



REQUEST FOR FORMAL PRICE QUOTATION (FPQ)

(VALUE BETWEEN R30 000 – R200 000 – ALL TAXES INCLUDED)

REPAIR ROOF AT JAN SMUTS WATER CARE WORKS

Quotation Number:	FPQ202208/001		
Description:	REPAIR ROOF AT JAN SMUTS WATER CARE WORKS		
CIDB Requirement	GB1	DTI provision (refer MBD 6.2 form)	N/A
Bid Closing Date:	Wednesday, 10 August 2022 AT 12:00		
Compulsory Briefing Session:	FRIDAY, 05 August 2022 AT 10h00		
Plant/Site Address:	ERWAT JAN SMUTS WATER CARE WORKS. Corner Escombe and Wanderers Street, Brakpan 26°32'22.6"S, 28°19'49.2" E		
Contact Person	Mr P Ramaboa		
Contact Number	072 201 6016	e-mail	Peter.Ramaboa@erwat.co.za
Bidders prices must be valid for a period of 30 days from closing	Only firm prices will be accepted		
Non-firm prices	N/A		
Expected time of delivery period	Kindly indicate estimate time for completion.		_____ days

SCOPE OF WORKS/SERVICES

Bidders are hereby invited to submit an offer for the repairs of roof in the main office and pump station at Jan Smuts Water Care Works.

1. Remove paint and clear all debris from the roof of the main office and pump station
2. Seal all leaks in the main office and pump station
3. Waterproof the roof in the main office and pump station
4. Replace ceiling and paint
5. Replace door and lock
6. Repair the main entrance door
7. Replace locks on the security doors

The bidder is required to ensure full compliance with the occupational, Health and Safety Act as well as PPE criteria. Failure to comply will lead to bidders being refused access to site.

DELIVERY POINT

ERWAT JAN SMUTS WATER CARE WORKS

GENERAL REQUIREMENTS:

Bidders must furnish ERWAT with all details as provided for in Regulation 13 of the MFMA SCM Regulation dated 30 May 2005. Kindly complete the attached MBD and other forms to enable ERWAT to verify the information as required.

The successful bidder must be registered on National Treasury's Centralised Supplier Database (www.csd.gov.za).

Bidders submitting an offer for construction related services, must be registered with the Construction Industry Development Board (www.cidb.org.za).

All supporting documents applicable to this FPQ must be submitted with the submission of this bid and ERWAT reserves the right to request additional information for clarity, to award in part, in full or to not award it at all.

B-BBEE Compliance:

Bidders must submit a valid Certified copy or original BBEE Compliance Certificate to verify the above claimed points.

Failure to submit such will not render you tender invalid, however the points for BEE will be scored as 0.

QUOTATION REQUIREMENTS:

Work/items/services offered that **DO NOT** comply with the specifications will not be evaluated.

Bidders must kindly submit a detailed quote as per the pricing schedule that must be completed in full, vat number (where applicable) must reflect on the quotation.

All quotes must be valid for a minimum of 30 working days.

EVALUATION CRITERIA:

PLEASE NOTE THAT FAILURE TO COMPLETE THE ATTACHED FORMS AND SUBMIT THE FOLLOWING DOCUMENTS (UNLESS INDICATED OTHERWISE) WILL LEAD TO DISQUALIFICATION.

ALL DOCUMENTS SUBMITTED MUST BE VALID AND RELEVANT TO QUALIFY FOR FUTURE EVALUATION.

- MBD 1: Invitation to bid;
- MBD 2: Tax clearance certificate requirements (SARS Pin) Valid Tax Clearance Pin issued by SARS on e-filing Bidders are required to submit their SARS pin and certificate as prescribed by SARS effective from 01 April 2016. Please visit www.sars.gov.za or ERWAT Website: www.erwat.co.za/procurement for more information;
- MBD 3.1: Pricing schedule – firm prices (purchases);
- MBD 4: Declaration of Interest;
- MBD 6.1: Preference points claim
- MBD 8: Declaration of bidder's past supply chain management practices;
- MBD 9: Certificate of independent bid determination;
- Form A: Municipal services, rates and taxes clearance certificate for supply chain management purpose (not older than three months from date of closing, not in arrears for more than 90 days, or valid lease agreement signed by both parties);
- Form B: Confirmation of registration on national treasury centralised supplier database. Bidders must be registered with National Treasury's Centralised Supplier Database (CSD) and can visit www.csd.org.za for more information and registration procedures.

