



ANNEXURE “B.2”

REQUEST FOR FORMAL WRITTEN PRICE QUOTATION FORM

Procurement from R30 000, 00 up to a transaction value of R200 000, 00 (including Vat)
(For publication on Ekurhuleni Metropolitan Municipality Website and Notice Board)

1. NAME AND ADDRESS OF SUPPLIER FULL NAME	QUOTATION NUMBER KEQ.SRAC.09.136
ADDRESS	PROCUREMENT FORM WILL BE OBTAINABLE FROM THE SUPPLY CHAIN MANAGEMENT UNIT, CENTRAL PROCUREMENT OFFICE, NO: 5 JUNCTION RD DRIEHOEK, GERMISTON.
ID NUMBER (SOLE PROPRIETOR) COMPANY OR CC NUMBER	QUOTATIONS MUST BE DEPOSITED IN BID BOX NUMBER... 20 AT...15H00 @ CENTRAL PROCUREMENT OFFICE, NO: 5 JUNCTION RD, DRIEHOEK.
2. REGISTRATION NUMBER (PTY) LTD	DATE OF ADVERTISEMENT 09 SEPTEMBER 2015
3. TAX REFERENCE NUMBER	
4. VAT REGISTRATION NUMBER (IF ANY)	
5. CONTACT PERSON	
6. ALTERNATIVE CONTACT PERSON	
7. TELEPHONE NUMBER	
8. CELL PHONE NUMBER	
9. FAX NUMBER	

BIDDER:

Initial: Authorized Signatory/ies 1).....

2).....

Witness:

EMM:

Initial: EMM.....

SECTION 1

CLOSING DATE: 16 SEPTEMBER 2015

CLOSING TIME: 15H00

Quotations are hereby invited for the following:

Quotations requested for technical equipment for hire for Thami Mnyele media preview and opening ceremony to be held on the 23rd and 26th September 2015 as attached and at a fixed rate.

REF: EK 1367550.

1. All quotations received will be evaluated on the 80/20 point scoring basis. The 80 points will be for Price and 20 points are for Broad Based Black Economic Empowerment (BBBEE) for attaining the BBBEE Status level contribution in accordance with the table below:

- MBD 4: Declaration of interest
- MBD 6.1: B-BBEE Status level of Contribution.
- MBD 6.3: Promotion of SMME
- MBD 8: Declaration of bidders past supply management practices
- MBD 9: Certificate of Independent bid determination

If the MBD forms are not completed & submitted, your quotation will be rejected.

- **No quotation** will be considered from persons in the service of the state (MBD4).
- **As from the 7 December 2011, all Service providers/contractors must submit valid, certified copies of their BEE certificate from an accredited BEE verification agency with their bid submission.** Failure to submit will lead to forfeiture (loss) of the preference points.
- In the instance of Exempted Micro Enterprise (EME) (turn over less than R 5m) a letter from a professional, registered accountant/ auditor in order to qualify for preference points.
- **Electronic (e-mailed or faxed) quotations are not accepted.**
- **Failure** to submit a BEE certificate will lead to forfeiture (loss) of the preference points. In the instance of Exempted Micro Enterprise (EME) (turn over less than R 5m) a letter from a professional, registered accountant/auditor in order to qualify for preference points.

2. A COMPULSORY BRIEFING SESSION IS NOT APPLICABLE.

EMM contact person: D MDAKA/ T MAEMA

TEL NO: 011 999 1837/1609

BIDDER:

Initial: Authorized Signatory/ies 1).....

2).....

Witness:

EMM:

Initial: EMM.....

2

SECTION 2

1. The Lowest or any bid will not necessarily be accepted and the EMM reserves the right not to consider any bid not suitably endorsed or comprehensively completed as well as the right to accept a bid in whole or part.
2. Brand names **MUST** be specified in **MBD 3.1**" attached hereto (Price Schedule document).
3. Where deliveries are quoted "ex-stock" the period of delivery must not exceed Five (5) maximum working days after receipt of order. If this condition is not adhered to, the order could be cancelled.
4. Quotations are to be completed in accordance with the conditions as set out in the quotation document and must be sealed and externally endorsed with the quotation number and place in the quotation box indicated above.
5. Payments will be made thirty (30) days after receipt of invoice by Council.
6. Quotations received after the closing date and time **will not be considered**.
7. Samples of the required items or goods are available for your perusal (when applicable.)
8. Should the above-mentioned conditions not be adhered to, the quotation will be considered invalid.
9. Quotation to be valid for 30 days.

DECLARATION

I, the undersigned hereby confirm that the information herein is a true reflection of the facts presented, and the person signing this document on behalf of the bidder duly authorised to do so. Should this not be the fact, stipulations regarding this as contained in the EMM's Policy applies. I accept that the EMM may act against me in terms of paragraph 23 of the general conditions of contract should this declaration prove to be false.

Signing of the quotation in the appropriate space, as well as the initialling of each page and any amendments by the bidder mandatory.

MR K NGEMA
CITY MANAGER
EKURHULENI METROPOLITAN MUNICIPALITY

SIGNATURE OF BIDDER

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

3

2).....

Witness:

VERY IMPORTANT NOTICE ON DISQUALIFICATIONS:

A bid not complying with the peremptory requirements stated hereunder will be regarded as not being an "Acceptable bid", and as such will be rejected.

"Acceptable bid" means any bid which, in all respects, complies with the conditions of bid and specifications as set out in the bid documents, including conditions as specified in the Preferential Procurement Policy Framework Act (Act 5 of 2000) and related legislation as published in Government Gazette number 22549, dated 10 August 2001, in terms of which provision is made for this policy.

