

**City of Johannesburg**

Johannesburg Water SOC Ltd

Turbine Hall
65 Ntemi Piliso Street
Newtown
JohannesburgJohannesburg Water
PO Box 61542
Marshalltown
2107Tel +27(0) 11 688 1400
Fax +27(0) 11 688 1528www.johannesburgwater.co.za**REQUEST FOR PRICING**
(GOODS AND SERVICES)

Form No: JW SCM Dev MBD1

Revision No: 02

Effective Date: February 2023

RFQ NUMBER:	JW RFP 15/10/2024	CLOSING DATE:	22 OCTOBER 2024	CLOSING TIME:	12:00
DESCRIPTION:	SUPPLY AND DELIVERY OF HDPE PIPES AND FITTINGS				
BRIEFING SESSION DATE AND TIME	N/A	BRIEFING SESSION VENUE	N/A		
ISSUE DATE	15 OCTOBER 2024				

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			
Bidding procedure enquiries <u>must</u> be sent to:		Technical enquiries must be directed to:	
CONTACT PERSON	Tshilidzi Takalani	CONTACT PERSON	Nosipho Mokoena
TELEPHONE NUMBER	011 688 1772	TELEPHONE NUMBER	011 688 1585
E-MAIL ADDRESS	tshilidzi.takalani@jwater.co.za	E-MAIL ADDRESS	nosipho.mokoena@jwater.co.za

SUPPLIER INFORMATION			
NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE		NUMBER
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE		NUMBER
E-MAIL ADDRESS 1			
E-MAIL ADDRESS 2			
VAT REGISTRATION NUMBER			CIDB GRADING
			N/A

Directors:

Ms Dineo Majavu (Chairperson), Mr Ntshavheni Mukwevho (Managing Director and Executive Director),
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SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE VERIFICATION CERTIFICATE	[TICK APPLICABLE BOX]		B-BBEE SWORN AFFIDAVIT (EMEs OR QSEs)	[TICK APPLICABLE BOX]
	<input type="checkbox"/> Yes	<input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No

BID SUBMISSION:

BID DOCUMENTS MUST BE DEPOSITED IN THE TENDER BOX SITUATED AT GROUND FLOOR IN JOHANNESBURG WATER

ADDRESS : TURBINE HALL, 65 NTEMI PILISO STREET, NEWTOWN, JOHANNESBURG, 2001

PLEASE ALLOW SUFFICIENT TIME TO ACCESS THE JOHANNESBURG WATER OFFICE IN TURBINE HALL AND DEPOSIT YOUR TENDER DOCUMENT IN THE JOHANNESBURG WATER TENDER BOX SITUATED AT RECEPTION BEFORE THE TENDER CLOSING DATE AND TIME.

- **TIMES: THE BUILDING WILL OPEN 7 DAYS A WEEK FROM 06:00AM UNTIL 18:00PM**

1. SCOPE OF WORK

1.1. DESCRIPTION

The service provider will be required to supply, deliver and offloading of HDPE pipes, and fittings at various Johannesburg Water stores. Materials to be supplied are expected to meet the following requirements.

1.2. GENERAL REQUIREMENTS

1.2.1. HDPE PIPES

- The pipes required must conform to SANS 4427-2: PE100 SDR11, PN16 High Density Black Polyethylene pressure pipes and bear the SANAS accredited certifications bodies mark.
- All the pipes must be non-toxic and non-tainting and be manufactured from virgin material.

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- The outside diameter and wall thicknesses of the High-Density Polyethylene pipes, as defined in the SANS 4427-2 specification, must comply strictly with the tolerances given in the appropriate Tables. Oval and out of roundness pipe will not be accepted.
- Upon transportation all pipes must be packed and protected to prevent scratches and kinking during transportation. Scratched, scored, or kinked pipe will not be accepted.
- The pipe must be supplied in lengths as follow:
 - a) Pipes ranging between 016mm – 050mm diameter in 100-meter coils.
 - b) Pipes ranging between 063mm – 075mm diameter in 50-meter coils.
- The following information is required to appear in legible and durable print on each pipe at intervals of length not exceeding 2 meters:
 - a) The Manufacturer's Name and/or Trademark
 - b) Nominal outside diameter of the pipe
 - c) Nominal pressure of the pipe
 - d) The SANAS accredited certification bodies mark of approval and relevant SANS specification number.
 - e) Clearly marked JW.

