



a world class African city



City of Johannesburg
Johannesburg Development Agency

No 3 President Street
The Bus Factory
Newtown
Johannesburg, 2000

PO Box61877
Marshalltown
2107

Tel +27(0) 11 688 7851 (O)
Fax +27(0) 11 688 7899/63
E-mail: info@jda.org.za

www.jda.org.za
www.joburg.org.za

INVITATION TO BID

REQUEST FOR FORMAL WRITTEN PRICED QUOTATIONS: EMPLOYMENT EQUITY TRAINING

ADVERT DATE: 29 May 2019

CLOSING DATE: 06 June 2019

CLOSING TIME: 12H00

BID DESCRIPTION: **Facilitate Employment Equity Training.**

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: Ms Claudia Mahlaule
Tel: 011 688 7851
Fax: 011 688 7899
E-mail: cmahlaule@jda.org.za

ANY REQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Department: Human Resource Management
Contact Person: Tumang Bokaba
Tel: 011 688 7851
Fax: 011 688 7899
E-mail: tbokaba@jda.org.za

PLEASE NOTE: QUOTATIONS MUST BE SUBMITTED ON THE QUOTATION DOCUMENTATION ISSUED. QUOTATION DOCUMENTATION MUST NOT BE REPRODUCED OR REARRANGED. ANY ADDITIONAL INFORMATION MUST BE SUBMITTED AS A SEPARATE ATTACHMENT TO THE QUOTATION 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

FACSIMILE NUMBER CODE NUMBER

VAT REGISTRATION NUMBER

TOTAL BID PRICE excluding Value Added Tax

TOTAL BID PRICE in words
.....
.....
..... excluding Value Added Tax

SIGNATURE OF BIDDER

CAPACITY UNDER WHICH THIS BID IS SIGNED

DATE

The following conditions will apply:

- A valid Tax Clearance Certificate must be submitted, copies or certified copies will not be accepted.
- 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 (60) 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 stakeholder

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 combatting 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, KNZ 138, Umhlanga, 4320



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

1. LOCATION

Majority of the work will be undertaken at the JDA's office due to the nature of the work which predominately requires engagement with JDA officials to develop the required material and conduct workshops.

2. SCOPE OF WORK

The training will be attended by Johannesburg Development Agency employees, as and when required. The exact number will be confirmed as soon as confirmation from each employee is secured. The training course content should cover the following:

- 2.1 Develop a common understanding of the Employment Equity and Skills Development Acts and their relevance to business in South Africa
- 2.2 Understand the functions and responsibilities of Employment Equity Consultation Committees
- 2.3 Know how to provide a meaningful contribution as members of a committee, through the understanding of essential skills required for consultation and meeting processes
- 2.4 Consult constructively with all staff on the drawing up and implementation of Employment Equity plans
- 2.5 Share information on what other South African organizations are doing to practically implement EE plans

3. DURATION

The training should be facilitated for (2) two days and the date of the training will be communicated as soon as the venue and number of employees that will be attending is confirmed.

4. THE DELIVERABLES

- 4.1 Training material as a point of reference and facilitating the training.
- 4.2. Certificates of competence to be issued by the provider upon submission of POE

5. PROPOSAL CONTENT

The bidder's submission must provide the JDA with sufficient information to enable the employer to make a sound and fair evaluation of the proposal. It must clearly indicate the **relevant** previous experience, capability (CVs of the Facilitating Team), and capacity (Size of the organisation, availability of officials to undertake the task) of the bidding entity to undertake the project. The Quotation should **use the same item numbers as below.**

The following minimum documentation must be provided:

- 5.1. THE "OFFER" PAGE MUST BE COMPLETED IN FULL AND SIGNED. Any bidder who fails to do so will be disqualified.
- 5.2. Tenderers are required to submit a detailed fee proposals based on the requirements set out in item 2 and 4 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.

- 5.3. A valid Tax Compliance Status letter. No award will be made to a service provider whose tax matters are not in order with the South African Revenue Services.
- 5.4. No award will be made to a service provider who is not registered with the National Treasury Supplier Database.
- 5.5. Company registration documents.
- 5.6. A certified and valid BBBEE status levels verification certificate or a certified copy thereof, substantiating the bidding entities BBBEE rating or a sworn affidavit. 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. **FAILURE TO SUBMIT AS REQUIRED WILL RESULT IN THE BIDDER SCORING ZERO (0) POINTS FOR BBBEE.**
- 5.7. Latest copy of the bidding entity's municipal rates account in the name of the bidding entity or alternatively in the names of the directors / partners of the bidding entity.
- 5.8. A statement from an independent auditor / accountant regarding the tenderer's financial standing to undertake this project.
- 5.9. Details of directors / partners / members and shareholders.
- 5.10. Certificates of membership/s to industry bodies.(If applicable)
- 5.11. A corporate brochure. Alternatively a brief summary of the entity's background.
- 5.12. Provide information on the individuals who will be assigned to **this project (NOT the entire company)**. The following **must** be addressed :
 - role/s and responsibility/ies on this project
 - relevant qualifications
 - number of years of relevant experience in the industry and in the proposed role
 - 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.

