

FOR OFFICE USE	TS	BC	P&E	S&F	STA	PE
GENERAL CRITERIA						
SPECIFIC GOALS:	GENERIC/QSE		EME		Outside COE	Within COE



DISASTER AND EMEGENCY SERVICES

QUOTATION NUMBER: GEQ.DEMS.04.01

FORMAL WRITTEN PRICE QUOTATION DOCUMENT

PROCUREMENT FROM ABOVE R2000.00 UP TO A TRANSACTION VALUE R750 000.00 (INCLUDING VAT)

(IN COMPLIANCE WITH THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022 PUBLISHED IN GOVERNMENT GAZETTE NO. 47452 OF 04 NOVEMBER 2022)

AND

(IN LINE WITH THE AMENDMENTS ON THE MUNICIPAL SCM REGULATIONS GAZETTED ON 14 DECEMBER 2023 AND SCM POLICY APPROVED BY COUNCIL ON 1 MARCH 2024)

SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS / CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS PER SPECIFICATIONS.

PREPARED BY:	ISSUED BY	PREPARED FOR:
Department of Finance Section: Central Procurement Office Mr. H. Van Schalkwyk Senior Buyer Tel: (011) 999-0259 Email: Hannes.Schalkwyk@ekurhuleni.gov.za Address Central Procurement Office, 5 Junction Road Driehoek Germiston 1400	Department of Finance Section: Central Procurement Office Mrs M. Legae Acting Snr Manager: Procurement Operations Tel: (011) 999-1642 Email: Malebogo.Legae@ekurhuleni.gov.za Address Central Procurement Office, 5 Junction Road Driehoek Germiston 1400	Department: DEMS Section: Disaster Management Mrs Nthabiseng Nkoe Clerk Tel: (011) 999-0200 /084 251 9090 Email: Nthabiseng.Nkoe@ekurhuleni.gov.za Address 3 Hawley Road Bedfordview Germiston 1400

NAME OF BIDDING ENTITY (FULL NAME, i.e., Pty (Ltd), Ltd, JV/CONSORTIUM, SOLE PROPRIETOR etc.) :

TELEPHONE
NUMBER

:

EMAIL ADDRESS

:

FAX NUMBER

:



QUOTATION NUMBER: GEQ.DEMS.04.01

**SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS /
CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS
PER SPECIFICATIONS**

To ensure that your bid is not exposed to invalidation, documents are to be completed in accordance with the conditions and bid rules contained in the bid documents.

Bid documents must be sealed and externally endorsed, **QUOTATION NUMBER: GEQ.DEMS.04.01 - SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS / CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS PER SPECIFICATIONS** and placed in **Bid Box Number TEN (10)**, Central Procurement Office, NO.5 Junction Rd, Driehoek, **not later than the closing date and time as advertised.**

The lowest or any bid will not necessarily be accepted, and the COE 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.

The following documents must be completed and signed where applicable and submitted as a complete set:

- | | | |
|-----|-------------|--|
| 1. | FORM OF BID | - Declaration |
| 2. | FORM "A" | - Procurement Form of Bid |
| 3. | FORM "B" | - Preference points claim form. |
| 4. | FORM "C" | - Declaration of Interest |
| 5. | FORM "D" | - Declaration of Bidder's Past SCM Practices |
| 6. | FORM "E" | - Certificate of Independent Bid Determination |
| 7. | FORM "F" | - Declaration for municipal accounts |
| 8. | FORM "G" | - Specification |
| 9. | FORM "H" | - Variations and Omissions |
| 10. | FORM "I" | - Schedule of Prices |

NOTICE TO BIDDERS

VERY IMPORTANT NOTICE ON DISQUALIFICATIONS:

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

“Acceptable bid” means any bid which, in all respects, complies with the conditions of bid and specifications as set out in the bid documents.

A BID WILL BE REJECTED ON THE FOLLOWING GROUNDS:

1. In the event that bidders are **not compliant** with all applicable legislative requirements, as per CSD. National Treasury in partnership with the Provincial Treasury have developed municipalities and municipal entities with a Central Supplier Database (CSD) for the registration of prospective suppliers in line with Section 14(1) (b) of the Municipal Supply Chain Management Regulations (MSCMR). (Tax compliance will be dealt with in terms of MFMA Circular No. 90).
2. Non-compliance with the Municipal Supply Chain Management Regulations, 2005; i.e. All sections affecting the evaluation of the bid **must be indicated** on the bid document and must be **submitted and completed in full**. All bidder's information **must be accurate and correct**.
3. In the event of a **failure to complete** and **sign in full** the schedule of quantities as required.
4. In the event of there being **scratching out, writing over or painting out** rates or information, affecting the evaluation of the bid, **without initialling** next to the amended rates or information. However, in cases where the total amount (aggregated) has not been affected, the bid will still be acceptable.
5. In the event of the **use of** correction fluid (e.g., tippex), any erasable ink, or any erasable writing instrument (e.g., only black pen to be used; Evaluators to use a red pen only for notes) on sections affecting the evaluation process of the bid.
6. If particulars required in respect of the bid **have not been completed**, except if only the specific goal/s as provided for in Regulation 4 and 5 of The Preferential Procurement Regulations 2022, is not submitted, the bid will not be disqualified but no preference points will be awarded.
7. **Non-compliance** with the Amended B-BBEE Codes of Good Practice, i.e., an EME **is required to** obtain an original sworn affidavit/ certified copy of the sworn affidavit or certificate from the Companies and Intellectual Property Commission (CIPC) on an annual basis, **confirming** the following:
 - Annual total turnover based on the EME threshold (being an annual turnover below R 10 million)
 - Level of Black ownership
 - Any **misrepresentation** of this constitutes a criminal offence as set out in the B-BBEE Act (as amended) and could lead to prosecution.
8. If the bidder **attempts to influence** or has in fact **influenced** the evaluation and/or awarding of the contract.
9. If the bid has **either** been submitted in the wrong bid box **or** after the relevant closing date and time.
10. If any bidder who during the last five years has **failed to perform satisfactorily** on a previous contract / order with the municipality, municipal entity or any other organ of state **after** written notice was given to that bidder that performance was unsatisfactory.
11. Non-submission of latest municipal account for the bidding entity or signed lease agreement or an Affidavit (in cases where the bidding entity does not own a property).
12. If any municipal rates and taxes or municipal service charges **owed** by the bidder or any of its directors/members to the municipality or municipal entity, or to any other municipality or municipal entity, **are in arrears for three months (if the value of the transaction is expected not to exceed**

- R10 million (VAT included)** (unless if the bidder has attached proof of the payment arrangement of the arrears to the bid document as at the closing date of the submission of bids).
13. The accounting officer must ensure that irrespective of the procurement process followed, **no** award may be given to a person –
 - (a) who is in the service of the state, or.
 - (b) if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder, is a person in the service of the state; or;
 - (c) who is an advisor or consultant contracted with the municipality in respect of a contract that would cause a conflict of interest.
 14. If the bidder is not registered in the required CIDB contractor grading designation _____ (category) or higher, if required in this bid documentation.
 15. If the bidder or any of its directors **is listed** on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person **prohibited** from doing business with the public sector.
 16. If the bidder **has abused** the COE's Supply Chain Management System **and** action was taken in terms of paragraph 38 of the COE SCM Policy.
 17. If the bidder has **failed to submit** ALL required documents as specified on the bid document.
 18. No photocopies of certified copies will be allowed.
 19. If more than one (1) company quotes and the Director/s are the same Person/s and the companies fail to disclose this in the FORM "C", the bids will be rejected as a result of Anti-Competitive Behaviour.
 20. If the Bidder fails to achieve the minimum score in terms of the General Criteria.
 21. If the following have not been **fully completed** and **signed**:
 - FORM "F" - Declaration for municipal accounts.
 - FORM "I" - Schedule of Prices.

NOTE:

1. IN THIS DOCUMENT AND OTHER DOCUMENTS REFERRED TO BUT NOT ATTACHED, THE FOLLOWING WORDS ARE SYNONYMOUS WITH EACH OTHER.
 - 1.1. CLIENT, EMPLOYER, CITY OF EKURHULENI (CoE).
 - 1.2. BID, TENDER AND VARIATIONS THEREOF
 - 1.3. JOINT VENTURE / CONSORTIUM
2. **Very important notice:** Bidders must note that only information filled in at the spaces provided therefore in the bid document will be considered for evaluation purposes unless additional space is required and then only if the location of the additional information in the attachments is properly referred to by page number and section heading. Information supplied anywhere else will be disregarded which **may** lead to the rejection of the bid.
3. **The attachment or inclusion of information not specifically asked for is not desirable and lead to delays in the awarding of bids. This includes Company Profiles and CV's if not specifically requested.**

PLEASE NOTE POSSIBLE AMENDMENTS/ADDENDUM MAY BE ADVERTISED ON THE CoE WEBSITE. IT REMAINS THE RESPONSIBILITY OF THE BIDDER TO CHECK THE COE WEBSITE DAILY AND TO RAISE ANY ENQUIRIES REGARDING THE BID TO THE RELEVANT CONTACT PERSON BEFORE THE CLOSING DATE. NO COMMUNICATION WILL BE ALLOWED AFTER THE CLOSING OF THE BID

PLEASE NOTE THAT ALL BID DOCUMENTS ARE AVAILABLE FOR DOWNLOAD ON OUR WEBSITE FOR FREE IN ANY COLOUR PAPER.