1.2.2. FITTINGS

- All fittings must comply fully with SANS 17885 Specification and bear the SANAS accredited certification bodies mark.
- The High-Density Polyethylene Saddles must comply fully to the SANS 1808 – 44 and bear the SANAS accredited certification bodies mark.
- The Nominal Pressure of all the fittings and saddles shall be PN16 rated, with the PN rating permanently indicated on the fittings and saddles.
- The size and length of joining threads shall conform to ISO 7 – Part 1.
- Fastening threads shall conform to ISO 228 – Part 1.
- All the fittings and saddles must be non-toxic and non-tainting and be manufactured from virgin material.
- The pipe clamp saddles with female threaded outlet PN16 must be provided complete with a stainless-steel reinforcing ring around the female threaded off take.
- The following information shall be permanently indicated on the fittings and saddles:

- a) The Manufacturers name and/or Trademark.

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- b) The Nominal Outside Diameter of the pipe for which the fittings and saddles is intended.
- c) The Nominal Pressure Rating of the fittings and saddles.
- d) The Nominal Diameter of the thread, if one end is threaded for the fittings and the Nominal Diameter of the thread on the off take of the saddles.
- e) The Mould Mark and Mould Number.
- f) The SANAS accredited certification bodies mark.

1.2.3. INSPECTION AND TESTING

- Any inspection or test shall not exempt the tenderer from any obligation under this contract.
- Pipe lengths, fittings and saddles must be inspected and, if requested, tested by the Johannesburg Water Material Officer at the Manufacturers or Tenderers premises before deliveries to our stores.
- The Materials Officer must be advised at least 48 hours before the pipe lengths and test pieces are ready for either inspection or testing.
- All test facilities, test equipment and approved test Instruments must be provided by the Tenderer.

1.3. DURATION OF CONTRACT

The contract is a once off contract.

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2. SPECIAL CONDITIONS

GENERAL

NB

The attention of the tenderer is drawn to the fact that General Conditions of Contract shall apply, where applicable, to this contract.

1.DEFINITIONS:

- 1.1 That "Johannesburg Water (SOC) Ltd" shall herein after being referred to as "JW".
- 1.2 The "Managing Director" shall mean the Managing Director: Johannesburg Water (SOC) Ltd or his authorised representative.
- 1.3 "Vat" shall mean Value Added Tax in terms of the Value Added Tax Act 89 of 1991 as amended.

2.PRICE:

- 2.1 All prices shall exclude Value Added Tax at the standard rate as gazetted from time to time by the Minister of Finance in terms of the Value Added Tax Act 89 of 1991 as amended.
- 2.2 All price(s) tendered shall include the cost of all insurance, services, labour, equipment, materials, etc. and be the net price after all discounts and settlement discount have been deducted. The net price/s shall be without any extra or additional charges to JW whatsoever.
- 2.3 All the rates offered must be firm and must be priced accordingly to what is stipulated on the pricing schedule.

3.SURETY BOND

- 3.1 No surety bond shall be required in terms of this contract.

4.COMPLIANCE WITH LEGISLATION AND SPECIFICATION:

- 4.1 The service provider shall comply with all Municipal By-laws, and any other Laws, Regulations or Ordinances and shall give all notices and pay all fees required by the provisions of such By-laws and Regulations specified therein.
- 4.2 The service provider shall comply with all the requirements prescribed in the specification.

5.SAFETY:

- 5.1 Without derogation from the generality of Clause 4.1, or from any other provision of this contract, the Service provider shall comply in all respects with the safety and other requirements of the Occupational Health and Safety Act 85 of 1993 and the regulations applicable hereunder.

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6.EMPLOYMENT OF LABOUR:

- 6.1 The service provider must ensure that all relevant legislation is complied with in the employment of labour.

7.INSURANCE AND INDEMNIFI- CATION:

- 7.1 In addition to any insurance required to be held by the Service provider in terms of the Contract in terms of the Occupational Injuries and Diseases Act no. 130 of 1993, the Service provider must be fully insured against all accidents, loss or damage arising out of the conditions or operation of the vehicles or execution of any work including all third-party risks. The Service provider hereby indemnifies and agrees to keep indemnified throughout the period of the contract JW against all claims by third parties or the Service provider's own employees resulting from the operations carried out by the Service provider under this contract.
- 7.2 The service provider shall be liable for any damages or injury of whatever nature caused directly or indirectly as a result of his operations or supply of inferior product, to any of JW's or Municipal Government or Private Property or to his own vehicles and personnel.
- 7.3 Copies of such insurances and indemnifications may be required should the need arise.

