

INVITATION TO BID

REQUEST FOR FORMAL WRITTEN PRICED QUOTATION
--

CLOSING DATE: 09 December 2015

CLOSING TIME: 12H00

BID NUMBER: JDA PS 005/2015

BID DESCRIPTION: Request for quotations from service providers to collate and draft the JDA End of Term report.

BID DOCUMENTS MUST BE DEPOSITED IN THE BID BOX SITUATED AT

Offices of the Johannesburg Development Agency, 3 Helen Joseph (former) President Street, The Bus Factory, Newtown, Johannesburg, 2000

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (see definition below)

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.

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Department: Procurement
Contact Person: Nomaswazi Lamola
Tel: 011 688 7851
Fax: 011 688 7899
E-mail: NLamola@jda.org.za

ANY ENQUIRIES REGARDING THE PROJECT MAY BE DIRECTED TO:

Department: Planning & Strategy
Contact Person: Rhoda Damba
Tel: 011 688 7867
Fax: 011 688 7899
E-mail: RDamba@jda.org.za

PLEASE NOTE: TENDERS MUST BE SUBMITTED ON THE TENDER DOCUMENTATION ISSUED. TENDER DOCUMENTATION MUST NOT BE REPRODUCED OR REARRANGED. ANY ADDITIONAL INFORMATION MUST BE SUBMITTED AS A SEPARATE ATTACHMENT TO THE TENDER DOCUMENT FAILURE TO DO SO WILL RESULT IN YOUR BID BEING DISQUALIFIED.

OFFER

THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO WILL RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF BIDDER :

POSTAL ADDRESS:

.....

STREET ADDRESS:

.....

TELEPHONE NUMBER: CODE.....NUMBER.....

CELLPHONE NUMBER:.....

EMAIL ADDRESS:.....

VAT REGISTRATION NUMBER:

TOTAL BID PRICE (excluding Value Added Tax)

TOTAL BID PRICE in words.....

.....

(excluding Value Added Tax)

CAPACITY UNDER WHICH THIS BID IS SIGNED

SIGNATURE OF BIDDER:

DATE:

The following conditions will apply:

- A valid Tax Clearance Certificate must be submitted.
- An originally certified and valid BBBEE status level verification certificate must be submitted.
- A copy of the bidder's current municipal account in the name of the bidder or alternatively in the names of the directors / partners of the bidding entity must be submitted.
- Price(s) quoted must be valid for at least thirty (30) days from date of your offer.
- Price(s) quoted must be firm and must be exclusive of VAT.
- If the price quoted is above R 30 000 (inclusive of VAT), the quotation will be evaluated in terms of the 80/20 preference point system as prescribed in the Preferential Procurement Framework Act (No. 5 of 2000).

Failure to comply with these conditions may invalidate your offer.

To all our stakeholders

RE: The channels of reporting fraudulent and Corrupt Activities

The City of Johannesburg has a **zero-tolerance approach to Fraud, Theft, Corruption, Maladministration, and Collusion** by suppliers with employees. To reinforce this commitment, more channels have been added to report any Fraudulent and Corrupt activities.

Instances of corporate fraud and misconduct remain a constant threat to service delivery. The City of Johannesburg took a resolution to adopt strategic interventions aimed at combating fraud and corruption. The City took a decision to centralize the reporting of fraudulent and corrupt activities through the establishment of an independent fraud hotline which is managed by independent service providers.

All people doing business with the Johannesburg Development Agency are encouraged to report any corrupt or illegal practice.

Employees are encouraged to report fraud, waste or other concerns suggestive of dishonest or illegal activities.

Anyone can report fraudulent and corrupt activities through one of the following channels:

- Toll free number.....0800 002 587
- Toll free Fax0800 007 788
- SMS (charged @ R1.50).....32840
- Email Address:.....anticorruption@tip-offs.com
- Web site:.....www.tip-off.com
- Free post:.....Free post, KZN 138, Umhlanga, 4320



Let's join hands to take up the Fight against Fraud and Corruption in our society.



REQUEST FOR FORMAL WRITTEN PRICE QUOTATIONS FROM

**Service providers to collate and draft the
JDA End of Term report**

JDA PS 005/2015

:

1. INTRODUCTION

The JDA is requesting proposals from service providers to collate and draft the JDA End of Term report.

