

REQUEST FOR A QUOTATION: FOR EXISTING MTC WEBSITE MAINTENANCE & FULL SUPPORT**Summary**

The City of Johannesburg (hereafter referred to as either the City or COJ) made a strategic decision to invest in the development of a Johannesburg Broadband Network (JBN) to cater to its internal telecommunications requirements at a reduced cost as well as to stimulate social and economic development in Johannesburg. After a series of previous agreements, the City transferred the JBN to a Municipal Entity (ME) named Metropolitan Trading Company (Pty) Ltd (also referred to as MTC) which aims to create better lives for the citizens of Johannesburg and realise the vision and the objectives of the City. MTC began operating as such on the 4th of September 2015.

MTC is a Broadband Network Company designed to offer both wholesale data services to public and private entities as well as retail services and provide incidental services on behalf of the City. MTC mandate: MTC shall offer Wholesale services to the market and Internal Retail services. Spare capacity on the network will be provided to Network Operators and to ICT Resellers who will then sell directly to Enterprises, SMEs, and households. In addition, the Company shall perform any other municipal services assigned to it by COJ as defined in the Service Delivery Agreement (SDA) entered between MTC and COJ, as amended from time to time.

MTC is responsible for the enablement of the many Smart City Programmes of the City as well as rendering the full spectrum of ICT, networking services, and other incidental services to the city and many of its MEs.

Background

MTC requires the services of a capable web development company for maintenance and full support of an existing MTC website.

The website is currently hosted by an existing service provider and the contract with the service provider is coming to an end.

Scope of work

Taking over services and maintenance of the MTC's website in a secure and trusted hosting environment and secured.

Requirements

The Service Provider is expected to oversee the process of urgently taking over the maintenance and full support from the existing service provider for a period of 12 months.

1. Technical Requirements:

- Review current site
 - Capable of multimedia uploads and downloads
 - Integrable with Automated chatbots.

- Integrative elements i.e., social sharing buttons and automated social media feeds
 - Ability to raise queries for complaints (link website to CMS)
 - Security and incorporate cookies enabled technology
 - The website design must have News / blog section
 - The service provider is required to deploy web services
 - The website must have an Email Service for Contacts and Product Enquiry
 - The website must make use of Enterprise content management
 - The customer will update content, but the service provider must have the capability of uploading content as well
- The website must have the following capability:
- Configuration of dynamic content and advanced Document library
 - Thin Reports and Charts
 - KPIs
 - Dashboards
- Regular updates of website as and when required by MTC.

Look and feel

The service provider must be able to implement urgent changes and requirements to incorporate some features as and when MTC requires.

MTC Website: mtc.joburg.org.za

3. Service Requirements

Any Service Request that is deemed critical to the MTC business, by MTC representative, especially if the service request is regarding an incident that causes an interruption to the entire MTC Business, then Service provider is expected to respond within one (1) to three (3) hours with an acknowledgement and possible information that will assist MTC in resolving that critical problem post project implementation.

4. Tertiary Qualifications (With Solid Knowledge and experience in programming and Web designing applications)

- Degree in Web development or related field, or relevant experience.
- Proficient in JavaScript, HTML, CSS and other related.
- Graphic designer.
- Certified Web Professional

EVALUATION CRITERIA	Points
<p><u>Adherence to technical Requirements</u></p> <p>The service Provider has provided enough evidence that their solution meets the above technical requirements. All the requirements of the technical specification are equally important, and the service provider is required to provide evidence on their proposal that shows that the requirements are met.</p>	30
<ul style="list-style-type: none"> ○ Certified Web Professional = 5 ○ Degree in Web development or related field, or relevant experience = 5 ○ Graphic design = 5 ○ JavaScript, HTML, CSS Certified Development Professional = 5 	20
<p>5 X reference letters detailing the web developing work or projects done for reputable companies or in public sector</p> <ul style="list-style-type: none"> ○ 5x reference letters = 25 ○ 4x reference letters = 20 ○ 3x reference letters = 15 ○ 2x reference letters = 10 ○ 1x reference letter = 5 ○ 0 reference letter = 0 	25
CV or CVs of web developer/developers	5
<p>The service provider is required to show a maintenance plan showing how the website will be maintained and at which secure platform.</p> <p>The service provider has provided a project document as per the scope of work.</p>	20

A minimum of 80 points is required to be considered for specific goals evaluation (applicable ones are given in the tables below)

SPECIFIC GOAL 1: HDI	MEANS OF VERIFICATION	80/20	90/10
Maximum points:		10	5
Business owned by 51% or more - Black Youth	CSD, Valid BBBEE Certificate/ Affidavit Sworn under oath, ID copy of owner/s of the business and Shareholder's certificate.	10	3

SPECIFIC GOAL 2: PROMOTION OF LOCAL ECONOMY	MEANS OF VERIFICATION	80/20	90/10
Maximum points:		10	5
Enterprises located within the City of Johannesburg Metropolitan Municipality.	CSD and proof of municipal account.	10	5

PRICING

Pricing for the project must be provided in the table below.