CSD Registration Number: MAAA_____

- Valid Construction Industry Development Board Registration (CIDB): **Valid CRS number: _____**
(for CIDB works where applicable).
- Warranty on work done
- Proof of similar work (Completion Certificates)
- NHBC registered
- Where a compulsory briefing/clarification/site meeting has been scheduled, bidders are required to attend such as indicate in the document. **Bidders whose name does not appear on the attendance register, will not be evaluated.**
- Briefing sessions must be attended by the company representative who has the technical knowledge to do so to ensure that bidders understand the requirements under the scope of works.

EVALUATION CRITERIA FOLLOWED TO EVALUATE QUOTATIONS:**AWARD OF BID:**

ERWAT reserves the right to accept any bid or part thereof, to award the bid to more than one bidder and does not bind itself to accept the lowest or any bid and not to consider any bid not suitably endorsed or comprehensively completed.

The award will be made to the qualifying highest scoring bidder as provided for by the Preferential Procurement Policy Framework Act and its Regulations of 2017.

PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND REGULATIONS 2017

Bidders will be evaluated based on the provisions of the Preference points system (PPS) as included in the Preferential Procurement Policy Framework Act, Regulations of 2017:

PPS	Contract value	Formula	Additional Considerations
80/20	Equal to or above R 30 000.00 and up to R 200 000	$Ps = 80(1 - (Pt - P_{min})/P)$ Where Ps = Points scored for price of bid under consideration. Pt = Rand value of bid under consideration. P_{min} = Rand value of lowest acceptable bid.	<ul style="list-style-type: none"> Bidders may be subjected to a pre-compliance stage and functionality scoring and only bidders who score the stipulate minimum points will be illegible to proceed to PPPFA evaluation. Maximum of 20 points may be awarded for BEE level. Bidders are required to tick the relevant box in the table below to claim their points according to their BEE level. Above points must be added to points scored for price. Only bidder scoring the highest points will be selected for award.

B-BBEE Status Level of Contributor	Number of points (80/20 system)	Kindly tick the applicable level and points
1	20	
2	18	
3	14	
4	12	
5	8	
6	6	
7	4	
8	2	
Non-compliant contributor	0	

Failure on the part of a bidder to submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS), or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or a sworn affidavit confirming annual turnover and level of black ownership in case of an EME and QSE together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

SUBMISSION OF BIDS:

FORMAL PRICE QUOTATION BOXES SUBMISSION SITUATED AT ERWAT HEAD OFFICE:

Completed tenders / quotations must be in a **sealed envelope** clearly marked with **bid number and description** may be hand delivered and deposited in the stipulated **TENDER BOX** (marked Monday, Tuesday, Wednesday, Thursday, Friday) at THE MAIN GATE OF ERWAT Head Office, Hartebeestfontein Office Park, Bapsfontein Road, Kempton Park. No faxed bids/proposals shall be accepted. In the event of uncertainty, kindly visit the receptionist situated at the FOYER of the main building for clarity.

Please note that bids not received on the specific time and date will be marked as late bids/proposals and such bids/proposals will, in terms of the Supply Chain Management Policy of ERWAT, not be considered by ERWAT as valid bids/proposals.

Complete quotations with supporting documents must be sealed and externally endorsed with **BID NUMBER** and marked with the full **DESCRIPTION** and placed in the relevant Bid Box as stipulated in the advertisement and/or bidding document.

Bidders may attend the FORMAL PRICE QUOTATION opening sessions in the event of submitting an offer in the tender boxes.

ELECTRONIC SUBMISSIONS:

No electronic submissions will be accepted.