All queries in connection with this document are to be submitted in writing to:

Susan Monyai

Marketing Manager

monyais@jda.org.za

2. PROJECT INFORMATION

2.1. Background of the Assignment

2015/16 is the final year in the current Mayoral Political Term. In preparation for the end of the Political Term, the Johannesburg Development Agency, as a Municipal Entity of the City of Johannesburg is expected to prepare its End of Term Report which will in turn inform the City's Organisational End of Term Report. The End of Term Report is to be informed by the following components:

- Progress, successes and challenges faced in the attainment of Growth and Development Strategy (GDS) Outcomes over the 5-year period
- Progress, successes and challenges faced in the attainment of Integrated Development Plan (IDP) objectives over the 5-year period
- Progress, successes and challenges faced in the attainment of the JDA's Business Plan objectives over the 5-year period
- A Human Capital Report
- An assessment of Departmental or Entity Strategy (with recommendations for changes if any)
- Any other issues

3. SCOPE OF THE ASSIGNMENT

This assignment will comprise of the following:

Item	Deliverable	Attributes
1	JDA End of Term Report	a) Understand the brief <ul style="list-style-type: none">• Meeting with the JDA to understand expectation and purpose of report. Develop common understanding of

Item	Deliverable	Attributes
		<p>requirements, such as level of detail required by the report, writing style that is direct and precise and schedule.</p> <ul style="list-style-type: none"> • Work from a list of relevant documents / existing documents as identified by and provided by the JDA, including: <ul style="list-style-type: none"> ○ JDA Annual Reports for the past five years ○ JDA 5 Year Business Plan ○ JDA Annual Business Plans for the past five years • Draw up work-plan. <p>b) Gathering and selecting information</p> <ul style="list-style-type: none"> • Gather / source all relevant information. • Review all relevant information. • Assess relevance of information to report, highlight any information gaps to the JDA <p>c) Organise material</p> <ul style="list-style-type: none"> • Finalise information what will be included and what is not directly relevant to the report. • Draft the Table of Contents (structure of the report) <p>d) Writing Report</p> <ul style="list-style-type: none"> • First draft of report. <p>e) Reviewing and redrafting</p> <ul style="list-style-type: none"> • Based on the feedback from JDA, review and redraft where required. • Finalise content and structure of redrafted report <p>f) Finalise Report</p> <ul style="list-style-type: none"> • Check for consistency in presentation and language (i.e. numbering of chapters, sections; errors of spelling or grammar) • Note that information, words and images must be collated but it is not necessary to do design or layout. • The format will be in MS Word.

It must be noted that:

In terms of timeframes:

- a. There is a pre-determined deadline of the 29th of January 2016 for submission of the JDA's End of Term Report.
- b. There may be subsequent submission depending on feedback from the City.

In terms of approach and process, the service provider will be required to:

- c. Report to EM: Planning & Strategy
- d. Develop a work-plan, as mentioned under (a) that specifies the key deliverables and timeframes.
- e. Work in consultation where required with the CEO, Exco, EM: Planning & Strategy and Marketing Manager.
- f. Contact, if necessary, stakeholders beyond the JDA, for example with the CoJ Development Planning department.
- g. Be available, when required to work from the JD offices and attend meetings at the JDA offices.
- h. Work on an output and hourly basis.
- i. Submit monthly progress/time reports consolidating all tasks to the EM: Planning and Strategy in writing by no later than the last Friday of each month at 12h00 in an agreed format.

3.1. Duration

The duration, not effort, given the nature of the technical support requirements in respect of this contract is for a period of three (3) months from date of appointment. Besides the deadline of 29th of January 2016 as specified in 3c above, any specific timeframes/deadlines per assignment will be agreed with the EM: Planning & Strategy.

4. APPOINTMENT

The JDA is requesting proposals from service providers or consultants with expertise in report writing. Technical capability and capacity will be assessed in terms of skills, competencies, knowledge and relevant experience (last 12-18 months), in relation to:

- The development of reports, (compliance or performance reports) ideally in the local government or public sector entities;
- Excellent grasp of grammar, punctuation, spelling and English usage;
- Project management;
- Collating, editing and proofreading of large amounts of information with accuracy and efficiency;

- Written and verbal communication skills;
- Working under tight deadlines and time pressures;
- Computer skills, e-mail and MS Office proficiency.

Applicants are to ensure that they have adequate resources to undertake the work within the prescribed timeframes. The JDA reserves the right to ask tenderers to replace any member of the proposed team if they do not meet the project coordinating committee requirements.

