PIKITUP JOHANNESBURG SOC LIMITED

REQUEST FOR FORMAL PRICE QUOTATION

(For publication on Pikitup Website and Notice Board)

APPOINTMENT OF A CONTRACTOR FOR THE PROVISION OF GENERAL REPAIRS AT PIKITUP NORWOOD - BIZVALLEY GARDEN SITE

IT IS ESTIMATED THAT TENDERS MUST HAVE A CIDB CONTRACTOR GRADING DESIGNATION OF 1GB OR HIGHER

7BID NO: PIK 181/2023-2024

BIDDER COMPANY NAME:

CIDB CRS NUMBER:

BID AMOUNT (VAT INCL): R _____

THIS DOCUMENT IS COMPILED FOR:

Pikitup Johannesburg SOC Ltd
Jorrisen Place Building
66 Jorissen Street,
Braamfontein, JHB

CONTACT DETAILS:
Papi Lekgoathi
E-mail : papil@pikitup.co.za

Landline: 087357 1165

QUOTATION BOX SUBMISSION IS SITUATED AT:

Pikitup Johannesburg SOC Ltd
Jorissen Place Building
66 Jorissen Street,
Tender Office
Ground Floor
East Wing
Braamfontein, JHB
Closing date: 21.06.2024
Closing time: 11:00 am
Validity Period: 60 days from RFQ closing date
Compulsory Briefing session: none

BIDDER'S COMPANY NAME: _____

BIDDER'S CONTACT PERSON: _____

BIDDER'S CONTACT NUMBER: _____

BIDDER'S EMAIL ADDRESS: _____

TOTAL BID AMOUNT: _____

CLOSING DATE: **21 June 2024**

CLOSING TIME: **11:00 AM**

BRIEFING SESSION: **Not Applicable**

Document Issued By:

Pikitup Johannesburg SOC Limited
Pikitup Head Office (Ground Floor)
Jorissen Place Building
66 Jorissen Street
Braamfontein

Tel : +27 (0)87 357 1165
E-Mail : papil@pikitup.co.za

Website : www.pikitup.co.za

Quotations received will be evaluated firstly on pre-compliance evaluation, then on functionality evaluation (IF APPLICABLE), and thereafter 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 8: Declaration of bidders past supply management practices**
- **MBD 9: Certificate of Independent bid determination**

Failure to submit a fully compiled **MBD** forms quotation will result in your bid being rejected.

- **No quotation** will be considered from persons in the service of the state (**MBD4**).
- **A certified /original/ valid, B-BBEE certificate/ sworn affidavit (Please note that the Sworn Affidavit must be compliant as per B-BBEE Practice Guide 01 of 2018. NON-COMPLIANT AFFIDAVIT WILL GET ZERO POINT ALLOCATION)**

SECTION 2

1. **The Lowest or any bid will not necessarily be accepted** and the **PIKITUP 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. In addition Pikitup also reserves the right to appoint more than one service provider/supplier as deemed necessary
2. In evaluating bids received and adjudicating the award of this bid, Pikitup Johannesburg (SOC) Limited will, in addition to the pre-compliance and functionality criteria included in the specifications and irrespective of the capital, pricing and black economic empowerment structures of the bidder, take into account as objective criteria (1) the desirability of rotating the work amongst service providers, (2) the past bidding practices of any bidder in relation to evidence and/or reports of combative practices including conduct reported, amongst others, in terms of the Prevention and Combatting of Corrupt Activities Act, 2004, (3) the past contractual performance of any bidder and (4) the nature and extent of disputes involving the bidder in relation to past and/or current contracts. Note that as a result of the application of these objective criteria, the highest scoring bidders will not necessarily be selected as a preferred bidders.
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.**
   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.
4. **Payments will be made thirty (30) days** after receipt of invoice by Pikitup.
5. Quotations received after the closing date and time will not be considered
6. Samples of the required items or goods are available for your perusal (when applicable.)
7. Should the above-mentioned conditions not be adhered to, the quotation will be considered invalid.
8. **Quotations must be valid for minimum of 90 days.**
9. **It is compulsory for all service providers and suppliers wanting to render services to PIKITUP be registered and have a “compliance status” on the**

National Treasury Central Supplier Database ("CSD") as per National Treasury Circular No 3 of 2015/6 – Central Supplier Database. National Treasury will maintain the database of all suppliers for Government and its institutions. Prospective suppliers can register online on the CSD by accessing the National Treasury website at www.CSD.gov.za.