1. If a **VALID ORIGINAL TAX** clearance certificate or copy thereof (or in the case of a joint venture, of all the partners in the joint venture) has not been submitted with the bid document on closing date of the bid.
2. If any pages have been removed from the bid document, and have therefore not been submitted, or a copy of the original bid document has been submitted.
3. Failure to complete the schedule of quantities as required, i.e only lump sums provided.
4. Scratching out, writing over or painting out rates, without initialling next to the amended rates or information, affecting the evaluation of the bid.
5. The use of correction fluid (i.e. tippex) or any erasable ink, e.g. pencil.
6. Non-attendance of mandatory/compulsory:
 - Site inspections or;
 - Information/Clarification meetings
7. The Bid has not been properly signed by a party having the authority to do so, according to the example of "Authority for Signatory"
8. **If the MBD forms are not completed & submitted, your quotation will be rejected.**
9. **No quotation** will be considered from persons in the service of the state (**MBD4**).
10. The bidder attempts to influence, or has in fact influenced the evaluation and/or awarding of the contract
11. The bid has been submitted either in the wrong bid box or after the relevant closing date and time
12. Failure to provide a valid certificate from the Department of Labour, or a declaration (Specific goals – "Equity ownership") by a designated employer that it complies with the Employment Equity Act 55 of 1998.
13. If any municipal rates and taxes or municipal service charges owed by the bidder or any of its directors to the municipality, or to any other municipality or municipal entity, are in arrears for more than three months.
14. If any bidder who during the last five years has failed to perform satisfactorily on a previous contract with the municipality, municipal entity or any other organ of state after written notice was given to that bidder that performance was unsatisfactory.
15. The accounting officer must ensure that irrespective of the procurement process followed, no award may be given to a person –
 - (a) who is in the service of the state, or;
 - (b) if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder, is a person in the service of the state; or; who is an advisor or consultant contracted with the municipality in respect of contract that would cause a conflict of interest.
16. Not attaching or submitting of required documentations.
17. Price schedule on the advert must be completed even if you submit/attach a separate quotation to the document.

BIDDER:

Initial: Authorized Signatory/ies 1).....

2).....

Witness:

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OCCUPATIONAL HEALTH AND SAFETY INFORMATION FOR QUOTATIONS

THE CONTRACTOR SHALL/MUST SUBMIT THE FOLLOWING TO THE MANAGER OH&S TO OBTAIN A CERTIFICATE OF COMPLIANCE FROM OH&S EKURHULENI METROPOLITAN MUNICIPALITY BEFORE ANY WORK MAY COMMENCE, **only where applicable.**

1. Proof of Registration with the Compensation Commissioner.
2. Letter of "Good Standing" with Compensation Commissioner.
3. Certified copy of first aid certificate.
4. Physical address where contract is taking place (on Company letterhead).
5. Detailed description of intended work (on Company letterhead).
6. List of all Personal Protective Equipment issued to employees (company letterhead).
7. List of ALL employees on site (on company letterhead).
8. Detailed Health and Safety Plan (on company letterhead).
9. Comprehensive Risk Assessment (Qualification and Contact details of Risk Assessor).
10. Public Liability and Commercial Insurance Certificate.
11. All related statutory appointments.
12. Certificates of relevant Training.

The above list represents the minimum content of a safety file In terms of the Construction Regulations (GNR 1010 of 18 July 2003).
OHS Act 85 of 1993.

- Contact details: Thibe Ramushu
Occupational Health and Safety Officer
Kempton Park CCC
Kempton Park Civic Centre, Room A218
Tel: 011 999 8533
Fax: 011 999 8796
Cell: 082 069 1905

BIDDER:
Initial: Authorized Signatory/ies 1).....
2).....

EMM:
Initial: EMM.....

Witness:

NAME OF BIDDERS:.....

FORM "E"

EQUIPMENT FOR HIRE SPECIFICATIONS

The supplier should:

- Be a professional events and technical live production company with minimum three years relevant experience and capacity to hosting professional occasions of specified caliber.
- Have relevant qualified key personnel with minimum five years' experience in the specified filled of work as per bid specification and attach appointment or reference letters.
- Be in position to issue valid and appropriate certification of compliance for specified temporary power supplied, structure erected and rigged equipment before the event date.
- Supply a brochure with pictorial evidence of occasions hosted previously and equipment intending to supply as per bid specification.
- Be ready to do presentation of all required equipment as per bid specification.
- Be able to supply own transport service and Labour for all required equipment.
- Be responsible for the supply, design & layout of all required equipment.
- Be responsible for removing all the hired equipment after the event.
- Not supply private company branded materials and items.
- Move in on site to erect all structures and equipment on the 21st of September 2015 and should be done on the 22nd of September 2015 before 12H00 am.
- Supply profiles with pictorial evidence of artists indicating that they have previously performed in events of similar stature i.e. Art exhibitions, Art fairs, Poetry festivals, Cooperate art events and Markets,
- Biographies and Still pictures of seven winning artists for the production of voiceovers will be supplied by client upon appointment before the event date.
- Submit all produced materials before processing of the invoice i.e. 10 x DVD's; 10 x Photo Albums and 10 Photo Disc's.

Equipment to be supplied

Thami Mnyeale Fine Art Awards 2015 Technical requirements

- 05 x 2m x 2m Aluminium stage boards
- 02 x 1m x 1m One side Curved Aluminium stage boards
- 28 x 2.2mm x 0.3mm Legs with end caps to raise the board at 300mm
- 11 x Stage clamps
- 01 x 24m x 300mm skating
- 05 x 15" PRX 700 active Low frequency system
- 05 x 12" PRX 700 active Mid/High frequency system
- 05 x Speaker extension poles
- 01 x FOH DBX Management system CD
- 01 x 16ch Digital Mixing console
- 01 x DJ Kit - DJM900 & CDJ1000's

BIDDER:

Initial: Authorized Signatory/ies 1).....

2).....

Witness:

EMM:

Initial: EMM.....