Deliverables (Once Off)	Quantity	Price
Website Hosting	1	
Website Hosting for signoff		
Provider, implement and provide full support and maintenance if moving to a different hosting platform.		
Training		
Sub Total		
	VAT	
	Total	

Monthly service	Quantity	Unit Price	Total
Website hosting, security, maintenance, and Support (Subject to renewal if needed every after 12 Months)	12		
	VAT		
	Total		

Closing Date: 15 November 2024 at 12:00.



City of Johannesburg
Metropolitan Trading Company Pty Ltd

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Braampark Johannesburg E-mail:
Forum 4, 1st Floor South Africa info@metrotradingcompany.org.za
Braamfontein 2000 www.metrotradingcompany.org.za
Registration: 1999/011422/07
VAT Number: 4260185824

SUPPLIER NAME: _____

REQUEST FOR QUOTATION FOR GOODS AND SERVICES FOR THE METROPOLITAN TRADING COMPANY

Procurement Less than R 750 000 (Including Vat)

The Metropolitan Trading Company (MTC) requests your quotation on the goods and/or services listed hereunder and/or on the available RFQ forms. Please furnish all information as requested and return your quotation on the date stipulated. Late and incomplete submissions will invalidate the quotation submitted.

ADVERTISEMENT DATE	08 NOVEMBER 2024
DEPARTMENT	METROPOLITAN TRADING COMPANY
RFQ NUMBER:	RFQ-20241108
DESCRIPTION OF GOODS/SERVICES	WEBSITE HOSTING & MAINTENANCE SUPPORT
COMPULSORY REQUIREMENTS	PLEASE NOTE THAT NOT SUBMITTING THE COMPULSORY DOCUMENTS WILL LEAD TO DISQUALIFICATION.
ADDITIONAL COMPULSORY REQUIREMENTS	N/A
<u>SUBMISSION OF QUOTES:</u>	<u>33 HOOFD STREET, BRAAMPARK OFFICE PARK, FORUM 4, 1ST FLOOR, BRAAMFONTEIN</u>
TIME: CLOSING DATE	12h00 15 NOVEMBER 2024
ENQUIRIES:	XOLANI ZWANE (011 032 0250) OR XOLANI.ZWANE@MTC.JOBURG.ORG.ZA

Quotations will be evaluated on the basis of the 80:20-point system as stipulated in the Preferential Procurement Policy Framework Act (Act number 5 of 2000) & the MTC's Supply Chain Management Policies and Procedures.

CHECKLIST

RFQ NO: RFQ-20241108

PLEASE USE THE CHECKLIST TO CONFIRM THAT ALL COMPULSORY DOCUMENTS HAVE BEEN ATTACHED TO YOUR QUOTATION. PLEASE NOTE THAT IF THESE DOCUMENTS ARE NOT ATTACHED COMPLETED AND SIGNED THE QUOTATION WILL BE DISQUALIFIED.

No	Details	✓
1.	Original Certified Copy of Company Registration Document (NOT A COPY OF CERTIFIED COPY AND IT MUST NOT BE OLDER THAN THREE MONTHS)	
2.	Rates & Taxes Invoice for Company OR Certified Copy of Lease Agreement OR Original Certified Copy of Affidavit Certified by the SAPS. (NOT A COPY OF CERTIFIED COPY AND IT MUST NOT BE OLDER THAN THREE MONTHS)	
3.	Rates and Taxes Invoice for All the Directors of the Company OR Original Certified Copy of Lease Agreement OR Affidavit Certified by the SAPS. (NOT A COPY OF CERTIFIED COPY AND IT MUST NOT BE OLDER THAN THREE MONTHS)	
4.	Declaration on State of Municipal Account (Attached)	
5.	MBD 4: Declaration of Interest (Attached)	
6.	MBD 9: Certificate of Independent Bid Determination. (Attached)	
7.	MBD 6.1 Preference Points Claim Form In Terms Of The Preferential Procurement Regulations 2017	
8.	MBD 6.2 Declaration Certificate for Local Production and Content for Designated Sectors	
9.	MBD 8: Declaration Of Tenderer Past Supply Chain Management Practices	
10.	Certified Copy of BBBEE certificate OR Certified copy of Sworn affidavit. (NOT A COPY OF CERTIFIED COPY AND IT MUST NOT BE OLDER THAN THREE MONTHS)	
11.	Tax Clearance Certificate (TENDER NOT GOOD STANDING) and Tax Pin Code.	
12.	Training Suppliers to be accredited with SITA	
13.	Catering Suppliers to submit a Health Certificate	
14.	All alterations have been signed.	
15.	Registration report on Central Supplier Database (or supplied CSD Supplier number)	
16.	Quotation is signed.	

SIGNATURE _____

NAME _____

PLEASE NOTE THAT NOT SUBMITTING THE COMPULSORY DOCUMENTS MAY LEAD TO DISQUALIFICATION COMPULSORY REQUIREMENTS

1. Tax clearance

Please note that copies of tax clearance certificates are not valid as per SARS and they will not be accepted by the MTC. Failure to provide the original tax clearance certificate will result in the quotation being disqualified.

2. Latest copy of rates and taxes together with a completed “Declaration on State of Municipal Accounts” form. (Attached)

Please note the following:

- a) There must be a Rates & Taxes invoice for each of the Directors of the Company as well as for the Company. The Rates & Taxes Invoice cannot be older than 3 months. If Rates & Taxes are in arrears for more than 3 months, the quotation will be disqualified.
 - b) If the business is operated from the residence of one of the directors, an affidavit, certified, must be submitted stating the address of the business premises.
 - c) If the premises from where business is conducted or where a director is residing, is leased a copy of the lease agreement or an affidavit must be submitted.
3. The quotation page must be signed. If you are using your own format on your Company’s letterhead to quote please ensure that the quotation is signed.
 4. The attached MBD 9 form (Certificate of Independent Bid Determination) must be completed and submitted with the quotation. If the MBD 9 is incomplete or not attached the quotation may be disqualified.
 5. The attached MBD 4 form (Declaration of Interest) ***must*** be completed and submitted with the quotation. If the MBD 4 is incomplete or not attached the quotation may be disqualified.
 6. The attached MBD 8 form (Declaration of Tenderer Past Supply Chain Management Practices) ***must*** be completed and submitted with the quotation. If the MBD 8 is incomplete or not attached the quotation may be disqualified
 7. The attached MBD 6.1 form (Preference Points Claim Form In Terms Of the Preferential Procurement Regulations 2022) ***must*** be completed and submitted with the quotation. If the MBD 6.1 is incomplete or not attached the quotation may be disqualified.
 8. Both the MBD 6.1 & 9 forms must be original for each quotation. No copies will be accepted. Both the MBD 4 & 9 forms must be dated within the quotation period.
 8. Proof of Directors: A certified copy of your Company Registration Documents
 9. A certified copy of the B-BBEE Status Level Verification Certificate / Certified copy of sworn affidavit for QSE and EME must be attached. If not attached no points for B-BBEE will be awarded.
 10. All price alterations must be signed for by the Bidder confirming that such changes were made by the Bidder. **PLEASE NOTE THAT PRICE CHANGES WITHOUT A SIGNATURE WILL LEAD TO THE DISQUALIFICATION OF THE QUOTATION SUBMITTED.**

I HEREWITH CONFIRM THAT HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED REQUIREMENTS

SIGNATURE _____

NAME _____

CONDITIONS

1. All purchases will be made through an official order form. Therefore no goods must be delivered or services rendered before an official order has been forwarded to and accepted by the successful bidder.
2. To participate in the MTC's Quotation process for the procurement of goods and/or services, vendors are advised to get accredited and registered on the MTC's Supplier Database. Supplier registration forms are available from the Supply Chain Management Unit. The MTC is dealing only with the registered and accredited suppliers on its Database.
3. All prices quoted must be exclusive of Value Added Tax (VAT). Suppliers who are not registered for VAT will be treated as Non VAT Vendors.
4. Prices quoted must include delivery charges and goods must be delivered to the address indicated on the quotation page.
5. All prices submitted must be firm. "Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.
6. Quantities are given in good faith and without commitment to the MTC. The MTC reserves the right to increase or reduce the quantity to be in line with the set threshold for quotations prescribed in the SCM Policy.
7. ***THE MTC DOES NOT TAKE RESPONSABILITY FOR ANY QUOTATIONS DEPOSITED IN THE WRONG BOX.***

I HEREWITH CONFIRM THAT HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED REQUIREMENTS

SIGNATURE _____

NAME _____

ADDITIONAL REQUIREMENTS

DECLARATION

I certify that the information supplied is correct and I have read and understood the MTC General Conditions and Policies and Procedures and accept same

I further certify that all the required information has been furnished and the relevant forms completed and are herewith submitted as part of the quotation.

