

 DURBAN ICC INTERNATIONAL CONVENTION CENTRE INKOSI ALBERT LUTHULI ICC COMPLEX SOUTH AFRICA	ISO Management System	Approval	
		Chief Financial Officer	
	Request for Quotation (RFQ) Advertisement Template	Doc No: SR-277	
		Issue Date: 12/11/2025	Rev: 4

REQUEST FOR QUOTATION – CUL 01/2026

SUPPLY, DELIVERY AND SUPPORT SERVICES OF DISINFECTANTS, DETERGENT-DISINFECTANTS AND CLEANING CHEMICALS FOR USE THE FOOD INDUSTRY FOR A PERIOD OF 12 MONTHS

1. **Background**

The Durban ICC is one of the most advance conferencing facilities in the world, having been voted Africa's Leading conference centre by the World travel award for the 21 years. The centre has also obtained certification for ISO 14001 (Environmental Management), ISO 22000 (Food Safety Management), ISO 9001 (Quality Management) and ISO 45001 (Occupational Health and Safety Management) which has been maintained and audited annually by the SABS (South African Bureau of Standards)

2. **Legislation**

This quotation will be evaluated on administrative compliance, mandatory requirements, price and preference points in terms of the 80/20 preference point system as prescribed in the Preferential Procurement Policy Framework Act (No 5 of 2000) and Preferential Procurement Regulations of 2022 where 80/20 points system will be applied wherein 80 points are for price and 20 for specific goals and for this purpose the enclosed forms must be scrutinized, completed and submitted together with your detailed quotation.

3. **Purpose**

The Durban ICC requires a competent service provider for the supply, delivery and support services associated with:

1. Servicing chemical pumps.
2. General training of staff.
3. Assisting with Food Safety audits.
4. Providing chemicals disinfectants, detergent-disinfectants and cleaning chemicals for use in the food industry for a period of twelve (12) months

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4. Mandatory Requirements

Does the service provider comply with the minimum requirements? Please acknowledge as illustrated	Yes	No
	✓	X
4.1 The service provider must be SABS (South African Bureau of standards) Or Intertek certified. Attach proof.		
4.2 The supplier must provide a minimum of two reference letters from clients to whom chemicals were provided.		
4.3 The supplier products must be SANS (South African National Standards) 1828 (Cleaning Chemicals for Use in the Food Industry) certified. Attach proof		
4.4 Chemicals required must be included in the SANS 1828 Schedule. Attach proof		
4.5 The awarded supplier is required to enter into a binding contractual agreement with the Durban ICC, which is to be drafted by the Durban ICC on its required terms and conditions"		

Please Note: Failure to meet all of the stipulated mandatory requirements will result in the service provider being deemed non-responsive and will not be considered for state two of the evaluation. The bidder must complete the final column above stating whether they can complete the task or not

NB: Durban ICC agree that they will comply with Protection of Personal Information (POPI) Act regulations and process all the information and/or personal data in respect of the services being rendered in accordance with the said regulation and only for the purpose of providing the Services set out in the agreement to provide service

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5. Two Stage evaluation process

Stage 1: Bid submissions will be evaluated based on compliance with mandatory requirements detailed above

Stage 2: Price and Preference

The procedure for the evaluation of responsive tenderer is **PRICE AND PREFERENCE** in accordance with the Entity's current SCM Policy, the Preferential Procurement Policy Framework Act (5 of 2000), and the Preferential Procurement Policy Framework Act Regulations (2022).

The **80/20** preference points system will be applied. The Formula used to calculate the **Price Points (max. 80)** will be according to that specified Regulation 4.1.

Preference Point System and Specific Goals

The definitions as per the SCM Policy are applicable.

Preference Points (either 20 or 10) will be derived from points claimed on Returnable Document **MBD 6.1: "Preference Points Claim Form"** for the **Specific Goal(s)** as indicated on the table(s) below, and according to the specified **Goal Weightings**.

Should the municipal entity apply a combination of specific goals, the points for the individual goals will be weighted according to the goal weightings specified in the bid document to arrive at the final points for Preferential Points for Specific Goals.

