



a world class African city

RFQ NR	COJ0067-23/24
ADVERT DATE	18 APRIL 2024
CLOSING DATE	25 APRIL 2024
CLOSING TIME	10H30
DESCRIPTION OF GOOD/SERVICES	APPOINTMENT OF A SERVICE PROVIDER(S) TO EXECUTE VARIOUS TRAINING AND DEVELOPMENT PROGRAMMES FOR EMPLOYEES OF THE CITY OF JOHANNESBURG: COMMUNITY DEVELOPMENT DEPARTMENT
COMPULSORY DOCUMENTS	PLEASE ATTACH ALL REQUIRED VALID CERTIFICATES AND DOCUMENTS
DEPARTMENT	COMMUNITY DEVELOPMENT
CONTACT PERSON	NOMGQIBELO LIKOLE
CONTACT NUMBER	Nomggibelol@joburg.org 082 498 3545
TO BE DEPOSITED INTO QUOTATION BOX, AT A-LEVEL PARKING ENTRANCE PRIVATE ROAD METRO CENTRE 158 CIVIC BOULEVARD, BRAAMFONTEIN, JOHANNESBURG	

1. Conditions of Quotation, Form A.
2. Specification, Form B
3. RFQ Checklist
4. Form of Quotation and Form of Acceptance, Form C
5. Statement of Authorization, Form D
6. MBD 4: Declaration of Interest, Form E
7. MBD 8: Declaration of Tenderer's past Supply Chain Management Practices, Form F
8. MBD 9: Certificate of Independent Bid Determination, Annexure G
9. Declaration on State of Municipal Account., Form H
10. Article of Agreement in terms of the Occupational Health and Safety act, 1993, Form I
11. MD1 6.1: Preference points claim form in terms of the preferential procurement regulations 2022, Form J

N.B: TENDERERS ARE REMINDED THAT ALL FORMS ARE TO BE SIGNED OR THE RFQ WILL BE DISQUALIFIED.

Quotations will be received on the closing dates and times shown and must be enclosed in separate sealed envelopes, bearing the applicable quotation description and reference number as well as the closing time and due date, and must be addressed to the GROUP HEAD: STRATEGIC SUPPLY CHAIN MANAGEMENT, 15TH FLOOR METRO CENTRE, 158 CIVIC BOULEVARD STREET, BRAAMFONTEIN, and placed in the quotation box indicated above. Quotations will be opened at the latter address at the time indicated.

SUPPLIER NAME: _____

SUPPLIER NUMBER: _____

EMAIL ADDRESS: _____

CONTACT PERSON: _____

SARS PIN CODE: _____

CENTRAL SUPPLIER DATABASE NUMBER: _____

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COJ DATABASE NUMBER _____

COMPULSORY BRIEFING SESSION DETAILS:

DATE:		TIME:	
VENUE:			
NB: IT IS OF UTMOST IMPORTANCE THAT THE TIME SET FOR THE OFFICIAL SITE INSPECTION IS STRICTLY ADHERED TO AS <u>NO LATE ARRIVALS</u> WILL BE ALLOWED			

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CHECKLIST
RFQ NR: COJ0067-23/24

PLEASE USE THIS CHECKLIST TO VERIFY WHETHER ALL COMPULSORY DOCUMENTS HAVE BEEN ATTACHED TO YOUR QUOTATION.

No	Details	√
1.	Certified Copy of Company Registration Document	
2.	Rates & Taxes Invoice for Company OR Certified Copy of Lease Agreement OR Affidavit from the Lessor Certified by the Commissioner of Oath / SAPS	
3.	Rates and Taxes Invoice for All the Directors of the Company OR Certified Copy of Lease Agreement OR Affidavit from the Lessor Certified by the Commissioner of Oath / SAPS	
4.	Declaration on State of Municipal Account (Attached)	
5.	MBD 4: Declaration of Interest (Attached)	
6.	MD1 6.1: Preference points claim form in terms of the preferential procurement regulations 2022, Form J (Attached)	
7.	MBD 8: Declaration of Tenderer Past SCM Practices, Form F	
8.	MBD 9: Certificate of Independent Bid Determination. (Attached)	
9.	Conditions of Quotation, Form A	
10.	Form of Quotation and Form of Acceptance, Form C	
11.	Statement of Authorisation, Form D	
12.	Article of Agreement in terms of the Occupational Health and Safety Act, Form I	
13.	Certified Copy of B-BBEE certificate or Sworn Affidavit.	
14.	Original Tax Clearance Certificate or SARS One-Time Pin Code	
15.	Training Suppliers to be accredited with SETA (Certified Copy to be attached) (IF REQUIRED)	
16.	Catering Suppliers to submit a Health Certificate (Certified Copy to be attached) (IF REQUIRED)	
17.	Construction/Building Maintenance to submit CIDB Registration (Certified Copy to be attached) (IF REQUIRED)	
18.	Have all price alterations been signed for?	
19.	Has the Quotation been signed?	

SIGNATURE _____

NAME _____

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CONDITIONS OF QUOTATION:

- 1 Quotation documents must be completed in black ink.
- 2 The lowest price or any quotation will not necessarily be accepted, and the City of Johannesburg reserves the right to accept the whole or any portion of a quotation.
- 3 Quotations are to remain open for acceptance for a period of thirty (30) days effective from the date on which they are lodged and shall be accepted at any time within the said period of thirty (30) days.
- 4 Tenderers are requested to furnish the full registered name of the tendering company/supplier on the Form of Quotation and Form of Acceptance, Form B.
- 5 Tenderers are also required to sign each page of the Form of Quotation and Form of Acceptance, Form B, in the space provided at the bottom of each page.
- 6 **In the event of a mistake having been made on the price schedule it shall be crossed out in ink and be accompanied by an initial at each and every price alteration. Corrections in terms of price may not be made by means of a correction fluid such as Tipp- Ex or a similar product. If correction fluid has been used on any specific item price, such item will not be considered. No correction fluid may be used in a Bill of Quantities where prices are calculated to arrive at a total amount. If correction fluid has been used, the quotation as a whole will not be considered. The Municipality will reject the quotation if corrections are not made in accordance with the above.**
7. **NO PRICE INCREASES WILL BE CONSIDERED.**
- 8 If items are not quoted for, a line must be drawn through the space in pen.
- 9 All goods or services purchased will be subject to CoJ SCM Policy and Procedures. A copy of said conditions is available on the CoJ website.
- 10 All purchases will be made through an official purchase order form. Therefore, no goods must be delivered or services rendered before an official purchase order has been forwarded to and accepted by the successful bidder.
- 11 To participate in the City's Quotation process for the procurement of goods and/or services, vendors are advised to get accredited and registered on the City's Supplier Database. Supplier registration forms are available from the Supply Chain Management Unit and on the CoJ website. The City will only deal with the registered and accredited suppliers on its Database.
- 12 All prices **must** be quoted in South African currency (SA rand)
- 13 All prices quoted must be exclusive of Value Added Tax (VAT). Suppliers who are not registered for VAT will be treated as Non - VAT Vendors.
- 14 All prices submitted must be firm. "Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.
- 15 All prices and details must be legible/readable to ensure the quotation will be considered for adjudication.

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- 16 Prices quoted must be all inclusive of delivery charges and goods must be delivered **to the address indicated on the quotation page.**
- 17 The successful company must provide labor for off-loading/delivering.
- 18 Quantities are given in good faith and without commitment to the City of Johannesburg. The City reserves the right to increase or reduce the quantity to be in line with the set threshold for quotations prescribed in the SCM Policy.
- 19 **The CoJ will conduct business with an entity which complies with the Codes of Good Practice on BBBEE as published from time to time by the Minister of Trade and Industry**
- 20 **Quotations must be deposited into the quotation box at the location indicated on the cover page. *THE CITY OF JOHANNESBURG DOES NOT TAKE RESPONSABILITY FOR ANY QUOTATIONS DEPOSITED IN THE WRONG BOX.***
- 21 **FORWARD EXCHANGE RATE COVER**
- In the event of price/prices being based on the exchange rate, the successful tenderer/s will be required to obtain exchange rate cover in order to protect the Municipality against exchange rate variations.
Proof must be provided that forward Exchange Rate cover has been taken out within 14 days after an order has been placed.
If proof that cover was taken out within 14 days after the order has been placed, is not submitted to the City of Joburg, with the invoice, the contract price adjustment will not be accepted and the contract may be cancelled.
- 22 **EXECUTION OF ORDERS**
- Tenderers are reminded that orders placed against accepted quotations are to be executed in strict accordance with the accepted specification and within the quoted delivery period. In this regard, the attention of tenderers is drawn in particular to Clause 20 of the Municipality's General Conditions Applicable to the Consideration of Written Quotations (Supply chain Management Policy), which is available on request and/or also available on the Municipality's website, www.joburg.org.za
23. **OCCUPATIONAL HEALTH AND SAFETY**
- The successful tenderer will be required to comply with the requirements of the Occupational Health and Safety Act and regulations.
24. **COPYRIGHT/PATENT RIGHTS**
- Copyright in any document produced, and the patent rights or ownership in any plant, machinery, thing, system or process designed, by a consultant/trainer in the course of the consultancy service is vested in the Municipality.
25. **SUPPLIER REGISTRATION**
- Prospective tenderers are required to register as suppliers/service providers on the City of Johannesburg supplier database prior to quoting. The tenderer is required to record the vendor number in the space provided on the cover page of this quotation document.
- 26 The municipality reserves the right, to cancel and re-issue the quotation.

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- 27 A valid Tax Clearance Certificate or the SARS Pin of the Company should be submitted with this quotation document. In cases where the tenderer has not submitted a Tax Clearance Certificate/SARS Pin, the Municipality reserves the right to at any time after the closure of the tender, but before the award of the tender, request from the tenderer to provide the valid Tax Clearance Certificate or a SARS Pin within seven (07) days from date of notification. Bidders should note, that in accordance with legislation, no contract may be awarded to a/an person/entity who/which has failed to submit a Valid Tax Clearance Certificate issued by the South African Revenue Service (SARS), certifying that the taxes of that person/entity are in order, or that suitable arrangements have been made with SARS/SARS pin to enable the City of Johannesburg to verify that the Company is tax compliant.
Each party to a consortium/joint venture should submit a separate tax clearance certificate or SARS Pins.
- 28 Quotations must be enclosed in separate sealed envelopes, bearing the RFQ Number, closing time and due date.
- 29 **PLEASE NOTE THAT NO PRICE CHANGES WILL BE ALLOWED AFTER THE CLOSING DATE AND TIME OF THE QUOTATION.**
- 30 **FALSE DECLARATION ON MUNICIPAL BIDDING DOCUMENTS FORM (MBD) MAY LEAD TO AUTOMATIC DISQUALIFICATION.**
- 31 **NB! RECOMMENDED BIDDER WILL BE SUBJECTED TO VETTING PROCESS**
- 32 **ALL PAGES MUST BE INITIALED**
- 33 **EVALUATION CRITERIA:**

VALIDITY OF RFQ: 30 DAYS

<u>OFFICE USE ONLY:</u> <u>PRICE/S TO BE VAT EXCLUSIVE</u>	
RFQ'S above R30 000,00 to a maximum of R750 000,00 VAT Inclusive will be evaluated on the basis of the 80:20-point system as stipulated in the Preferential Procurement Policy Framework Act (Act No. 5 of 2000), Preferential Procurement Regulations, 2022 and SCM practice note: 02/2023 and 01/2024	
Points will be allocated as follows:	
Points for price:	80
Preferential Goals (Max of 20):	20
Preferential Goals	Allocated Points (80/20 system)
Business owned by 51% or more Black People	5
Cooperative which is at least 51% owned by Black People	5
Enterprise located within the City of Johannesburg Metropolitan Municipality	10

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I HEREWITH CONFIRM THAT I HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED CONDITIONS.

SIGNATURE _____

NAME _____

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CENTRAL SUPPLIER DATABASE

The Central Supplier Database maintains a database of organisations, institutions and individuals who can provide goods and services to government. The CSD will serve as the single source of key supplier information for organs of state from 01 April 2016 providing consolidated, accurate, up-to-date, complete and verified supplier information to procuring organs of state.

Prospective suppliers interested in pursuing opportunities within the South African government are encouraged to self-register on the Central Supplier Database. This self-registration application represents an expression of interest from the supplier to conduct business with the South African government. Once submitted, your details will be assessed for inclusion on the Central Supplier Database.

NB: Suppliers are still required to register on the City of Johannesburg Supplier Database or keep up- to- date their registration profiles on the City of Johannesburg Supplier Database.

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RFQ NR: _____ COJ0066-23/24 _____

DESCRIPTION: APPOINTMENT OF A SERVICE PROVIDER(S) TO EXECUTE VARIOUS TRAINING AND DEVELOPMENT PROGRAMMES FOR EMPLOYEES OF THE CITY OF JOHANNESBURG: COMMUNITY DEVELOPMENT DEPARTMENT

SPECIFICATION

1 BACKGROUND

The Community Development Department did a training needs analysis and produced a Workplace Skills Plan (WSP). The WSP was approved by the Executive Director of Community Development. As part of the City’s performance management system, employees also completed Personal Development Plans (PDPs).

These terms of reference addresses some of the training needs and gaps identified during skills development planning.

The department therefore wishes to source the services of suitably qualified and experienced service provider(s) to train departmental staff in the following areas, namely:

TRAINING INTERVENTION REQUIRED	OCCUPATIONAL LEVEL
1. Facilities Management	Levels 5 - 8
2. Occupational Health and Safety (OH&S) Representative	Levels 5 - 8
3. Fire Marshal (Basic Firefighting)	Levels 8 – 11
4. Emergency Evacuation Warden / Marshal (Emergency Evacuation Procedures)	Levels 8 – 11
5. First Aid Level 1	Levels 8 – 11
6. HIV/AIDS Awareness	Levels 8 – 11

All the training providers/bidders and or service providers must have valid SAQA accreditation. Trainings must be offered at NQF level 5.

Community Development will provide the training venues and communicate the training logistics to its employees.

2 OBJECTIVES

The objectives of each training and development intervention, scope of work, duration, number of trainees/delegates and the qualifications required from the interested bidder/service provider, are set out below.

3.1 Facilities Management

Facilities Management in the department involves overseeing hard facilities (which include physical infrastructure like buildings), soft facilities (which encompass non-tangible services such as cleaning and security) and mixed facilities, which combine both physical

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infrastructure and services for comprehensive management. These categories collectively ensure that the facilities operate efficiently and support the organisation's goals.

All the training providers/bidders and or service providers must have valid SAQA accreditation. Trainings must be offered at NQF level 5.

OBJECTIVE(S)	DURATION	NUMBER OF DELEGATES / TRAINEES	SCOPE OF WORK AND EXPECTED LEARNING OUTCOMES	QUALIFICATIONS OF FACILITATOR
<p>The Facilities Management Course must teach learners how to oversee and manage buildings and facilities effectively, covering areas like maintenance, safety, and sustainability.</p> <p>This entails learning essential skills for efficient Facility Management, gaining expertise in cost-effective maintenance, and understanding sustainability practices for greener facilities.</p>	<p>Maximum period of between 3 to 5 days</p> <p>08h00 – 16h00</p>	<p>40 delegates divided in groups.</p> <p>Group 1: 20 employees.</p> <p>Group 2: 20 employees.</p> <p>(The number of delegates to include staff in the regions who manages Community Development facilities)</p>	<p>The scope includes but is not limited to:</p> <ol style="list-style-type: none"> An introduction to Facilities Management and its purpose. It includes insight into the strategic role and impact of facilities management, and the ability to communicate potential risks or opportunities for the business. Responsibilities of the Facilities Manager. Distinguish between leadership and management and recognize their importance for facilities management. Facilities Management Services. This includes the knowledge to recommend facilities management and maintenance strategies or plans, and design or recommend processes to support successful operations (like turning a facility into an efficient, low-impact and cost-effective environment). Effective management of projects and people and applying project and people management principles for facilities management. This includes understanding stakeholders (customer care). Understanding the relationship between ongoing operations, maintenance, and budgetary planning. This includes the ability to identify savings to reduce operating costs and risks (waste, water & electricity costs). The importance of compliance and OHS for facilities management. Basic knowledge about contracting and managing contracts and dependencies. Application of technology and tools for business continuity in facilities management. Practical examples to easily apply the learning. Complete the course with a detailed and relevant case study. Provide training material / pack for each delegate. 	<p>Team leader must have a post graduate qualification in Property Management or an appropriate qualification in Facilities Management from an accredited institution.</p> <p>Experience and track record on recently completed projects (contract, value, and the duration of the contract).</p> <p>References of a current Facilities Management Programme (i.e., the name of the department / organisation / telephone number and contact person).</p>

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3.2 Occupational Health and Safety Training

The provision of OHS training is mandatory in terms of the Occupational Health and Safety Act 85 of 1993. Non-compliance can result in penalties, fines, and even imprisonment.

As per the OHASA, employers are required to ensure that they provide a workplace that is safe and free from harm to the safety, health, and wellbeing of employees, as far as reasonably practicable.

Therefore, the department must have a dedicated health and safety team with the necessary training and knowledge to ensure that:

- All employees and visitors are protected against avoidable injury, disease, disability, or even death.
- Fires, as well as unanticipated accidents and catastrophes that pose a risk to the organization / department and its employees, are minimised.
- Assets and broader surroundings are protected.
- Employees are not subjected to chronic occupational disease that can be prevented.
- The business is protected against any unnecessary insurance claims and/or financial loss that stems from illness and injuries that could have been avoided.
- Employees are equipped to take care of their own safety and those around them.

The best way to ensure a safe working environment and to provide employees with the necessary skills and knowledge to safeguard themselves and others is to provide Occupational Health and Safety Training.

The department therefore requires that employees be trained in different safety-related courses that increase their knowledge of safety practices. It also makes them aware of health and safety factors in the workplace and teaches them how to handle certain situations.

The safety-related courses are the following:

3.2.1 Occupational Health and Safety Representative

Health and Safety Representatives play an important role in proactively managing health and safety within the workplace, ensuring a safer environment for all staff. They represent the employee's interests at health and safety committee meetings, and together with management support, assist in driving workplace safety.

All the training providers/bidders and or service providers must have valid SAQA accreditation. Trainings must be offered at NQF level 3.

OBJECTIVE(S)	DURATION	NUMBER OF DELEGATES / TRAINEES	SCOPE OF WORK AND EXPECTED LEARNING OUTCOMES	QUALIFICATIONS OF FACILITATOR
The course must aim to empower delegates and enable them to operate as	1 to 2-day course and the certificate is valid for at	80 delegates divided into groups. Group 1: 20	The scope includes but is not limited to: a. Understand what is required of employers and employees under current health and safety legislation.	Service provider must be recognised by SAQA as a Professional Body for Occupational

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OBJECTIVE(S)	DURATION	NUMBER OF DELEGATES / TRAINEES	SCOPE OF WORK AND EXPECTED LEARNING OUTCOMES	QUALIFICATIONS OF FACILITATOR
<p>representatives in any workplace environment.</p> <p>Having a health and safety representative is one of the OHASA legal requirements.</p>	<p>least a 2-year period.</p> <p>08h00 – 16h00</p>	<p>Group 2: 20 Group 3: 20 Group 4: 20</p>	<p>b. Your and your employer's responsibilities for upholding health and safety as set out in the OHASA.</p> <p>c. What health and safety at work is and why it is important.</p> <p>d. The safety measures and procedures your employer must put in place and how you can help to uphold them.</p> <p>e. Understanding the importance and significance of workplace risk assessments and undertaking them to prevent and control hazards.</p> <p>f. The work-related hazards and risks that commonly cause accidents and ill-health.</p> <p>g. Know why and how to report and investigate accidents.</p> <p>h. The service provider should provide training material / pack for each delegate.</p> <p>i. Practical exercises and written assessment to be completed at the end of the course.</p> <p>j. Accredited SHE Rep Certificate of Completion.</p>	<p>Health and Safety in terms of the NQF Act, Act 67 of 2008.</p> <p>Training methods must be in line with Department of Labour and HW SETA standards.</p> <p>Facilitator must have an appropriate qualification as specialist in Occupational Health and Safety Management.</p> <p>Experience and track record on recently completed OHS-related training programmes (description, value, and the duration of the contract).</p> <p>References of a current training programme (i.e., the name of the department / organisation / telephone number and contact person).</p>

3.2.2 Fire Marshal (Basic Firefighting)

This training is for all employees responsible for workplace firefighting, i.e., appointed workplace firefighters, who must have knowledge about workplace firefighting and basic fire prevention. A fire marshal acts as backup until the Emergency Management Services' firefighters (i.e., Emergency Management Services) arrive.

All the training providers/bidders and or service providers must have valid SAQA accreditation. Trainings must be offered at NQF level 1.

OBJECTIVE(S)	DURATION	NUMBER OF DELEGATES / TRAINEES	SCOPE OF WORK AND EXPECTED LEARNING OUTCOMES	QUALIFICATIONS OF FACILITATOR
<p>The course must equip the learner with skills that enable him/her to identify, contain, prevent, and extinguish different</p>	<p>1 to 2-day course and the certificate is valid for at least a 12-</p>	<p>60 delegates divided into groups.</p> <p>Group 1: 20 Group 2: 20</p>	<p>The scope includes but is not limited to:</p> <p>a. Identify different types of fires.</p> <p>b. Explain and practice fire prevention.</p> <p>c. Operate basic firefighting equipment.</p>	<p>Service provider must be recognised by SAQA as a Professional Body for Occupational Health and Safety in</p>

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OBJECTIVE(S)	DURATION	NUMBER OF DELEGATES / TRAINEES	SCOPE OF WORK AND EXPECTED LEARNING OUTCOMES	QUALIFICATIONS OF FACILITATOR
types of fires by operating basic firefighting equipment.	month period. 08h00 – 16h00	Group 3: 20	<ul style="list-style-type: none"> d. Perform basic firefighting procedures. e. Understand and implement an emergency evacuation plan. f. Understand the various duties of a Fire Marshal in the workplace. g. Conducting regular checks of fire safety equipment and ensuring scheduled servicing of the equipment. h. The service provider should provide training material / pack for each delegate. i. Practical exercises and written assessment to be completed at the end of the course. j. Accredited Certificate of Completion. 	<p>terms of the NQF Act, Act 67 of 2008.</p> <p>Training methods must be in line with Department of Labour and HW SETA standards.</p> <p>Facilitator must have an appropriate qualification as specialist in firefighting.</p> <p>Experience and track record on recently completed training programmes (description, value, and the duration of the contract).</p> <p>References of a current training programme (i.e., the name of the department / organisation / telephone number and contact person).</p>

3.2.3 Emergency Evacuation Warden / Marshal (Emergency Evacuation Procedures)

This training is for all employees responsible for emergency evacuation at a Council facility or building, i.e., appointed workplace marshals or wardens, who must have the necessary skills required to safely evacuate a workplace through building evacuation drills.

All the training providers/bidders and or service providers must have valid SAQA accreditation. Trainings must be offered at NQF level 2.

OBJECTIVE(S)	DURATION	NUMBER OF DELEGATES / TRAINEES	SCOPE OF WORK AND EXPECTED LEARNING OUTCOMES	QUALIFICATIONS OF FACILITATOR
The course must equip the learner to distinguish between an emergency and an incident as well as understanding the different types of emergencies that may take place in the workplace. He/she must be able to	1-day course and the certificate is valid for at least a 12-month period. 08h00 – 16h00	60 delegates divided into groups. Group 1: 20 Group 2: 20 Group 3: 20	<p>The scope includes but is not limited to:</p> <ul style="list-style-type: none"> a. Cover the legislative requirements with regards to evacuations: OHS Act, Construction Regulations, Environmental Regulations for Workplaces, fire precautions and means of egress. b. The purpose of an emergency plan. c. Explain the types of emergencies and emergency alarms in the 	<p>Service provider must be recognised by SAQA as a Professional Body for Occupational Health and Safety in terms of the NQF Act, Act 67 of 2008.</p> <p>Facilitator must have an appropriate</p>

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OBJECTIVE(S)	DURATION	NUMBER OF DELEGATES / TRAINEES	SCOPE OF WORK AND EXPECTED LEARNING OUTCOMES	QUALIFICATIONS OF FACILITATOR
assist with evacuations during workplace fire incidents.			<p>workplace and the procedures / methods for responding to them.</p> <p>d. Understanding, explaining, and following an emergency evacuation plan, i.e., skills required to safely evacuate a workplace through building <u>evacuation drills</u>.</p> <p>e. Learn evacuation techniques and how to assist others in a safe and correct manner.</p> <p>f. Assisting the disabled and/or injured.</p> <p>g. Conducting regular checks.</p> <p>h. Application of the methods and procedures which need to be applied in an <u>assembly area</u> after an alarm.</p> <p>i. Practical exercises and written assessment to be completed at the end of the course.</p> <p>j. Accredited Certificate of Completion.</p>	<p>qualification as a specialist in Occupational Health and Safety Management.</p> <p>Training methods must be in line with Department of Labour and HW SETA standards.</p> <p>Experience and track record on recently completed training programmes (description, value, and the duration of the contract).</p> <p>References of a current training programme (i.e., the name of the department / organisation / telephone number and contact person).</p>

3.2.4 First Aid Level 1

This training is for appointed workplace first aiders who are required to have basic first aid skills to manage common medical and trauma emergencies at the workplace until emergency services arrive to take over.

All the training providers/bidders and or service providers must have valid SAQA accreditation. Trainings must be offered at Communication - ABET Level 3 and Mathematical Literacy at ABET Level 3.

OBJECTIVE(S)	DURATION	NUMBER OF DELEGATES / TRAINEES	SCOPE OF WORK AND EXPECTED LEARNING OUTCOMES	QUALIFICATIONS OF FACILITATOR
The course must equip the learner to assess an emergency and to provide basic life support and first aid to stabilize a patient prior to handing over to the emergency services.	2-day course and the certificate is valid for at least a 12-month period. 08h00 – 16h00	60 delegates divided into groups. Group 1: 20 Group 2: 20 Group 3: 20	<p>The scope includes but is not limited to:</p> <p>a. How to work logically, efficiently, and effectively when assessing and managing an emergency by using a systematic approach to first aid.</p> <p>b. Practical, hands-on first aid with emphasis on learning cardiopulmonary resuscitation (CPR) and using an AED as well as other critical skills.</p> <p>c. Demonstrating an understanding of emergency scene management.</p>	<p>Service provider must be recognised by SAQA as a Professional Body for Occupational Health and Safety in terms of the NQF Act, Act 67 of 2008.</p> <p>Facilitator must have an appropriate qualification as a specialist in</p>

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OBJECTIVE(S)	DURATION	NUMBER OF DELEGATES / TRAINEES	SCOPE OF WORK AND EXPECTED LEARNING OUTCOMES	QUALIFICATIONS OF FACILITATOR
			d. Understanding of elementary anatomy and physiology. e. Assessing an emergency situation. f. Applying appropriate first aid procedures to a life-threatening situation and treating common injuries. g. Assisting the disabled. h. Conducting regular checks of first aid kits and ensuring that these are stocked appropriately. i. Practical exercises and written assessment to be completed at the end of the course. j. Accredited Certificate of Completion.	Occupational Health and Safety Management. Training methods must be in line with Department of Labour and HW SETA standards. Experience and track record on recently completed training programmes (description, value, and the duration of the contract). References of a current training programme (i.e., the name of the department / organisation / telephone number and contact person).

3.2.5 HIV / AIDS Awareness

This training intervention is for employees of the department to empower and increase awareness on HIV/AIDS, its impact, management, and the availability of support systems to encourage early testing and lifestyle changes to reduce and prevent further infection.

If we do not understand HIV/AIDS, we can easily discriminate against people with HIV/AIDS. Discrimination amongst employees is common in a workplace that is not aware of HIV/AIDS. Not only is this illegal and unethical, but it is unnecessary.

If our employees have adequate HIV/AIDS awareness it can make the work experience for a person with HIV more comfortable. Understanding how HIV is transmitted will reduce discrimination amongst employees. The awareness course will ensure that both the employer and employees know not to discriminate against HIV-positive people in the workplace.

All the training providers/bidders and or service providers must have valid SAQA accreditation. Trainings must be offered at NQF level 3.

OBJECTIVE(S)	DURATION	NUMBER OF DELEGATES / TRAINEES	SCOPE OF WORK AND EXPECTED LEARNING OUTCOMES	QUALIFICATIONS OF FACILITATOR
Training must provide comprehensive insights into	2 to 3-day course	20 delegates Group 1: 20	The scope includes but is not limited to:	Service provider must be recognised by SAQA as a Professional Body.

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OBJECTIVE(S)	DURATION	NUMBER OF DELEGATES / TRAINEES	SCOPE OF WORK AND EXPECTED LEARNING OUTCOMES	QUALIFICATIONS OF FACILITATOR
HIV/AIDS, focusing on prevention, safe practices, and creating an informed and supportive workplace environment.	08h00 – 16h00		<ul style="list-style-type: none"> a. Knowledge and skill to differentiate between HIV Positive and AIDS, how HIV is contracted. b. Explaining HIV/AIDS to others. c. Provide an overview of the common preventative measures to ensure protection against HIV and AIDS. d. Learn how HIV and AIDS is managed and how to support workers or colleagues affected by HIV/AIDS. e. Learn about the most common side effects of HIV and AIDS. f. Learn about the workplace rights of people living with HIV/AIDS. g. Accredited Certificate of Completion. 	<p>Facilitator must have an appropriate qualification as specialist in HIV/AIDS in a workplace.</p> <p>Training methods must be in line with Department of Labour and HW SETA standards.</p> <p>Experience and track record on recently completed training programmes (description, value, and the duration of the contract).</p> <p>References of a current training programme (i.e., the name of the department / organisation / telephone number and contact person).</p>

DISQUALIFICATION CRITERIA

Failure to provide the below documents will invalidate the bid offer and it will be considered non-responsive.

- a) Failure to complete (in case the total price is evaluated) and sign the form of Proposal/bid.
- b) Failure to complete the City of Joburg pricing schedule in full for the items bidding for.
- c) Failure to attach a letter on a company letter head confirming errors or alterations in the price schedule.
- d) Non provision of qualifications of different facilitators.

In the event that the service provider offered training in the City and did not provide certificates for learners of completed modules or POEs

Initials

TIMEFRAMES

Recommended service providers will be expected to resume with this project after appointment letters have been issued. The training modules should be completed within 3 (three) months.

7. EVALUATION CRITERIA

Proposals will be evaluated in terms of the Preferential Procurement Policy Framework Act using the 80:20 points system of the revised Preferential Procurement Regulations 2022

Proposals will initially be evaluated in terms of functionality and then in respect of the Preferential Procurement Policy Framework Act using the 80:20 points system. Only Proposers who score **65 points and more** on functionality will be able to proceed to be further evaluated in terms of the price competitiveness.

Further evaluation will be based on verification and allocation of preferential points guidelines.

7.1 FUNCTIONALITY

	<u>Guidelines</u>	<u>Points Allocation</u>
1. Project Plan	<p>A project plan outlining the process, activities, timeframes, project dependencies and how the service provider will meet the deadline to achieve this project.</p> <p>a) Clear and realistic timeframes, the schedule of activities for implementing the project, cost projections for the project, including milestones and project deliverables, distribution of resources, and clear completion date with project (40)</p> <p>b) Clear and realistic timeframes, the schedule of activities for implementing the project, cost projections for the project, including milestones and project deliverables, distribution of resources (30)</p> <p>c) Clear and realistic timeframes, the schedule of activities for implementing the project, cost projections for the project including milestones and project deliverables (20)</p> <p>d) Clear and realistic timeframes, the schedule of activities for implementing the project (15)</p> <p>e) Clear and realistic timeframes (10).</p>	<u>40</u>

Initials

2.Experience	<p>Service provider must demonstrate experience in conducting Training and must be subject matter experts, understand the course Facilities Management; Occupational Health and Safety (OH &S) Representative; Fire Marshal (Basic Fire Fighting); Emergency Evacuation Warden / Marshal (Emergency Evacuation Procedures); First Aid Level 1 and HIV/AIDS Awareness. Provide Curriculum Vitae and proof of qualifications (i.e, certified copies):</p> <p>Relevant qualification (10 points)</p> <ul style="list-style-type: none"> a) BCom Degree / BA Degree =4 points b) Honors Degree =6 points c) Master's degree =8 points d) PHD = 10 points <p>Training experience (30 points)</p> <ul style="list-style-type: none"> a) Less than a year of experience = 0 points b) 1 year of experience = 15 points c) 2 years of experience = 20 points d) 3 and above years of experience = 30 points 	<u>40</u>
3.Contactable references	<p>Submission of letter on a company letter head signed by the organisation of reference from contactable referees confirming certificates were issued after training.</p> <p>Three (3) contactable and signed references / letters on a letterhead</p> <ul style="list-style-type: none"> a) 3 references = 20 (points) b) 2 references = 10 (points) c) 1 reference = 5 (points) d) 0 reference = 0 (point) 	<u>20</u>
	<u>Total Points</u>	<u>100</u>

SPECIAL REQUIREMENTS:

Initials

Initials

RFQ NR: _____

FORM B: FORM OF QUOTATION AND FORM OF ACCEPTANCE

Will the quoted price remain firm for a period of 30 days? (YES/NO)

If not: State the validity period _____

Is/Are the price/s quoted subject to the 2,5% settlement discount (YES/NO) _____

Is/Are the tender price firm until completion of order/work? (YES/NO)

If not:

- (a) Submit the cost factors which will be taken into account in the event of price increase/decrease, as well as the compilation of the tender price/s, i.e. cost price, transport cost, margin of profit, etc (clause of the Specification and Additional Conditions of Tender, Form A, refers)

	%	INDEX FIGURE AND BASE DATE (EG. SEIFSA TABLE E1 JUNE 1992)
Material		
Labour		
Transport		
Profit		
OTHER		
1		
2		
3		
TOTAL	100	

NB. If prices are variable due to fluctuation in the exchange rate, the acceptance of any order will be subject to forward cover taken out by yourselves.

SIGNATURE OF TENDERER:.....

Initials

FORM OF QUOTATION AND FORM OF ACCEPTANCE (contd)

Group Head: SSCM City
of Johannesburg

Sir/Mam,

I/We the undersigned, having examined the specification, hereby offer to supply and deliver the items in accordance therewith, at the following price:

PRICING SCHEDULE: Table A

DESCRIPTION OF MODULES	QTY	TRAINING INCLUSIVE OF MATERIAL	ASSESSMENT & EVALUATION	CERTIFICATION	COST PER PERSON	TOTAL PRICE (VAT EXCLUSIVE)
1. Facilities Management	40	R	R	R	R	R
2. Occupational Health and Safety (OH&S) Representative	80	R	R	R	R	R
3. Fire Marshal (Basic Firefighting)	60	R	R	R	R	R
4. Emergency Evacuation Warden / Marshal (Emergency Evacuation Procedures)	60	R	R	R	R	R
5. First Aid Level 1	60	R	R	R	R	R
6. HIV/AIDS Awareness	20	R	R	R	R	R
					GRAND TOTAL PRICE (EXCL.VAT)	
					R	

PLEASE QUOTE FOR ALL ITEMS

The CoJ reserves the right to increase or decrease the quantity.

Is the Company VAT Registered? (YES/NO): _____

VAT Number: _____

VENDOR NUMBER _____

VENDOR SIGNATURE: _____

DATE: _____

Initials

FORM OF QUOTATION AND FORM OF ACCEPTANCE (contd)

SIGNATURE OF PERSON/S AUTHORISED TO SIGN QUOTATIONS:

NAME	ID NUMBER	CAPACITY	SIGNATURE

DATED THIS _____ DAY OF _____ 2023.

REGISTERED NAME OF TENDERING COMPANY/SUPPLIER: - (IN BLOCK LETTERS)

COMPANY REGISTRATION NUMBER: _____

ADDRESS: _____

TELEPHONE NUMBER: _____

FAX NUMBER:

AS WITNESSES:

1 _____

(NAME & SURNAME IN BLOCK LETTERS)

2 _____

(NAME & SURNAME IN BLOCK LETTERS)

Initials

--

STATEMENT OF AUTHORISATION

IF THE TENDERER IS A COMPANY OR FIRM, STATE ON WHAT AUTHORITY THE UNDERSIGNED HAS THE AUTHORIZATION TO SIGN THE TENDER DOCUMENTS, FOR EXAMPLE: COMPANY'S RESOLUTION OR PROCURATION OR STATUTES OF PARTNERSHIP, ETC.

I/We the undersigned is/are authorized to enter into this contract on behalf of

.....
.....
.....
...

..... by authority of

dated a certified copy of which may be attached to this tender.

SIGNATURE:

1. _____ ID NR _____ DATE: _____

2. _____ ID NR _____ DATE: _____

WITNESSES:

1. _____ ID NR _____ DATE: _____

2. _____ ID NR _____ DATE: _____

NB: **PROOF IS REQUIRED THAT THE COMPANY HAS BEEN REGISTERED AND DOES IN FACT EXIST, AND THAT THE PERSONS WHO HAVE SIGNED THE TENDER DOCUMENT HAVE INDEED BEEN SO AUTHORIZED**

Initials

MBD 4: DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his or her representative:.....

3.2 Identity Number:

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

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

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

3.8 Are you presently in the service of the state? **YES / NO**

3.8.1 If yes, furnish particulars.

.....

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

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

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

Initials

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

3.9.1 If yes, furnish particulars.....

.....

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? YES / NO

3.10.1 If yes, furnish particulars.

.....
.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? YES / NO

3.11.1 If yes, furnish particulars

.....
.....

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? YES / NO

3.12.1 If yes, furnish particulars.

.....
.....

3.13 Are any spouse, child or parent of the company's directors trustees, managers, principle shareholders or stakeholders in service of the state? YES / NO

3.13.1 If yes, furnish particulars.

.....
.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. YES /

NO

3.14.1 If yes, furnish particulars:

.....
.....

Initials

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

Initials

MBD 8: DECLARATION OF TENDERER PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Municipal Tender Document must form part of all tenders/quotations 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 tender of any tenderer may be rejected if that tenderer, 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 tender:**

Item	Question	Yes	No
4.1	Is the tenderer any of its directors listed on the National Treasury's database as a company or persons prohibited from doing business with the public sector? (Companies for 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> (listen to the other side) rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the tenderer 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 tenderer 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:		

2/...