- 01 x Afro-Sole and Jazz music DJ
- 01 x 12" DJ monitor
- 02 x Gooseneck Podium Microphones
- 02 x Shure Cordless Microphone
- 02 x Shure Cordless Head Set Microphone
- 02 x Poets to Render poetry items and praise singing on Thami Mnyele
- 02 x Comedians to MC and render items during the media function
- 01 x Afro-Jazz Three-Piece Live band
- 01 x Band Backline instruments required
- 01 x Backline Microphones
- 01 x Vocal Microphones
- 01 x All necessary required sound and backline cabling, accessories and consumables
- 03 x 80" LED Plasma screens (Placed at strategic point of the venue)
- 04 x 60" LED Plasmas screens (Placed at strategic point of the venue)
- 01 x Compatible & Professional Laptop to run Audiovisual Presentations
- 03 x EX3 Video cameras or equivalent with operators
- 02 x Professional Stills camera and Operator
- 01 x Kramer CAT5/6 solution
- 01 x Barco Matrix Switcher or equivalent
- 01 x Video mixing desk (HD/SDI)
- 01 x VS link (Wireless camera feed)
- 01 x Pre-Production Voiceover production of Seven Fine Artists work
- 01 x All required audiovisual cabling, accessories and consumables
- 02 x 2.5m Totems with Baseplate and Head top
- 08 x 2m Totems with Baseplates and Head top
- 02 x Production of gobos – Thami Mnyele logo and EMM
- 02 x Martin Mac 250 wash light
- 04 x Martin Entours for entertainment area
- 08 x Martin Rush units on floor at entrance
- 24 x LED Par-cans for ambience throughout the venue
- 01 x DMX controller software with laptop and dongle
- 01 x All necessary required Lighting cabling, accessories and consumables
- 01 x Labour for Setup, Run and Load-out Crew
- 01 x Structural and Electrical Compliance Certificate
- 01 x Equipment and Crew Transport
- 01 x 40KVA Generator back power
- 01 x Power distribution units for equipment and cables to connect house power
- 05 x Production of Photo albums with 100pic's each for Press Function
- 05 x Production of Photo Albums with 150pic's each for Opening Function
- 05 x Production of DVD's for Press Function
- 05 x Production of DVD's for Opening Function
- 05 x Production of Photo disc for Press Function
- 05 x Production of Photo disc for Opening Function

BIDDER:

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The (EMM – SRAC Department) Coen Scholtz Recreation Centre Birchleigh North Kempton Park venue has 24 hours security on-site 7 day a week with access control.

Upon being appointed, the Supplier will be required to come to the above mentioned venue for a site viewing a week before the event date.

BIDDER:
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2).....
Witness:

EMM:
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TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT –

1. The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.
2. The attached form “Application for Tax Clearance Certificate (in respect of bidders) must be completed in all respects and submitted to the Receiver of Revenue where the bidder is registered for tax purposes. The Receiver of Revenue will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of twelve (12) months from date of issue. **This Tax Clearance Certificate must be submitted in the original or copy thereof; together with the bid. Failure to submit the original and valid Tax Clearance Certificate may invalidate the bid.**
3. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificates are available at any Receiver’s Office.

BIDDER:
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EMM:
Initial: EMM.....

2).....
Witness:

APPLICATION FOR TAX CLEARANCE CERTIFICATE
(IN RESPECT OF BIDDERS)

1. Name of taxpayer / bidder:.....

2. Trade name:

3. Identification number:

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4 Company / Close Corporation registration number

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5. Income tax reference number

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6. VAT registration number (if applicable)

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7. PAYE employer's registration number (if applicable)

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

Signature of contact person requiring Tax Clearance Certificate:
.....

Name:

Telephone number:.....

Address:

.....

..... Code:.....

DATE: 20 ____ / ____ / ____

PLEASE NOTE THAT THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE (SARS) WILL NOT EXERCISE HIS DISCRETIONARY POWERS IN FAVOUR OF ANY PERSON WITH REGARD TO ANY INTEREST, PENALTIES AND / OR ADDITIONAL TAX LEVIABLE DUE TO THE LATE- OR UNDERPAYMENT OF TAXES, DUTIES OR LEVIES OR THE RENDITION RETURNS BY ANY PERSON AS A RESULT OF ANY SYSTEM NOT BEING YEAR 2000 COMPLIANT.

BIDDER:
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EMM:
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2).....
Witness:

**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.....

OFFER TO BE VALID FOR **60 DAYS** FROM THE CLOSING DATE OF BID.

PRICING SCHEDULE

ITEM NO.	QUANTITY	DESCRIPTION	UNIT PRICE EXCLUDING VAT	TOTAL PRICE EXCLUDING VAT
1.	05	2m x 2m Aluminium stage boards		
2.	02	1m x 1m One side Curved Aluminium stage boards		
3.	28	2.2mm x 0.3mm Legs with end caps to raise the board at 300mm		
4.	11	Stage clamps		
5.	01	24m x 300mm skating		
6.	05	15" PRX 700 active Low frequency system		
7.	05	12" PRX 700 active Mid/High frequency system		
8.	05	Speaker extension poles		
9.	01	FOH DBX Management system CD		
10.	01	16ch Digital Mixing console		
11.	01	DJ Kit - DJM900 & CDJ1000's		
12.	01	Afro-Sole and Jazz music DJ		
13.	01	12" DJ monitor		
14.	02	Gooseneck Podium Microphones		
15.	02	Shure Cordless Microphone		
16.	02	Shure Cordless Head Set Microphone		

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

2).....

