METROBUS

REQUEST FOR QUOTATION (RFQ)

RFQ Number	PR0386
Description: Supply and Delivery of Mercedes Benz Parts at Milpark Depot Stores	

Date of advertisement:		16 November 2022
Closing date:		23 November 2022
Closing time:		11:00 am
Compulsory briefing meeting date (if applicable)		N/A
Quotations must be deposited in bid box at: **Transportation House** **1 Raikes road** **Braamfontein, 2001**		Email scm@mbus.joburg.org.za
Procurement Enquiries	scm@mbus.joburg.org.za	**Tel:** 011 403 4300
Technical Enquiries	nzuma@mbus.joburg.org.za	**Tel:** 011 403 4300

NAME of Company i.e. Proprietor/ Close Corporation/ Partnership/ Sole Proprietor	**Legal Name:** _____ **Trading as:** _____
Registration Number	
Metrobus Vendor Registration Number (if already have)	
National Treasury Central Supplier Database number: (Compulsory)	
Company i.e. Proprietor/ Close Corporation/ Partnership/ Sole Proprietor Street Address	**Postal Code** _____
Contact Details of the Person Representing the Company i.e. Proprietor /Close Corporation/ Partnership/ Sole Proprietor Registration Number	**Name :**_____ **Telephone :**_____ **Cell phone :**_____ **E-mail address :**_____
Income Tax Number	
VAT Reference Number (if applicable)	

PRICING SCHEDULE – FIRM PRICES

Bidder's Name: _____

- Metrobus is not bound to accept the lowest or any quotation and reserves the right to accept the whole or any part of a quotation and to award the bid to more than one bidder.
- Offers to be valid for 60 days from the closing date of bid and no second-hand/refurbished materials/parts may be used in the final goods to be delivered by the bidder.
- Only firm prices will be accepted. Non-firm prices (including prices subject to rates of exchange variations) will not be considered in cases where different delivery points influence the pricing; a separate pricing schedule must be submitted for each delivery point.
- Do you intend to subcontract more than 25% of the work?

(Tick applicable box)

YES	NO

- If the answer is **YES**, indicate the name of the subcontractor _____, the percentage to be sub-contracted _____% and attach the BBBEE certificate of the subcontractor**.**
- The quotation will be evaluated on 80/20 preference point system in line with PPPFA Regulations, 2017.
- A bidder must submit proof of its B-BBEE status level of contributor to be awarded preference points, attach original or certified certificate (not older than 3 months) or sworn affidavit.
- For quotations above R30 000, the bidder should submit the municipal account for the company and all directors or lease agreement or an affidavit if they do not own or lease a property.
- B-BBEE Status Level of Contribution _____ (preference points, maximum 20) _____
- **Other than completing the pricing schedule below, a bidder should submit the quotation on their company's letterhead or logos.**

SCHEDULE OF PRICES/ RATES:

Quotation Description: Supply and Delivery of Mercedes Benz Parts at Milpark Depot Stores	
Sub Total Price	**R**
Vat 15% (if applicable)	**R**
Total Quoted Price (Inclusive of Vat)	**R**

MBD 4
DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state[1].

2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer

or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.

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

3.1 Full Name of Owner of the Bidding Entity: ……

3.2 Identity Number if applicable: ……

3.3 Position occupied in the Company (director, trustee, shareholder[2]): ……

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?

(Tick applicable box)

YES	NO

3.8.1 If yes, furnish particulars. ……..

3.9 Have you been in the service of the state for the past twelve months?

(Tick applicable box)

YES	NO

3.9.1 If yes, furnish particulars ……..…….....

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

(Tick applicable box)

YES	NO

3.10.1 If yes, furnish particulars
……..

3.11 Are you aware of any relationship (close family member, partner or associate) between any other bidder and any

Company i.e. Proprietor /Close Corporation/ Partnership/ Sole Proprietor

persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?

(Tick applicable box)

YES	NO

3.11.1 If yes, furnish particulars……

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in the service of the state?

(Tick applicable box)

YES	NO

3.12.1 If yes, furnish particulars ……

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

(Tick applicable box)

YES	NO

3.13.1 If yes, furnish particulars ……

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

(Tick applicable box)

YES	NO

3.14.1 If yes, furnish particulars: …….
……..

4. Full details of directors / trustees / members / shareholders. (Attach for additional members)

Full Name	Identity Number	State Employee Number (If applicable)

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

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

[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

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

Metrobus promotes local production and content in line with Preferential Procurement Regulations, 2017.

Therefore, recommended service providers who respond to our RFQ that requires a minimum stipulated threshold in relation to a designated sector will be required to comply with the minimum stipulated threshold and sign the declaration certificate for local content.

Local content minimum threshold is non-negotiable and no correspondence will be entered into regarding compliance.

Metrobus reserves the right to increase the threshold above the stipulated minimum threshold.

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, service providers must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017 and the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011.

1. The stipulated minimum threshold(s) for local production and content are as follows:
Supply and delivery of _____

Description of services, works or goods	Stipulated minimum threshold	Confirmation that minimum threshold will be complied with: Tick appropriate box			
	80%	Yes		No	

2. Does any portion of the services, works or goods offered have any imported content?

(***Tick applicable box***)

YES		NO	

2.1. If yes, the service provider may not be considered for appointment.

3. DECLARATION CERTIFICATE

DECLARATION CERTIFICATE

IN RESPECT OF RFQ NO._____

ISSUED BY: METROBUS

The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the service provider.

I, the undersigned, ……..... (full names),
do hereby declare, in my capacity as …… …….
of .....(name of bidder entity), the following:

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that

(i) the goods/services/works to be delivered in terms of the above-specified RFQ comply with the minimum local content requirements as specified.

(c)The local content percentages (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011.

Bid price, inclusive of Vat	R
Local content %	
Imported content %	

(d) I accept that the Procurement Authority / Municipality /Municipal Entity has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Municipal / Municipal Entity imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____ **DATE:** _____

WITNESS No. 1 _____ **DATE:** _____

WITNESS No. 2 _____ **DATE:** _____

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (MBD8)

1. This Municipal Bidding Document must form part of all bids invited.

2. It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3. The bid of any bidder may be rejected if that bidder, or any of its directors have:

a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
b. been convicted for fraud or corruption during the past five years;
c. wilfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).

4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid. (tick applicable box).

Item	Question	Yes	No
4.1	**Is the bidder or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector?** **(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the *audi alteram partem* rule was applied).**	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? **(To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).**	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		

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4.3	**Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?**	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		
Item	**Question**	**Yes**	**No**
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		
4.5	**Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?**	Yes ☐	No ☐
4.7.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (NAME) ……

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

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

…….. ……..
Signature **Date**

…… ……
Capacity **Name of Bidding Entity**

Company i.e. Proprietor /Close Corporation/ Partnership/ Sole Proprietor

MBD 9
CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)

1. This Form "I" must form part of all bids[1] 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 Form "I" 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 must be completed and submitted with the bid:

CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)

I, the undersigned, in submitting the accompanying bid:

_____
(Bid Number and Description)

in response to the invitation for the bid made by:

Metrobus

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:

Company i.e. Proprietor /Close Corporation/ Partnership/ Sole Proprietor

(a) has been requested to submit a bid in response to this bid invitation;
(b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
(c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium[3] will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
   a) prices;
   b) geographical area where product or service will be rendered (market allocation)
   c) methods, factors or formulas used to calculate prices;
   d) the intention or decision to submit or not to submit, a bid;
   e) the submission of a bid which does not meet the specifications and conditions of the bid; or
   f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No. 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or any other applicable legislation.

