment used for specific operations. ✓ Uneven surfaces ✓ Surrounding structures and other machinery or equipment ✓ Incompetent Rigger ✓ Inclement Weather (high winds, lightning) ✓ Poor ground conditions			✓ Lifting Machine must be inspected before use, and finding to be recorded on checklist, any deviations must be recorded and reported to supervisor. ✓ Load test certificate and maintenance schedule (Service history) must be available and valid for the lifting machine to be used. ✓ All lifting equipment must be inspected before use and findings to be recorded on a checklist, any deviations must be recorded and reported to Supervisor. ✓ Load test for all lifting equipment must be valid and available on site. ✓ Appointed / competent Rigger to indicate the correct lifting equipment to be used. Rigger to use a whistle as communication method when lifting is taking place to warn surrounding areas. ✓ Operator to inspect work area before work, to identify any unsafe ground conditions or uneven surfaces, Operator to ensure outrigger are used
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					with base plates to level the lifting machine. ✓ Lifting operations will not be allowed in windy conditions or when raining. ✓ SWP & Risk assessment to be communicated to all involved with lifting operations. ✓ Lifting area to be barricaded with solid barricading and warning signage to be posted. No other work operations will be allowed in close vicinity with the lifting operations. ✓ Ensure 3-point contact when climbing on and off the lifting machine. ✓ Lifting equipment to be clearly and conspicuously marked with the maximum SWL that it is designed to carry safely. When the SWL varies with the conditions of use, the table of maximum loads should be used by the Operator. ✓ Lifting equipment be fitted with a brake or other applicable device capable of holding the load. This brake or device must automatically prevent the downward movement of
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					the load when the lifting power is interrupted.
	✓ Using low beds	✓ Nip points for not using gum-poles	✓ Damage to property	M	✓ Three months inspection on the crane must be checked before work commence.
	✓ Poor house keeping	✓ Slip/ Trip/ Fall	✓ Injuries	L	✓ Good housekeeping must always be maintained

RISK ASSESSMENT MATRIX

Likelihood	Consequences				
	Insignificant (minor problem easily handled by normal day to day processes)	Minor (Some disruption possible e.g., Damage equal to R150k)	Moderate (significant time / resources required. E.g., damage equal to R500k)	Major (Operations severely damaged. E.g., damages equal to R1m)	Catastrophic (business survival is at risk. Damage equal to R5m – 10m)
Almost certain (90% chance)	High	High	Extreme	Extreme	Extreme
Likely (between 50-90%)	Moderate	High	High	Extreme	Extreme
Moderate (between 10-50%)	Low	Moderate	High	Extreme	Extreme
Unlikely (between 3-10%)	Low	Low	Moderate	High	Extreme
Rare (<3%)	Low	Low	Moderate	High	High

POPIA PRIVACY STATEMENT

Johannesburg Water SOC Limited

In terms of the Protection of Personal Information Act, 213 (Act 4 of 2013), also called the POPI Act or POPIA, Johannesburg Water SOC Limited, undertakes all reasonable measures to protect personal information and to keep it private and confidential.

1. Privacy Notice applies to:

Suppliers, vendors, contractors, service providers, etc whether appointed or prospective.

2. Definitions of personal information

According to the Act “personal information” means information relating to an identifiable living, natural person, and where it is applicable, an identifiable, existing juristic person. All addresses including residential, postal and email addresses.

3. About the Public Entity

Johannesburg Water (SOC) Limited, registration number 2000/029271/30

3.1 The information we collect

We collect information directly from you where you provide us with your personal details. Where possible, we will inform you what information you are required to provide to us and what information is optional.

3.2 How Johannesburg Water use your information

We will use your personal information only for the purposes for which it was collected and agreed with you. For example: to gather contact information, to confirm and verify your identity, for the evaluation and adjudication of bids and quotations for tenders, request for quotations, and other personal information for the procurement of goods and services by the Entity.