Witness:

17.	02	Poets to Render poetry items and praise singing on Thami Mnye		
18.	02	Comedians to MC and render items during the media function		
19.	01	Afro-Jazz Three-Piece Live band		
20.	01	Band Backline instruments required		
21.	01	Backline Microphones		
22.	01	Vocal Microphones		
23.	01	All necessary required sound and backline cabling, accessories and consumables		
24.	03	80" LED Plasma screens (Placed at strategic point of the venue)		
25.	04	60" LED Plasmas screens (Placed at strategic point of the venue)		
26.	01	Compatible & Professional Laptop to run Audiovisual Presentations		
27.	03	EX3 Video cameras or equivalent with operators		
28.	02	Professional Stills camera and Operator		
29.	01	Kramer CAT5/6 solution		
30.	01	Barco Matrix Switcher or equivalent		
31.	01	Video mixing desk (HD/SDI)		
32.	01	VS link (Wireless camera feed)		
33.	01	Pre-Production Voiceover production of Seven Fine Artists work		
34.	01	All required AV cabling, accessories and consumables		
35.	02	2.5m Totems with Baseplate and Head top		
36.	08	2m Totems with Baseplates and Head top		
37.	02	Production of gobos – Thami Mnye logo and EMM		
38.	02	Martin Mac 250 wash light		
39.	04	Martin Entours for entertainment area		
40.	08	Martin Rush units on floor at entrance		
41.	24	LED Par-cans throughout the venue		
42.	01	DMX controller software with laptop and dongle		

BIDDER:

Initial: Authorized Signatory/ies 1).....

2).....

Witness:

EMM:

Initial: EMM.....

43.	01	All necessary required LX cabling, accessories and consumables		
44.	01	Labour for Setup, Run and Load-out Crew		
45.	01	Structural and Electrical Compliance Certificate		
46.	01	Equipment and Crew Transport		
47.	01	40KVA Generator back power		
48.	01	Power distribution units for equipment and cables to connect house power		
49.	05	Production of Photo albums with 100pic's each for Press Function		
50.	05	Production of Photo Albums with 150pic's each for Opening Function		
51.	05	Production of DVD's for Press Function		
52.	05	Production of DVD's for Opening Function		
53.	05	Production of Photo disc for Press Function		
54.	05	05 x Production of Photo disc for Opening Function		
SUB TOTAL EXCLUDING VAT				R
VAT 14%				R
BID TOTAL INCLUDING VAT				R

- Does the offer comply with the specification(s)? *YES/NO

- If not to specification, indicate deviation(s)

- Period required for delivery

- Name of Authorised Person:.....

-Signature:..... Date.....

-Witness:.....

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.

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

13

2).....

Witness:

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 and/or take an oath declaring his/her interest.

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 an authorised representative.....

3.2 Identity Number:

3.3 Company Registration Number:

3.4 Tax Reference Number:

3.5 VAT Registration Number:

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

3.6.1 If so, furnish particulars.....

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

3.7.1 If so, furnish particulars.

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

(a) a member of (i) any municipal council;

(ii) any provincial legislature; or

(iii) the national Assembly or the national Council of provinces;

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

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

(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the

meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);

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

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

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3.8 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

3.8.1 If so, furnish particulars.

3.9 Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or

BIDDER: Initial: Authorized Signatory/ies 1).....

EMM: Initial: EMM.....

2).....

Witness:

adjudication of this bid? YES / NO
3.9.1 If so, furnish particulars

3.10 Are any of the company's directors, managers, principle , shareholders or stakeholders in service of the state? YES / NO
3.10.1 If so, furnish particulars.
.....
.....

3.11 Are any spouse, child or parent of the company's directors, managers, principle shareholders or stakeholders in service of the state? YES / NO
3.11.1 If so, furnish particulars.
.....
.....

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

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

2).....
Witness:

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

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, 2011.

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 of up to R1 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).
- 1.2 The value of this bid is estimated to exceed/not exceed R1 000 000 (all applicable taxes included) and therefore the **80/20** system shall be applicable.
- 1.3 Preference points for this bid shall be awarded for:
 - (a) Price; and
 - (b) B-BBEE Status Level of Contribution.

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

POINTS

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

- 1.4 Failure on the part of a bidder to fill in and/or to sign this form and 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 an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.5 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.

BIDDER:
Initial: Authorized Signatory/ies 1).....
 2).....

EMM:
Initial: EMM.....

Witness:

2. DEFINITIONS

- 2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“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 services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** 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;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less .
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty,levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working o operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

2).....

Witness:

- 2.17 “trust” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 “trustee” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \text{ or } Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

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

BIDDER:
 Initial: Authorized Signatory/ies 1).....
 2).....

EMM:
 Initial: EMM.....

Witness:

5. Points awarded for B-BBEE Status Level of Contribution

5.1 In terms of Regulation 5 (2) and 6 (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 (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA’s approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.

5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.

5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.

5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended subcontractor is an EME that has the capability and ability to execute the sub-contract.

5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

BIDDER:
Initial: Authorized Signatory/ies 1).....
 2).....

EMM:
Initial: EMM.....

Witness:

6. BID DECLARATION

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

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

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

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO

8.1.1 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? YES / NO
- (delete which is not applicable)

9. DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm :.....

9.2 VAT registration number :.....

9.3 Company registration number :.....

:

9.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
 - One person business/sole propriety
 - Close corporation
 - Company
 - (Pty) Limited
- [TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

BIDDER:
Initial: Authorized Signatory/ies 1).....
 2).....

EMM:
Initial: EMM.....

Witness:

9.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

9.7 MUNICIPAL INFORMATION

Municipality where business is situated.....

Registered Account Number.....

Stand Number.....

9.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?

9.9 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 contribution indicated in paragraph 7 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 paragraph 7, 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 contribution 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 favorable arrangements due to such cancellation;
 - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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 forward the matter for criminal prosecution

WITNESSES:

1.

.....
SIGNATURE (S) OF BIDDER(S)

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

2).....

Witness:

NAME OF BIDDING ENTITY

EKURHULENI METROPOLITAN MUNICIPALITY

QUOTATION NUMBER:

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

22

2).....

Witness:

4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (To access this Register enter the National Treasury’s website, www.treasury.gov.za, click on the icon “Register for Tender Defaulters” or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
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:		

BIDDER:

Initial: Authorized Signatory/ies 1).....

2).....

Witness:

EMM:

Initial: EMM.....

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

BIDDER:
Initial: Authorized Signatory/ies 1).....
2).....

EMM:
Initial: EMM.....

Witness:

NAME OF BIDDER:.....

EKURHULENI METROPOLITAN MUNICIPALITY

QUOTATION NUMBER:

CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)

- 1 This Form “I” 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 Form “I” 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 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.

BIDDER:
Initial: Authorized Signatory/ies 1).....
2).....

EMM:
Initial: EMM.....

Witness:

NAME OF BIDDER:.....

CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)

I, the undersigned, in submitting the accompanying bid:

_____ (Bid Number and Description)

in response to the invitation for the bid made by:

EKURHULENI METROPOLITAN MUNICIPALITY
(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.

BIDDER:
Initial: Authorized Signatory/ies 1).....
2).....

EMM:
Initial: EMM.....

Witness:

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.**

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

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

2).....
Witness:

ANNEXURE “B”
EKURHULENI METROPOLITAN MUNICIPALITY (EMM)

QUOTATION PROCUREMENT FORM

ABOVE R30 000 UP TO R200 000 (VAT INCLUDED)

1. All quotations received will be evaluated on the 80/20 point scoring basis. The 80 points will be for Price and 20 points are for Broad Based Black Economic Empowerment (BBBEE) for attaining the BBBEE Status level contribution in accordance with the table below:

- MBD 4: Declaration of interest
- MBD 6.1: B-BBEE Status level of Contribution.
- MBD 6.3: Promotion of SMME
- MBD 8: Declaration of bidders past supply management practices
- MBD 9: Certificate of Independent bid determination

If the MBD forms are not completed & submitted, your quotation will be rejected.

- No quotation will be considered from persons in the service of the state (MBD4).
- As from the 7 December 2011, all Service providers/contractors must submit valid, certified copies of their BEE certificate from an accredited BEE verification agency with their bid submission. Failure to submit will lead to forfeiture (loss) of the preference points.
- In the instance of Exempted Micro Enterprise (EME) (turn over less than R 5m) a letter from a professional, registered accountant/ auditor in order to qualify for preference points.
- Electronic (e-mailed or faxed) quotations are not accepted.
- Failure to submit a BEE certificate will lead to forfeiture (loss) of the preference points. In the instance of Exempted Micro Enterprise (EME) (turn over less than R 5m) a letter from a professional, registered accountant/auditor in order to qualify for preference points.

ADJUDICATION OF BIDS

Bids are adjudicated in terms of EMM Supply Chain Management Policy, and the following framework is provided as a guideline in this regard.

1. **Technical adjudication and General Criteria**
Bids will be adjudicated in terms of inter alia:

- Compliance with bid conditions
- Technical specifications

If the bid does not comply with the bid conditions or technical specifications, the bid shall be rejected.
See page 3 for examples.

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

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2).....

Witness:

2. Infrastructure and resources available

Evaluation of the following in terms of the size, nature and complexity of goods and/or services required:

- **Physical facilities**
- **Plant and equipment available for the contract owned by the bidder**
- **Plant and equipment the bidder intends renting, should the contract be awarded to him.**

3. Size of enterprise, and current workload

Evaluation of the bid's position in terms of:

- **Previous and expected current annual turnover**
- **Current contractual obligations**
- **Capacity to execute the contract**

4. Staffing profile

Evaluation of the bid's position in terms of:

- **Staff available for this contract being bid for**
- **Qualifications and experience of key staff to be utilised on this contract.**

5. Previous experience

Evaluation of the bid's position in terms of his previous experience. Emphasis will be placed on the following:

- **Experience in the relevant technical field**
- **Experience of contracts of similar size**
- **Some or all of the references will be contacted to obtain their input.**

6. Financial ability to execute the contract

Evaluation of the bid's financial ability to execute the contract. Emphasis will be placed on the following:

- **Surety proposed**
- **Estimate cash flow**
- **Contact the bid's bank manager to assess the bidder's financial ability to execute the contract and the bidder hereby grants his consent for this purpose.**

7. Good standing with SA Revenue Service

Establish whether a valid original tax clearance certificate or copy thereof has been submitted with the Bid document on closing date of the bid. If no such Certificate or copy thereof has been submitted, the bid must be rejected. If a valid original tax clearance certificate has not been submitted, the bidder must be requested in writing and in the standard format approved by the Executive Director: Legal & Administration, to submit a valid original tax clearance certificate by a specific date and at a specific venue.

BIDDER:
Initial: Authorized Signatory/ies 1).....
2).....

EMM:
Initial: EMM.....

Witness:

The bidder **must affix a valid original Tax Clearance Certificate or copy thereof**, to the **last page** of the bid document

If the bid does not meet the requirements contained in the EMM Supply Chain Management Policy, and the mentioned framework, it shall be rejected by the Municipality, and may not subsequently be made acceptable by correction or withdrawal of the non-conforming deviation or reservation.

8.3 Total Bid Adjudication Points

The total number of bid adjudication points awarded, is the sum of:

Bid price points + meeting specific goals points (not to exceed 100)

9. Penalties

The City Manager must act in terms of paragraph 15 of the Preferential Procurement Policy Regulations 2001, as published on 10 August 2001, against the person awarded the contract upon detecting that a preference in terms of the Preferential Procurement Policy has been obtained on a fraudulent basis, or any specified goals are not attained in the performance of the contract.

Regulation 15 of the Preferential Procurement Policy provides as follows:

- “15 (1) An organ of state must, upon detecting that a preference in terms of the Act and these regulations has been obtained on a fraudulent basis, or any specified goals are not attained in the performance of the contract, act against the person awarded the contract.
- (3) An organ of state may, in addition to any other remedy it may have against the person contemplated in sub-regulations (1) –
- (a) recover all costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (b) 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;
 - (c) impose a financial penalty more severe than the theoretical financial preference associated with the claim which was made in the tender; and
 - (d) restrict the contractor, its shareholders and directors from obtaining business from any organ of state for a period not exceeding 10 years.

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

30

2).....

Witness:

GENERAL INFORMATION TO BE SUPPLIED BY THE BIDDER:

(SHOULD THE INFORMATION REQUIRED ON THIS FORM NOT DULY BE SUPPLIED, THIS BID WILL BE REJECTED)

1. Name of bidding entity: _____

2. Contact details

Address : _____

Tel no : (_____) _____

Fax no : (_____) _____

E-mail address : _____

3. Legal entity: Mark with an X.

Sole proprietor	
Partnership	
Close corporation	
Company (Pty) Ltd	
Joint venture	

In the case of a Joint venture, provide details on joint venture members:

Joint venture member	Type of entity (as defined above)

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

2).....
Witness:

NAME OF BIDDER:.....

4. Income tax reference number: **(COMPULSORY)**
(In the case of a joint venture, provide for all joint venture members)

5. VAT registration number **(COMPULSORY)**:
(In the case of a joint venture, provide for all joint venture members)

6. Company or closed corporation registration number **(COMPULSORY)**:
(In the case of a joint venture, provide for all joint venture members)

7. Municipal rates and taxes or service charges account numbers of bidding entities OR its directors / members **(COMPULSORY) (ATTACH LATEST STATEMENT/S)**

(In the case of a joint venture, provide for all joint venture members)
ACCOUNT NUMBERS LOCAL AUTHORITY

8. Details of proprietor, partners, closed corporation members, or company directors, indicating technical qualifications where applicable (Form on the next page).

9. For joint ventures the following must be attached:

- Written authority **of each JV partner**, for authorized signatory.
- The joint venture agreement.
- The major partner to satisfy at least 40 percent of the turnover and credit amount criteria, and each other partner at least 25 percent of the criteria.

SIGNATURE OF AUTHORIZED PERSON :

DATE :

BIDDER:
Initial: Authorized Signatory/ies 1).....
2).....

EMM:
Initial: EMM.....

Witness:

DETAILS OF PROPRIETOR, PARTNERS, CLOSED CORPORATION MEMBERS OR COMPANY DIRECTORS

(In the event of a joint venture, to be completed by all joint venture partners)

<i>Name and Surname</i>	<i>Identity Number</i>	<i>Members or Directors Tax Reference Number</i>	<i>HDI %</i>	<i>FEMALE %</i>	<i>DISABLE %</i>	<i>YOUTH %</i>	<i>EMM BASED</i>	
							YES	NO

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

2).....

Witness:

DETAILS OF BIDDING ENTITY’S BANK

If the bidder is a Joint Venture or partnership, the information requested below is required for each member / partner.

I/We hereby authorize the Employer/Engineer to approach all or any of the following banks for the purposes of obtaining a financial reference:

DESCRIPTION OF BANK DETAIL	BANK DETAILS APPLICABLE TO BIDDER
Name of bank	
Contact person	
Branch name	
Branch code	
Street address	
Postal address	
Telephone number	()
Fax number	()
Account number	
Type of account, (i.e. cheque account)	

BIDDER’S TAX DETAILS

Bidder’s VAT vendor registration number:

Bidder’s SARS tax reference number:

BIDDER:
Initial: Authorized Signatory/ies 1).....
 2).....

EMM:
Initial: EMM.....

Witness:

AUTHORITY FOR SIGNATORY

All signatories, **excluding sole proprietors**, shall confirm their authority by **attaching to the last page of this bid** a duly signed and **dated original or certified copy** of the relevant resolution of their meeting of members or their board of directors, as the case may be, *or by completing one of the following:*

1: COMPANIES / CLOSE CORPORATIONS

EXAMPLE SHOWN BELOW

"By resolution of the board of directors or meeting of members passed on 15 January 2006,

Mr A. APPLE has been duly authorised to sign all documents in connection with the Bid for

Contract number RTCW 10/2006 and any Contract, which may arise there from on behalf of the Bidding

Entity, namely, "ABCD (PTY) LTD"

SIGNED ON BEHALF OF THE BIDDING ENTITY: NAME: B.J. JONES

SIGNATURE: _____

IN HIS/HERS CAPACITY AS: DIRECTOR / MEMBER

DATE: 15 January 2006

AUTHORISED PERSON'S SPECIMEN SIGNATURE: SIGNATURE OF A. APPLE

AUTHORISED PERSON'S SPECIMEN INITIAL INITIAL OF A. APPLE

*AND/OR _____ (SIGNATURE) _____ (INITIAL)

*AND/OR _____ (SIGNATURE) _____ (INITIAL)

* DELETE WHICH IS NOT APPLICABLE

AS WITNESS: 1. B. XABA

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

2).....
Witness:

NAME OF BIDDER:.....

**PLEASE TURN OVER FOR FORM TO BE COMPLETED
AUTHORITY FOR SIGNATORY**

1: COMPANIES / CLOSE CORPORATIONS

FORM TO BE COMPLETED

"By resolution of the board of directors or meeting of members passed on _____ ,

(Mr/Me.) _____ has been duly authorised to sign all documents in connection

with the Bid for Contract number _____ and any Contract, which may arise there from

on _____ behalf of the _____ Bidding Entity, namely, _____

SIGNED ON BEHALF OF THE BIDDING ENTITY: **NAME:** _____

SIGNATURE: _____

IN HIS/HERS CAPACITY AS: _____

DATE: _____

AUTHORISED PERSON'S SPECIMEN SIGNATURE: _____

AUTHORISED PERSON'S SPECIMEN INITIAL _____

***AND/OR** _____ (SIGNATURE) _____ (INITIAL)

***AND/OR** _____ (SIGNATURE) _____ (INITIAL)

***AND/OR** _____

*** DELETE WHICH IS NOT APPLICABLE**

AS WITNESS: 1. _____

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

2).....
Witness:

2: JOINT VENTURE / CONSORTIUM / PARTNESHIP :

EXAMPLE SHOWN BELOW

We, the undersigned are submitting this bid and hereby authorize Mr. B. BROOK,

to sign all documents in connection with the

bid for Contract number RTCW 10/2006 and any contract resulting from it on our behalf.