ADVERTISED IN: COE WEBSITE AND NOTICE BOARD
PUBLISHING DATE: 25 April 2024

CITY OF EKURHULENI

Bids are hereby invited for the following:

Department: DEMS

Section: Disaster Management

<u>QUOTATION NO:</u>	<u>DESCRIPTION:</u>	<u>CLOSING DATE:</u>
GEQ.DEMS.04.01	SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS / CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS PER SPECIFICATIONS.	03 May 2024

Bidders must note that this bid may be awarded to more than one bidder.

Acceptable bids will be evaluated by using a system that awards points on the basis of **80 points** for bid price and a maximum of **20 points** for SPECIFIC GOAL/S.

Tax compliance will be dealt with in terms of MFMA Circular No. 90

Please note that all bid documents are available for download on our website for free in any colour paper.

Bids are to be completed in accordance with the conditions and bid rules contained in the bid documents and supporting documents must be sealed and externally endorsed with the **QUOTATION NUMBER: GEQ.DEMS.04.01: SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS / CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS PER SPECIFICATIONS** and placed in bid **Box Number TEN (10)** on the Central Procurement Office, No, 5 Junction RD, Driehoek, not later than **15:00** on **03 May 2024**. Bids will be opened immediately thereafter. **All bids shall be valid for the period 60 days as from the closing date of bids.**

Bids which are not received and/or deposited **in the specified bid box before 15:00** on the closing date for the bid mentioned hereinbefore, **will be marked as late bids and such bids shall in terms of the SCM Policy of the City of Ekurhuleni, not be considered by the Council as valid bids.**

Enquiries must be directed to Mrs Nthabiseng Nkoe **at e-mail address** Nthabiseng.Nkoe@ekurhuleni.gov.za.

Bidders attention is specifically drawn to the provisions of the bid rules which are included in the bid documents. The lowest or any bid will not necessarily be accepted and the Council 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. **Bids completed in pencil will be regarded as invalid bids. Bids may only be submitted on the documentation provided by the COE.**

TELEFAX OR E-MAIL BIDS ARE NOT ACCEPTABLE

DR. I. MASHAZI
CITY MANAGER
COE

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE CITY OF EKURHULENI					
QUOTATION NUMBER:	GEQ.DEMS.04.01	CLOSING DATE:	03 MAY 2024	CLOSING TIME:	15:00
DESCRIPTION	SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS / CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS PER SPECIFICATIONS.				
THE SUCCESSFUL BIDDER WILL BE INFORMED THROUGH OFFICIAL ORDER					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
CENTRAL PROCUREMENT OFFICE					
NO: 5 JUNCTION RD, DRIEHOEK, GERMISTON 1400					
SUPPLIER INFORMATION					
NAME OF BIDDER/ LEGAL NAME					
TRADING AS					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE 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 ORIGINAL SWORN AFFIDAVIT	☐ Yes ☐ No	
[A B-BBEE STATUS VERIFICATION CERTIFICATE/ ORIGINAL SWORN AFFIDAVIT OR CERTIFIED COPY OF THE SWORN AFFIDAVIT OR A CERTIFIED COPY THEREOF (FOR EMES& QSEs) OR A CERTIFICATE FROM THE COMPANIES AND INTELLECTUAL PROPERTY COMMISSION (CIPC) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS (if applicable)]					
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 (INCL VAT)	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	Finance		DEPARTMENT	DEMS	
CONTACT PERSON	Malebogo Legae		CONTACT PERSON	Nthabiseng Nkoe	

TELEPHONE NUMBER	011 999 1642	TELEPHONE NUMBER	011 999 0200
E-MAIL ADDRESS	Malebogo.legae@ekurhuleni.gov.za	E-MAIL ADDRESS	Nthabiseng.Nkoe@ekurhuleni.gov.za

MBD 1

PART B TERMS AND CONDITIONS FOR BIDDING

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, 2022, 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.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE..