MBD 1

INVITATION TO BID

YOU ARE HEREBY INVITED TO SUBMIT AN OFFER FOR FPQ202208/001: REPAIR ROOF AT JAN SMUTS WATER CARE WORKS

CLOSING DATE: TUESDAY 10/08/2022 AT 12:00**COMPULSORY BRIEFING SESSION: FRIDAY, 05 AUGUST 2022 AT 10H00**

The successful bidder will be required to fill in and sign a written Contract Form (MBD7).

Completed Tender documents with attached documents, if any, must be completed in Ink and submitted in a sealed envelope and clearly marked **FPQ202208/001**: to be placed in Tender Box at ERWAT Head Office, Hartebeestfontein Office Park, R25 (Bapsfontein / Bronkhorstspuit), Kempton Park.

Bidders should ensure that bids are in the tender box at the closing time and date, including couriered documents. Any late documents will not be accepted for consideration.

The box is generally open during office hours: 07:00 – 17:00 Mondays to Fridays.

N.B.: Bidders must ensure that they submit the full bidding document with all the pages, all requested information completed and signed, including all supporting documents in the areas provided.

All bids must be submitted on the official forms – (not to be re-typed). Failure to complete the document in full may result in disqualification.

Bids completed in pencil, re-typed or where correction tape/fluid is used will be regarded as invalid bids.

THIS BID IS SUBJECT TO THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT

THIS BID WILL BE EVALUATED AND ADJUDICATED ACCORDING TO THE FOLLOWING CRITERIA:

1. Relevant specifications and technical proposals
2. Value for money
3. Capability to execute the contract
4. PPPFA & related regulations (including BBBEE)
5. General conditions of contract
6. Supporting documents where required

NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (see definition on MBD 4 attached)

THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

In the case of a Joint Venture – This page is to be completed and submitted in respect of each partner

NAME OF ENTERPRISE					
PHYSICAL ADDRESS:					
POSTAL ADDRESS:					
CONTACT PERSON					
TEL NO: _____		CELL NO: _____			
FAX NO: _____		EMAIL: _____			
COMPANY REGISTRATION NUMBER:					
VAT NUMBER:		TAX REF NUMBER:			
CENTRALISED SUPPLIER DATABASE (CSD) NUMBER:		MAAA _____			
CIDB REGISTRATION NUMBER					
CIDB GRADING					
ERWAT VENDOR NUMBER (NOT COMPULSORY):					
TOTAL BID PRICE/VALUE (INC. VAT) CARRIED OVER FROM BOQ/PRICING SCHEDULE: <i>(Kindly note that this price is not considered the total contract value)</i>		R _____ INCLUDING VAT			
TOTAL NUMBER OF ITEMS OFFERED					
* PREFERENCE POINTS CLAIMED AS PER FORM MBD 6.1	B-BBEE RATING [LEVEL ____]	VALID B-BBEE CERTIFICATE ATTACHED	Yes	No	
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED?			Yes	No	
DISABLED [____ %]		WOMEN [____ %]		YOUTH [____ %]	

**IF YES, WHO WAS THE CERTIFICATE ISSUED BY?*

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ☐
NATIONAL ACCREDITATION SYSTEM (SANAS) ☐
A REGISTERED AUDITOR ☐
A SWORN AFFIDAVIT ☐
(tick applicable block)

(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE OR SWORN AFFIDAVIT (SEE MBD6.1)
MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)

**ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/ SERVICES/
WORKS OFFERED?**

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

NAME AND SURNAME: _____

SIGNATURE OF BIDDER: _____

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE: _____

**ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE AND TECHNICAL INFORMATION MAY BE
DIRECTED TO:**

SUPPLY CHAIN BIDDING PROCEDURES:

CONTACT PERSON: SPECIALIST: Brenda Matlala

CONTACT DETAILS: (TEL) 011 929 7150

E-MAIL: Brenda.Matlala@erwat.co.za

TECHNICAL QUERIES MAY BE DIRECTED TO:

CONTACT PERSON: Peter Ramaboa

CONTACT DETAILS: (TEL) 011 929 7009

E-MAIL: Peter.Ramaboa@erwat.co.za

TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

NEED A TAX CLEARANCE? GO ONLINE

- Electronically request your Tax Compliance Status which will include a unique PIN which you can provide to any third party (if requested) to enable them to verify your tax compliance status online via e-Filing.
- Request a TCC via e-filing which will give you the option to print the TCC.
- Or request a TCC at a SARS branch where a SARS agent will be able to print or e-mail the TCC to you.
- To register for e-filing go to: www.sarsefiling.co.za

A tax compliant status is a holistic view of your tax compliance level across all your registered tax types.

