

GRAND TOTAL VAT INCLUSIVE			

***RFQ submitted that did not attend the compulsory briefing session will not be considered.
(only when there is one indicated)***

2. PROPOSAL & SUBMISSION REQUIREMENTS

- a. Bidders should carefully examine the entire RFQ; Bidders should become fully aware of the nature of the work and conditions likely to be encountered in performing the work.
- b. Proposals are to be prepared in such a way as to provide a straightforward, concise delineation of the bidders’ capabilities to satisfy the requirements of this RFQ.
- c. Emphasis should be placed on: (i) conformance to the RFQ instructions; (ii) responsiveness to the RFQ requirements; and (iii) completeness and clarity of content.

3. PLEASE ENCLOSE THE FOLLOWING MANDATORY DISQUALIFYING DOCUMENTS IN YOUR RFQ:

- 4.1 Company profile.
- 4.2 Signed MBD Forms.
- 4.3 Respond to RFQ.
- 4.4 Valid Tax pin.
- 4.5 Up to date municipal account/statement for both the company (**not older than 3 months**). In case where a bidder is a lessee, a certified copy of a valid lease agreement must be supplied.
- 4.6 Company Registration Documents.
- 4.7 Certified Directors ID copy (**not older than three months**)
- 4.8 CSD Report (not older than two months)
- 4.9 Certified copy of a valid Fidelity Fund Certificate
- 4.10 Letter of good standing from the Legal Practice Council.

4. ADMINISTRATIVE COMPLIANCE

- Stamped Bank Letter (**not older than three months**)
- Specific goals as indicated below (You will forfeit points allocated to B-BBEE if the B-BBEE certificate is not supplied).
- Pricing schedule with company letter head

EVALUATION IN TERMS OF PPPFA 2011:

The value of this bid is estimated to be below R50, 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 (80 points); and

(b) specific goals (20 points) as follows.

Bidders must provide proof for each of the specific goals stated below to claim points allocated for each one of the specific goals:

- Historically Disadvantaged people = 10 pts
- Women = 3 pts
- Person living with disability = 2 pts
- Persons living with the Ekurhuleni demarcation = 2pts
- Job Creation indicate the number of new jobs to be created = 3 pts

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

	POINTS
1.3.1 Price	80
1.3.2 specific goals	20
Total points for Price and specific goals must not exceed	100

1.4. Failure on the part of a bidder to fill in and/or to sign this form and provide proof for all specific goals listed. Above will be interpreted to mean that preference points for specific economic goals status level of contribution are not claimed.

Should you not hear from us within 10 working days after closing date, please consider your proposal unsuccessful.

***NB:* All prices must be VAT inclusive and include all other related costs.**

Submissions will be hand delivered at EHC head office (not emailed copies will be accepted)(at handover building, Cnr Hendrik Potgieter & 7th Ave Edenvale.) in a sealed envelope – **EHCVEICTION/2023.(IN A RED TENDER BOX BY THE RECEPTION).PLEASE SIGN SUBMISSION REGISTER.**

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 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:

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 **YES / NO**
twelve months?

3.7.1 If so, furnish particulars.

.....
.....

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?

3.8.1 If so, furnish particulars.

3.9 Are you, aware of any
relationship (family, friend,

* 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.

other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?

3.9.1 If so, furnish particulars

YES / NO

YES / NO

3.10 Are any of the company's directors, managers, principal 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, principal 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

MBD 6.1 PREFERENCE POINTS CLAIM FORM IN TERMS OF NEW PREFERENTIAL PROCUREMENT REGULATIONS 2022 EFFECTIVE 16TH JANUARY 2023 – PURCHASES/SERVICES

Before completing this form, bidders must study the general conditions, definitions and directives applicable in respect of specific economic goals, as prescribed in the New Preferential Procurement Regulations, 2022 as amended effective 16 January 2023

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 R50,000,000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R 50,000,000 (all applicable taxes included).

1.2. The value of this bid is estimated to be below R50, 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 (80 points); and

(b) specific goals (20 points) as follows.

Bidders must provide proof for each of the specific goals stated below to claim points allocated for each one of the specific goals:

- i. Historically Disadvantaged people = 10 pts
- ii. Women = 3 pts
- iii. Person living with disability = 2 pts
- iv. Persons living with the Ekurhuleni demarcation = 2pts
- v. Job Creation indicate the number of new jobs to be created = 3 pts

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

	POINTS
1.3.1 Price	80
1.3.2 specific goals	20
Total points for Price and specific goals must not exceed	100

1.4. Failure on the part of a bidder to fill in and/or to sign this form and provide proof for all specific goals listed. Above will be interpreted to mean that preference points for specific economic goals status level of contribution are not claimed.

1.5. The Municipality 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 Municipality.

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, skills 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 annual total revenue of R5 million or less (except where Sector Charter Thresholds apply);

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 or 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;

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 specific economic goals.

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 specific economic goals, 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:

80/20 or
90/10

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

$$P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where
 P_s = Points scored for comparative price of bid under consideration
 P_t = Comparative price of bid under consideration
 P_{\min} = Comparative price of lowest acceptable bid

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

5.1 In terms of Regulation 3, 4 and 5 of New Preferential Procurement Regulations 2022 effective 16th January 2023, preference points must be awarded to a bidder for contributing to specific goals as stated

5.2

Specific goals	Number of points (90/10 system)	Number of points (80/20 system)
	10	20
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 specific goals 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 specific goals 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 specific goals relating to subcontracting 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 sub-contractor 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.

6. BID DECLARATION

6.1 Bidders who claim points in respect of specific goals Status Level of Contribution must complete the following:

6.1.2 Specific goals LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPH 1.3.1.2. AND 5.1	
6.1.2.1. Specific goals Level of Contribution as reflected on the B-BBEE Certificate	
6.1.2.2. Points claimed in respect of Level of Contribution (maximum of 20 points)	

(Points claimed in respect of paragraph 6.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a specific goals as registered by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted? (Tick applicable box)	YES		NO	
7.1.1. If yes indicate:				
7.1.1.1. what percentage of the contract will be sub-contracted?			%	
7.1.1.2. the name of the sub-contractor				
7.1.1.3. the specific goals of the sub-contractor?				
7.1.1.4. whether the sub-contractor is an EME? (Tick applicable box)	YES		NO	

WITNESSES:

1.

<p>..... SIGNATURE(S) OF BIDDER(S)</p>
--

1.

DATE:.....

ADDRESS:.....

.....

.....

.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	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	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:		

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