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID
IS SIGNED:

DATE:

FOR EVALUATION PURPOSE (MUST BE COMPLETED)

NAME OF BIDDING ENTITY

FORM OF BID

CITY OF EKURHULENI

QUOTATION NUMBER: GEQ.DEMS.04.01

**SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS /
CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS PER
SPECIFICATIONS.**

GENERAL DECLARATION:

To: The City Manager
CITY OF EKURHULENI
Private bag X1069
GERMISTON
1400

Sir/Madam,

I/We, the undersigned (hereinafter referred to as "the bidder"):

- (a) bid to supply and deliver to the CITY OF EKURHULENI [hereinafter referred to as "the COE"] all or any of the supplies and to render all or any of the articles, goods, materials, services or the like described both in this and the other Schedules to this Contract or Order*
- (b) agree that we will be bound by the specifications, prices, terms and conditions stipulated in those Schedules attached to this bid document, regarding delivery and execution;*
- (c) further agree to be bound by those conditions, set out in, "FORM OF BID AND FORMS A - I", attached hereto, should this bid be accepted in whole or in part;*
- (d) confirm that this bid may only be accepted by the COE by way of a duly authorised official order;*
- (e) declare that we are fully acquainted with the Bid document and Schedules, and the contents thereof and that we have signed the Bill of Quantities and completed the Returnable Schedules and declarations, attached hereto;*
- (f) declare that all amendments to the bid document have been initialled by the relevant authorised person and that the document constitutes a proper contract between the COE and the bidder;*
- (g) certify that the item/s mentioned in the bid document, qualifies/qualify for the preference(s) shown;*
- (h) acknowledge that the information furnished is true and correct;*
- (i) accept that in the event of the contract being awarded as a result of preference claimed in this bid document, I may be required to furnish documentary proof to the satisfaction of the COE that the claims are correct. If the claims are found to be inflated, the COE may, in addition to any other remedy it may have, recover from me all cost, losses or damages incurred or sustained by the COE as a result of the award of the contract and/or cancel the contract and claim any damages which the COE may suffer by having to make less favourable arrangements after such cancellation;*
- (j) declare that I have not failed to perform satisfactorily during the last five (5) years on a previous contract with the Municipality, Municipal entity or any other organ of state, after written notice was given to me that my performance was unsatisfactory.*
- (k) declare that the signatory to the bid document is duly authorised; and*

- (l) agree that documentary proof regarding any tendering issue will, when required, be submitted to the satisfaction of the COE.
- (m) declare that the Broad-Based Black Economic Empowerment Certificate submitted herewith is based on true and accurate information and has been obtained from a duly accredited verification agency (or, in the case of an Exempted Micro-Enterprise(EME) and a Qualifying Small Enterprise (QSE) declare that the submitted Original Sworn Affidavit/ Certified copy of the sworn affidavit or a certified copy thereof or a certificate from the Companies and Intellectual Property Commission (CIPC) confirming their annual total revenue is true and correct)
- (n) declare that the following responses to be true and correct:
Does the bidder have participation in the submission of any other offer for the supplies/services described in the attached documents?
(Tick applicable box)

YES	NO

If YES, the following information must be supplied:

1. The name(s) of the other Bidder(s) involved

.....

2. The full details of the Bidder(s) participation

.....

3. declare that all of the information furnished is true and correct

.....

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

Name of Authorised Person: _____

Authorised Signature: _____

Name of Bidding Entity: _____

Date: _____

As witness: 1.

NAME OF BIDDING ENTITY

FORM “A”

CITY OF EKURHULENI

QUOTATION NUMBER: GEQ.DEMS.04.01

**SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS /
CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS PER
SPECIFICATIONS.**

PROCUREMENT FORM

ADJUDICATION OF BIDS

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

1. Technical adjudication and Minimum Requirement

Bids will be adjudicated in terms of inter alia:

- Compliance with bid conditions
- Technical specifications

If the bid does not comply with the bid conditions or technical specifications, the bid shall be rejected. **See page 3 to 5 examples.**

General Criteria

Bidder must meet the minimum requirement in each evaluation criteria in order to be considered further for evaluation.

EVALUATION CRITERIA	MINIMUM REQUIREMENTS
Infrastructure and resources available – Plant and Equipment (owned or leased)	Delivery Vehicle
Size of enterprise/ Financial Ability (Ability to Deliver) – previous annual turnover	R 50 000.00
Staffing profile	1 Staff member
Relevant previous Company Experience – Completed Project	The bidder listed information regarding previous experience projects of similar nature and relevant to the contract (i.e. Supply and delivery)

2. Plant and equipment (owned or leased)

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

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

3. Size of enterprise and current workload/Financial Ability

Evaluation of the bid's position in terms of:

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

4. Staffing profile

Evaluation of the bid's position in terms of:

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

5. Previous experience/Capability/Company Experience

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

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

6. Central Supplier Database (CSD)

In the event that bidders are not compliant with all applicable legislative requirements, as per CSD. National Treasury in partnership with the Provincial Treasuries have developed municipalities and municipal entities Central Supplier Database (CSD) for the registration of prospective suppliers in line with Section 14(1) (b) of the Municipal Supply Chain Management Regulations (MSCMR). (Tax compliance will be dealt with in terms of MFMA Circular No. 90)