Is your tax compliance status green?

- Ensure all tax returns are submitted
- No outstanding debt owed to SARS
- SARS has been notified of any change of residential or business address
- Your business is registered for all required tax types e.g. PAYE, VAT, income tax.

Check your tax compliance status by logging onto your e-filing profile and viewing your "my compliance Profile" and rectify any non-compliance.

THIRD PARTY AUTHORISATION TO VIEW BIDDER TCS:

To assist with the evaluation process of your bid we require your consent to check your SARS tax compliance via e-filing. Kindly complete the table below authorising ERWAT to check TCC for tender purposes only.

TCS Details	
Tax payer name	
Trading Name	
Purpose of request	TENDER
Request Reference number	
PIN	
PIN EXPIRY DATE	

Note: Bidders may attach their Tax compliance status printout to the bidding document.

I, _____ in my capacity as _____ duly appointed as authorised signatory holder, hereby grant **ERWAT** permission to check the TCC status of _____ and it is duly understood that the search is for tender purposes only.

NAME AND SURNAME

DESIGNATION

DATE

SIGNATURE

FOR ERWAT OFFICE USE ONLY:

VERIFIED ☐ YES / ☐ NO

MBD 3.1

**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**

NAME OF BIDDER: _____

FPQ202208/001: REPAIR ROOF AT JAN SMUTS WATER CARE WORKS

CLOSING DATE: Wednesday 10 AUGUST 2022 AT 12:00

OFFER TO BE VALID FOR **30 (30) DAYS** FROM THE CLOSING DATE OF BID.

-
- REQUIRED BY: **EKURHULENI WATER CARE COMPANY**
 - AT: **MAINTENANCE SECTION**
 - BRAND AND MODEL _____ OFFERED
 - COUNTRY OF ORIGIN _____
 - DOES THE OFFER COMPLY WITH ALL SPECIFICATIONS? **YES/NO***
 - IF NOT TO SPECIFICATION, INDICATE DEVIATION(S) AND SUBMIT FULL TECHNICAL DETAIL AND DRAWINGS ON DEVIATIONS

 - DELIVERY PERIOD: _____ DAYS/WEEKS/MONTHS
 - DELIVERY BASIS: _____ FIRM/NOT FIRM

Bid prices must be fixed and firm for the duration of the contract period until the product/service has been delivered/finalized.

MBD 4**DECLARATION OF INTEREST**

1. No bid will be accepted from persons in the service of the state.
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. A Person who is an advisor or consultant contracted with the municipality.
4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

4.1 Full Name of bidder or his or her representative:

4.2 Identity Number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

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

4.4 Company Registration Number: _____

4.5 Tax Reference Number: _____

4.6 VAT Registration Number: _____

4.7 The names of all directors / trustees / shareholder's members, their individual identity numbers and state employee numbers must be indicated in paragraph 5 below.

4.8 Are you presently in the service of the state?

YES / NO

If so, furnish particulars.

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

YES / NO

If so, furnish particulars.

4.10 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

If so, furnish particulars.

- 4.11 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

If so, furnish particulars.

- 4.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?

YES / NO

If so, furnish particulars.

- 4.13 Are any spouse, child or parent of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?

YES / NO

If so, furnish particulars.

- 4.14 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

If so, furnish particulars.

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

FULL NAME	IDENTITY NUMBER	STATE EMPLOYEE NUMBER

--	--	--

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

- (a) A member of –
- any municipal council/entity;
 - any provincial legislature; or
 - 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) an executive 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.