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RDP Goal: The promotion of South African owned enterprises

The tendering entity's **Address** (as stated on the National Treasury Central Supplier Database (CSD) or on the eThekweni Municipality Vendor Portal) is to be used in the determination of the tenderer's claim for **Preference Points** for this Specific Goal.

Goal weighting 100%		
Specific Goal: Promotion of South African owned enterprises	Criteria	80/20
South African, Provincial and Locally Owned Enterprises	Not in South Africa	0
	South Africa	5
	KZN	10
	EThekweni Municipality	20

Proof of claim as declared on MBD 6.1(The following will be used to verify the bidder's status):

- **CSD report**

6. Scope of Supply

6.1 Main kitchen requirements

- Install and maintain dispensing units for three (3) industrial dishwasher machines, pot washer Dishwasher including cleaning chemicals, sanitizers and drying chemicals.
- Supply and install a range of equipment and accessories for the control and application of products.

6.2 Training and Reporting

- Provide technical support, service and on site operator training by certified auditor and or trainer
- Training to meet standards as required by current ISO 22000 and SABS standards.
- Monthly service reports to be completed to indicate problem areas and to provide advice on solutions.
- Visual aids to be supplied with regard to personal hygiene, food handling and safe use of chemical products in the kitchen and housekeeping environment
- Supply of laminated wall charts required for display in the appropriate areas to assist staff in identifying the correct use of various products, including Master cleaning schedule that will correspond with the cleaning check list.
- Supply of colour coded labelling of the dispensing station which corresponds to colour coded bottles and accessories to identify with the relevant colour of the product and the correct application.

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6.3 Dilution Table

- All quotations must state the recommended dilution rates per product.
- A final cost for a 1 litre dilution.
- Cost per plate and cost per hand wash/sanitise (hand washing).

6.4 Marking of containers

- The gross and tare mass must be marked on all containers.
- Each container must bear a label stating specification and particulars as required by the Foodstuffs, Cosmetics and Disinfectants Act No. 54 of 1972, as amended, and any Regulations framed there under.
 - Full directions for use, including the proportions, strength or dilution in which it is effective.
 - The names of its active ingredients and the percentage or proportion of each or, in the case of liquid germicides belonging to the phenol or cresol group, its germicidal power of efficacy, expressed in numeral terms as compared with the germicidal power of efficacy of pure carbolic acid, in letters not less than 4 mm in height.
 - The date of manufacture of the product and shelf life (expiry date if applicable).
 - Material Safety Data Sheet must be provided for all items offered.
 - Standardised laboratory testing of each chemical must be attached in terms of its efficacy and suitability.
- When delivering supplies, the successful tenderer must clearly mark all containers with the
 - enquiry number
 - official order number
 - batch Number
 - dilution table
- Compliance with the Occupational Health and Safety Act Number 85/1993 in respect of stipulating on the product labels the requirements for medical treatment in the event of an accidental spill onto the skin or eye or oral intake, etc., is mandatory. All labels must be affixed with an adhesive.

6.5 Hazardous Material Record

Bidder must have completed Material Safety Data Sheet below for all the products offered and return together with their RFQ documents of which it will form part of. This is a requirement in terms of the Occupational Health and Safety Act No. 85/1993. Copies of the Material Safety Data Sheets and Technical Data Sheets must be made and completed if there is more than one item mentioned in the Technical Specification. Alternatively, a separate standard Material Safety Data Sheet and Technical Data sheet printed on your company's letterhead for each item bided on, will also be accepted.

6.6 Award

This requested service will only be considered from manufacturers, distributors or appointed agent.

6.7 Stock

The successful Bidder will be required to carry stock equivalent to one month's order to ensure availability on demand.

Name of manufacturer / brand

Bidder must state the name of the manufacturer and the brand for item offered as per columns 5 of the official pricing bid form.