NAME OF FIRMS	ADDRESS, TEL. NO., FAX. NO.	DULY AUTHORIZED SIGNATORY
Name of Firm no1	P.O. Box 111 Springs 1560	Signature:..... Name:..... Designation:.....
Name of Firm no 2	Address of 2 nd Firm	Signature:..... Name:..... Designation:.....
Name of Firm no 3	Address of 3 rd Firm	Signature:..... Name:..... Designation:.....
Name of Firm no 4	Address of 4 TH Firm	Signature:..... Name:..... Designation:.....
Name of Firm no 5	Address of 5 TH Firm	Signature:..... Name:..... Designation:.....

SPECIMEN SIGNATURES AND INITIALS OF PERSON AUTHORIZED TO SIGN ALL DOCUMENTATION

1. _____ (SIGNITURE) _____ (INITIAL)

2. _____ (SIGNITURE) _____ (INITIAL)

DATE: _____

AS WITNESS: 1. _____

**PLEASE TURN OVER FOR FORM TO BE COMPLETED
AUTHORITY FOR SIGNATORY**

BIDDER:

Initial: Authorized Signatory/ies 1).....

2).....

Witness:

EMM:

Initial: EMM.....

2: JOINT VENTURE / CONSORTIUM / PARTNERSHIP

FORM TO BE COMPLETED

We, the undersigned are submitting this bid and hereby authorize 1) _____,
 2) _____, 3) _____

to sign all documents in connection with the bid for *Contract number* _____ and any contract
 resulting from it on our behalf.

NAME OF FIRMS	ADDRESS, TEL. NO., FAX. NO.	DULY AUTHORIZED SIGNATORY
	ADDRESS _____ _____ _____ TEL. NO. _____ FAX. NO. _____	Signature:..... Name:..... Designation:.....
	ADDRESS _____ _____ _____ TEL. NO. _____ FAX. NO. _____	Signature:..... Name:..... Designation:.....
	ADDRESS _____ _____ _____ TEL. NO. _____ FAX. NO. _____	Signature:..... Name:..... Designation:.....
	ADDRESS _____ _____ _____ TEL. NO. _____ FAX. NO. _____	Signature:..... Name:..... Designation:.....
	ADDRESS _____ _____ _____ TEL. NO. _____ FAX. NO. _____	Signature:..... Name:..... Designation:.....

SPECIMEN SIGNATURES AND INITIALS OF PERSON AUTHORIZED TO SIGN ALL DOCUMENTATION

1. _____ (SIGNATURE) _____ (INITIAL)
 2. _____ (SIGNATURE) _____ (INITIAL)
 3. _____ (SIGNATURE) _____ (INITIAL)

DATE: _____

AS WITNESS: 1. _____

BIDDER:
Initial: Authorized Signatory/ies 1).....
 2).....

EMM:
Initial: EMM.....

Witness:

JOINT VENTURE INFORMATION

(Complete only if applicable)

The parties hereto form a Joint Venture for the purpose of jointly bidding and obtaining the award of contract

for.....

...

.....

..... (hereinafter called the "Project") and of jointly performing such contract under joint and several responsibility .

The share of the partners in the Joint Venture shall be :

Full Name and address of Lead enterprise

..... %

.....

Full Name and address of 2nd enterprise

..... %

.....

Full Name and address of 3rd enterprise

..... %

.....

The Lead Partner is hereby authorised to incur liabilities, receive instructions, payments, sign all documents in connection with the bid, and to be responsible for the entire execution and administration of the contract for and on behalf of the partners.

The parties hereto shall make available to the Joint Venture the technical advice and benefit of their individual experience and shall, in all other respects, endeavour to share the responsibility and burden of the performance of the Joint Venture.

To this end the parties hereto shall share, in the above proportions, in all risks and obligations arising out of or in connection with the Contract, especially in the provisions of all necessary working capital and guarantees, in profit and loss and personnel.

The Lead Partners shall supply, in its name, Professional Liability Insurance for the amount and period as stated in the Contract Data.

The Joint Venture may not be terminated by any of the parties hereto until either:

The contract has been awarded to another bidder

or

The work undertaken by the Joint Venture under the contract has been completed and all liabilities and claims incurred by and made by the Joint Venture have been settled, the bid is cancelled or the period of validity of bid extended.

BIDDER:

Initial: Authorized Signatory/ies 1).....

2).....

Witness:

EMM:

Initial: EMM.....

No party to the Agreement shall be entitled to sell, assign or in any manner encumber or transfer its interest or any part thereof in the Joint Venture without obtaining the prior written consent of the other party hereto.

The Parties of the Joint Venture shall cooperate on an exclusive basis. No Party shall during the validity period of the bid submit a bid to or enter into a Contract with the EMM or any other party for the Project, either alone or in collaboration with a third party.

Authorized Signature Lead Partner.....

Name

Designation

Signed at..... on

Authorized Signature of 2nd Partner.....

Name

Designation

Signed at..... on

Authorized Signature of 3rd Partner.....

Name

Designation

Signed at..... on

ALL SIGNATORIES SHALL CONFIRM THEIR AUTHORITY BY ATTACHING TO THE LAST PAGE OF THE BID, ORIGINAL OR CERTIFIED COPIES OF DATED AND SIGNED RESOLUTIONS OF THE MEMBERS/DIRECTORS/PARTNERS AS THE CASE MAY BE.)

BIDDER:
Initial: Authorized Signatory/ies 1).....

EMM:
Initial: EMM.....

2).....
Witness:

GENERAL CRITERIA

Provide information on the following:

Infrastructure and resources available

Physical facilities

Description	Address	Area (m ²)

Plant / Equipment

Provide information on plant / equipment that you have available for this project. Attach details if the space provided is not enough.

Description : Owned Plant / Equipment	Number of units

BIDDER:
 Initial: Authorized Signatory/ies 1).....
 2).....

EMM:
 Initial: EMM.....