CERTIFICATION

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

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

SIGNATURE DATE

POSITION

NAME OF BIDDER

MBD 6.1

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

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

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

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value below R50 000 000 (all applicable taxes included).
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and 80/20 preference point system shall be applicable to this tender.

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contribution.

1.4 The maximum points for this bid are allocated as follows:

POINTS	
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTION	20
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

2. DEFINITIONS

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

- (i) “**QSE**” means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes.

3. **POINTS AWARDED FOR PRICE**

3.1 **THE 80/20 PREFERENCE POINT SYSTEMS**

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

$$Ps \leq 80 \leq Pt \leq P_{min}$$

$$\frac{Ps}{P_{min}}$$

Where:

Ps = Points scored for comparative price of bid under consideration
 Pt = Comparative price of bid under consideration
 Pmin = Comparative price of lowest acceptable bid

4. **POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION**

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

B-BBEE Status Level of Contributor	Number of points (80/20 system)	Kindly tick the applicable level and points
1	20	
2	18	
3	14	
4	12	
5	8	
6	6	
7	4	
8	2	
Non-compliant contributor	0	

5. **BID DECLARATION**

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

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

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

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

7. **SUB-CONTRACTING**

Bidders must note the following with regards to sub-contracting:

- a) The sub-contracting must be to a separate legal entity.
- b) A legal person or unincorporated body of persons cannot sub-contract to themselves.
- c) A joint venture, consortium or unincorporated body of person may not sub-contract to a member of that joint-venture, consortium or unincorporated body of persons.

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

YES NO

(*Tick applicable box*)

7.1.1 If yes, indicate:

i) What percentage of the contract will be subcontracted _____ %?

ii) The name of the sub-contractor _____

iii) The B-BBEE status level of the sub-contractor _____

iv) Whether the sub-contractor is an EME or QSE

(*Tick applicable box*)

YES NO

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

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

8. **DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm: _____

8.2 VAT registration number _____

8.3 Company registration number: _____

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 MUNICIPAL INFORMATION

Municipality where business is situated: _____

Registered Account Number: _____

Stand Number: _____

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

8.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES:

1. _____

2. _____

DATE: _____

SIGNATURE(S) OF BIDDER(S)**ADDRESS:** _____

MBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a. abused the company'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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3		Yes	No

	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?	<input type="checkbox"/>	<input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the company / 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"/>
4.5.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME _____)
 CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS 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 ON BEHALF OF BIDDER

MBD 9**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

FPQ202208/001: REPAIR ROOF AT JAN SMUTS WATER CARE WORKS

in response to the invitation for the bid made by:

EKURHULENI WATER CARE COMPANY (ERWAT)

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

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

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;

5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
- (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. 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****FORM A****MUNICIPAL SERVICES, RATES AND TAXES CLEARANCE CERTIFICATE FOR SUPPLY CHAIN
MANAGEMENT PURPOSE**

The purpose of this form is to obtain prove that municipal services, rates and taxes of the service provider are **not more than three months in arrears** with the relevant municipality / landlord in the municipal area where the service provider conduct his / her business. Kindly attach the latest municipal rates and taxes account not older than 3 months from date of advertising of bid.

Where bidders are not owners of a property and cannot submit a copy of the municipal account, the following must be completed together with a Rental/lease agreement:

(TO BE COMPLETED BY THE LANDLORD)

Name of the Landlord:

Property Physical Address:

Please tick below**Yes****No**

Rental: in arrears for more than 3 months

Municipal services: in arrears for more than 3 months

Landlord Signature:

Date: _____

Landlord's business stamp here (where applicable)**FORM B****CONFIRMATION OF REGISTRATION ON NATIONAL TREASURY CENTRALISED SUPPLIER
DATABASE**

CONFIRMATION OF CSD VENDOR INFORMATION		
1	VENDOR NAME	
2	CSD APPROVED NUMBER	M _____
3	COMPANY REG NUMBER	
4	COMPANY TAX NUMBER	
5	COMPANY VAT NUMBER	
6	COMPANY BEE LEVEL	
7	CONTACT PERSON	
8	OFFICE TEL. NUMBER	
9	OFFICE FAX NUMBER	
10	E-MAIL ADDRESS	
11	CELL NUMBER	

I, _____ in my capacity as _____ being the

authorized signatory, hereby declare that the above information is true and correct.