……	……
Signature	Date
……	……
Full Names of Person Representing Company	Position in Company

CONSENT AND ACKNOWLEDGMENTS IN TERMS OF THE PROTECTION OF PERSONAL INFORMATION ACT 2013 (POPI)

This section sets out how personal information will be collected, used and protected by Metrobus SOC hereinafter referred to as "Metrobus", as required by the Protection of Personal Information Act. The use of the words "the individual" for the purposes of this document shall be a reference to any individual (bidder) communicating with Metrobus and/or concluding any agreement, registration or application, with the inclusion of each of those individuals referred to or included in terms of such agreement, registration or application.

1. What is personal information?

The personal information that Metrobus requires relate to names and surnames, birth dates, identity numbers, passport numbers, demographic information, education information, occupation information, health information, addresses, memberships, and personal and work email and contact details.

2. What is the purpose of the collection, use and disclosure (the processing) of personal information?

Metrobus is legally obligated to collect, use and disclose personal information for the purposes of:

• Reporting initiatives to the City of Johannesburg Municipality;
• reporting to National Treasury all contracts awarded;
• obtaining information related to Tax Compliance information from SARS;
• Verifying information on the National Treasury database of defaulters;
• evaluating and processing applications for registration on the database;
• compiling statistics and other reports;
• providing personalised communications;
•for the purpose of audits
•complying with the law; and/or
•for a purpose that is ancillary to the above. Personal information will not be processed for a purpose other than what is identified (the purpose) above without obtaining consent beforehand.

3.How will Metrobus process personal information?

Metrobus will only collect personal information for the purpose as stated above. Information will be collected in the following manner:

•directly from the individual;
•from service providers who provided with services or goods to Metrobus;
•from Metrobus own records relating to previous supply of services or goods; and/or
•from a relevant public or equivalent entity.

4.To whom will personal information be disclosed?

The personal information may be disclosed to other relevant public or other entities on whose behalf we act as intermediaries, other third parties referred to above in relation to the purpose or who are sources of personal information,

service providers such as professional bodies who operate across the borders of this country (transborder flow of information) where personal information must be sent in order to provide the information and/or services and/or benefits requested or applied for. In the event of another party/ies acquiring all of or a portion of Metrobus' mandate or functions, personal information will be disclosed to that party but they will equally be obliged as we are, to protect personal information in terms of this policy and the law.

5.Consent and Permission to process personal information:

I hereby agree with the policy and provide authorisation to Metrobus to process the personal information provided for the purpose stated:

•I understand that withholding of or failure to disclose personal information will result in Metrobus being unable to perform its functions and/or any services or benefits I may require from Metrobus.

•Where I shared personal information of individuals other than myself with Metrobus I hereby provide consent on their behalf to the collection, use and disclosure of their personal information in terms of this personal information policy and I warrant that I am authorised to give this consent on their behalf.

•To this end, I indemnify and hold Metrobus not responsible in respect of any claims by any other person on whose behalf I have consented, against Metrobus should they claim that I was not so authorised.
•I understand that in terms of POPIA and other laws of the country, there are instances where my express consent is not necessary in order to permit the processing of personal information, which may be related to police investigations, litigation or when personal information is publicly available.
•I will not hold Metrobus responsible for any improper or unauthorised use of personal information that is beyond its reasonable control.

6.Rights regarding the processing of personal information:

• The individual may withdraw consent to the processing of personal information at any time, and should they wish to do so, must provide Metrobus with reasonable notice to this effect. Please note that withdrawal of consent is still subject to the terms and conditions of any contract that is in place. Should the withdrawal of consent result in the interference of legal obligations, then such withdrawal will only be effective if Metrobus agrees to same in writing. Metrobus specifically draws to the attention that the withdrawal of consent may result in it being unable to provide the requested information and/or services and/or financial or other benefits.
• In order to withdraw consent, please contact the Metrobus Information Officer/SCM
• A copy of the full Metrobus policy is available
• Individuals are encouraged to ensure that where personal information has changed in any respect to notify Metrobus so that our records may be updated. Metrobus will largely rely on the individual to ensure that personal information is correct and accurate.
• The individual has the right to access their personal information that Metrobus may have in its possession and are entitled to request the identity of which third parties have received and/or processed personal information for the purpose. Please note however, that any request in this regard may be declined if:

-the information comes under legal privilege in the course of litigation,

-the disclosure of personal information in the form that it is processed may result in the disclosure of confidential or proprietary information,
-giving access may cause a third party to refuse to provide similar information to Metrobus,
-the information was collected in furtherance of an investigation or legal dispute, instituted or being contemplated,
-the information as it is disclosed may result in the disclosure of another person's information,
-the information contains an opinion about another person and that person has not consented, and/or
-the disclosure is prohibited by law.

7.Queries relating to breach of personal information:

• Please submit queries relating to the breach of personal information to the Metrobus' information officer and SCM in writing as soon as the breach is discovered.

Signature:	Date**:**
Name and Surname :	Designation/ Capacity :

Mandatory Requirements

- **Registration with CSD**
- **BEE**
- **Tax Compliance**
- **Municipal rates and taxes account for the company and all directors not older than three (3) months and not over 90 days in arrears (proof of payment /arrangement made with the municipality to settle arrears), or signed lease agreement in case where bidders do not own or rent a property then an affidavit should be provided .**

FORM "E"

SPECIFICATION /SCOPE OF WORK/TERMS OF REFERENCE

REQUEST FOR A QUOTATION – Supply and delivery of Supply and Delivery of Mercedes Benz Parts at Milpark Depot Stores as follows: -

No.	Quantity	Description	Unit price (R)	Total Price (R)
1	20	Mercedes Benz 1725 EL179 Sender Unit • Part Number: MA0029976547		
2	10	Mercedes Benz 1725 Rubber Buffer • Part Number: MA0019875340		

Sub-Total : _____

Vat @15% : _____

Grand Total : _____

Mercedes Benz: 1725

- Model: O500M1725/59 Bus CKD
- VIN: 9BM3821886B488985
- Bus Body: Marcopolo Torino Single Decker

SATS 1286.2011

Annex C

Local Content Declaration - Summary Schedule

(C1)	Tender No.					**Note:** VAT to be excluded from all
(C2)	Tender description:					
(C3)	Designated product(s)					
(C4)	Tender Authority:					
(C5)	Tendering Entity name:					
(C6)	Tender Exchange Rate:	Pula		EU		GBP
(C7)	Specified local content %					

		Calculation of local content						Tender summary			
Tender item no's	List of items	Tender price - each (excl VAT)	Exempted imported value	Tender value net of exempted imported content	Imported value	Local value	Local content % (per item)	Tender Qty	Total tender value	Total exempted imported content	Total Imported content
(C8)	(C9)	(C10)	(C11)	(C12)	(C13)	(C14)	(C15)	(C16)	(C17)	(C18)	(C19)

(C20)	Total tender value	R 0
(C21)	Total Exempt imported content	R 0
(C22) Total	Tender value net of exempt imported content	R 0
(C23)	Total Imported content	R 0
(C24)	Total local content	R 0
(C25)	Average local content % of tender	

Signature of tenderer from Annex B

Date:

Company i.e. Proprietor /Close Corporation/ Partnership/ Sole Proprietor

Checklist

Checklist documents and requirements should be submitted or attached as failure to do so may lead to disqualification.

Documents required to be attached :-	Attached	
	Yes	No
Quotation on company letter head.		
Valid certified BBBEE certificate or affidavit.		
Vaild Tax Clearance certificate		
CSD registration number to be filled in on the front page of RFQ in clear handwritten		
Completed RFQ:		
Municipal account not in arrears for more than 90 days for all directors appearing on CSD report or lease agreement if leasing a property or affidavit if the directors are nether leasing nor own a property.		
Municipal account not in arrears for more than 90 days for the company with address appearing CSD Report or lease agreement if leasing a property or affidavit if the company are nether leasing nor own a property.		
Local content declaration		
Relevant Certificates required		