Accreditation Requirements:

- The provider must be accredited and registered by the SETA and/or Council for Higher Education (CHE)
- The provider/s must be accredited and/or registered for the said qualifications
- The provider/s must be registered and/or accredited as an RPL assessment center and the tools must be registered

- The provider will be responsible to project manage this intervention from implementation to certification.
- The provider must have registered facilitators to implement these interventions in-house.
- The provider will be required to conduct contact sessions (In-house Training or alternative)
- Remediation for Not Yet Competent learners
- All assessments and re-assessments to be coordinated and conducted by the service provider.
- Reports:
 - Records of all assessments should be recorded and forwarded to the HR Manager
 - Progress reports should be forwarded to the HR Manager.
 - Consolidated reports should be provided to HR Manager.
- Credentials (CVs') of Facilitators that will facilitate the training need to be provided.

5.13. The forms A to F annexed, must be scrutinized, completed in full and submitted together with your quotation.

Failure to comply with the requirements in item 5 will result in tenderers being negatively scored for responsiveness or disqualified for non-compliance.

Note for consortium and joint ventures

- The items 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

PRICING SCHEDULE

A: SERVICE PROVIDER COST SCHEDULE			Cost (excl. VAT)
No.	Item	Deliverable / Activities	
1	Training packs & materials per person (Including Development of study material)	As per project scope (section 2)	
2	Certificate of competency per person		
3	Training sessions per person		
TOTAL (Excl. Vat) The total amount must carried over to the offer page			

IMPORTANT NOTICE: IN YOUR RESPONSE YOU ARE REQUESTED TO PROVIDE US WITH A DETAILED FEE PROPOSAL TABLE FORMAT OF YOUR FEE BREAKDOWN FOR THE REQUIRED ITEMS REQUESTED.

TENDERERS MUST ENSURE THAT THE FINAL TOTAL FEE IS CORRECTLY CARRIED TO THE "OFFER" PAGE. THE VALUE RECORDED ON THE OFFER PAGE WILL BE REGARDED AS THE TENDERED AMOUNT.

FAILING TO PRICE AS REQUIRED WILL RESULT IN THE TENDER BEING DISQUALIFIED.

6. ASSESSMENT CRITERIA

Submissions will be evaluated on the criteria to follow:

- Compliance
- Technical
- Price and Empowerment

6.1 Compliance

Bidders will be disqualified for:

- **If any of its directors are listed on the register of defaulters;**
- **In the case of a bidder who during the last five years has failed to perform satisfactorily on previous contracts with the JDA or any other organ of state after written notice was given to that bidder that performance was unsatisfactory;**
- **Bidders who did not complete, in full, the tender offer page (i.e. priced, all registration numbers provided and signed);**
- **Bidders whose tender document has been completed in pencil;**
- **Bidders whose document has been faxed;**
- **Bidders whose tender document has been received after the closing time;**
- **Bidders whose tender document has not been deposited in the tender box at the time of closing;**
- **Bidders who fail to price as required i.e. as stipulated in item 4 herein;**
- **Bidders who did not comply with any other requirement as set out in the tender specifications;**
- **Bidders who failed to attend the compulsory tender briefing session;**
- **Bidders who have any directors in the employment of the state.**

6.2 Technical

Total points: 100

Bidders will be required to score minimum points of 70% of 100 points which is 70 points.

KEY RETURNABLE DOCUMENTS	Total Points	Criteria	Description of Criteria	Points
A	10	Original or Certified Copy of BBBEE Certificate (Sworn affidavit)	Points will only be allocated for documents correctly completed and signed.	N/A
		Company registration documents		N/A
		Latest municipal account / Lease agreement		N/A
		A statement from an independent auditor / accountant regarding the tenderer's financial standing to undertake this project or Audited financial statement for the past three years.		N/A
		Certified copies of directors / partners identity documents		N/A
		Forms A to E completed in full and signed		10
COMPANY EXPERIENCE	Total Points	Criteria	Description of criteria	Points
B Company Experience and Track record for training on Employment Equity Training	40	More than 5 years of experience with solid track record of providing Employment Equity Training	Points will only be allocated for training on Business Report Writing	40
		3 years to 4 years of experience with solid track record of providing Employment Equity Training		30
		1 to 2 years of experience with solid track record of providing Employment Equity Training		20
CONTACTABLE REFERENCES	Total Points	Criteria	Description of criteria	Points
C Experience of proposed facilitator	30	5 years' experience as a training facilitator on Employment Equity Training with references as Lead Facilitator for related training on Employment Equity Training	Points will only be allocated for experience on training for business report writing of the proposed facilitator	30
		3 - 4 years' experience as a training facilitator on Employment Equity Training with references as Lead Facilitator for related training on Employment Equity Training		20
		Less than 3 years' experience as a training facilitator on Employment Equity Training with references as Lead Facilitator for related training on Employment Equity Training		10
CONTACTABLE REFERENCES	Total Points	Criteria	Description of criteria	Points
D Contactable reference (on client letter head) for related training on Employment Equity Training	20	Five or more satisfactory references for related training on Employment Equity Training.	Points will only be allocated for references on related training on Employment Equity Training as listed in the schedule requested (Annexure D) References must be on the client's letterhead or on a	15
		Only three to four satisfactory references for related training on Employment Equity Training.		10
		Only one to two satisfactory references for related training on Employment Equity Training.		5

COMPANY EXPERIENCE	Total Points	Criteria	Description of criteria	Points
			document stamped by the client and must confirm the project description, services rendered in order to obtain the points. If any of the required information does not appear in the reference, zero points will be awarded.	