8.REMEDIES, BREACH, WHOLE AGREEMENT, WAIVER, VARIATION AND INDULGENCES

- 8.1 If the Service provider or any person employed or associated with him or in the case of a Company, a Director or shareholder or person also associated with such Company, either directly or indirectly gives or offers to give any gratuity, reward or commission or other bribe to any person in the employ of JW this contract shall be avoidable at the instance of JW.
- 8.2 If the Service provider has not complied with the Managing Director's requirements or if he is in breach of any of the Conditions of this contract and:
- 8.2.1 fails to remedy such breach within 14 (fourteen) days of receipt of written notice requiring it to do so (or if not reasonably possible to remedy the breach within 14 (fourteen) days), within such further period as may be reasonable in the circumstances, provided that the Service provider furnishes evidence within the period of 14 (fourteen) days reasonably satisfactory to JW, that it has

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taken whatever steps are available to it to commence remedying the breach), then the JW shall be entitled, without notice and in addition to any other remedy available to it at law or under this agreement, including obtaining an interdict, to cancel this agreement or to claim specific performance of any obligation whether or not the due date for performance has arrived, in either event without prejudice to JW's right to claim damages.

8.2.2 Should JW elect to cancel the contract then and in such instance a certificate presented by the Managing Director of JW shall constitute proof of the service provider's indebtedness to JW.

8.3 This agreement constitutes the entire agreement between the parties relating to the matter hereof.

8.4 No amendment or consensual cancellation of this agreement or any provision or term hereof or of any agreement, bill of exchange or other document issued or executed pursuant to or in terms of this agreement and no settlement of any dispute arising under this agreement and no extension of the time, waiver or relaxation or suspension of any of the provisions or terms of this agreement or of any agreement, bill of exchange or other document issued pursuant to or in terms of this agreement shall be binding unless recorded in a written document signed by the parties. Any such extension, waiver or relaxation or suspension, which is so given or made, shall be strictly construed as relating to the matter in respect whereof it was made or given.

9.DISPUTES:

9.1 In the event of any dispute arising between JW and the Service provider in connection with or arising out of the contract, it shall be referred to the Managing Director of JW who shall state his decision in writing and give notice of the same to the Service provider within 28 days of the dispute having been submitted to the Managing Director of JW. Such decision shall be binding upon the Service provider subject to clause 9.2.

9.2 Should the service provider be dissatisfied with the decision of the Managing Director he/she may, within 28 days after

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receiving notice of such decision, require that the issue or issues be referred to a single arbitrator to be agreed upon between the parties or, failing agreement, to be nominated by the Chairman of the Association of Arbitrators and any such reference shall be deemed to be submission to the arbitration of a single arbitrator in terms of the Arbitration Act, 1965. The award of the arbitrator shall be final and binding on both parties.

9.3 Not later than one week after receipt of notice calling for arbitration, JW may give notice to the Service provider that the dispute or disputes be settled by Court of Law having jurisdiction.

10.SCOPE OF CONTRACT:

10.1 The Service provider shall be required to supply, deliver and offloading HDPE Pipes and Fittings at the various JW sites in accordance with the technical specifications.

11.COMPLIANCE REQUIREMENT:

11.1 The material supplied by the service provider for HDPE pipes and fittings must be assessed and should comply with the relevant SANS certificate(s) as required without derogation from the generality of the Technical Specification.

12.DURATION:

12.1 The contract is a once off contract.

13.SAMPES

13.1 JW reserve the right to request for samples from the successful tenderer upon award prior to delivery at their own cost.

13.2 The successful bidders shall be notified in writing prior to submission of the samples.

13.3 The samples as required will be submitted at the below address:
Ffennell Road Depot
Cnr. Ffennell and Rossetenville Road
Village Main
Johannesburg.

13.4 JW reserve the right to accept or reject the samples should the samples not comply to SANS as required and without derogation from the generality of technical specifications.

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**14.PLACE AND
TIME OF
DELIVERIES:**

14.1 The HDPE Pipes and Fittings are to be delivered to various JW stores within normal working hours during the week which are as follows.

Monday to Friday between 07:00 am and 15.30pm.

14.2 The pipes and fittings supplied must be offloaded and stacked at the prescribed locations within the boundaries of the City of Johannesburg to the satisfaction of JW.

14.3 The tenderer will be required to neatly and safely stack the pipes as directed by JW. JW will not be responsible for this operation.

14.4 The tenderer is required to provide labour, transport and equipment for the off-loading of these units at all times. No JW employees will assist in this regard.