SIGNATURE: _____

NAME: _____

CAPACITY: _____

DATE: _____

SUPPLY CHAIN MANAGEMENT UNIT

BIDDER: _____

TEL: _____
FAX: _____
CSD MAAA # : _____

Your Vendor Number With Us: _____

REQUEST FOR QUOTATION	
RFQ NUMBER	RFQ DATE
RFQ-20241108	08 NOVEMBER 2024
CONTACT PERSON	
NAME:	XOLANI ZWANE
TEL No:	011 032 0250

PLEASE NOTE THAT YOU MUST BE REGISTERED ON THE METROPOLITAN TRADING COMPANY SUPPLIER DATABASE

Submission Deadline: 15/11/2024
Submission Time: 12H00

VALIDITY OF RFQ: 30 DAYS

OFFICE USE ONLY: PRICE/S TO BE VAT EXCLUSIVE	
RFQ's to a maximum of R750 000 will be evaluated on the basis of the 80:20 point system as stipulated in the Preferential Procurement Policy Framework Act (Act number 5 of 2000), Preferential Procurement Regulations, 2022 and SCM practice note: 1/2023	
Points will be allocated as follows:	
Points for price:	80
Preferential Goals (Max of 20):	20
Preferential Goals	Allocated Points (80/20 system)
GOAL 1: DESIGNATED GROUP	MEANS OF VERIFICATION
Business owned by 51% or more – Black Youth	CSD and ID copy of Director/s (10)
GOAL 2: SPECIFIC GOALS	DOCUMENTS REQUIRED
Enterprises located within the City of Johannesburg Metropolitan Municipality	CSD and proof of municipal account (10)

SIGNATURE OF BIDDER	
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CAPACITY	
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PLEASE NOTE THAT NO PRICE INCREASES WILL BE APPROVED AFTER SUBMISSION OF THE QUOTATION.

REQUEST FOR QUOTATION (RFQ) NUMBER: RFQ-20241108

Delivery Address:

ITEM NO.	DESCRIPTION	Quantity Required	Unit of Measure	Date required	Delivery Period / Lead time	Price per Unit of Measure (Excluding Vat)	Total (Excluding Vat)
1.	WEBSITE HOSTING & MAINTENANCE SUPPORT	SEE SPEC					
NB ANY AND ALL ALTERATIONS MUST BE SIGNED FOR BY THE BIDDER CONFIRMING THAT SUCH ALTERATION WAS MADE BY THE BIDDER. PLEASE NOTE THAT PRICE CHANGES WITHOUT A SIGNATURE WILL BE DISQUALIFIED						<i>Grand Total</i>	

ALL BIDDERS MUST PLEASE MAKE SURE THAT THEY KNOW WHAT THEY ARE QUOTING FOR.

Conditions

1. All prices quoted must be exclusive of Value Added Tax (VAT).
2. Prices quoted must include delivery charges and goods must be delivered to the address indicated.
3. All prices submitted must be firm. "Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.
4. Quantities are given in good faith and without commitment to the MTC.
5. Vendors not registered for Value Added Tax with SARS will be treated as Non VAT vendors.

Evaluation Criteria

This RFQ will first be evaluated based firstly on functionality, then price and preferential goals in accordance Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations, 2022

The assessment of functionality shall be done in terms of the evaluation criteria stipulated in the bid document. Bids will first be evaluated and scored on the functionality elements. Only those bidders that meet the minimum threshold shall be considered for the subsequent stages of the evaluation process and all bidders who did not meet the minimum threshold shall not be considered for further evaluation on pricing (Preferential Procurement Policy Framework Act) 80:20-point system. Where;

Price: 80
Preferential Goals: 20

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.

1. In order to meet this requirement bidders are required to complete in full the attached form TCC 001“ Application for a Tax Clearance Certificate” and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
5. Copies of the TCC 001 “Application for a Tax Clearance Certificate” form are available from any SARS branch office nationally or on the website www.sars.gov.za.

Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za

MBD 4

DECLARATION OF INTEREST

- 1. No bid will be accepted from persons in the service of the state¹.
- 2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his or her representative:.....

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, hareholder²):.....

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

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

3.8.1 If yes, furnish particulars.

.....

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

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

² Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

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

3.9.1 If yes, furnish particulars.....

.....
3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.10.1 If yes, furnish particulars.

.....
.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.11.1 If yes, furnish particulars

.....
.....

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

3.12.1 If yes, furnish particulars.

.....
.....

3.13 Are any spouse, child or parent of the company's directors trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

3.13.1 If yes, furnish particulars.

.....
.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. **YES / NO**

3.14.1 If yes, furnish particulars:

.....
.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

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

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

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

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:
 - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

1.2 a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and Specific Goals must not exceed	100

1.5 Failure on the part of a bidder to submit proof of documentation required in terms of the tender to claim points for the specific goals with the tender, will be interpreted to mean that preference points for specific goals 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) **“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;

- (b) “**Broad-Based Black Economic Empowerment Act**” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (c) “**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;
- (d) “**functionality**” means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (e) “**prices**” includes all applicable taxes less all unconditional discounts;
- (f) “**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;
- (g) “**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:

80/20

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

P_{\min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1 In terms of Regulation 4 (2), 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for specific goals stated in the tender.

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) -generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

SPECIFIC GOALS ALLOCATED POINTS IN TERMS OF TENDER	MEANS OF VERIFICATION DOCUMENTS REQUIRED	NUMBER OF POINTS ALLOCATED (80/20 SYSTEM)	NUMBER OF POINTS CLAIMED (80/20 SYSTEM) (TO BE COMPLETED BY THE TENDERER)
GOAL 1: DESIGNATED GROUP			
Black owned by 51% or more – Black Youth	CSD Report, ID copy of owner/s of the business and Shareholder’s certificate	10	
GOAL 2: SPECIFIC GOAL			
Enterprise located within the City of Johannesburg Metropolitan Municipality	CSD Report and proof of municipal account	10	

5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1 Name of company/firm:.....

5.2 VAT registration number:.....

5.3 Company registration number:.....

5.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

5.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

5.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

5.7 MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:.....

5.8 Total number of years the company/firm has been in business:.....

5.9 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.

.....
SIGNATURE(S) OF BIDDERS(S)
DATE:
ADDRESS
.....
.....

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp at no cost.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

<p>LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)</p> <p>IN RESPECT OF BID NO.</p> <p>ISSUED BY: (Procurement Authority / Name of Institution):</p> <p>.....</p>
--

NB

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thdti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),

do hereby declare, in my capacity as

of(name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

**MBD 8: DECLARATION OF TENDERER PAST SUPPLY
CHAIN MANAGEMENT PRACTICES**

1. This Municipal Tender Document must form part of all tenders/quotations 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 tender of any tenderer may be rejected if that tenderer, 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 tender:

Item	Question	Yes	No
4.1	Is the tenderer any of its directors listed on the National Treasury's database as a company or persons prohibited from doing business with the public sector? (Companies for 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:		
4.2	Is the tenderer 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 tenderer 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:		

2/...

4.4	Does the tenderer 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 tenderer 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 to 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 TO BE 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 TENDERER

**CITY OF JOHANNESBURG
FINANCE DEPARTMENT: SUPPLY CHAIN MANAGEMENT UNIT**

DECLARATION ON STATE OF MUNICIPAL ACCOUNTS

A Any bid will be rejected if:
Any municipal rates and taxes or municipal service charges owed by the bidder or any of the directors to the municipality or a municipal entity, or to any other municipality or municipal entity, are in arrears for more than three months.

B Bid Information

i. Name of bidder

.....

ii. Registration Number

.....

iii. Municipality where business is situated

.....

iv. Municipal account number for rates

.....

v. Municipal account number for water and electricity

.....

vi. Names of all directors, their ID numbers and municipal account number.

1.

2.

3.

4.

5.

6.

7.

C Documents to be attached.

- i. A copy of municipal account mentioned in B (iv) & (v) (Not older than 3 months) ii.
- A copy of municipal accounts of all directors mentioned in B(vi) (Not older than 3 months) iii. Proof of directors

I/We declare that the abovementioned information is true and correct and that the following documents are attached to this form:

.....
.....

Signature

Date