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 authorized to do so. Should this not be the fact, stipulations regarding this as contained in the PIKITUP JOHANNEBSURG SOC LTD Policy applies. I accept that the PIKITUP JOHANNEBSURG SOC LTD may act against me in terms 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 initialing of each page by the bidder mandatory.

_____

NAME OF PERSON

_____

CAPACITY

_____

DATE

Compulsory Returnable Documentation are required for pre-compliance evaluation purposes (Submission of these are compulsory)	**Submitted (YES or NO)**
a) Contractor must submit current CIDB registration certificate. Contractor must have a grading of 1GB or higher	
b) To enable Pikitup to verify the bidder's tax compliance status, the bidder must provide; • Copy of the Central Supplier Database (CSD) registration, where the CSD is fully tax compliant (CSD must not be older than 3 months); • or indicate their Master Registration Number / CSD Number; where the CSD is fully tax compliant; • or a copy of their Tax Clearance Certificate (TCS).	
c) **FOR THE SITE WHERE THE BUSINESS IS CURRENTLY LOCATED** • **Municipal statement** - if the property is owned by The business **OR** • **Lease Agreement** – if the business is a tenant on the property + • **Landlords Letter**–then we also require a letter of good standing from the landlord/letting agency/proxy confirming the tenants account is not more than 90 days in arrears **OR** • **Sworn Affidavit** – compiled by the owner of the business if the business is being operated from the residence of the director.	
d) **FOR EACH DIRECTOR OF THE COMPANY** • **Municipal Statement** - for each director that owns the property where he/she currently resides **OR** • **Lease agreement** – if the director is a tenant at the place where he/she resides + • **Landlords Letter**– if the director is a tenant at the place where he/she resides then we will also require a letter of good standing from the Landlord/Letting Agency **OR** • **Sworn Affidavit** –where a director is residing with parents or other relatives without any formal agreement in place then a sworn affidavit must be compiled by parent/relative confirming the following: o the director resides with parent/relative at the aforementioned property without there being any formal lease agreement or contract in place o The director does not have any outstanding payments in terms of utility payments of more than 90 days. o Most recent Municipal statement for the place of residence. If the parent/relative is a tenant on the aforementioned property then a copy of the lease agreement will need to apply. • Copy of Identity Document of the parent/relative	

e) Fully completed and signed and completed MBD forms (MBD 4, MBD 8 and MBD 9) The person signing the bid documentation must be authorised to sign on behalf of the bidder. Where the signatory is not a **Director / Member / Owner / Shareholder** of the company, an official letter of authorization or delegation of authority should be submitted with the bid document.	

	Other Returnable Documentation	**Submitted (YES or NO)**
a)	Proof of Company Registration (Latest version of company registration showing the company's physical address, all the current registered owners/members/directors/shareholders, and all the owners/members/directors/shareholders' physical addresses.	
b)	Proof of registration with the Central Supplier Database established by the National Treasury	
c)	Original or certified copy of BBBEE scorecard or original sworn affidavit	

MBD 1
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID TO PURCHASE THE AFOREMENTIONED GOODS FROM PIKITUP JOHANNEBSURG SOC LTD					
BID NUMBER:	**PIK 181/2023-24**	CLOSING DATE:	**21.06.2024**	CLOSING TIME:	**11H00**

APPOINTMENT OF A CONTRACTOR FOR THE PROVISION OF GENERAL REPAIRS AT PIKITUP NORWOOD - BIZVALLEY GARDEN SITE

IT IS ESTIMATED THAT TENDERS MUST HAVE A CIDB CONTRACTOR GRADING DESIGNATION OF 1GB OR HIGHER

(REFER ANNEXURE A FOR FULL DETAILS)

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE RFQ BOX SITUATED AT JORISSEN PLACE BUILDING, 66 JORISSEN STREET, BRAAMFONTEIN, TENDER OFFICE, GROUND FLOOR

SUPPLIER INFORMATION						
NAME OF BIDDER						
POSTAL ADDRESS						
STREET ADDRESS						
TELEPHONE NUMBER	CODE		NUMBER			
CELLPHONE NUMBER						
FACSIMILE NUMBER	CODE		NUMBER			
E-MAIL ADDRESS						
VAT REGISTRATION NUMBER						
TAX COMPLIANCE STATUS	TCS PIN:		**OR**	CSD No:		
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	☐ Yes ☐ No		

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE **IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?**	☐Yes ☐No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES /WORKS OFFERED?**	☐Yes ☐No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		**TOTAL BID PRICE**	**R**
SIGNATURE OF BIDDER	……	**DATE**	
CAPACITY UNDER WHICH THIS BID IS SIGNED			

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		**TECHNICAL INFORMATION MAY BE DIRECTED TO:**	
DEPARTMENT	SCM UNIT	CONTACT PERSON	
CONTACT PERSON	Papi Lekgoathi	TELEPHONE NUMBER	
TELEPHONE NUMBER	087 357 1165	FACSIMILE NUMBER	
FACSIMILE NUMBER	N/A	E-MAIL ADDRESS	
E-MAIL ADDRESS	papiln@pikitup.co.za		

1. BID SUBMISSION:

1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.

1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE**

1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.

2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B: 3.

2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO

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

RETURN OF BIDS

Late bids will not be accepted or considered and bids delivered to any other address besides the address stated above will not be considered.

Neither PIKITUP nor any of its employees shall be liable in any way whatsoever for bids that are not placed in the bid box by the closing date and time.

No bid shall be considered unless it is accompanied by sufficient information to show that the goods offered comply with the specification.

Bidders must state the country of origin and the name of the manufacturer of the goods offered. Documentary proof must be produced, if required.

Bidding documents must be completed properly in permanent black ink pen.

VALIDITY PERIOD

Your bid submission must remain valid for a period of 90 days from the closing date of this bid. It will constitute an offer which remains open for acceptance during the validity period.

INFORMATION MEETING

None.

ADJUDICATION OF BIDS

Bids submitted in response to this invitation will be adjudicated by PIKITUP in terms of a supply chain management policy developed in accordance with the requirements of the Municipal Finance Management Act 56 of 2003 and the PPPFA. Enquiries in respect of the policy should be addressed to the Head of PIKITUP's Supply Chain Management -

C**ONTRACT**

The terms of the proposed contract with PIKITUP are contained in the General Conditions of Contract, the Special Conditions of Contract and any of the sections of these bidding documents in which the bidder makes an undertaking as to its performance. You must read and understand the terms before you submit your bid as you will be bound by the Contract (as described) if your bid is successful. At the time of award, the contract may include other relevant terms and conditions.

ADMINISTRATIVE JUSTICE

In adjudicating bids, PIKITUP shall comply with the requirements of the Promotion of Administrative Justice Act 3 of 2000 and the Promotion of Access to Information Act 2 of 2000, to the extent that these Acts apply to the adjudication by a municipal entity of bids in response to a bid invitation.

INTERNAL APPEAL PROCESS

Following the adjudication of bids and selection of a preferred bidder, and provided that a procurement contract has not already entered into force, any bidder may submit a complaint in writing to the chairperson of the PIKITUP Board of Directors ("the Board") or the Managing Director that PIKITUP has not complied with the requirements of the PIKITUP Supply Chain Management Policy or the PIKITUP Code of Ethics, or has in any respect acted in a way that is irregular. The Chairperson of the Board or Managing Director shall not entertain a complaint unless it was submitted within 20 calendar days of when the supplier or contractor submitting it became aware of the circumstances giving rise to the complaint or of when that supplier or contractor should have become aware of those circumstances, whichever is earlier; or entertain a complaint after the procurement contract has entered into force.

Unless the complaint is resolved by mutual agreement of the bidder and the Chairperson of the Board or Managing Director, the Chairperson of the Board shall, within 30 calendar days after the submission of the complaint, issue a written decision. The decision shall state the reasons for the decision; and if the complaint is upheld in whole or in part, indicate the corrective measures that are to be taken.

The decision of the Chair of the Board shall, subject to the review powers of any competent court, be final.