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

7. Adjudication using a Points System

- 7.1. Acceptable bids will be evaluated using a system that awards points on the basis of bid price and specific goal/s. Failure on the part of a bidder to fill in and/or to sign this form and submit proof of specific goal/s claim will be interpreted to mean that preference points for specific goal/s are not claimed.
- 7.2. For bids with a bid amount equal to or above R2 000 and up to a Rand value of R 50 million (all applicable taxes included) a maximum of 80 points is allocated for price and a maximum of 20 points for specific goal/s points. For bids with a bid amount above R 50 million (all applicable taxes included) a maximum of 90 points is allocated for price and a maximum of 10 points for specific goal/s points.
- 7.3. The Municipality shall award the Contract to the Bidder obtaining the highest number of points for Price and specific goal/s calculated in accordance with the Preferential Procurement Regulations, 2022, unless there are grounds to justify the award to another bidder, in accordance with the provisions of Section 2 (f) of the Preferential Procurement Policy Framework Act, Act No. 5 of 2000.

8. PREFERENTIAL PROCUREMENT REGULATIONS (PPR) 2022 DEFINATION OF PRICE APPLICATION

- 8.1. The price used for evaluation of tenders is the price inclusive of all applicable taxes as per regulation 4(1) and 5(1). All applicable taxes certainly will include Value Added Tax (VAT), where applicable, and any other taxes as may be imposed through legislation. Whatever the nature of the tax, it should be included in the price submitted.
- 8.2. It is emphasized that mandatory registration for VAT is a legislative requirement once enterprises exceed R1 million in sales within a 12-month period. Other enterprises may elect voluntary registration for VAT even if they do not meet the mandatory threshold for registration.

9. Evaluation on Functionality

9.1. Evaluation on Functionality shall be in accordance with the CoE Supply Chain Management Policy as follows:

When functionality will be evaluated the following shall be clearly specified in the invitation to quote/bid:

- Evaluation criteria for measuring functionality.
- Weight of each criterion
- Applicable values
- Minimum qualifying score for functionality.
- Respondents that have achieved the minimum qualification score for functionality shall be evaluated further on price and preference points.
- Respondents that did not achieve the minimum qualification score for functionality shall be eliminated from further evaluation.

9.2. Accordingly, where an invitation to submit a tender indicates that the tender will be evaluated on functionality, all acceptable bids submitted shall be firstly evaluated on functionality and, all acceptable bids that achieve the minimum score for functionality, as indicated in the tender invitation, shall be further evaluated in terms of the points system referred to above.

10. Remedies

The City Manager must act in terms of Regulation 9 of the Preferential Procurement Policy Regulations, 2022, in circumstances contemplated in Regulation 9 (1) which is outlined below;

(9)(1) If an organ of state is of the view that a tenderer submitted false information regarding a specific goal/s, it must—

(a) inform the tenderer; accordingly, and

(b) give the tenderer an opportunity to make representations within 14 days as to why the tender may not be disqualified or, if the tender has already been awarded to the tenderer, the contract or order should not be terminated in whole or in part.

(2) After considering the representations referred to in sub regulation (1) (b), the organ of state may, if it concludes that such information is false—

(a) disqualify the tenderer or terminate the contract or order in whole or in part; and

(b) if applicable, claim damages from the tenderer.

FORM "B"

CITY OF EKURHULENI

QUOTATION NUMBER: GEQ.DEMS.04.01

SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS /
CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS PER
SPECIFICATIONS

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF SPECIFIC GOALS, AS PRESCRIBED IN THE 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 equal to or above R2 000 and up to R50 million (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50 million (all applicable taxes included).
 - 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 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system.
- 1.2 The value of this bid is estimated to exceed/not exceed R50 million (all applicable taxes included) and therefore the (90/10 or 80/20) system shall be applicable.
- 1.3 Preference points for this bid shall be awarded for:
- (a) Price; and
 - (b) Specific goal/s.
- 1.3.1 The maximum points for this bid are allocated as follows:

POINTS

		80
1.3.1.1	PRICE	
1.3.1.2	SPECIFIC GOAL/S	20
	Total points for Price and Specific Goal/s must not exceed	100

- 1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit proof of specific goal/s claim will be interpreted to mean that preference points for specific goal/s are not claimed.
- 1.5 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

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 **“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;
- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals.
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration.
- 2.7 **“consortium or joint venture”** means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill, and knowledge in an activity for the execution of a contract.
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state.
- 2.9 **“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;
- 2.10 **“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.
- 2.11 **“non-firm prices”** means all prices other than “firm” prices.
- 2.12 **“person”** includes a juristic person;
- 2.13 **“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.
- 2.14 **“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.
- 2.15 **“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;
- 2.16 **“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
- 2.17 **“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 may 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 goal/s.