Initials

4.4	Does the tenderer 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 tenderer 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 to 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 TO BE 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 TENDERER

Initials

MBD9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
- a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

Initials

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____ (Bid Number and Description)

in response to the invitation for the bid made by:

_____ (Name of Municipality / Municipal Entity)

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

I certify, on behalf of: _____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

Initials

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.

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.

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

Initials

CITY OF JOHANNESBURG
FINANCE DEPARTMENT: SUPPLY CHAIN MANAGEMENT UNIT

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

- 1. Name of bidder
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.
6.
7.

C Documents to be attached.

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

Initials []

ARTICLE OF AGREEMENT IN TERMS OF THE OCCUPATIONAL SAFETY ACT, 1993
BETWEEN

The CITY OF JOHANNESBURG
(Hereinafter referred to as the
"EMPLOYER")

AND

.....
.....
.....
.....

Herein represented by in his/her capacity as
duly authorised as per Form D , Attached hereto,(herein after referred to as the (CONTRACTOR")
WHEREAS the CONTRACTOR is the mandatory of the EMPLOYER as contemplated in an
agreement in respect of

.....
.....(RFQ Description)

RFQ number.....

AND WHEREAS the Occupational Health and Safety act, 1993 (Act 85 of 1993, hereinafter referred to as the "ACT"), imposes certain powers and duties upon the EMPLOYER.

AND WHEREAS the parties have agreed to enter into an agreement in terms of the ACT. NOW THEREFORE the parties agree as follows:

- (a) The CONTRACTOR undertakes to acquaint the appropriate officials and employees of the CONTRACTOR with all relevant provisions of the ACT and the regulations promulgated in terms thereof.
- (b) The CONTRACTOR undertakes that all relevant duties, obligations and prohibitions imposed in terms of the ACT and Regulations will be fully complied with. Provided that should the EMPLOYER prescribe certain arrangements and procedures, that same shall be observed and adhered to by the CONTRACTOR, his officials and employees. The CONTRACTOR shall bear the onus of acquainting himself/herself/itself with such arrangements and procedures.
- (c) The CONTRACTOR hereby accepts sole liability for such due compliance with the relevant duties, obligations, prohibitions, arrangements and procedure, if any, imposed by the ACT and Regulations and the EMPLOYER expressly absolves the EMPLOYER from itself being obliged to comply with any of the aforesaid duties, obligations, prohibitions, arrangements and procedure as the case may be.
- (d) The CONTRACTOR agrees that any duly authorised officials of the EMPLOYER shall be entitled, although not obliged, to take such steps as may be necessary to ensure that the CONTRACTOR has complied with the undertakings as more fully set out in paragraphs (a) and (b) above, which steps may include, but shall not be limited to, the right to inspect any appropriate site or premises occupied by the CONTRACTOR, or to inspect any appropriate records held by the CONTRACTOR or to take such steps it may deem necessary to remedy the default of the CONTRACTOR at the cost of the CONTRACTOR.

Initials

- (e) The CONTRACTOR shall be obliged to report forthwith to the EMPLOYER any investigations, complaint or criminal charge which may arise as a consequence of the provisions of the ACT and Regulations, pursuant to work performed in terms of this agreement, and shall, on written demand, provide full details in writing of such an investigation, complaint or criminal charge as the case may be.

Thus signed at JOHANNESBURG for and on behalf of the EMPLOYER on this the

..... day of20.....

AS WITNESSES:

1.

2.

SIGNATURE

NAME AND SURNAME.....

CAPACITY.....

Thus signed at for and on the behalf of the CONTRACTOR on this
the..... day of.....2023

AS WITNESSES:

1.

2.

SIGNATURE.....

NAME AND SURNAME.....

CAPACITY.....

Initials

**MBD 6.1: PREFERENCE POINTS CLAIM FORM 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, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to invitations to tender:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- 1.2 The applicable preference point system for this tender is the 80/20 preference point system.
- 1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
- (a) Price; and
 - (b) Specific Goals.
- 1.4 The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

Initials

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) “**tender**” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “**tender for income-generating contracts**” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

6.1. POINTS AWARDED FOR PRICE

6.1.1. THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

Ps = Points scored for price of tender under consideration

Initials

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

6.2.1. POINTS AWARDED FOR PRICE

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

80/20

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

7. POINTS AWARDED FOR SPECIFIC GOALS

7.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

7.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 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 organ of state must indicate the points allocated for specific goals for both

Initials

the 90/10 and 80/20 preference point system.

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

THE SPECIFIC GOALS ALLOCATED POINTS IN TERMS OF THIS TENDER	MEANS OF VERIFICATION DOCUMENTS REQUIRED	NUMBER OF POINTS ALLOCATED (80/20 SYSTEM)	NUMBER OF POINTS CLAIMED (80/20 SYSTEM) (TO BE COMPLETED BY THE TENDERER)
GOAL 1: DESIGNATED GROUP			
Business owned by 51% or more Black People	CSD report, Valid BBEE Certificate/ affidavit Sworn under oath, ID copy of owner/s of the business or Shareholder's certificate	5	
Cooperative which is at least 51% owned by Black People	CSD, Valid BBEE Certificate / Affidavit Sworn under oath, ID copy of owner/s of the business and CIPC registration document	5	
GOAL 2: SPECIFIC GOAL			
Enterprise located within the City of Johannesburg Metropolitan Municipality	CSD report and proof of municipal account	10	

DECLARATION WITH REGARD TO COMPANY/FIRM

7.3. Name of company / firm

7.4. Company registration number:

7.5. TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

Initials

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

- a) The information furnished is true and correct;
- b) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- c) 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;
- d) 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 –
 - (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.

.....

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....



Initials