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7. Specifications

Equipment & Accessories	Quantity
Spray bottles with fan spray action	35
Sanitizing buckets x 2 different colours	25 each colour
Concentrate chemical dispensers o Highly active QAC sanitizer (SANS 1853 Approved and NRCS Registered) o General purpose multi-surface cleaner (SANS 1828 Approved) o Oven Cleaner (SANS 1828 Approved)	2
Hand soap/sanitizer dispensers	24
Hand towel dispenser units	24
Chemical dispenser for the for accurate dosing of grease traps	3
Informative safety, awareness and usage signage	X 16 Pantries X 1 Coffee shop X 1 Main Kitchen X 1 Staff canteen X 3 VIP kitchens

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8. Pricing Schedule (Official Offer Form)

Bidders would be precluded from this Request for Quotation should their pricing structure deviate from the official pricing schedule contained in the RFQ advertisement.

This award is per unit cost based on utilisation capped to 12 months or 750 000 incl. VAT, whichever comes first.

Description	Specification	Packaging	Quantity	Unit cost (vat excl.)	Total (unit cost x quantity)
General purpose detergent (pot wash) SANS 1828 Approved	Concentrated general detergent for pots & pans	25L	1	R	R
Anti-microbial hand sanitizer SANS 1853 Approved	Alcohol based hand sanitizer	Box of 6 units	1	R	R
Anti-microbial hand sanitizer SANS 1853 Approved	Non-Alcohol based sanitizer for Halaal kitchen	Box of 6 units	1	R	R
Anti- bacterial soap SANS 1853 Approved	Non-perfumed, anti-bacterial hand soap	Box of 6 units	1	R	R
Dish machine Detergent SANS 1828 Approved	Dish machine detergent automatically dispensed	25 L	1	R	R
Dish machine rinse-aid SANS 1828 Approved	Dish machine rinse additive	25L	1	R	R
Food grade sanitizer sachets SANS 1853 Approved	Chlorine sachets for disinfecting surfaces & equipment. SANS 1853 powdered chlorinated disinfectant cleaner for disinfection of kitchen equipment & utensils	5g-10g	1 box	R	R
Bio-technology for grease inceptors	Blended bacteria to degrade organic waste in grease traps	25L	1	R	R

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Highly active QAC sanitizer SANS 1853 Approved and NRCS Registered	A non-perfumed sanitizer cleaner for all surfaces and equipment liquid	25L	1	R	R
General purpose multi- surface cleaner SANS 1828 Approved	For use on all surfaces, can be applied by sprayer, brush,mop, cloth sponge or broom It should remove dirt, grease, bio- degradable and environmentally friendly, cleaner for hard surfaces, walls & floors	25L	1	R	R
Heavy duty oven and griddle cleaner SANS 1828 Approved	Heavy duty degreaser for surfaces, ovens and stove tops	25L	1	R	R
TOTAL EXCLUDING VAT					R
VAT @ 15%					R
TOTAL INCLUDING VAT					R

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House Keeping- All chemicals must be SABS registered and have a current valid ACT no.

Description	Specification	Packaging	Quantity	Unit cost (vat excl.)	Total (unit cost x quantity)
				R	R
Furniture polish	Liquid furniture polish for the upkeep of all wooden surfaces	1L units.	Pack of 6 x1	R	R
Stainless steel polish	Stainless steel polish aerosol for the removal of dirt and stains.	400ml units.	Pack of 6 x1	R	R
Hand soap	Antibacterial, perfumed hand soap	5L units.	1	R	R
Tile cleaner	Specialized cleaner for tiled floors	5L units.	1	R	R
Neutral cleaner	Cleaner for washing pots, pans and mopping sealed floors	25L units.	1	R	R
Universal cleaner	Multi-purpose cleaner for kitchen and house-keeping areas	25L units.	1	R	R
Glass cleaner	Window cleaner	25L units.	1	R	R
Non-perfumed detergent	Non-perfumed detergent for house-keeping areas	5L units.	1	R	R
Air freshener	Concentrated Water Lilly air fragranced freshener	5L units.	1	R	R
				TOTAL Excl Vat	R
				VAT	R
				TOTAL Incl Vat	R

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9. Preconditions

A written quotation will not be considered unless the service provider who submits the quotation provides the following with their quotation:

- 9.1 Full name
- 9.2 Identification or company or other registration number
- 9.3 Tax reference number and VAT number, if any
- 9.4 Valid original Tax clearance pin from South African Revenue Services which proves that the service provider's tax matters are in order
- 9.5 For construction contracts only those tenderers who are registered (as "Active") with the CIDB at time of tender closing in a contractor designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations for a CE class of construction work, are eligible to have their tenders evaluated.
- 9.6 Valid BBBEE Certificate
- 9.7 MBD 4 Declaration of Interest form must be completed
- 9.8 MBD 6.1 Preference points claim must be completed
- 9.9 MBD8 Declaration of past supply chain management practices must be completed
- 9.10 MBD9 Certificate of Independent bid determination must be completed
- 9.11 Declaration of municipal fees must be completed.
- 9.12 Declaration with respect to the Occupational Health and Safety Act must be completed.
- 9.13 The estimated quantities are set out in the pricing schedule which forms part of the official tender documents. The quantities are stated purely for the information of the bidder and are necessary to ascertain an estimated total contract price. Post award, the appointed bidder will however, be bound to supply the quantity/quantities the entity may actually require which may exceed or be less than the estimated quantities stated.
- 9.14 The service provider must be registered on the CSD database and EThekwini Vendor Portal. Proof of registration needs to be submitted. Failure to be registered on these databases will adversely affect the awarding process and may result in the service provider being deemed non-responsive.

CSD registration website: <https://secure.csd.gov.za>

EThekwini Vendor Portal registration: <https://ethekwinvendor.durban.gov.za>

Or contact 031 322 7011 / 7154

Fatima.milazi@durban.gov.za / phumla.mdabe@durban.gov.za

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10. Terms and Conditions

- 10.1 The service provider will hereby quote to perform and complete all work required in this RFQ within the quoted amount. It will be deemed that they have checked all aspects of this work before quoting and therefore the price tendered should be inclusive of all required work.
- 10.2 The Durban ICC is entitled to cancel the Request for Quotation (RFQ) at any time before the issue of the award. The Durban ICC shall, in no way, be liable for any damages whatsoever, including, without limitation, damages for loss of profit, in any way connected with the cancellation of this Request for Quotation (RFQ).

11. Protection of Personal Information

- 11.1 By responding to this Request for quotation you hereby consent to the Durban ICC processing your personal information as defined in the Protection of Personal Information Act 4 of 2013 ("POPIA").
- 11.2 The Durban ICC shall take reasonable steps in terms of POPIA to protect the personal information supplied as part of this Request for quotation.

12. Contact Person

Name: Patrick Musubao
Tel: 031 360 1363
Email: patrickm@icc.co.za

13. Closing Date

All bid submissions must be enclosed in a sealed envelope for the attention of the Procurement Department clearly marked with the RFQ reference number together with the description of the bid. These submissions are to be placed in the Tender Box at the Durban ICC security entrance on the ground floor, 45 Bram Fischer Road Durban before **12:00 on 24th March 2026**. Submissions that are not sealed or not clearly marked as required, may be rejected.

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14. Past experience in similar assignments

Bidder name : _____

Contact person : _____

Telephone and email: _____

Assignment Description	Key Elements	Date Completed	Contact Person and Telephone Number	Assignment Value

I.....being duly authorized thereto by.....do hereby confirm that the information contained herein is true and correct and acknowledge that, should it be established that any of the information contained herein is false and incorrect, my company may be disqualified from quoting to the Durban ICC.

Name: *(Block Capitals)* _____

Signature: _____

Date: _____

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16. MBD4 Declaration of Interest

16.1 No bid will be accepted from persons in the service of the state¹.

16.2 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.

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

16.3.1 Full name of bidder or his/her representative

16.3.2 Identity number:

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

.....

16.4.4 Company Registration Number:

16.4.5 Tax Reference Number:

16.4.6 VAT Registration Number:

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

References:

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

(a) a member of –

- any municipal council
- any provincial legislature
- 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;

(f) an employee of parliament or a provincial legislature.

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

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16.4.8 Are you presently in the service of the state?
If yes, furnish particulars:

YES	NO
-----	----

16.4.9 Have you been in the service of the state for the past twelve months? If yes, furnish particulars:

YES	NO
-----	----

16.4.10 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?
If yes, furnish particulars:

YES	NO
-----	----

16.4.11 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?
If yes, furnish particulars:

YES	NO
-----	----

17.4.12 Are any of the company's directors, trustees, managers, principal shareholders or stakeholders in service of the state?
If yes, furnish particulars:

YES	NO
-----	----

16.4.13

YES	NO
-----	----

16.3.14 Do you or any of the directors, trustees, managers, principal shareholders or stakeholders of this company have any interest in any other company or business whether or not they are bidding for this contract? If yes, furnish particulars:

YES	NO
-----	----

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

Full Name	Identity Number	State Employee No.