14.5 The due date of deliveries shall be within 2 – 4 weeks from date of receipt of the order for the quantities ordered at each particular time.

14.6 Should the need arise, the tenderer may be requested to supply the material required on emergency. Communication will be done by the respective depots for the arrangements of the requirements.

**15.DAMAGED
GOODS/
GUARANTEES**

15.1 Any stock items ordered, which in the opinion of JW are deemed to be damaged, whether in transit, offloading or stacking will be the total responsibility of the contractor and will not be accepted on site.

**16.ADJUDICATION
OF TENDERS:**

16.1 The highest, lowest or any tender will not necessarily be accepted by JW. JW reserves the right to adjudicate the Tender to JW's best interest and it is not necessarily intended to award the Contract to only one Service provider.

**17.ACCEPTANCE
OF TENDER:**

17.1 A valid and binding contract shall be concluded at the time that the Service Provider signs the Contract Agreement that will be issued with the appointment letter.

18.TIME OF

18.1 Purchase Orders will be issued during the tenure contract

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**PLACING OF
ORDERS AND
RATE OF
DELIVERY**

from once all relevant paperwork relating to the award of the contract have been finalised. The purchase orders issued at a particular time will stipulate the quantities required and delivery must be made within the time stipulated on clause 14.5 of the special conditions.

19.STOCK

- 19.1 The successful tenderer(s) shall ensure that sufficient stock is always held within their respective sites of placement to ensure that if orders are place, they have adequate stock to service the need as stipulated on the purchase order issued at that time.

**20.PENALTIES
FOR LATE
DELIVERY**

- 20.1 If the service provider fails to deliver materials as per the purchase order issued within the required maximum set delivery time as stipulated in Clause 14.5, JW will charge the service provider a penalty of R 1000.00 per day in respect of each day that the delivery is not met and overall penalty fee calculated as applicable will be deducted from the invoice before processing by JW to the service provider.
- 20.2 Should delays for deliveries be beyond the control of the service provider, they will be required to provide written communication to the relevant depots with clarification explanation thereof which will be assessed accordingly and accepted for penalties to not be instigated for the delays.

**21.PENALTIES
FOR FAILURE TO
DELIVER**

- 21.1 If the service provider fails to deliver any single item as per the purchase order issued within the stipulated turnaround delivery time as expected, measures in line with clause 8.2 will take into effect.

**22.DELIVERY OF
DEFECTIVE
QUALITY GOODS**

- 22.1 Service Provider must ensure that all goods delivered must be of good quality and must always meet all the requirements of the specification.
- 22.2 If any delivery of the product supplied is defective in quality by reason of any specification criteria being outside the tolerances stated in the specification, then JW will not accept the defective goods or goods that do not meet the requirements of the specification. The service provider will be expected to replace those goods instantly at their own cost.

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23.ADDITIONAL INFORMATION

- 23.1 Any additional information may be obtained from the Nosipho Mokoena on 011 688 1585 or nosipho.mokoena@jwater.co.za.

24.NOTICE

- 24.1 Any notice or communication required or permitted to be given in terms of this agreement shall be valid and effective only if in writing and may be given in one or more of the following manners:-
- 24.1.1 Sent by prepaid registered post (by airmail if appropriate) in an envelope correctly addressed to it at an address chosen as its *domicilium citandi et executandi* to which post it is delivered, in which event such notice shall be deemed to have been received on the 7th (seventh) business day after posting (unless the contrary is proved); or
- 24.1.2 Delivered by hand to a responsible person during ordinary business hours at the physical address chosen as its *domicilium citandi et executandi*, in which event such notice shall be deemed to have been received on the day of delivery; or
- 24.1.3 Sent by telefax to its chosen telefax number stipulated in 16.1, in which event such notice shall be deemed to have been received on the date of dispatch (unless the contrary is proved).
- 24.2 notwithstanding anything to the contrary herein contained a written notice or communication received by a party shall be adequate written notice or communication to it notwithstanding that it was not sent to or delivered at its *domicilium citandi et executandi*.

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3. TENDER FORM AND PRICE SCHEDULES

To: Johannesburg Water (SOC) Ltd.

Having examined the Tender documents including Addenda Nos _____ [insert numbers], the receipt of which is hereby duly acknowledged, we, the undersigned, offer to **Supply and delivery of HDPE pipes and fittings** specified in conformity with the said Tender documents and as may be ascertained in accordance with the Schedule of Prices attached herewith and made part of this Tender.

Details of my / our offer are / are as follows:

We undertake, if our Tender is accepted, execute the contract in accordance with the requirements as specified.