DECLARATION BY BIDDER:

WE HAVE READ THE CLAUSES SET OUT ABOVE IN THIS OF THE BIDDING DOCUMENTS AND ACCEPT THEIR CONTENTS, SUBJECT TO ANY DECLARATION, WE HEREBY OFFER TO CONTRACT WITH PIKITUP ON THE TERMS SET OUT IN THE BIDDING DOCUMENTS SHOULD WE BE APPOINTED AS THE SUCCESSFUL BIDDER.

WITNESSES:

1. ……

2. ……

AUTHORISED SIGNATURE

CAPACITY OF SIGNATORY …….

DATE: ……

ADDRESS: ….……..……..…….

……...

MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state[1].

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 favoritisms, 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, hareholder[2]):

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.

……

[1]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.

[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**

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**

- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

3.1. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

i) The information furnished is true and correct;

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;

iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

(a) disqualify the person from the tendering process;

(b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

(c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

(d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution, if deemed necessary.

MBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1 This Municipal Bidding Document must form part of all bids invited.

2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3 The bid of any bidder may be rejected if that bidder, or any of its directors have:

a. abused the 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 of Restricted Suppliers as companies or persons 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 Accounting Officer/Authority of the institution that imposed the restriction after the *Audi alter am partum* rule was applied). **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.**	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
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)? **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.**	Yes ☐	No ☐
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 ☐	No ☐

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 ☐	No ☐
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 ☐	No ☐
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**

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Municipal Bidding Document (MBD) must form part of all bids[1] invited.

2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).[2] Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.

3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:

A. take all reasonable steps to prevent such abuse;

b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and

C. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____

(Bid Number and Description)

in response to the invitation for the bid made by:

_____

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of:

_____that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

    (a) has been requested to submit a bid in response to this bid invitation;
    (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
    (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium[3] will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
    (a) prices;
    (b) geographical area where product or service will be rendered (market allocation)
    (c) methods, factors or formulas used to calculate prices;
    (d) the intention or decision to submit or not to submit, a bid;
    (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
    (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

……	……
Signature	Date
…….	……
Position	Name of Bidder

MBD 6.1 (Pikitup version October 2023)

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022, AND THE PIKITUP SCM POLICY

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

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

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1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and

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

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

(a) Price; and

(b) Specific Goals.

1.4 The maximum points for this tender are allocated as follows

POINTS	Tenders R50m and below in value
PRICE	80
SPECIFIC GOALS	20
Total points for Price and Specific Goals	**100**

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

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

2. DEFINITIONS

(a) "acceptable tender" means any tender which, in all respects, complies with the specifications and conditions of tender as set out in the tender document.

(b) "affidavit" is a type of verified statement or showing, or in other words, it contains a verification, meaning it is under oath or penalty of perjury, and this serves as evidence to its veracity and is required for court proceedings.

(c) "all applicable taxes" includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

(d) "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

(e) "B-BBEE status level of contributor" means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(f) "bid" means a written offer on the official bid documents or invitation of price quotations and "tender" is the act of bidding /tendering;

(g) "Code of Good Practice" means the generic codes or the sector codes as the case may be;

(h) "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; "contract" means the agreement that results from the acceptance of a bid by an organ of state;

(i) "Disability" means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform an activity in the manner, or within the range, considered normal for a human being;

(j) "Exempted Micro Enterprise" (EME) with an annual total revenue of R10 million or less.

(k) "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;

(l) "Historically Disadvantaged Individual (HDI)" means a South African citizen – (1) who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa,1983 (Act No 110 of 1983) or the Constitution of the Republic of South Africa,1993 (Act No 200 of 1993) ("the Interim Constitution"); and / or (2) who is a female; and / or (3) who has a disability: Provided that a person who obtained South African citizenship on or after the coming to effect of the Interim Constitution, is deemed not to be an HDI;

(m) "Integrated Development Plan" (IDP) means a five-year strategic plan required in terms of the Municipal Systems Act, 2000 (Act no 32 of 2000), guiding the City in executing its constitutional mandate.

(n) "Large Enterprise" is any enterprise with an annual total revenue above R50 million;

(o) "Locality" means that tenderer or bidder must have business enterprise located within the boundaries of City of Johannesburg (CoJ) Municipal Metropolitan Municipality or Gauteng Province to score points for locality.

(p) "Lowest acceptable tender" means the tender that complies with all specifications and conditions of the tender and that has the lowest price compared to other tenders

(q) “non-firm prices” means all prices other than “firm” prices;
(r) “People with disabilities” has the meaning assigned to it in section 1 of the Employment Equity Act, 1998 (Act no 55 of 1998)
(s) “person” includes a juristic person;
(t) “price” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
(u) “Qualifying Small Enterprise” (QSE) with an annual total revenue between R10 million and R50 million;
(v) “rand value” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
(w) “Small, Medium and Micro Enterprises” SMME that bears the same meaning assigned to this expression in the National Small Business Act 1996 (Act 102 of 1996)
(x) “Specific goals” means specific goals as contemplated in section 2(1)(d) of the Act which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender, and disability including the implementation of programmes of the Reconstruction and Development Programme as published in Government Gazette No 16085 dated 23 November 1994.
(y) “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.
(z) “tender” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
(aa) “tender for income-generating contracts” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions
(bb) “the Act” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000);
(cc) “the Regulations” means the Preferential Procurement Regulations, 2022 (as amended)
(dd) “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 11 October 2013;

3. THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

3.2. POINTS AWARDED FOR PRICE

3.1.1 FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

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

80/20

$$Ps = 80\left(1 - \frac{Pt - P\,min}{P\,min}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

3.1.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

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

80/20

$$Ps = 80\left(1 + \frac{Pt - P\,max}{P\,max}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. PREFERENCE POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof or documentation stated in the conditions of this 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) an invitation for tender for income-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) any other invitation for tender, that either the 80/20 preference point system

will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

(c) then the organ of state must indicate the points allocated for specific goals for both the 80/20 preference point system.

4.3. The following specific goals are determined by Pikitup for this tender with the intent to promote HDI and the local economy.

80/20 preference point system				
Specific goals	**The specific goals points allocated by Pikitup for this tender**	**Means of verification**	**Points allocated for each goal (80/20 system) (Maximum # of points for each goal to be specified by Pikitup)**	**Number of points claimed (80/20 system) (To be completed by the tenderer)**
Goal 1	Enterprises owned by black people with at least 51% shareholding	CSD, Valid BBBEE certificate, Affidavit sworn under oath, copy of owners ID, or shareholders certificate	5	
	Enterprise owned by women with at least 51% shareholding	CSD, Valid BBBEE certificate, Affidavit sworn under oath, copy of owners ID, or shareholders certificate	5	
Goal 2	SMME's (An EME or QSE)	CSD, Valid BBBEE certificate, Affidavit sworn under oath	5	
	Enterprises located within the City of Johannesburg Metropolitan Municipality	CSD certificate, bidding company municipal account statement, letter or statement from the landlord confirming company address	5	
Total (Maximum number of preference points)			20	

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

Note to tenderers: The tenderer must indicate in the table the points claimed against each goal where provisions are made for preference points to be claimed.

5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1. Name of company/firm: …….

5.2. Company registration number: ……..…...

5.3. TYPE OF COMPANY/ FIRM

- □ (Pty) Limited
- □ Close corporation
- □ Public Company
- □ One-person business/sole propriety
- □ Personal Liability Company
- □ Partnership/Joint Venture / Consortium
- □ Co-operative
- □ Non-Profit Company
- □ State Owned Company
- □ Other

[TICK APPLICABLE BOX]

5.4. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

v) The information furnished is true and correct;
vi) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
vii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
viii) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  (f) disqualify the person from the tendering process;
  (g) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  (h) 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;
  (i) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  (j) forward the matter for criminal prosecution, if deemed necessary.

SIGNATURE OF TENDERER:	……..….
NAME AND SURNAME:	……..….
DATE:	……..….
ADDRESS:	……..….
	……..….

ANNEXURE A

BILL OF QUANTITIES

GENERAL REPAIRS AT PIKITUP NORWOOD - BIZVALLEY GARDEN SITE CIDB 1GB

ITEM No.	ITEM DESCRIPTION	UNIT	QUANTITY	RATE	AMOUNT
1	2.4 meter high above the ground concrete precast wall complete with foundation base(600 x 500 x 500 reinforced concrete 30Mpa) and panel concrete poles and cross bars installed as per manufacturer's instructions.	M	12		
2	Supply & install 1000w solar powered lights.	Item	10		
	Sub-Total				