Signature

Date

Capacity

Name of Bidder

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18.

MBD 6.1: PREFERENCE POINTS CLAIM
In terms of THE PREFERENTIAL PROCUREMENT REGULATIONS (2022)

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

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

1.0 GENERAL CONDITIONS

1.1 The following preference point system is applicable to invitations to tender:

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

1.2 **The 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the applicable system once tenders are received.

1.3 Preference Points for this tender shall be awarded for:

- **Price and Specific Goals:** 80 (price) and 20 (specific goals), in terms of 1.2 above.
- The total Preference Points, for Price and Specific Goals, is 100.

1.4 Failure on the part of the bidder to submit the required proof or documentation, in terms of the requirements in the (Special) Conditions of Tender for claiming **Specific Goal** preference points, will be interpreted that preference points for **Specific Goals** are not claimed.

1.5 The Durban ICC reserves the right to require of a bidder, either before evaluation or at any time subsequently, to substantiate any claim in regard of preferences, in any manner required by the entity.

2.0 DEFINITIONS

2.3 **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes.

2.4 **“tender for income-generating contracts”** means a written offer in the form determined by Municipality in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the Municipality and a third party that produces revenue for the Municipality, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions.

2.5 **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

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3.0 FORMULA FOR CALCULATION OF PREFERENCE PRICE POINTS

3.1 PROCUREMENT OF GOODS AND SERVICES

GOODS and SERVICES

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

80 / 20 Points System

OR

90 / 10 Points System

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

$$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

Where:

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender

INCOME-GENERATING CONTRACTS

The financial offer will be scored using the formula:

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

Where:

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{max} = Price of highest acceptable tender

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4.0 POINTS AWARDED FOR SPECIFIC GOALS

- 4.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the request for tender. For the purposes of this tender the tenderer will be allocated points based on the **points claimed** for the goal(s) stated in **Table 1** below, as supported by proof submitted.
- 4.2 In cases where the municipality intends to use Regulation 3(2) of the Regulations, which states that if it is unclear whether the 80/20 or 90/10 preference point system applies, the municipality must, in the tender documents, stipulate in the case of:
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system, or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,
- then the municipality must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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TABLE 1: Specific Goals for the tender and maximum points for each goal are indicated per the table below.

Tenderers are to indicate their points claim for each of the Specific Goals in the shaded blocks.

The Specific Goals to be allocated points in terms of this tender	Maximum Number of points ALLOCATED (80/20 system)	Maximum Number of points ALLOCATED (90/10 system)	Number of points CLAIMED (80/20 system)	Number of points CLAIMED (90/10 system)
RDP Goal: The promotion of South African owned enterprises.	20	n/a		n/a
Total CLAIMED Points (20 Maximum)				n/a

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I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, certify that the points claimed, based on the specific goals as specified in the tender, qualifies the tendering entity for the preference(s) shown.

I acknowledge that:

- 1) The information furnished is true and correct.
- 2) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- 3) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct.
- 4) If the specific goals have been claimed or obtained on a fraudulent basis, or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have:
 - (a) disqualify the person from the tendering process.
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct.
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

Date

**NAME (Block
Capitals):**

SIGNATURE:

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19. AUTHORITY OF SIGNATORY

Indicate the status of the tenderer by ticking the appropriate box hereunder.

COMPANY		CLOSE CORPORATION		PARTNERSHIP		JOINT VENTURE		SOLE PROPRIETOR	
Refer to Notes at the bottom of the page									

I / We, the undersigned, being the Chairperson (Company), Member(s) (Close Corporation), Partners (Partnership), Sole Owner (Sole Proprietor), Lead Partner (JV), in the company / business trading as:

.....

hereby authorise Mr/Mrs/Ms

acting in the capacity of

to sign all documents in connection with the tender for Contract No. **CUL 01/2026** and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

Notes

Tenderers are to include, at the back of their tender submission document, a printout of the following documents:

If a Company : a "Resolution of the Board" in this regard.