- 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 goal/s, 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 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 comparative price of bid under consideration

P_t = Comparative price of bid under consideration

$P_{\min}$ = Comparative price of lowest acceptable bid

4.2 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS FOR TENDERS FOR INCOME-GENERATING CONTRACTS

80/20

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

Where:

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

$P_{\max}$ = Comparative price of highest acceptable tender.

5. Points awarded for Specific Goal/s

In terms of Regulation 4 (1) and 5 (1) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the Specific Goal/s in accordance with the table below:

	SPECIFIC GOAL REQUIREMENT	EVIDENCE REQUIRED	POINTS ALLOCATED
a)	Business located within the Ekurhuleni demarcation	Municipal account/ Lease agreement/ affidavit – must be in the name of the Enterprise NB: Municipal account must not be older than 3 months	10
b)	EME as per Circular 6 of 2016/17 issued by National Treasury	Original sworn affidavit/certified copy of the sworn affidavit not older than 6 months or BBBEE certificate	10
	TOTAL SPECIFIC GOAL POINTS		20

NB: All evidence MUST be submitted at bid closure and MUST be valid at the close of bid for points allocation purposes.

- 4.3 In order to obtain specific goal/s points in terms of the provisions of Regulations 4(2) or 5(2) of the Preferential Procurement Regulations, 2022, the bidder must submit proof of specific goal/s claimed.
- 4.4 A trust, consortium or joint venture will qualify for points for the specific goals selected as a legal entity, provided that the entity meets the specific goals requirement.

- 4.5 A trust, consortium or joint venture, will qualify for points 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.(if applicable)
- 4.6 Tertiary institutions and public entities will be required to submit their proof of specific goal/s claimed

5. BID DECLARATION

- 5.1 Bidders who claim points in respect of specific goal/s must complete the following: **Yes /No**

Points scoring

	Generic/QSE (0)	EME (10)
EME as per Circular 6 of 2016/17 issued by National Treasury		
	Living outside(0)	Living within (10)
Businesses located within the Ekurhuleni demarcation		

6. SPECIFIC GOAL/S CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

- 6.1 SPECIFIC GOAL/S: = (maximum of 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of submitted proof as indicated below:

Points allocation in terms of goals –

Category	Evidence required
EME as per Circular 6 of 2016/17 issued by National Treasury	Original sworn affidavit/certified copy of the sworn affidavit not older than 6 months or BBBEE certificate
Businesses located within the Ekurhuleni demarcation	Municipal account/ Lease agreement/ affidavit – must be in the name of the Enterprise. NB: Municipal account must not be older than 3 months

FOR EVALUATION PURPOSE (MUST BE COMPLETED)

Physical facilities

Description	Address	Area (m ²)

Plant / Equipment

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

Description: Owned Plant / Equipment	Number of units
Description: Hired Plant / Equipment	Number of units

FOR EVALUATION PURPOSE (MUST BE COMPLETED)

Size of enterprise and current workload/

What was your turnover in the previous financial year? R

What is the estimated turnover for your current financial year? R

List your current contracts and obligations.

Description	Value (R)	Start date	Duration	Expected completion date

Do you have the capacity to supply the goods and services described in this bid, should the contract be awarded to you?

Staffing Profile

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

Own staff:	Number of staff

FOR EVALUATION PURPOSE (MUST BE COMPLETED)

Proposed Key Personnel

Provide information on key staff you intend utilising on this contract, should it be awarded to you.

DESIGNATION	NAME & SURNAME	NATIONALITY:	SUMMARY OF			
			QUALIFICATIONS	NQF Level	NUMBER OF YEARS OF EXPERIENCE	EXPERIENCE AND PRESENT OCCUPATION
<u>Staff Member</u>						

FOR EVALUATION PURPOSE (MUST BE COMPLETED)

Previous Company Experience

Provide the following information on **relevant** previous experience.

Give at least one (1) name and telephone number and e-mail address per reference.

Description (of work done)	Value (R, VAT excluded)	Start date	Duration	Completed date	Reference		
					Name (contact person)	Organisation	Tel no
					Email:		
					Email:		
					Email:		
					Email:		

NAME OF BIDDING ENTITY

EQUITY OWNERSHIP – (COMPULSORY)

TO BE COMPLETED FOR STATISTICAL PURPOSES ONLY AND WILL NOT BE USED FOR EVALUATION PURPOSES

List all partners, shareholders or members of bidding entity by name, identity number, citizenship, gender, race, HDI status and ownership.
In the case of a Joint Venture, Consortium or Partnership complete an “Equity ownership” for each member.

Name and Surname	Position occupied in Enterprise	Identity number	Citizen-ship	Gender Male / Female	Race	HDI Status (Y/N)	%Owned by HDI's	% Owned by Women		% Owned by Disabled
								Black	White	

FOR EVALUATION PURPOSE (MUST BE COMPLETED)

NAME OF BIDDING ENTITY

FORM 'C'

CITY OF EKURHULENI

QUOTATION NUMBER: GEQ.DEMS.04.01

**SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS /
CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS
PER SPECIFICATIONS.**

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 Owner of the Bidding Entity:

3.2 Identity Number if applicable:

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

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

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 or business entity, exercises control and is actively involved in its management.

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?
(Tick applicable box)

YES	NO

3.8.1 If yes, furnish particulars.

.....

3.9 Have you been in the service of the state for the past twelve months?
(Tick applicable box)

YES	NO

3.9.1 If yes, furnish particulars.....

.....

3.10 Do you have any relationship (close family member, partner or associate?)
with persons in the service of the state who may be involved
with the evaluation and or adjudication of this bid?
(Tick applicable box)

YES	NO

3.10.1 If yes, furnish particulars.

.....

.....

3.11 Are you aware of any relationship (close family member, partner or associate) 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?
(Tick applicable box)

YES	NO

3.11.1 If yes, furnish particulars

.....

.....

3.12 Are any of the company's directors, trustees, managers,
shareholders or stakeholders in service of the state?
(Tick applicable box)

YES	NO

3.12.1 If yes, furnish particulars.

.....

.....

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

(Tick applicable box)

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.

(Tick applicable box)

YES	NO

3.14.1 If yes, furnish particulars:

.....

.....

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

Full Name	Identity Number	Employee Number

CERTIFICATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

**I ACCEPT THAT THE STATE AND/OR THE COE MAY ACT AGAINST ME SHOULD THIS
DECLARATION PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidding Entity

FOR EVALUATION PURPOSE (MUST BE COMPLETED)

NAME OF BIDDING ENTITY

FORM “D”

CITY OF EKURHULENI

QUOTATION NUMBER: GEQ.DEMS.04.01

**SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS /
CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS
PER SPECIFICATIONS.**

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. wilfully 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 and/or shareholders listed on the National Treasury’s database as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors and/or shareholders 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)? 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 IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF the CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of Bidder

FORM “E”

CITY OF EKURHULENI

QUOTATION NUMBER: GEQ.DEMS.04.01

**SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS /
CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS
PER SPECIFICATIONS.**

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Form “E” 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 Chain Management Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This Form “E” 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 (Form “E”) 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.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Quotation Number and Description)

in response to the invitation for the bid made by:

CITY OF EKURHULENI

(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 understood 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 and sign the bid on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;

- (d) the intention or decision to submit or not to submit a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No. 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

FORM "F"

CITY OF EKURHULENI

QUOTATION NUMBER: GEQ.DEMS.04.01

**SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS /
CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS
PER SPECIFICATIONS.**

DECLARATION FOR MUNICIPAL ACCOUNTS

MUST BE COMPLETED FOR THIS BID

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

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

- (i). I, the undersigned, hereby declare that the signatory to this tender documents duly authorised and further declare:
- (ii) That at the closing date of the bid, no municipal rates and taxes or municipal service charges owed by **the bidder** to the COE, or to any other municipality or municipal entity, are in arrears for more than three (3) months.
- (iii) That at the closing date of the bid, no municipal rates and taxes or municipal service charges owed by **any of the directors/members** to the COE, or to any other municipality or municipal entity, are in arrears for more than three (3) months.
- (iv). I acknowledge that should it be found that any municipal rates and taxes or municipal charges as set out in (i) above are in arrears for more than three (3) months, the bid will be rejected and the COE may take such remedial action as is required, including the rejection of the bid and/or termination of the contract (unless if the bidder has attached proof of the payment arrangement of the arrears to the bid document as at the closing date of the submission of bids)

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

Name of Duly Authorised Signatory: (Please print)

Authorised Signature:

As witness: 1.

2.

NAME OF BIDDING ENTITY

FORM “G”

CITY OF EKURHULENI

QUOTATION NUMBER: GEQ.DEMS.04.01

SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS / CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS PER SPECIFICATIONS.

SPECIFICATIONS

City of Ekurhuleni is not bound to accept the lowest or any quotation and reserves the right to accept the whole or any part of a quotation.

