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METROBUS REQUEST FOR QUOTATION (RFQ)

RFQ Number	H01058/2021
Description: POPIA Training	

Date of advertisement:	30 June 2021	
Closing date:	07 July 2021 extended to 12 July 2021	
Closing time:	11:00am	
Compulsory briefing meeting date (if applicable)	N/A	
Quotations must be emailed to SCM@mbus.joburg.org.za	SCM@mbus.joburg.org.za Nzuma@mbus.joburg.org.za	
Procurement Enquiries	SCM	Tel: (011) 403 4300
Technical Enquiries	Jabu Mbeje	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)	



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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:	
Sub Total Price	R
Vat 15% (if applicable)	R
Total Quoted Price (Inclusive of Vat)	R



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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 Owner of the Bidding Entity:

3.2 Identity Number if applicable:

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?

(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



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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 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)

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);

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- (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 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	<p>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?</p> <p>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		



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4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (To access this Register enter the National Treasury’s website, www.treasury.gov.za, click on the icon “Register for Tender Defaulters” or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (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.



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.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidding Entity

MBD 9 CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)

1. This Form "I" 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 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;



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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.
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



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FORM "E"

SPECIFICATION /SCOPE OF WORK/TERMS OF REFERENCE

Mandatory Requirements:

1. 5-10 years' experience in the corporate governance and board development –company profile or company registration certificate should be provided as proof
2. Proven experience in providing training on POPIA (within the past 2 years)- purchase orders/ reference letters or invoices company profile company profile should be provided as proof
- 3.

Failure to submit the documents as per the Mandatory requirements will result in the bidder being disqualified

Scope of Work

No	Description	Quantity	Unit Price	Total
	POPIA Training	15	R	R
			Total	
			Vat@15%	
			Grand total	



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Checklist

Documents required to be attached :-	Attached	
	Yes	No
Quotation on company letterhead.		
Valid certified BBBEE certificate or affidavit.		
Valid 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 <u>for all directors appearing on CSD report or Lease Agreement</u> if leasing a property or affidavit if the directors are neither leasing nor own a property.		
Municipal Account not in arrears for more than 90 days for the <u>company with address appearing CSD Report or Lease Agreement</u> if leasing a property or affidavit if the company are neither leasing nor own a property.		
Relevant Certificates required		



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