AUTHORISED SIGNATORY DESIGNATION

NAME AND SURNAME

RESOLUTION DATE: AUTHORISED SIGNATORY APPOINTMENT

SIGNATURE

DATE

FORM C

AUTHORITY OF SIGNATORY TO SIGN BIDS

The bid shall be signed by a person duly authorised thereto and the following is applicable:

Company: A resolution by its board of directors authorising a director or other official of the company to sign the documents on behalf of the company.

Close Corporation: A resolution by its members authorising a member or other official of the corporation to sign the documents on each member's behalf.

Partnership: All the partners shall sign the documents unless one partner or a group of partners has been authorised to sign on behalf of each partner, in which case proof of such authorisation shall be included in the bid.

Joint Venture: Should two or more firms jointly submit a bid, the bid shall be accompanied by the document of establishment of the joint venture, duly registered and authenticated by a notary public or other official deputed to witness sworn statements, which defines the conditions under which the joint venture will function, the period of duration, the persons authorised to represent the Joint Venture and who are obligated thereby, the participation of the several firms forming the joint venture, and well as any other information necessary to permit a full appraisal of its functioning.

One Man Concern: This shall be clearly stated and all documents shall be signed accordingly.

Details of person responsible for Bid Document process:

Name : _____

Contact number : _____

Office address : _____

Signatories for close corporations and companies shall confirm their authority by attaching to this form a **duly signed and dated original or certified copy on the Company Letterhead** of the relevant resolution of their members or their board of directors, as the case may be.

PRO-FORMA FOR COMPANIES AND CLOSE CORPORATIONS:

"By resolution of the board of directors passed on (date) _____

Prof./Dr/Mr/Ms _____

has been duly authorized to sign all documents in connection with the Bid Document for Contract Number _____ and any Contract which may arise there from on

behalf of _____
(BLOCK CAPTIALS)

SIGNED ON BEHALF OF THE COMPANY _____

IN HIS CAPACITY AS _____

DATE _____

FULL NAMES OF SIGNATORY _____

AS WITNESSES: 1. _____

2. _____

**PRO-FORMA FOR JOINT VENTURES:
Certificate of Authority for Joint Ventures**

We, the undersigned, are submitting this Bid Document offer in Joint Venture and hereby authorise Mr/Ms _____, authorised signatory of the company _____, acting in the capacity of lead partner, to sign all documents in connection with the Bid Document offer and any contract resulting from it on our behalf.

NAME OF FIRM	ADDRESS	DULY AUTHORISED SIGNATORY
		Signature: Name: Designation:
		Signature: Name: Designation:
		Signature: Name: Designation:
		Signature: Name: Designation:

N.B.: THE DULY SIGNED AND DATED ORIGINAL OR CERTIFIED COPY OF AUTHORITY OF SIGNATORY ON COMPANY LETTERHEAD SHOULD BE INCLUDED IN THE RETURNABLE DOCUMENTS PACK.

2.3 PRICING SCHEDULE

PRICING INSTRUCTIONS

Pricing instructions mean the criteria as set out below, read together with all parts of this contract document, which it will be assumed in the contract that the tenderer has taken into account when developing his/her prices.

Bidders pricing must include transport, labour and all other accessories to complete the works in full.

Bidders will be awarded in line with the provision of the PPPFA Act and PPP Regulations of 2017.

I, the undersigned, the authorised designated signatory, undertake to carry out the works in accordance with the conditions of contract, the specifications for the tender sum as indicated and within the time for completion as specified in the Contract.

BIDDER'S name: _____

BIDDER'S signature: _____ Date: _____

Name of Firm: _____

Address _____

Telephone number: _____

Fax Number: _____

Cellular number: _____

E-Mail Address: _____