Successful bidders will be required to sign the JDA's Standard Form Agreement and appendices.

5. PRICING

The service provider must submit a quotation for the full scope of services proposed in order to deliver the defined outputs. It is recommended that the fee should be presented in the following table.

NO.	SCOPE	HOURLY RATE		
		EST HOURS	RATE / HOUR (EX VAT) (R)	SUB TOTAL
1	JDA End of Term Report			
			TOTAL	R
GRAND TOTAL (EXCLUDING VAT)				

Tenderers are to replicate the above table and submit as part of their fee proposal.

Note, that this is an RFP, and subject to the Preference Point System will be applied as follows:

- 80 points are assigned to price
- Up to 20 points are assigned to BBBEE status

The total must be carried over to the 'Offer' page.

Failure to price as indicated above will lead to tenderers being disqualified.

This is regarded as an all-inclusive price for the total value of technical support provided and no further project or budget extensions will be considered once the service delivery contract is concluded.

6. PROPOSAL CONTENT

The bidder's submission must provide the JDA with sufficient information to enable the JDA to make a sound and fair evaluation of the proposal. It must clearly indicate the **relevant** previous experience, capability, and capacity of the bidding entity to undertake the project. The proposal should **use the same item numbers as below**.

The following minimum documentation must be provided:

- 6.1 **THE "OFFER" PAGE MUST BE COMPLETED IN FULL AND SIGNED. Any service provider who fails to do so will be disqualified.**
- 6.2 **Service provider are required to submit a detailed fee proposals based on the requirements set out in item 5 above and to ensure that the final TOTAL FEE IS CORRECTLY TRANSFERRED TO THE "OFFER" PAGE. Any bidder who fails to do so will be disqualified.**
- 6.3 **A valid Tax Clearance Certificate. Any bidder who fails to do so will be disqualified.**
- 6.4 **Company registration documents must be submitted.**
- 6.5 **Certified copy of valid BBEE status level verification certificate, substantiating the bidding entities BBEE rating. Only certificates issued by verification agencies accredited by the South African Accreditation System (SANAS), or by registered auditors approved by the Independent Regulatory Board of Auditors (IRBA) will be accepted. **THE COPY MUST BEAR AN ORIGINAL CERTIFICATION STAMP. FAILURE TO SUBMIT AS REQUIRED WILL RESULT IN THE BIDDER SCORING ZERO (0) POINTS FOR BBEE.****
- 6.6 **A copy of the entity's latest municipal rates account in the name of the entity or alternatively in the names of the directors / partners of the entity.**
- 6.7 **Details of directors / partners / members and shareholders.**
- 6.8 **Certificates of membership/s to industry bodies.**
- 6.9 **A corporate brochure alternatively a brief summary of the entity's background.**
- 6.10 Provide information on the individuals who will be assigned to **this project (NOT the entire company)**. The following **must** be addressed:
 - role/s and responsibilities in this project
 - relevant qualifications
 - number of years of relevant experience
 - **a percentage estimate of the time planned to be dedicated to this project by each person**
 - detailed CV's for each member of the team noting their specific relevant project experience [project description, role and responsibilities, project value].
- 6.11 **A schedule of completed contracts of a similar nature to this project from the previous 24 months only. The following details must be included on the schedule:**

Description of the project	Service rendered	Name of employer / client and their representative's contact details	Cost of the works	Fee obtained for services	Date of completion
1.					
2.					
3.					

6.12 The Annexures A to E must be scrutinised, completed in full and submitted together with your quotation.

6.13 Tenderers are to submit 2 copies of their quotations (1 original plus 1 copy).

Failure to comply with the requirements in item 6 will result in service providers being negatively scored or disqualified for non-compliance.

Note for consortium and joint ventures

- The items in item 6 above are to be addressed and completed by **EACH** member of the consortium or joint venture.
- An agreement between all parties of the consortium or joint venture is to accompany the tender submission.
- A lead consultant is to be appointed and noted in the submission.

Failure to comply with these conditions may invalidate your offer.

7. ASSESSMENT CRITERIA

Submissions will be evaluated on the following criteria:

- Technical
- Price / BBBEE

The Preference Point System will be applied as follows:

- 80 points are assigned to price
- Up to 20 points are assigned to B-BBEE status

Points scored will be rounded off to the nearest 2 decimal places

7.1. Technical

The technical assessment is based on the criteria set-out below.

7.1.1 Compliance: tenderers will be disqualified for failure to attach a valid tax clearance certificate, for failure to complete the OFFER page in full.