6.3 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 BBBEE 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:

➤ For tenders below R50 million

- 80 points are assigned to price
- Up to 20 points are assigned to BBBEE status per the table under item 7.3.1

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

6.3.1 Points awarded for BBBEE status level

Points will be awarded for empowerment (BBBEE), in accordance with the Preferential Procurement Regulations 2017 published in Government Gazette No. 40553 dated 20 January 2017. The table overleaf is applicable in this regard:

B-BBEE Status Level Of Contributor	Number of Points
	Tenders above R50 million
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0

Notes

- 6.3.1.1 “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).
- 6.3.1.2 Tenderers must submit their original and valid B-BBEE status level verification certificate substantiating their B-BBEE rating. Certificates issued by either verification agencies accredited by the South African Accreditation System (SANAS) or by registered auditors approved by the Independent Regulatory Board for Auditors (IRBA) are acceptable. **FAILURE TO SUBMIT A BBEE STATUS LEVEL CERTIFICATE WILL RESULT IN THE BIDDER SCORING ZERO (0) POINTS FOR BBEE.**
- 6.3.1.3 An EME must submit a sworn affidavit confirming the following:
- Annual Turnover Revenue of R10 million or less; and
 - Level of Black ownership
 - Any misrepresentation in terms of bullet point above constitutes a criminal offence as set out in the B-BBEE Act as amended.
- 6.3.1.4 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.
- 6.3.1.5 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.
- 6.3.1.6 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.
- 6.3.1.7 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.
- 6.3.1.8 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.

6.3.2 Formula for scoring tender price

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

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

P_{min}

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

6.3.3 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.

7. CLOSING DATE, TIME AND VENUE FOR SUBMISSIONS

The words “**Employment Equity Training**” 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 (former President Street), Newtown** only between the hours of 08H00 and 12H00.

The Tender closes at 06 June 2019, 12:00.

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

The Johannesburg Development Agency’s selection of qualifying quotations 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 Quotation and no correspondence will be entered into.

Queries can be addressed in writing to:
Tumang Bokaba
E-mail: tbokaba@jda.org.za

FORM A: BUSINESS DECLARATION

Tender/RFP Number :

Tender/RFP Description :

Name of Company :

Contact Person :

Postal Address :

.....

Physical Address :

.....

Telephone Number :

Fax Number :

Cell 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 company 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. In the case of a firm which renders services for different disciplines, how many permanent staff members are employed by the firm in the discipline for which you are tendering:

Full Time :

Part Time :

8. What is the enterprise's annual turnover for the last two years and what is the estimated turnover of current commitments from 1 July 2017 to 30 June 2018 (excl. VAT):

R Year

R Year

R Year

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

CONTRACT DESCRIPTION	LOCATION	COMPANY/ EMPLOYER	PROJECT VALUE	ESTIMATED FEES	EXPECTED COMPLETION (MONTH & YEAR)

10. Banking details

I/We hereby request and authorise 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 authorised 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 :
CONTACT PERSON :
CONTACT NUMBER :

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 :

COMPANY STAMP

FORM B: DECLARATION OF INTEREST

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

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

.....

.....

.....

3.11 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?

If yes, furnish particulars

YES / NO

.....

.....

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 alter ampartem</i> rule was applied).	Yes	No
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (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	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	Yes	No

	the past five years?		
4.3.1	If so, furnish particulars:		
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"/>
4.5.1	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 A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Position

.....
Name of Bidder

.....
Date

Request for Quotations: EMPLOYMENT EQUITY TRAINING
HUMAN RESOURCE MANAGEMENT DEPARTMENT

Page 20
May 2019

FORM D : PARTICULARS OF CONTRACTS AWARDED BY AN ORGAN OF STATE* DURING THE LAST 5 YEARS cont.**

EMPLOYER	MANAGEMENT CONSULTING	NATURE OF WORK	VALUE OF WORK	YEAR COMPLETED

***** 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

.....
Signature
(of person authorised to sign on behalf of the organisation)

.....
Position

.....
Name of Bidder

.....
Date

FORM E: CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

EMPLOYMENT EQUITY TRAINING

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
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraph 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

.....
Position

.....
Name of Bidder

.....
Date

ANNEXURE F: DECLARATION ON STATE OF MUNICIPAL ACCOUNTS

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

B Bid Information

- i. Name of bidder:
- ii. Registration Number:
- iii. Municipality where business is situated
.....
- iv. Municipal account number for rates:
- v. Municipal account number for water and electricity:.....
- vi. Names of all directors, their ID numbers and municipal account number.
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.

C Documents to be attached.

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

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

.....
.....

Signature

Date