We agree to abide by this Tender for a period of sixty (60) days from the date fixed for Tender opening, and it shall remain binding upon us and may be accepted at any time before the expiration of that period.

Until a formal Contract is prepared and executed, this Tender, together with your written acceptance thereof and your notification of award, shall constitute a binding Contract between us.

We understand that Johannesburg Water is not bound to accept the lowest or any tender it may receive, and that the contract may be awarded in whole or in part and to more than one tenderer.

Should my/our tender be successful, it be understood that a contract will come into existence as a once off contract which will commence from the date indicated in the letter of acceptance.

3.1. SCHEDULE OF PRICES:

The evaluation on price alteration will be conducted as follows:

3.1.1 Where the tender award strategy is to evaluate and award per item or category, the following must apply:

- (i) If there is an alteration on the rate but no alteration on the total for the item or category, the bidder will not be disqualified.
- (ii) If there is an alteration on the total for the item/s without authentication, bidders will only be disqualified for alteration per item or category.

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3.1.2 Where the tender award strategy is to evaluate and award total bid offer, the following must apply:

- (i) If there is an alteration on the rate, total for the line item, sub-total/ sum brought/carried forward for the section but no alteration on the total bid offer, the bidder will not be disqualified.
- (ii) If there is an alteration on the total bid offer on form of offer then the amount in words must be considered or vice-versa.
- (iii) If there is an unauthenticated alteration on the total bid offer and the amount in words is not authenticated the bidders will be disqualified for the entire tender.

3.1.3. Where the tender pricing schedule or bill of quantities is requesting rates/price from bidder/s without providing a total, the following will apply:

- (i) If there is an unauthenticated alteration on the unit rate/price the bidder must be disqualified.

Also note:

- a) All prices must be VAT inclusive.
- b) Tender prices must include all transport, labor and any equipment required to execute the supply and delivery of HDPE pipes and fittings as specified in this tender document to the JW stores within and surrounding the boundaries of the City of Johannesburg.
- c) This tender calls for firm rates.
- d) The pipe lengths must be supplied as follow:
 - 16mm – 50mm in 100 meter coil
 - 63mm – 75mm in 50 meter coil

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Item	Description	UOM	Required Qty	Unit Rate (Excl. VAT)	VAT Amount	Unit Rate (Incl. VAT)	Total Price (Incl. VAT)
1	HDPE PIPES						
1,1	Nominal pipe sizes: PE 100 PN 16						
1.1.1	032mm	m	3000	R	R	R	R
1.1.2	040mm	m	1700	R	R	R	R
1.1.3	050mm	m	100	R	R	R	R
1.1.4	063mm	m	20	R	R	R	R
2	FITTINGS						
2.1	Male adaptors PN16						
2.1.1	032mm x ¾ inch	No.	2400	R	R	R	R
2.1.2	032mm x 1 inch	No.	5000	R	R	R	R
2.1.3	063mm x 1½ inch	No.	500	R	R	R	R
2.1.4	063mm x 2 inch	No.	300	R	R	R	R
2.1.5	063mm x 2½ inch	No.	200	R	R	R	R

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Item	Description	UOM	Required Qty	Unit Rate (Excl. VAT)	VAT Amount	Unit Rate (Incl. VAT)	Total Price (Incl. VAT)
2.1.6	075mm x 2 inch	No.	100	R	R	R	R
2.1.7	075mm x 2½ inch	No.	100	R	R	R	R
2.1.8	075mm x 3 inch	No.	100	R	R	R	R
2.2	Female adaptors PN16						
2.2.1	016mm x ½ inch	No.	500	R	R	R	R
2.2.2	016mm x ¾ inch	No.	500	R	R	R	R
2.2.3	032mm x ¾ inch	No.	800	R	R	R	R
2.2.4	032mm x 1 inch	No.	1400	R	R	R	R
2.2.5	063mm x 2 inch	No.	300	R	R	R	R
2.2.6	075mm x 2 inch	No.	100	R	R	R	R
2.2.7	075mm x 2½ inch	No.	100	R	R	R	R

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Item	Description	UOM	Required Qty	Unit Rate (Excl. VAT)	VAT Amount	Unit Rate (Incl. VAT)	Total Price (Incl. VAT)
2.3	Couplings PN16						
2.3.1	016 x 16mm	No.	20	R	R	R	R
2.3.2	063 x 063mm	No.	1120	R	R	R	R
2.3.3	075 x 075mm	No.	20	R	R	R	R
2.3.4	090 x 090mm	No.	10	R	R	R	R
2.3.5	110 x 110mm	No.	10	R	R	R	R
2.4	Reducing Couplings PN16						
2.4.1	020mm – 016mm	No.	100	R	R	R	R
2.4.2	025mm – 016mm	No.	100	R	R	R	R
2.4.3	063mm – 025mm	No.	20	R	R	R	R
2.4.4	063mm – 032mm	No.	520	R	R	R	R
2.4.5	063mm – 040mm	No.	520	R	R	R	R

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2.4.6	063mm – 050mm	No.	520	R	R	R	R
2.5	90° Reducing Tee PN16						
2.5.1	020 - 016 - 020mm	No.	50	R	R	R	R
2.5.2	063 - 050 - 063mm	No.	10	R	R	R	R
2.5.3	075 - 063 - 075mm	No.	10	R	R	R	R
2.6	90° Tee Female threaded take-off PN16						
2.6.1	032mm x ¾ inch x 032mm	No.	100	R	R	R	R
2.6.2	032mm x 1 inch x 032mm	No.	100	R	R	R	R
2.6.3	050mm x 1¼ inch x 050mm	No.	100	R	R	R	R
2.6.4	050mm x 1½ inch x 050mm	No.	100	R	R	R	R
2.6.5	063mm x 2 inch x 063mm	No.	20	R	R	R	R

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2.6.6	075mm x 2 inch x 075mm	No.	20	R	R	R	R
2.6.7	075mm x 2½ inch x 075mm	No.	20	R	R	R	R
2.7	90° Tee Male threaded take-off PN16						
2.7.1	016mm x ½ inch x 016mm	No.	20	R	R	R	R
2.7.2	016mm x ¾ inch x 016mm	No.	20	R	R	R	R
2.7.3	063mm x 2 inch x 063mm	No.	20	R	R	R	R
2.7.4	063mm x 2½ inch x 063mm	No.	20	R	R	R	R
2.7.5	075mm x 2½ inch x 075mm	No.	20	R	R	R	R
2.7.6	075mm x 3 inch x 075mm	No.	20	R	R	R	R
2.7.7	090mm x 3 inch x 090mm	No.	20	R	R	R	R

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Item	Description	UOM	Required Qty	Unit Rate (Excl. VAT)	VAT Amount	Unit Rate (Incl. VAT)	Total Price (Incl. VAT)
2.7.8	110mm x 4 inch x 110mm	No.	20	R	R	R	R
2.8	90° Elbows PN16						
2.8.4	032mm	No.	3000	R	R	R	R
2.8.6	050mm	No.	1700	R	R	R	R
2.8.7	063mm	No.	100	R	R	R	R
2.8.8	075mm	No.	20	R	R	R	R
2.9	90° Elbow Male threaded take-off PN16						
2.9.1	032mm x ¾ inch	No.	1100	R	R	R	R
2.9.2	050mm x 1½ inch	No.	1000	R	R	R	R

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SIGNATURE(S) OF AUTHORIZED PERSON

NAME OF BIDDER

NAME OF AUTHORIZED PERSON IN BLOCK LETTERS

RFP NUMBER:

Directors:

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Tenderer to complete the below table:

4. EVALUATION PROCESS

STAGE	DESCRIPTION
Stage 1	Mandatory Evaluation
Stage 2	Administrative Evaluation
Stage 3	Technical Evaluation
Stage 4	Pricing Evaluation and Preferencing

Stage 1: Mandatory Evaluation

These are the definitely non-negotiable criteria that must be part of the bid and submitted before RFP closing date and time.

NO.	MANDATORY CRITERIA	YES
1	<p>The tenderer must submit proof of the mandatory documents for items offered in the pricing schedule. The documentation must be submitted together with the RFP document.</p> <p>The tenderer is required to submit a valid certificate(s) of approval from a SANAS accredited certification body for items offered (pipes or fitting) as per the requirement below.</p> <ul style="list-style-type: none"> SANS 4427 (To be submitted by tenderers offering pipes) SANS 14236 or SANS 17885 (To be submitted by tenderers offering fittings) <p><i>Tenderers will only be considered for items whereby they have provided the required SANS certificate. In an event whereby a tenderer will be tendering for both pipes and fittings, the tenderer must submit both SANS 4427 and SANS 14236 or SANS 17885.</i></p> <p><i>Note: If the tenderer is a supplier, valid certificate(s) offered must be sourced from their manufacturer/principal.</i></p>	Yes
2	Signed Pricing Schedule and completed rates for items offered.	Yes

NB: Bidders that fail to comply with the above mandatory requirement will not be evaluated further.