7.1.2 Capability: relates to the qualifications and previous relevant experience of the proposed team member/s. CV's must clearly indicate qualifications; information on what projects (reports) the individual has worked on, in what

roles, duties, and value of the project. The information provided will be evaluated in the context of the requirements of the project (10).

7.1.3 **Previous experience:** refers to the bidder's past experience in delivering projects of a similar nature and size to the one being tendered for, in the timeline specified (10).

7.1.4 **Capacity:** relates to the bidder's ability to deliver the project on time, within budget, and according to the required specification. Accordingly the bidder's current commitments and availability of suitably qualified professionals to execute the works based on the percentage estimate of the time planned to be dedicated to this project by each person (10).

Tenderers will be required to score a minimum of 210 points (70%) out of a possible 300 points in the technical evaluation in order to be considered further in the evaluation process.

7.2. BBEE Status

Having completed a technical evaluation, points will be awarded for empowerment (BBEE), in accordance with the Preferential Procurement Regulations 2011 published in Government Gazette No. 34350 dated 8 June 2011. The following table is applicable in this regard:

B-BBEE Status Level Of Contributor	Number of Points
	Tenders up to R1 million
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0

Notes:

- 7.2.1 “B-BBEE status level of contributor” means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act (Act No.53 of 2003).
- 7.2.2 **Certified copy of valid BBEE status level verification certificate, substantiating the bidding entities BBEE rating. Only certificates issued by verification agencies accredited by the South African Accreditation System (SANAS), or by registered auditors approved by the Independent Regulatory Board of Auditors (IRBA) will be accepted. THE COPY MUST BEAR AN ORIGINAL CERTIFICATION STAMP. FAILURE TO SUBMIT AS REQUIRED WILL RESULT IN THE BIDDER SCORING ZERO (0) POINTS FOR BBEE.**
- 7.2.3 Bidders with annual total revenue of R5 million or less qualify as exempted and must submit a certificate; issued by a registered auditor, accounting officer or an accredited verification agency.
- 7.2.4 The submission of such certificates must comply with the requirements of instructions and guidelines issued by the National Treasury and be in accordance with notices published by the Department of Trade and Industry in the Government Gazette.
- 7.2.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 7.2.6 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate tender.
- 7.2.7 A person will not be awarded points for B-BBEE status level if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a tenderer qualifies for.
- 7.2.8 A person awarded a contract will not be permitted to sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned.

7.3. Price and Empowerment

Having completed a technical evaluation, the procedure for the evaluation of technically qualifying tenders is Method 2 (Price and Preferences). The Preference Point System assigns a score to each tenderer based on the tender price and on the tenderer’s BBEE status. These scores are combined to determine an overall score for the tender. The tender with the highest score will be considered for acceptance.

The Preference Point System will be applied as follows:

- 80 points are assigned to price
- Up to 20 points are assigned to BBBEE status per the table under item 7.2

Formula for scoring tender price

The following formula will be used to calculate the points for price:

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

Where

P_s = Points scored for comparative price of tender under consideration

P_t = Comparative price of tender under consideration

P_{\min} = Comparative price of lowest acceptable tender

X = Points assigned to price

Total preference points

The total preference points for a tender are calculated with the formula

$$PP = P_s + P_{bee}$$

Where

PP is the total number of preference points scored by the tenderer

P_s is the points scored for the comparative price of the tenderer, and

P_{bee} is the number of points awarded to the tenderer based on his certified B-BBEE status level

Points scored will be rounded off to the nearest 2 decimal places.

8. CLOSING DATE, TIME AND VENUE FOR SUBMISSIONS

The completed tender document shall be placed in a sealed envelope. The words:

**“Request for quotations from service providers to collate and draft the JDA End of
Term report”
JDA PS 005/2015**

Must be written / typed clearly on the envelope. The envelope must be deposited in the tender box at the **Johannesburg Development Agency, Ground Floor, The Bus Factory, 3 Helen Joseph Street (former President Street), Newtown.**

The Tender closes at 12h00 on Tuesday 09 December 2015

NO LATE / TELEPHONIC / FAXED / POSTAL TENDERS WILL BE ACCEPTED OR CONSIDERED.

The Johannesburg Development Agency's selection of qualifying tenders shall be in the Johannesburg Development Agency's sole discretion and shall be final. The Johannesburg Development Agency does not bind itself to accept any particular Tender and no correspondence will be entered into.