3.3 Disclosure of information

We may disclose your personal information to our Shareholder, the City of Johannesburg, and other Government agencies such as National Treasury, and the Auditor-General of South Africa. We have agreements in place to ensure that they comply with the privacy requirements as required by the Protection of Personal Information Act.

We may also disclose your information:

- Where we have a duty or a right to disclose in terms of law;
- Where we believe it is necessary to protect our rights.

3.4 Information Security

We are legally obliged to provide adequate protection for the personal information we hold and to stop unauthorised access and use of personal information. We will, on an ongoing basis, continue to review our security

POPIA PRIVACY STATEMENT

Johannesburg Water SOC Limited

controls and related processes to ensure that your personal information remains secure.

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for, is kept secure. We will ensure that anyone whom we pass your personal information agrees to treat your information with the same level of protection as we are obliged to.

3.5 Your rights: Access to Information

You have the right to request a copy of the personal information we hold about you. To do this, simply contact us at informationofficer@jwater.co.za, and specify what information you require.

3.6 Correction of your personal information

You have the right to ask us to update, correct or delete your personal information. We will require a copy of your identification document to confirm your identity before making changes to personal information we may hold about you. We would appreciate it if you would keep your personal information accurate and up to date.

3.7 How to contact us

If you have any queries about this document; you need further information about our privacy practices; wish to withdraw consent; exercise preferences or access or correct your personal information, please contact us at the numbers listed on our website or send an email to informationofficer@jwater.co.za.



a world class African city



City of Johannesburg

Johannesburg Water SOC Ltd

Turbine Hall
65 Ntengi Piliso Street
Newtown
Johannesburg

Johannesburg Water
PO Box 61542
Marshalltown
2107

Tel +27(0) 11 688 1400
Fax +27(0) 11 688 1528

www.johannesburgwater.co.za

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

Returnable Documents	Description	Yes/No	
1	Original Valid Tax Clearance Certificate /valid SARS PIN		COMPULSORY
2	A, certified /original/valid, BBEE certificate /sworn affidavit (Please note that the Sworn Affidavit must be compliant as per B-BBEE Practice Guide 01 of 2018 , NON COMPLIANT AFFIDAVIT WILL BE SCORED ZERO)		COMPULSORY
3	Municipal rates and taxes (Must not be older than 90 days in arrears in line with regulation 38.		COMPULSORY
4	Signed Declaration of Interest form (MBD 4)		COMPULSORY
5	Declaration of Bidders past supply chain management practices (MBD 8)		COMPULSORY
6	Certificate of Independent Proposal Determination (MBD 9)		COMPULSORY
7	Proof of CSD registration /MAAA Supplier Number		COMPULSORY
8	Preference points claim form in terms of the preferential procurement regulations 2022 (MBD 6.1)		COMPULSORY
9	Company registration documents with ID copies of directors / shareholders.		COMPULSORY

Directors:

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

Ms Kethabile Mabe (Company Secretary),

Johannesburg Water SOC Ltd

Registration Number: 2000/029271/30

MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the 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, hareholder²):.....

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

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

1.2 **To be completed by the organ of state**

a) The applicable preference point system for this tender is the 80/20 preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

3.1.1. POINTS AWARDED FOR PRICE

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

80/20

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) 0$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Number of points claimed (80/20 system)	Proof of documents per specific goals
Youth - Businesses owned by Black People - 51% or more	20		Valid BBBEE Certificate issued by SANAS accredited verification agency or Affidavit sworn under oath.

DECLARATION WITH REGARD TO COMPANY/FIRM

4.2. Name of company/firm.....

4.3. Company registration number:

4.4. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.5. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender,

- 4.5. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:
- i) The information furnished is true and correct;
 - ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
 - iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
 - iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....	
SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:	
DATE:	
ADDRESS:	
	
	
	

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes ☐	No ☐
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 ☐	No ☐
4.7.1	If so, furnish particulars:		

CERTIFICATION

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

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT,
ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION
PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all 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.

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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