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Stage 2: Administrative evaluation

Select appropriate MBD for your Price Schedule.

REFERENCE DOCUMENT	TO RFP	DESCRIPTION	REQUIRED
MBD 3.1		Pricing Schedule – Firm Prices (Purchases)	Yes
CSD Registration		MAAA number	Yes

Stage 3: Technical Requirements

Technical evaluation - as per tender document and award strategy.

- a) The Tenderer (company) must confirm that work of provision/supply of water related materials was carried out successfully.

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PART A: TENDERER'S EXPERIENCE

CRITERIA NO #	CRITERIA	EVIDENCE	SUB-CRITERIA/CLAUSE	MAX SCORE	SCORE
1.	Tenderer's Experience The tenderer (company) must confirm that work of provision/supply of water related materials was carried out successfully.	The tenderer must provide relevant reference letter(s) with proof that provision/supply of water related materials was carried out successfully. <i>This document must be completed by the referee and included in the tender submission. Alternatively, the client's letterhead may be used for this purpose provided it complies with the functional criteria requirements. A separate form must be completed for each reference as required in the evaluation criteria. The Information provided will be verified and if found to be false or misrepresented, punitive measures will be instituted against the respective party including blacklisting and restriction from participating in any future government tender.</i>	Years Experience in the provision/supply of water related materials. No or Less than 2 years' experience Has 2 years but less 4 years' experience. Has 4 years or more but less than 5 years' experience. Has 5 years or More experience.	100	 0 60 80 100
MINIMUM QUALIFYING SCORE				60	
TOTAL				100	
<i>The tenderer will be required to achieve a minimum of --60-- point in order to be considered for further evaluation.</i>					

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CONTACTABLE REFERENCE

To Johannesburg Water (SOC) Ltd

I, the undersigned being duly authorised to do so, hereby furnish a reference to Johannesburg Water relative to the **Supply and Delivery of HDPE Pipes and Fittings.**

Name of tenderer:

Description of goods / services provided (Scope of Work)

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

Date of goods / services provided

Start date:/...../.....

End date:/...../.....

Was their performance satisfactory?

Yes / No*

Signature: **Date:**

Telephone: **Email:**.....

Name of Client Company.....

Name of Reference Completing this Letter.....

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Description of goods / services provided (Scope of Work)

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

Date of goods / services provided.

Start date:/...../.....

End date:/...../.....

Was their performance satisfactory?

Yes / No*

Name of authorized person:

.....

Signature:..... **Date**

Telephone/Mobile:

.....

Email:.....

Completed on behalf (Name of Client)

.....

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.....
.....

Date of goods / services provided.

Start date:/...../.....

End date:/...../.....

Was their performance satisfactory?

Yes / No*

Name of authorized person:

.....

Signature:..... **Date**

Telephone/Mobile:

.....

Email:.....

Completed on behalf (Name of Client)

.....

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.....
.....

Date of goods / services provided.

Start date:/...../.....

End date:/...../.....

Was their performance satisfactory?

Yes / No*

Name of authorized person:

.....

Signature:..... **Date**

Telephone/Mobile:

.....

Email:.....

Completed on behalf (Name of Client)

.....

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Ms Kethabile Mabe (Company Secretary),
Johannesburg Water SOC Ltd
Registration Number: 2000/029271/30

5. PREFERENCING

5.1. Stage 4: The responses will be evaluated on the **80/20 preference points principle**. Pricing schedule to be completed fully or per item offered. Bidders who failure to quote or complete the pricing schedule as per this requirement will be disqualified. The required proof for claiming points for specific goals is as follows:

GOAL	WEIGHTING	VERIFICATION
SMME (An EME or QSE) 51% or more Black owned	6	<ul style="list-style-type: none"> Valid BBBEE Certificate issued by SANAS accredited verification agency or DTI /CIPC BBBEE Certificate for Exempted Micro Enterprises or Affidavit sworn under oath.
Business owned by 51% or more – Black Youth	10	<ul style="list-style-type: none"> Valid BBBEE Certificate issued by SANAS accredited verification agency or DTI/CIPC BBBEE Certificate for Exempted Micro Enterprises or Affidavit sworn under oath.
Businesses located within the boundaries of the COJ	4	<ul style="list-style-type: none"> Proof of municipal account / valid lease agreement, letter from the Ward Council confirming the business address.

Note: A tenderer failing to submit proof of specific goals claimed as per the tender conditions may not be disqualified but only points for price will be allocated and zero points for specific goals.

6. AWARDING STRATEGY

The intention is to award to the highest scoring tenderer per item in terms of price and specific goals.

7. ALLOCATION STRATEGY

Allocate each item to the highest scoring tenderer per item in terms of price and specific goals.

8. RETURNABLE DOCUMENTS

The following documents **must** be returned together with this Request for Pricing:

- 8.1.** This request for pricing document must be completed and submitted with pricing or quotation.
- 8.2.** Proof of points claimed for specific goal must be submitted in order to qualify for preference points.
- 8.3.** Complete and sign the following Municipal Bidding Documents (MBD).
 - 8.3.1.** MBD 3.1 Firm Price(s) Purchase (where applicable).
 - 8.3.2.** MBD 4 form (Declaration of Interest).

Directors:

Ms Dineo Majavu (Chairperson), Mr Ntshavheni Mukwevho (Managing Director and Executive Director),
Mr Kgaugelo Mahlaba (Chief Financial Officer and Executive Director), Mr Sipho Mthembu, Ms Zandile Meeleso, Mr Pholoso Matjele,
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City of Johannesburg

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www.johannesburgwater.co.za

8.3.3. MBD 6.1 Form (Preference points claim form).

8.3.4. MBD 8 (Declaration of Bidder's Past Supply Chain Management Practices)

8.3.5. MBD 9 (Certificate of Independent Bid Determination)

8.4. Latest municipal account/statement not older than three months or valid lease agreement for both the company and all active Directors.

8.5. The required documentary evidence for functionality or technical evaluation (where Applicable).

9. GENERAL TERMS AND CONDITIONS

Price(s) quoted must be valid for at least ninety (90) days from date of your offer.

Price(s) quoted **must** be firm for the duration of the contract and must be inclusive of VAT.

Bidders will be afforded a period of two (2) days to complete the following returnable documents (MBD 4, MBD 6.1, MBD 8 and MBD 9) in instances where such forms are incomplete.

Bidders who did not submit municipal statement of account or valid lease agreement for both the company and all active directors will be afforded a period of two (2) days to submit. In a case where the company or active Directors have municipal commitments overdue for more than 90 days they will be offered three (3) days to settle their overdue amounts or submit proof of an arrangement agreed to between that municipality and that company or Director.

Directors:

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PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE SUBMITTED TO TURBINE HALL, 65 NTEMI PILISO STREET, NEWTOWN, JOHANNESBURG, 2001 LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
- 2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?
☐ YES ☐ NO

Directors:

Ms Dineo Majavu (Chairperson), Mr Ntshavheni Mukwevho (Managing Director and Executive Director),
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3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?

☐ YES ☐ NO

3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

☐ YES ☐ NO

3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

☐ YES ☐ NO

3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

GENERAL CONDITIONS OF CONTRACT WILL GOVERN THE CONTRACT. SHOULD THERE BE A DISCREPANCY BETWEEN THE GENERAL CONDITIONS OF CONTRACT AND THE SPECIAL CONDITIONS OF CONTRACT, THE SPECIAL CONDITIONS OF CONTRACT SHALL PREVAIL.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

Directors:

Ms Dineo Majavu (Chairperson), Mr Ntshavheni Mukwevho (Managing Director and Executive Director),
Mr Kgaugelo Mahlaba (Chief Financial Officer and Executive Director), Mr Sipho Mthembu, Ms Zandile Meeleso, Mr Pholoso Matjele,
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PRICING SCHEDULE – FIRM PRICES (PURCHASES)

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

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

Name of Bidder.....	Bid Number.....
Closing Time	Closing Date

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

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

-
- Required by:
 - At:
 - Brand and Model
 - Country of Origin
 - Does the offer comply with the specification(s)? *YES/NO
 - If not to specification, indicate deviation(s)
 - Period required for delivery
*Delivery: Firm/Not firm
 - Delivery basis

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

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

*Delete if not applicable

SIGNATURE(S) OF AUTHORIZED PERSON

DATE:

**Name of
bidder.....
.....**

Name of authorized person (in block letters)

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.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

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).

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

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

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

1.4 **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

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

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

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) (To be completed by the tenderer)
Business owned by 51% or more –Black youth	10	
SMME (EME or QSE) owned by 51% or more - Black People	6	
Businesses located within the boundaries of the COJ	4	
Total	20	

5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1 Name of company/firm.....

5.2 Company registration number:

5.3 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]

5.4 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	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>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.</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>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.</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>

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

CERTIFICATION

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