All queries in connection with this document are to be submitted in writing to:

Rhoda Damba

RDamba@jda.org.za

Form A: Business Declaration

Tender/RFP Number :

Tender/RFP Description :

Name of Company :

Postal Address :

Physical Address :

Telephone :

Fax :

Contact Person :

Cell Phone Number :

E-Mail Address :

Company/enterprise Income

Tax Reference Number ** :

(Insert personal income tax number if a one person business and personal income tax numbers of all partners if a partnership)

VAT Registration Number :

Company Registration Number:

1. Type of Firm

- Partnership
- One person business/sole trader
- Close corporation
- Public company
- Private company

(Tick One Box)

2. Principal Business Activities

.....

.....

.....

3. Total number of years firm has been in business:

4. Detail all trade associations/professional bodies in which you have membership.

.....

.....

5. Did the firm exist under a previous name?

- Yes
 - No
- (Tick one box)

If yes, what was its previous name?.....

6. How many permanent staff members are employed by the firm:

Full Time:

Part Time:

7. What is the enterprise's latest annual turnover (excl. VAT): R.....

8. List the personnel or firms who provide the following services:

SERVICE	NAME	CONTACT PERSON	TELEPHONE
ACCOUNTING			
LEGAL			
AUDITING			
BANKING			
INSURANCE			

9. List all contracts which your company is engaged in and have not yet completed:

CONTRACT DESCRIPTION	LOCATION	COMPANY/EMPLOYER	CONTRACT AMOUNT	EXPECTED COMPLETION (MONTH & YEAR)

SIGNATURE :

NAME IN FULL :

CAPACITY :

DULY AUTHORIZED TO SIGN ON BEHALF OF:

DATE :

BANK DETAILS

I/We hereby request and authorize you to pay any amounts which may accrue to me/us to the credit of my/our account with the mentioned bank.

I/We understand that the credit transfers hereby authorized will be processed by computer through a system known as the "ACB Electronic Fund Transfer Service" and

I/We also understand that no additional advice of payment will be provided by my/our bank, but details of each payment will be printed on my/our bank statement or any accompanying voucher.

This authority may be cancelled by me/us giving 30 days notice in writing.

BANK:

BRANCH:

BRANCH CODE:

ACCOUNT NUMBER:

ACCOUNT HOLDER:

TYPE OF ACCOUNT:

***PLEASE INCLUDE ORIGINAL SIGNED AND STAMPED LETTER FROM THE BANK
CONFIRMING THE COMPANY'S BANKING DETAILS, PHOTOSTAT COPIES AND LETTERS
BEARING ELECTRONIC SIGNATURES WILL NOT BE ACCEPTABLE.***

The undersigned, who warrants that he/she is duly authorised to do so on behalf of the company, affirms that the information furnished in response to this request for proposal is true and correct:

SIGNATURE :

NAME IN FULL :

CAPACITY :

DULY AUTHORIZED TO SIGN ON BEHALF OF:

DATE :

FORM B : DECLARATION OF INTEREST

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

3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name:

3.2 Identity Number:

3.3 Position occupied in the company (director, trustees, shareholder**)
.....

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

If yes, furnish particulars

.....
.....

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

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

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**

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**

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**

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 businesses whether or not they are bidding for this contract?

NO

YES /

If yes, furnish particulars

.....
.....

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

FULL NAME	IDENTITY NUMBER	STATE EMPLOYEE NUMBER

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 A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature

Position

.....
 Name of Bidder Date

- * 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.

** "Stakeholder" 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.

FORM C: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No

4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

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

FORM D: 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:

JOHANNESBURG DEVELOPMENT AGENCY

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
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.
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 E (Continue)

EMPLOYER	CONSULTING ENGINEER	NATURE OF WORK	VALUE OF WORK	YEAR OF COMPLETION

.....
SIGNATURE

(of person authorised to sign on behalf of the Tenderer)

.....
DATE

Organ of State means-

- a) a national or provincial department;
- b) a municipality;
- c) a constitutional institution defined in the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- d) Parliament;
- e) a provincial legislature;
- f) any other institution or category of institutions included in the definition of “organ of state” in section 239 of the Constitution and recognised by the [Minister](#) by notice in the *Government Gazette* as an institution or category of institutions to which [this Act](#) applies

Description of the project	Service rendered	Name of employer / client and their representative's contact details	Cost of the works	Fee obtained for services	Date of completion