This Bid may be awarded to more than one bidder.

1. INTRODUCTION

To obtain approval for the advertising and appointment of a contractor/s for the Supply, delivery and off-loading in good condition of emergency food parcels / containers for Disaster Management Division on an as- and-when required basis.

2. BACKGROUND

Disaster Management Services has to deal with emergencies that occur due to natural causes or unforeseen, non-preventable catastrophes. The need may arise in such occurrences that urgent help is needed to better the living conditions of those who face such catastrophes. It therefore is deemed necessary to have an ongoing supply of such food parcels to assist the people who face those disasters. DEMS, as a department must always be ready to bring relief.

3. MOTIVATION

The DEMS Department is meant to supply for immediate humanitarian relief (i.e. less than 12 hours after the occurrence of the incident) in event of an emergency and/ or disaster. This immediate assistance is provided as and when the Disaster Management personnel is waiting and coordinating for other stakeholders such as Social Development, South African Social Service Agency (SASSA), Non-governmental, internal Ekurhuleni departments, etc. are activated to respond to same incident. Thus, because the Disaster Management Division coordinates the entire response after the impact or damage assessment, it is able to direct the other stakeholders where there is still a need for assist and avoid duplication.

4. SPECIFICATION

- a) All foodstuffs must have a shelf life of at least twelve (12) months at the time of delivery.
- b) The food parcel should be contained in a 20-litre plastic bucket with handles and must be covered with a similar type of lid, which would seal the bucket.

CONTENTS OF THE PLASTIC BUCKET

QUANTITY	ITEM
1	1kg Macaroni
1	1kg Rice
1	500g White Sugar
1	500g Powder Milk
1	250g Peanut Butter
1	100g Coffee
1	25g Teabags
1	410g Baked Beans
1	410 Mix Vegetables
2	400g Pilchards/ Lucky Star
1	410g Peach Sliced
1	100g Soya Soup
1	500g salt
1	250G Instant Porridge

REQUIRED DOCUMENTS:

BIDDER MUST SUBMIT THE FOLLOWING DOCUMENTS WITH THE BID:

- **Municipal account/ Lease agreement/ affidavit – must be in the name of the Enterprise (NB: Municipal account must not be older than 3 months).**

NB! Failure to submit the above-mentioned documents will result in disqualification.

NAME OF BIDDING ENTITY

FORM “H”

CITY OF EKURHULENI

QUOTATION NUMBER: GEQ.DEMS.04.01

**SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS /
CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS
PER SPECIFICATIONS**

VARIATIONS AND OMISSIONS:

The item/s / service/s offered in terms of this contract may be considered as complying with the requirements of the Municipality’s specification, in all respects, **except as stated hereunder;**

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

AUTHORISED PERSON’S SIGNATURE

DATE

FOR EVALUATION PURPOSE (MUST BE COMPLETED)

NAME OF BIDDING ENTITY

FORM "I"

CITY OF EKURHULENI

QUOTATION NUMBER: GEQ.DEMS.04.01

**SUPPLY, DELIVERY AND OFF-LOADING IN GOOD CONDITION OF EMERGENCY FOOD PARCELS /
CONTAINERS FOR DISASTER MANAGEMENT DIVISION ON AN AS- AND-WHEN REQUIRED BASIS AS
PER SPECIFICATIONS**

**SCHEDULE OF PRICES – FIRM PRICES
(PURCHASES)**

**NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO
RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED IN CASES WHERE DIFFERENT
DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED
FOR EACH DELIVERY POINT**

Name of bidder.....

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

SCHEDULE OF PRICES/ RATES:

Item No	Item Description	Number of Items	Unit Price (Excl VAT)	Total Price (Excl Vat)
1.	Complete 20l bucket with all items as stated in the specification	85	R	R
	GRAND TOTAL (Excl VAT)			R
	VAT @15%			R
	TOTAL (Incl VAT)			R

NB:

- Delivery of food parcels must take place within 48 hours of receiving the official order.
- Bidders should note that the above quantities are for evaluation purposes only.

Note:

1. Pricing schedule on the advert must be completed even if you submit/attach a separate quotation to the document.
2. In a case of miscalculations or incorrect figures, the unit price will be used to calculate the corrected comparative price.

- Does the offer comply with the specification(s)? (Tick applicable box)

YES	NO

- If not to specification, indicate deviation(s)
- Period required for delivery
- Brand name of goods (not applicable to services)
- Name of Authorised Person:
- Signature: Date.....
- Witness:

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

PLEASE NOTE

- **THAT ESTIMATED QUANTITIES ARE FOR EVALUATION PURPOSES ONLY.**