Witness:

Description : Owned Plant / Equipment (continued)	Number of units
Description : Hired Plant / Equipment	Number of units
Description : Plant / Equipment to be purchased	Number of units

BIDDER:
Initial: Authorized Signatory/ies 1).....
2).....
Witness:

EMM:
Initial: EMM.....

Staffing Profile

Provide information on the staff that you have available to execute this contract (attach a separate list if the space provided is insufficient)

Own staff : gender and race	Number of staff
Staff to be employed for the project : gender and race	Number of staff

BIDDER:
 Initial: Authorized Signatory/ies 1).....
 2).....
 Witness:

EMM:
 Initial: EMM.....

COMPULSORY SITE INSPECTIONS / INFORMATION / CLARIFICATION MEETINGS

Where Compulsory Site Inspections and Compulsory Information, Briefing or Clarification Meetings are to be held, it shall be subject to the following conditions:

1. Necessity for Compulsory Site Inspection and Compulsory Information / Briefing / Clarification Meetings

Compulsory Inspections / Meetings must only be held where the nature of the contract is such that it requires either an inspection of a site or a briefing session. The Bid Specification Committee should indicate to the Tender Office that such a compulsory inspection or briefing is regarded as a necessity.

2. Attendance Register

An attendance register of potential bidders and the firms they represent shall be kept and signed by attendees. A copy of such Attendance Register shall immediately after the inspection/briefing be sent to the Tender Office.

3. Confirmation Notes of Inspection/Briefing Sessions

Confirmation Notes of the Compulsory Inspection or Briefing Session shall be held by or on behalf of the contact person of the Department for whom the Bid is being advertised. A copy of the notes shall be sent to each firm that was represented at the inspection/meeting as soon as possible after the inspection or meeting and before the closing date of the bid. A copy of the notes shall also be sent to the Tender Office. The relevant Department will ensure that the notes are submitted to the Bid Evaluation Committee and to the Bid Adjudication Committee.

4. Bid Documents

The bid documentation shall clearly state that where the inspection of a site or the attendance of a briefing session is compulsory, non-attendance thereof will lead to the disqualification of the bidder in question. The bid documentation shall further clearly state that if bid documents are obtained **after** the compulsory briefing session or site inspection, it will only be made available to firms that were represented at the meeting. The mere fact that a firm that was not represented at a compulsory meeting, but nevertheless submitted to the municipality a set of bidding documents, should not be construed as creating any expectations that a bid will be considered by the Municipality.

BIDDER:
Initial: Authorized Signatory/ies 1).....
2).....

EMM:
Initial: EMM.....

Witness:

NAME OF BIDDING ENTITY

FORM "G"
EKURHULENI METROPOLITAN MUNICIPALITY
CONTRACT NUMBER
(DESCRIPTION)

DECLARATION FOR MUNICIPAL ACCOUNTS

MUST BE COMPLETED FOR THIS BID

Declaration in terms of paragraph 38(1)(d)(i) of the Supply Chain Management Policy of the EMM, irrespective of the contract value of the bid:

NB: Please note that this declaration must be completed by ALL bidders

- (i). I, the undersigned hereby declare that the signatory to this tender document; is duly authorised and further declare:
- (ii) that at the closing date of the bid, no municipal rates and taxes or municipal service charges owed by the bidder or any of its directors/members to the EMM, or to any other municipality or municipal entity, are in arrears for more than three (3) months.
- (iii). I acknowledge that should it be found that any municipal rates and taxes or municipal charges as set out in (i) above are in arrears for more than three (3) months, the bid will be rejected and the EMM may take such remedial action as is required, including the rejection of the bid and/or termination of the contract.
- (iv) I further declare that copies of any rates and taxes or municipal service charges account/s, will be submitted to the EMM to its satisfaction, **PRIOR** to the commencement with the service/work but not later than 14 days after having been informed of the acceptance of the bid; and that
- (v) I declare that if the bid is awarded to the bidding entity, any moneys due to the bidding entity for services/goods rendered shall be utilised to offset any monies due to a municipality or a municipal entity.
- (vi) The following account/s of the bidding entity has reference:

Municipality

Account number

.....

.....

.....

(NB: If insufficient space above, please submit on a separate page)

BIDDER:

Initial: Authorized Signatory/ies 1).....

2).....

Witness:

EMM:

Initial: EMM.....

PLEASE NOTE further that if no municipal rates and taxes or municipal charges are payable by the bidding entity, indicate the reason/s for that in the space below by means of a tick next in the relevant block,

Bidding entities who operate from informal settlements		
Bidding entities who operate from a property owned by a director / member / partner		
Bidding entities who operate from somebody else's property		
Bidding entities who rent premises from a landlord		
Other (Please specify)		

Signed at.....this.....day of..... 20...

Name of Duly Authorised Signatory: (Please print).....

Authorised Signature:

As witness: 1.

2.

BIDDER:
Initial: Authorized Signatory/ies 1).....
 2).....

EMM:
Initial: EMM.....

Witness:

PLEASE REMEMBER:

- TO ATTACH A VALID ORIGINAL TAX CLEARANCE CERTIFICATE OR COPY THEREOF
- TO ATTACH A VALID ORIGINAL BEE CERTIFICATE OR EXEMPTED MICRO ENTERPRISE LETTER FROM ACCOUNTING FIRM OR COPY THEREOF
- IN THE CASE OF A JOINT VENTURE, THE VALID ORIGINAL TAX CLEARANCE CERTIFICATE OR COPY/IES THEREOF, OF EACH PARTNER, MUST BE SUBMITTED WITH THE BID DOCUMENT
- IN THE CASE OF A JOINT VENTURE, COPIES OF MUNICIPAL ACCOUNTS NOT OLDER THAN THREE (03) MONTHS OF EACH PARTNER, MUST BE SUBMITTED WITH THE BID DOCUMENT

ATTACH ALL REQUIRED DOCUMENTS TO THE LAST PAGE OF YOUR BID DOCUMENT

BIDDER:

Initial: Authorized Signatory/ies 1).....

2).....

Witness:

EMM:

Initial: EMM.....