

**JOHANNESBURG SOCIAL HOUSING
COMPANY (SOC) LTD**

**Supplier Vendor Registration
APPLICATION FORM**





• POINTS TO REMEMBER •

**COMPLETING THE JOHANNESBURG SOCIAL HOUSING COMPANY VENDOR
REGISTRATION APPLICATION FORM**

This Registrations forms are to be completed in BLACK PEN only.

- **Mandatory fields** – Certain fields and documents are mandatory to certain business types only. Please ensure that all fields mandatory to your business type, which are marked as “Mandatory Field”, have been completed, and if a field is not applicable to your business type clearly mark it **N/A**.
All mandatory fields are marked with a star as indicated: “★”
- **Required documents** – Please refer to the attached table (following page) to determine which mandatory supporting documents your business type requires. Please ensure that all copies of mandatory documents (certified copies, where applicable) are attached.
- **Completion of questions** – Clearly state **Yes, No or N/A** to questions asked. Do not leave any mandatory fields blank.
- **Certified documents** – Please ensure that a Commissioner of Oaths has certified your Company Registration Document and Proof of Shareholding Certificates.
- **Copies of documents** – Please keep copies of the registration form and all supporting documents submitted for your own records.
- **Owners, shareholders and partners** – Please ensure that the percentages of ownership amount to 100% and that every field is completed for each of the business owners.
- **Certification of correctness** – Please ensure that the Certification of Correctness is signed and dated once all required documents and information have been submitted.
- **Processing of registration** – Your completed registration will be processed, and, once verified, will be approved and you will be issued with a Supplier Database Registration Code to be used in all future communication with all of the role players. This letter of verification will be dispatched to the correspondence details supplied in this document. Please note that this administration process will take a minimum of 5 days. Once your registration has been included on the **JOSHCO** Supplier Database, your details will be accessible by the procurement officials.
- **Business opportunities** – Please note that inclusion of the name in a database does not in any way guarantee any persons, company, service provider vendor, etc. any business from **JOSHCO**. All procurement will be subject to the Procurement Policy.
- **Amendments** – Please notify The **JOSHCO** Supplier Chain Management immediately of any changes to the verified information submitted.
- **Queries** – If you have any queries or if you require assistance completing the registration form, please contact the Supplier Chain Management on 011 406 7300
- If a company has more than one regional office, each office must fill in a separate form, unless the point of transaction is centralised in the company's head office.
- Please note that the key services in the database are classified as commodities and each potential vendor must indicate the commodity in which it would like to register.
- The main objective of this process is to enhance transparency and equality on the part of the Municipality entity and to facilitate effective communication with its vendors.
- Applications must be delivered by hand and must be completed in full with all the relevant documents attached. **No electronic or faxed copies will be accepted.**
- It's a condition of bidding that a vendor's taxes must be in order, or satisfactory arrangements must have been made with the Receiver of Revenue to meet his or her tax obligations. In bids where consortia, joint ventures or sub-contractors are involved, each party must submit a separate original Tax Clearance Certificate.
- Supplier registration forms together with the supporting documents must be in a sealed envelope, externally endorsed with the words “**Supplier Database**”, and be deposited in the **JOSHCO Tender Box, 1st Floor, 137 Sivewright Avenue, New Doornfontein.**

DOCUMENTS REQUIRED	BUSINESS TYPES						WHERE TO GET DOCUMENTS
	Sole Proprietor	Close Corporation and Private Company	Partnership / Joint Venture	Public Company	Business Trust	Not Profit Organisation	
							
Company Registration CERTIFIED COPIES	N/A	Certificate of incorporation CK/CK2	Partnership agreement/ JV	Certificate of Incorporation CM3	Trust	Certificate of Incorporation Section 21	Registrar of Close Corporations and Companies
Proof of Ownership CERTIFIED COPIES	Yes	Shareholding CK/CK2	Partnership agreement /JV	Shareholding CM3	Trustees details: letter of Authority	Auditor's letter- no shareholding	Registrar of Close Corporations and Companies
Proof of Banking	Letter of confirmation/cancelled cheque	Letter of confirmation /cancelled cheque	Letter of confirmation/ cancelled cheque	Letter of confirmation /cancelled cheque	Letter of confirmation /cancelled cheque	Letter of confirmation /cancelled cheque	Branch of bank where account is held
Income Tax	For the owner or the business	For the company/cc	For the partnership	For the company	For the trust	For the NPO	Receiver of Revenue (SARS)
Original Tax Clearance Certificate	For the owner or the business	For the company/cc	For the partnership	For the company	For the trust	For the NPO	Receiver of Revenue (SARS)
P.A.Y.E	If staff are employed	If staff are employed	If staff are employed	If staff are employed	If staff are employed	If staff are employed	Receiver of Revenue (SARS)
VAT Registration	If registered for VAT	If registered for VAT	If registered for VAT	If registered for VAT	If registered for VAT	If registered for VAT	Receiver of Revenue (SARS)
UIF Certificate	If staff are employed	If staff are employed	If staff are employed	If staff are employed	If staff are employed	If staff are employed	Department of Labour
Workman's Compensation	If staff are	If staff are	If staff are	If staff are	If staff are	If staff are	Department of Labour
Security Officer's Board	If applicable for security industry	If applicable for security industry	If applicable for security industry	If applicable for security industry	If applicable for security industry	If applicable for security industry	Security Service industry Regulatory Authority
Proof of Disability	If owner is disabled	If owner is disabled	If owner is disabled	If owner is disabled	If owner is disabled	If owner is disabled	
Proof of identity	Clear copy of owner's	Clear copy of owner's	Clear copy of owner's	Clear copy of owner's	Clear copy of	Clear copy of	

	identity document	identity document	identity document	identity document	owner`s identity document	owner`s identity document	
BEE Certificate		Original BEE Certificate or sworn affidavit	Original BEE Certificate or sworn affidavit	Original BEE Certificate or sworn affidavit	Original BEE Certificate or sworn affidavit	Original BEE Certificate or sworn affidavit	Verified SANAS Rating Agency

COMPANY REGISTRATION DOCUMENTS

NB. DOCUMENTARY PROOF MUST BE PROVIDED WHERE APPLICABLE (Please mark N/A if not applicable.)

1.1 COMPANY TYPE (NB: Documentary Proof of Registration must be provided) ★

PUBLIC COMPANY LTD CERTIFIED COPY OF THE CERTIFICATE OF INCORPRATION

PRIVATE COMPANY (PTY) LTD CERTIFIED COPY OF THE CERTIFICATE OF INCORPRATION

CLOSE CORPORATION CC CERTIFIED COPY OF THE CK DOCUMENTS

SOLE PROPRIETOR COPY OF IDENTIFICATION DOCUMENT

PARTNERSHIP COPY OF PARTNERSHIP AGREEMENT

BUSINESS TRUST CERTIFIED COPY OF REGISTRATION DOCUMENT

OTHER (IF JOINT VENTURE) CERTIFIED COPY OF REGISTRATION DOCUMENTS

COMPANY REGISTRATION NUMBER: ★

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Have you attached your Company Registration Document?

Y	N	N/A
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1.2. PROOF OF SHAREHOLDING DOCUMENTS

CERTIFIED COPIES of shareholders certificates or CK members share allocation documents must be supplied

Not applicable to all companies, please specify if N/A

Have you attached proof of shareholders documents?

Y	N	N/A
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1.3. PROOF OF BANKING DETAILS

Original of cancelled cheque or letter of confirmation from bank

Have you attached your proof of banking document?

Y	N	N/A
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1.4. VAT REGISTRATION NUMBER:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

If you qualify for VAT exemption, please attach a VAT exemption document

Not applicable to all companies, please specify if N/A

Y	N	N/A
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Have you attached proof of your VAT registration (VAT 103)?

1.5 P.A.Y.E DOCUMENT

P.A.Y.E. Document

Y	N	N/A
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Not applicable to all companies, please specify if N/A

Have you attached proof of your P.A.Y.E document?

1.6 UNEMPLOYMENT INSURANCE FUND DOCUMENTS

Unemployment Insurance Fund number:

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Not applicable to all companies, please specify if N/A

Have you attached your UIF document?

Y	N	N/A
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1.7 WORKMAN'S COMPENSATION FUND DOCUMENTS

Workman's compensation number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Not applicable to all companies, please specify if N/A

Have you attached your Workman's Compensation document?

Y	N	N/A
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1.8 PROFESSIONAL REGISTRATION

Professional Registration Number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Not applicable to all companies, please specify if N/A

Have you attached your Professional Registration document?

Y	N	N/A
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1.9 DISABILITY DOCUMENTS

Not applicable to all companies, please specify if N/A

Have you attached your proof of disability document?

Y	N	N/A
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1.10 INCOME TAX REGISTRATION

Income Tax Registration number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

If you qualify for income tax exemption, please attach an income tax exemption document

Y	N	N/A
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Not applicable to all companies, please specify if N/A

Have you attached your proof of income Tax Registration document?

1.11 TAX CLEARANCE CERTIFICATE ★

The registration of a vendor will lapse immediately on expiry of the tax clearance certificate. It is the vendor's responsibility to continuously renew the certificate with SARS

Original of a valid Tax Clearance Certificate must be supplied

Have you attached your original valid tax clearance document?

Y	N	N/A
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1.12 BEE CERTIFICATE

Issued by either verification agencies accredited by the South African Accreditation System (SANAS) or by registered auditors approved by the Independent Regulatory Board for Auditors (IRBA) or sworn affidavit in case where the bidder's annual turnover is below 10 million.

Attach the original BEE certificate and update annually

Have you attached original BEE certificate or sworn affidavit?

Y	N	N/A
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1.13 CORE BUSINESS OPERATIONS

(Mark Applicable with an X)

Primary Contractor

Professional Services

Supplier

Subcontractor

Manufacturer

Labour – only contractor

Education, Development and Training Service Provider

Labour Agency

Construction (CIDB)

Other (Specify)

.....

.....

.....

1.14 ANNUAL AVERAGE TURNOVER

Indicate Annual Average Turnover, during the past three years

R

Indicate Gross Asset Value

R

Financial statement of the last financial year must be attached if applying for SMME status

1.15 SMALL BUSINESS INFORMATION

The following table must be completed to establish whether a business can be classified as an SMME in terms of the national Small Business Act, (Act 102 of 1996). Indicate the sector by ticking the appropriate block in column

Economic Sector		Type of Business	
<input type="checkbox"/>	Agriculture	<input type="checkbox"/>	ISO listed
<input type="checkbox"/>	Mining and quarrying	<input type="checkbox"/>	Manufacturer
<input type="checkbox"/>	Manufacturing	<input type="checkbox"/>	Distributor
<input type="checkbox"/>	Electricity, gas and water	<input type="checkbox"/>	Sales
<input type="checkbox"/>	Construction	<input type="checkbox"/>	Services
<input type="checkbox"/>	Retail, motor trade and repair services	<input type="checkbox"/>	Importer
<input type="checkbox"/>	Wholesale trade, commercial agents and allied services	<input type="checkbox"/>	Exporter
<input type="checkbox"/>	Catering, accommodation and other trade	<input type="checkbox"/>	Repairer
<input type="checkbox"/>	Transport, storage and communications	<input type="checkbox"/>	
<input type="checkbox"/>	Finance and business services	<input type="checkbox"/>	
<input type="checkbox"/>	Community, social and personal services	<input type="checkbox"/>	

1.16 TOTAL FULL TIME EQUIVALENT OF PAID EMPLOYEES

Total full time equivalent of paid employees

1.17 SMME STATUS

Micro

Very Small

Small

Medium

2. BUSINESS PARTICULAR

2.1.1 Name of the Business

2.1.2. Physical Address

City																		Code	

Province

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2.1.3 Telephone number

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2.1.4 Fax number

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2.1.5 Cell number

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2.1.6 Email Address

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

2.1.7. Web Page Address

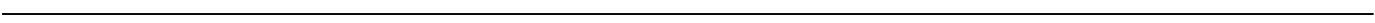
--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

2.1.8. How would you like to receive our correspondence?

Email **Post** **Fax**

2.1.9. Contact Person for correspondence

Title																			
Surname																			



3. SALES AND ACCOUNTS DEPARTMENT

3.1 Sales Department

Contact Name																			
Designation																			
Cell Number																			
Email Address																			
Telephone																			
Fax Number																			

3.2 Accounts Department

Contact Name																			
Designation																			
Cell Number																			
Email Address																			
Telephone																			
Fax Number																			

4. FINANCIAL DETAILS (BANKING) ★

Banking intuitions name																			
Branch Name																			
Branch Code																			
Account Number																			
Account Type																			
Account Holders Name																			

***NB.DOCUMENTARY PROOF OF BANKING INSTITUTION MUST BE SUPPLIED
(Cancelled Cheque or letter of confirmation)***

5. PREVIOUS BUSINESS INFORMATION

5.1 Did your business previously exist under a previous name?

N	Y
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5.2 If yes, what name did it trade under?

5.2 Previous business registration number?

**CERTIFICATION OF CORRECTNESS OF INFORMATION SUPPLIED IN
THIS DOCUMENT** ★

I/WE, THE UNDERSIGNED, WHO WARRANTS THAT HE/SHE IS DULY AUTHORISED TO DO SO ON BEHALF OF THE SUPPLIER, CERTIFIES THAT THE INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT INCLUDING THE ADDITIONAL INFORMATION AND SUPPORTING DOCUMENTS ATTACHED, IS CORRECT AND ACCURATE AND ACKNOWLEDGES THAT :

1. The supplier will be required to furnish documentary proof of the claims, if requested to do so.
2. If the information supplied is found to be incorrect then **JOSHCO** may, in addition to any remedies it may have:
 - a) Disqualify the supplier/contractor for a particular tender/contract/project it may be considered for, or which had been allocated/awarded to the supplier/contractor;
 - b) Recover from the supplier/contractor all costs, losses or damages incurred or sustained by **JOSHCO** as a result of breach of the contract;
 - c) Cancel the contract and claim any damages which **JOSHCO** may have suffer by having to make less favourable arrangements after such cancellation; and/or
 - d) De-register the supplier registered on the Supplier Database

SIGNED ON THIS DAY OF20 AT

SIGNATURE OF AUTHORIZED REPRESENTATIVE NAME IN BLOCK LETTERS

.....

IN HIS/HER CAPACITY AS:

ON BEHALF OF THE (SUPPLIER'S NAME):



MBD 4: DECLARATION OF INTEREST

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

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 Company registration number: _____
- 3.4 Tax Reference Number: _____
- 3.5 VAT Registration Number: _____

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

3.6.1 If so, furnish particulars:

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

3.7.1 If so, furnish particulars:

3.8 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**

3.8.1 If so, furnish particulars:

* 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.

3.9 Are you, aware of any relationship (family, friend, other) between a 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**

3.9.1 If so, furnish particulars:

3.10 Are any of the company's directors, managers, principal shareholders or stakeholders in service of the state? **YES / NO**

3.10.1 If so, furnish particulars:

3.11 Are any spouse, child or parent of the company's directors, managers, principal shareholders or stakeholders in service of the state? **YES / NO**

3.11.1 If so, furnish particulars.

CERTIFICATION

I, THE UNDERSIGNED (NAME) _____

CERTIFY THAT THE INFORMATION FURNISHED IN THIS DECLARATION FORM IS CORRECT. I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

MBD 6.1: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011.

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R1 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed R1 000 000 (all applicable taxes included) and therefore the 90/10 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- a) Price; and
- b) B-BBEE Status Level of Contribution.

1.3.1 The maximum points for this bid are allocated as follows:

	POINTS
1.3.1.1 PRICE	90
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION	10
Total points for Price and B-BBEE must not exceed	100

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.5. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;

2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;

- 2.7 **“consortium or joint venture”** 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;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less.
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

- P_s = Points scored for comparative price of bid under consideration
- P_t = Comparative price of bid under consideration

P_{min} = Comparative price of lowest acceptable bid

5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTION

5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.

5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.

5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.

5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

7.1 B-BBEE Status Level of Contribution: =(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8. SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? **YES / NO** (delete which is not applicable)

8.1.1 If yes, indicate:

- (i) what percentage of the contract will be subcontracted? _____%
- (ii) the name of the sub-contractor? _____
- (iii) the B-BBEE status level of the sub-contractor? _____
- (iv) whether the sub-contractor is an EME? **YES / NO** (delete which is not applicable)

9. DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm: _____

9.2 VAT registration number: _____

9.3 Company registration number: : _____

9.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

9.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business? _____

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

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

- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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

WITNESSES:

1. _____

2. _____

DATE: _____

ADDRESS: _____

SIGNATURE(S) OF BIDDER(S)

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

1. This Standard Bidding Document must form part of all bids invited.
2. It serves as a declaration to be used by institutions 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 disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system;
 - c. failed to perform on any previous contract; or
 - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No. 12 of 2004).
4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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 <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 outside of 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:		
4.4	Was any contract between the bidder and any 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"/>

Item	Question	Yes	No
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME).....
 CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND
 CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST
 ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of Bidder

MBD 9: 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 *per 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.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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.
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

.....
Position

.....
Name of Bidder

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.