If a Joint Venture : a "Power of Attorney" signed by the legally authorised signatories of all the partners to the Joint venture.

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20. TAX COMPLIANCE STATUS PIN / TAX CLEARANCE CERTIFICATE

SARS has introduced a new Tax Compliance Status System. Tenderers can submit a Tax Compliance Status PIN (TCS PIN) instead of an original Tax Clearance Certificate. This TCS PIN can be used by third parties to certify the taxpayer's real-time compliance status.

Separate Tax Clearance Certificates / TCS PINs are required for each entity in a Joint Venture.

Tenderers are to include, at the back of their tender submission document, a printout of their Tax Compliance Status PIN (TCS PIN) OR an original Tax Clearance Certificate.

Failure to include the required document will make the tender submission non-responsive.

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer,
Confirms that the information contained in this form is within my personal knowledge and is to the best of my belief
both true and correct, **and that the requested documentation has been included in the tender submission.***

NAME

Date

(Block Capitals):

SIGNATURE:

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21. DECLARATION WITH RESPECT TO THE OCCUPATIONAL HEALTH AND SAFETY ACT

Definitions

The Act: The Occupational Health and Safety Act No 85 of 1993 (as amended by the Occupational Health and Safety Amendment Act No 181 of 1993), and any associated / applicable Regulations.

Declaration by Tenderer

1. I, the undersigned, hereby declare and confirm that I am fully conversant with the Act.
2. I hereby declare that my company has the competence and the necessary resources to safely carry out the work / supply / services under this contract in compliance with the Act, and the Employer's / Purchaser's / Client's Health and Safety Specifications.
3. I hereby undertake, if my tender is accepted, to provide on request a suitable and sufficiently documented Health and Safety Plan which plan shall be subject to approval by the Employer / Purchaser / Client.
4. I hereby confirm that adequate provision has been made in my tendered rates to cover the cost of all resources, actions, training and all health and safety measures envisaged in the Act, and that I will be liable for any penalties that may be applied by the Employer / Purchaser / Client for failure to comply with the provisions of the Act.
5. I agree that my failure to complete and execute this declaration to the satisfaction of the Employer / Purchaser / Client will mean that I am unable to comply with the requirements of the Act and accept that my tender will be prejudiced and may be rejected at the discretion of the Employer / Purchaser / Client.

NAME

Date

(Block Capitals):

SIGNATURE:

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22. MBD 8: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1.0 This Municipal Bidding Document must form part of all bids invited.
- 2.0 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.
- 3.0 The bid of any bidder may be rejected if that bidder, or any of its directors have:
- abused the municipal entity's supply chain management system or committed any improper conduct in relation to such system.
 - been convicted for fraud or corruption during the past five years.
 - wilfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years.
 - 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).
- 4.0 In order to give effect to the above, the following questions must be completed and submitted with the bid.

- 4.1 Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?

(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer / Authority of the institution that imposed the restriction after the audi alteram partem rule was applied.)

The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.

- 4.1.1 If YES, provide particulars.

.....

.....

- 4.2 Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?

The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.

- 4.2.1 If YES, provide particulars.

.....

.....

Circle Applicable	
YES	NO

YES	NO
-----	----

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4.3.1 If YES, provide 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	NO
-----	----

4.4.1 If YES, provide 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
-----	----

4.5.1 If YES, provide particulars.

.....

.....

I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both 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.

NAME (Block Capitals):

Date

SIGNATURE:

.....

.....

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23. MBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

NOTES

- ¹ Includes price quotations/ proposals , 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.
- 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.

- 1.0 This Municipal Bidding Document (MBD) must form part of all **bids**¹ invited.
- 2.0 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.
- 3.0 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
- take all reasonable steps to prevent such abuse;
 - 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
 - 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.
- 4.0 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of **bid rigging**.
- 5.0 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid.

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CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of:

(Name of Bidder)

that:

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.
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.

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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.
 - (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.

NAME (Block Capitals):

Date

SIGNATURE: