



REQUEST FOR QUOTATION INVITATION FOR GOODS AND/OR SERVICES  
Procurement Less than R750, 000 (including Vat)

ADVERT DATE	02 April 2026
DEPARTMENT	Building and Security
RFQ NO.	RFQ 01096/26
DESCRIPTION OF GOODS/SERVICES	PROVISION OF LEASING, SUPPLY AND DELIVERY OF REFILLABLE COMPRESSED MEDICAL OXYGEN CYLINDERS SERVICES
RFQ SPECIFICATION FORMS/DOCUMENTS ARE OBTAINABLE FROM:	RFQ SPECIFICATION IS AVAILABLE ON JOBURG THEATRE'S WEBSITE – <a href="http://www.joburgcitytheatres.com">www.joburgcitytheatres.com</a>
CLOSING DATE: TIME:	13 April 2026 12H00
COMPULSORY REQUIREMENTS	1. MBD FORMS MUST BE ATTACHED TO THE PROPOSAL 2. SUPPLIER REGISTRATION FORM (IF NOT ON JOBURG CITY THEATRES SUPPLIER DATABASE)
SITE MEETINGS Date, Time & Venue	N/A
ENQUIRIES:	Fanisa Maluleke: <a href="mailto:Fanisa@joburgtheatre.com">Fanisa@joburgtheatre.com</a>
SUBMISSION:	<b>Sealed quotations marked with the reference no:</b> must be placed in the <b>Tender Box</b> at Joburg Theatre Complex, 01st Floor, Loveday Street, Braamfontein.



## CHECKLIST

**PLEASE USE THE CHECKLIST TO CONFIRM THAT ALL COMPULSORY DOCUMENTS HAVE BEEN ATTACHED TO YOUR QUOTATION. PLEASE NOTE THAT IF THESE DOCUMENTS ARE NOT ATTACHED COMPLETED AND SIGNED THE QUOTATION WILL BE DISQUALIFIED.**

The bidder must complete and return documents as listed below as part of his/her tender submission:

DESCRIPTION	Yes /no
<b>Returnable documents required for tender evaluation purposes</b>	
MBD 1 -Invitation to Bid	
Certificate of Attendance of Clarification Meeting	
Authority to Sign Documents	
Record Of Addenda to Tender Documents	
MBD 2 -Tax Clearance Certificate Requirements	
MBD3.1 - Pricing and Delivery Schedule	
MBD4- Declaration of Interest	
MBD 6.1- Preference Points Claim Form in terms of PPPFA 2022 regulations	
MBD 8- Declaration of Bidder’s Past Supply Chain Management Practices	
MBD9- Certificate of Independent Bid Determination	
<b>Additional Documents to be provided by the Bidder and attached to his/her tender</b>	
Central Supplier Databased (CSD) Registration Summary report (report must not be older than 30 days)	
Certified Company Registration Documents (CIPC)	
SARS Tax Pin Code.	
Certified Identity Documents of Shareholders/Directors/Members	
Provide a current or latest Municipal Rates and Taxes invoice for the Tenderer’s office/premises (not in arrears for more than 90 days) or Where a bidder does not own the premises they reside in, they must provide a certified lease agreement together with the utility bill statement (payments made according to the lease agreement) (not in arrears for more than 90 days) <b>NB: Where the Tenderer operates from their residential address(where they live), an affidavit confirming this arrangement must be provided. Please note the address should be the same as the one disclosed in the CSD or CIPC</b>	
Provide Municipal Rates and Taxes Invoice for All the Directors (as per CIPC document) of the Company OR Original Certified Copy of Lease Agreement and statement of accounts OR Affidavit Certified by the SAPS only if business is conducted in director’s premises. (Not in arrears for more than 90 days)	

Certified Copy of BBBEE certificate OR Certified copy of Sworn affidavit.	
Company Profile/ Detailed brochure	
Reference letters	
<b>Other</b>	
Any additional bidder information not mentioned above	

Signature \_\_\_\_\_



**PLEASE NOTE THAT NOT SUBMITTING THE COMPULSORY DOCUMENTS MAY LEAD TO DISQUALIFICATION COMPULSORY REQUIREMENTS**

1. **Tax clearance** - Please note that copies of tax clearance certificates are not valid as per SARS and they will not be accepted by the Joburg City Theatres. Failure to provide the original tax clearance certificate will result in the quotation being disqualified.
2. **Latest copy of rates and taxes** together with a completed “Declaration on State of Municipal Accounts” form. (Attached) Please note the following:
  - a) There must be a Rates & Taxes invoice for each of the Directors of the Company as well as for the Company. The Rates & Taxes Invoice cannot be older than 3 months. If Rates & Taxes are in arrears for more than 3 months, the quotation will be disqualified.
  - b) If the business is operated from the residence of one of the directors, an affidavit, certified, must be submitted stating the address of the business premises.
  - c) If the premises from where business is conducted or where a director is residing, is leased a copy of the lease agreement or an affidavit must be submitted.
3. **The quotation page must be signed.** If you are using your own format on your Company’s letterhead to quote, please ensure that the quotation is signed.
4. The attached **MBD 4 form** (Declaration of Interest) must be completed and submitted with the quotation. If the MBD 4 is incomplete or not attached the quotation may be disqualified.
5. The attached **MBD 6.1 form** (Preference Points Claim Form in Terms of the Preferential Procurement Regulations 2022) must be completed and submitted with the quotation. If the MBD 6.1 is incomplete or not attached the quotation may be disqualified.
6. The attached **MBD 8 form** (Declaration of Bidder Past Supply Chain Management Practices) must be completed and submitted with the quotation. If the MBD 8 is incomplete or not attached the quotation may be disqualified.
7. The attached **MBD 9 form** (Certificate of Independent Bid Determination) must be completed and submitted with the quotation. If the MBD 9 is incomplete or not attached the quotation may be disqualified.
8. **A certified copy of the B-BBEE Status Level Verification Certificate / Certified copy of sworn affidavit** for QSE and EME must be attached. If not attached no points for B-BBEE will be awarded.
9. **All price alterations must be signed** for by the Bidder confirming that such changes were made by the Bidder. **PLEASE NOTE THAT PRICE CHANGES WITHOUT A SIGNATURE WILL LEAD TO THE DISQUALIFICATION OF THE QUOTATION SUBMITTED.**

**I HEREWITH CONFIRM THAT HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED REQUIREMENTS**

**SIGNATURE** \_\_\_\_\_ **NAME** \_\_\_\_\_



## CONDITIONS

1. All goods or services purchased will be subject to Joburg City Theatres SCM Policy and Procedures. A copy of said conditions is available from the Joburg Theatre office.
2. All purchases will be made through an official order form. Therefore, no goods must be delivered, or services rendered before an official order has been forwarded to and accepted by the successful bidder.
3. To participate in the Joburg City Theatres' Quotation process for the procurement of goods and/or services, vendors are advised to get accredited and registered on the Joburg City Theatres' Supplier Database. Supplier registration forms are available from the Supply Chain Management Unit. Joburg City Theatres is dealing only with the registered and accredited suppliers on its Database.
4. All prices quoted must be inclusive of Value Added Tax (VAT). Suppliers who are not registered for VAT will be treated as Non-VAT Vendors.
5. Prices quoted must include delivery charges and goods must be delivered to the address indicated on the quotation page.
6. 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.
7. Quantities are given in good faith and without commitment to the Joburg City Theatres. Joburg City Theatres reserves the right to increase or reduce the quantity to be in line with the set threshold for quotations prescribed in the SCM Policy.
8. **JOBURG CITY THEATRES DOES NOT TAKE RESPONSIBILITY FOR ANY QUOTATIONS DEPOSITED IN THE WRONG BOX.**

I HEREWITH CONFIRM THAT HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED REQUIREMENTS

SIGNATURE \_\_\_\_\_ NAME \_\_\_\_\_

# Certificate of Authority for Signatory

Signatories for closed corporations, partnerships and companies shall confirm their authority by attaching to this form a duly signed and dated copy of the relevant resolution of their members or the board of directors or partners, as the case may be.

"By resolution of the board of directors taken on (date) \_\_\_\_\_

Mr / Ms \_\_\_\_\_ has been duly authorized to

sign all documents in connection with the tender for contract No. \_\_\_\_\_

and any contract which may arise therefrom on behalf of (Bidder)

\_\_\_\_\_

Signed \_\_\_\_\_

Date \_\_\_\_\_

Name \_\_\_\_\_

Position \_\_\_\_\_

Bidder \_\_\_\_\_

# Certificate Of Attendance of Compulsory Site Visit

This is to certify that (Bidder) .....

of (address) .....

was represented by the person(s) named below at the compulsory site visit held for all bidders at Joburg Theatre.

I / We acknowledge that the purpose of the meeting was to acquaint myself / ourselves with the site of the works and / or matters incidental to doing the work specified in the tender documents in order for me / us to take account of everything necessary when compiling our rates and prices included in the tender.

Particulars of person attending the meeting:

Name: ..... Signature: .....

Capacity: .....

Attendance of the above person at the meeting is confirmed by the Employer's agent, namely:

Name: ..... Signature: .....

Capacity: ..... Date and Time: .....

# Record Of Addenda to Tender Documents

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:	
NO	Title or Details
1	
2	
3	
4	
5	
6	
7	

If there is insufficient space above, the bidder may append additional sheets.  
 Number of additional sheets

appended by the bidder to this Schedule ..... (If nil, enter NIL)

Signed \_\_\_\_\_

Date \_\_\_\_\_

Name \_\_\_\_\_

Position \_\_\_\_\_

**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (JOBURG CITY THEATRES)</b>					
RFQ NUMBER:	01096/26	CLOSING DATE:	13 April 2026	CLOSING TIME:	12h00
DESCRIPTION	<b>PROVISION OF LEASING, SUPPLY AND DELIVERY OF REFILLABLE COMPRESSED MEDICAL OXYGEN CYLINDERS SERVICES</b>				
<b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).</b>					
<b>Sealed quotations marked with the reference no:</b>					
<p>Sealed documents individually marked with the abovementioned RFQ and Service Description, must be placed in the Tender box situated at <b>Joburg Theatre Complex on the 01st Floor, Loveday Street in Braamfontein</b> by the closing date and time as per Joburg City Theatres' clock. All Suppliers are encouraged to make their submission before the closing time. It is the bidders' responsibility to obtain documents in time so as to ensure responses reach Joburg City Theatres timeously.</p>					
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		CSD No:		
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes  <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes  <input type="checkbox"/> No	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					

<b>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES ENCLOSE PROOF]	<b>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	<b>R</b>
SIGNATURE OF BIDDER		DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b>		<b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b>	
DEPARTMENT	Supply Chain	CONTACT PERSON	
CONTACT PERSON	Fanisa Maluleke	TELEPHONE NUMBER	
E-MAIL ADDRESS	<a href="mailto:Fanisa@joburgtheatre.com">Fanisa@joburgtheatre.com</a>	FACSIMILE NUMBER	

**PART B**  
**TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT VIA EMAIL)</b></p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER’S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.</p> <p>2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>
<b>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>
<p>3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span></p> <p>3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span></p> <p>3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span></p> <p>3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span></p> <p>3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <span style="float: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</span></p> <p><b>IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</b></p>

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

**NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

**SIGNATURE OF BIDDER: .....**

**CAPACITY UNDER WHICH THIS BID IS SIGNED: .....**

## **BACKGROUND, OBJECTIVE AND SCOPE OF REQUIREMENTS**

### **1. Introduction**

Joburg Theatre (SOC) Ltd trading as Joburg City Theatres (JCT), an independent municipal entity wholly owned by the City of Johannesburg Metropolitan Municipality (“COJ”), operates in order to provide world class theatre entertainment to the citizens of Johannesburg. The company continuously strives towards transformation from both within its core employment, procurement and governance practices, and also its productions and audience inclusiveness.

With effect from January 1st, 2013, Joburg Theatre (SOC) Ltd and Roodepoort City Theatre NPC t/a Joburg Promusica were integrated into a single theatre management company (Joburg City Theatres), which also institutionalised the operation of the newly established Soweto Theatre.

Joburg City Theatres uphold its vision statement: “We are the providers of the integrated management of world class African theatre venues and a high quality, entertaining, innovative and inclusive programme which serves the diverse communities of the City of Joburg.”

To succeed, significant increased operational efficiency is critical. That means Joburg City Theatres must be cost efficient. Operational efficiency is important not only to cost saving, but also to attracting and retaining theatre audiences, as the organization strives to become responsive to customers’ needs and the market’s demands.

### **2. Purpose**

Joburg City Theatres would like to conclude formal agreements with a service provider for the Provision of **“LEASING, SUPPLY AND DELIVERY OF REFILLABLE COMPRESSED MEDICAL OXYGEN CYLINDERS SERVICES”** for its operations (Braamfontein, Roodepoort & Soweto)

Due to the various activities transpiring in the 3 sites and the need to comply with regulations governing commercial establishments, the buildings need be kept occupationally healthy and safe.

The Joburg City Theatres requires a suitable service provider to hire, supply and delivery of refillable compressed medical oxygen cylinders and provide the full range of spares, masks and training on an as-and-when required basis.

Joburg City Theatres (JCT) hereby invites proposals from all prospective service providers to propose a cost-effective solution for the below mentioned services within the Region of Gauteng.

- a) To invite potential service providers to submit bids that will allow the JCT to evaluate options available for the Provision of “hire, supply and delivery of refillable compressed medical oxygen cylinders services” as per the specifications/scope of work attached to this document. Based on the quality of the bids submitted, the JCT intends to select preferred supplier(s) with a view to concluding a Service Level Agreement (SLA) where applicable with such successful bidder(s)
- b) The Service Provider to be appointed must display an unquestionable track record and experience with positive feedback from their existing and previous clients.
- c) In order to ensure smooth contract management, service providers must have an office in the province where service are to be rendered with respect to this contract
- d) The Service Provider must be willing to partner with the JCT by providing services as required by the JCT but must advise on and introduce the latest trends in accordance with the hire, supply and delivery of refillable compressed medical oxygen cylinders services with the intention to improve services and to ensure that both companies stay abreast of the relevant regulations.
- e) Services must include cylinders, maintenance/services, i.e. refills, delivery and consumables

### **3. Legislative And Regulatory Requirements**

Bidders are required to adhere to the following legislative and regulatory requirements. Noncompliance with these conditions will invalidate the bid for such products offered.

#### **Medicines and Related Substances Act, Act 101 of 1965**

Bidders offering medical oxygen gasses **MUST have a SAHPRA license** for medical gas manufacturing/wholesaling and must supply oxygen of medical purity ( $\geq 99\%$ ), in terms of the relevant sections of the Medicines and Related Substances Act, Act 101 Of 1965.

### **4. Location**

The services are to be provided at the business location of JCT as detailed hereunder, but not limited to:

- 1) **Joburg Theatre:** 163 Civic Boulevard, Braamfontein
- 2) **Roodepoort Theatre:** 100 Christiaan De Wet Road, Roodepoort

3) **Soweto Theatre:** Cnr Bolani Road & Bolani Link, Jabulani, Soweto

<b>JOBURG THEATRE</b>			
Facility and address	Quantity	Item	Description
1. Hire, and delivery of refillable compressed medical oxygen cylinders			
<ul style="list-style-type: none"> <li>Mandela Stage</li> </ul>	2	G size Bullnose fitting oxygen cylinder, Double Gauge flowmeter oxygen regulator including mask	See annexure 1
2. Supply, and delivery of refillable compressed medical oxygen cylinders			
<ul style="list-style-type: none"> <li>Customer services office</li> <li>Lesedi Theatre</li> <li>Peoples Theatre</li> <li>Mandela Theatre Stage manager office</li> <li>First floor First Aid room</li> <li>-1 First aid room</li> </ul>	6	D Size Pin-index fitting oxygen cylinder (portable), Double Gauge flowmeter oxygen regulator including mask	See annexure 1
<b>ROODEPOORT THEATRE</b>			
Facility and address	Quantity	Item	Description
3. Supply, and delivery of refillable compressed medical oxygen cylinders			
<ul style="list-style-type: none"> <li>Roodepoort Stage</li> <li>Emergency room</li> </ul>	2	F Size Pin-index fitting oxygen cylinder, Double Gauge flowmeter oxygen regulator including mask	See annexure 1
4. Supply, and delivery of refillable compressed medical oxygen cylinders			
<ul style="list-style-type: none"> <li>Security</li> <li>Customer service</li> <li>Admin office</li> </ul>	3	D Size Pin-index fitting oxygen cylinder (portable), Double Gauge flowmeter oxygen regulator including mask	See annexure 1
<b>SOWETO THEATRE</b>			
Facility and address	Quantity	Item	Description
5. Supply, and delivery of refillable compressed medical oxygen cylinders			

<ul style="list-style-type: none"> <li>• Gibson Kente Theatre</li> <li>• Blue Theatre</li> <li>• Yellow Theatre</li> <li>• Amphitheatre</li> <li>• Sick bay</li> </ul>	5	F Size Pin-index fitting oxygen cylinder, Double Gauge flowmeter oxygen regulator including mask	See annexure 1
6. Supply, and delivery of refillable compressed medical oxygen cylinders			
<ul style="list-style-type: none"> <li>• Customer services office 3<sup>rd</sup> floor</li> <li>• Security</li> <li>• Building and maintenance</li> </ul>	3	D Size Pin-index fitting oxygen cylinder (portable), Double Gauge flowmeter oxygen regulator including mask	See annexure 1

## 5. Training

The contractor should train the designated JCT staff in every aspect relating to the handling of all equipment that they use with regards to this contract.

## 6. Compliance with Health & Safety

All works must comply with the latest edition of the Occupational Health and Safety Act and Regulations. All equipment provided for use for the contract must be tested and certified in accordance with the manufacturer's recommendations and any current applicable legislation

## 7. Quality standards

Special brands, where named, are used to indicate the standard of quality desired. Tenderer's equal/ similar item will be considered, provided that the Tender specifies brand name(s) and submits full specifications. If the full set of specifications of the alternative item is not submitted, the item will not be considered for award.





















In the event JCT elects to accept an alternative item purported to be equal/similar by the bidder, acceptance of the item(s) will be conditional on JCT's inspection and testing after receipt. If, in the sole judgement of JCT, the item is determined not to be equal/similar, the item shall not be considered.


## 8. Quality Tests

JCT may from time to time test the quality of the products and non-compliance may result in the termination of the contract.


Annexure 1

### Medical Oxygen Cylinder Sizes – South Africa 2024


Cylinder Name	D	D	F	F	G	G	J	J
Dimensions (Height x Diam.)		610 x 110		930 x 140		1320 x 178		1520 x 229
Nominal full Weight (Kg)		6		17		39		78
Regulator Type		Pin Index		Pin Index		Bullnose		Bullnose
Volume / Contents (Litre)		450		1200		3400		6800
Water Liters		3,2		8		23,6		50
Active / Available		Yes		Yes		Yes		<b>To be discontinued</b>
Portable		Yes		No		No		No



**Bullnose Fitting**  
American single gauge oxygen regulator  
Dial Click setting of flow rate



**Pin-Index Fitting**



**Double gauge oxygen regulator**  
Available in Bullnose or Pin-Index

Pin Index and Bullnose Gauges/ Regulators available for Hire or Purchase  
 Size D and F cylinders available for Hire or Purchase  
 Size G and J cylinders available for Hire only  
 D size available as portable with shoulder bag / Pin Index Regulator and mask or cannula

*Images subject to change depending on valve protector / Supplier. Indicative values only – Image subject to copyright Numed Specialist suppliers 2024 E&O.E*

## **9. Quantities**

Quantity projections based on historical data, are provided in all instances where it is possible; otherwise, no estimated quantity projection is provided. The products/ refills will be ordered throughout the year as and when required. JCT will not be bound to the estimated quantities as mentioned in the pricing Schedule.

## **10. Expected Outcome**

Services will be rendered during working hours from Monday to Friday excluding weekends and public holidays unless where otherwise specified from 07:30 am – 16:00pm.

The service provider's supervisor must do inspection on the quality and standard of services rendered and report to JCT.

JCT would not be held responsible in any way for the damages, losses, theft of equipment or any valuables of the contractor or injury of his/her while on site or in the execution of their duties. The service provider will be held responsible for damages of items caused by them at JCT's offices.

The contract would be entered into subject to the signing of the Service Level Agreement by both parties.

## **11. Latent Defects and Failure to Comply with Specification**

The client reserves the right to demand the replacement or making good by the Contractor at his own expense of any part of the Contract which is shown to have any latent defects or not to have complied with the Specification, notwithstanding that such work has been taken over or that the guarantee period has expired.

## **12. Acquaintance With RFQ Documents**

By submission of a RFQ, the contractor shall be deemed to have acquainted himself with the contract documents, local requirements and laws and all aspects of the work envisaged in the documents, prior to pricing and submission of an RFQ. It is of vital importance that the Bidders visit the site prior to the submission of a RFQ to study conditions on site. No claim resulting from failure to comply with any of the above will be entertained.

## **13. RFQ Offer Validity**

The RFQ offer validity period is 120 days.

## 14. Conditions And Evaluation Of Bids

Responses will be evaluated using a predefined set of evaluation criteria. The evaluation criteria are designed to reflect JCT requirements in terms of identifying a suitable service provider and to ensure the selection process is transparent and afford all bidders a fair opportunity for evaluation and selection.

The following conditions apply for this assignment: The RFQ will be evaluated on a two-stage process

- **Stage 1 – Administrative Requirements**
- **Stage 2 – Price (80) and special goals (20)**

### STAGE 1 – ADMINISTRATIVE REQUIREMENTS

Bids that do not meet any one of the following criteria (valid proof/certification must be provided if required) will be disqualified and will not be evaluated further:

**Part A:** Documents and information relating to the vetting of legal and commercial information where the following information and supporting documents should be provided in sequential order, for vetting and verification purposes:

PROCUREMENT ELIGIBILITY/MANDATORY CRITERIA
It is compulsory that the Tenderer
Provides Signed Submission which must be signed by a duly authorized representative
Provides proof of its <b>entity's registration documentation</b> (e.g., CIPC) indicating the date of registration/incorporation, and a list of directors, partners, and members.
Provide proof of current and valid <b>SARS Tax Pin</b> and VAT registration certificate. Provide rationale if not VAT registered.
Provide a National Treasury Centralised Supplier Database ( <b>CSD</b> ) <b>registration summary report</b> (report should not be older than 30 days)
Provide a Valid certified copy of <b>B-BBEE certificate</b> / In the case of EME's a Sworn Affidavit on DTI template.
Provide a current or latest Municipal Rates and Taxes invoice for the Tenderer's office/premises (not in arrears for more than 90 days) or Where a bidder does not own the premises they reside in, they must provide a certified lease agreement together with the utility bill statement (payments made according to the lease agreement) (not in arrears for more than 90 days)
<b>NB: Where the Tenderer operates from their residential address (where they live), an affidavit confirming this arrangement must be provided. Please note the address should be the same as the one disclosed in the CSD or CIPC</b>

Provide Municipal Rates and Taxes Invoice for All the Directors (as per CIPC document) of the Company OR Original Certified Copy of Lease Agreement and statement of accounts OR Affidavit Certified by the SAPS only if business is conducted in director's premises. (Not in arrears for more than 90 days)
Provide Certified copies of South African <b>Identity Documents</b> or Valid Passports of Members, Directors or owner (Copy with original stamp).
Submit all required schedules, documents and annexures indicated in document
<b>Company profile / detailed brochure</b> of all services offered shall be presented together with this document
Bidders offering medical oxygen gasses <b>MUST have a SAHPRA license</b> for medical gas manufacturing/wholesaling and must supply oxygen of medical purity ( $\geq 99\%$ ), in terms of the relevant sections of the Medicines and Related Substances Act, Act 101 Of 1965
A <b>valid License to Manufacture/ Wholesaler or Distribute Medicines</b> in terms of the Medicines and Related Substances Act, Act 101 Of 1965.

**NB:** JCT reserves the right to request additional information (which must be responded to and/or provided to JCT within the period as determined and communicated by JCT) where the information provided yields insufficient detail and Tenderer differentiation.

### **15. Acceptance Of RFQ Offer**

RFQ offers will only be accepted if:

- a) the bidder has in his or her possession an original valid Tax compliance pin issued by the South African Revenue Services or has made arrangements to meet outstanding tax obligations.
- b) the bidder or any of its directors is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector.
- c) the bidder has not:
  - i. abused the Employer's Supply Chain Management System; or
  - ii. failed to pay municipal rates and taxes or service charges and such rates, taxes and charges are in arrears for more than three months.
  - iii. failed to perform on any previous contract and has been given a written notice to this effect.
- d) the bidder has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the bidder's ability to perform the contract in the best interests of the employer or potentially compromise the tender process.

- e) the bidder is not in arrears for more than 3 months with the municipal rates and taxes and municipal services charges.”

## **16. Negotiations With Preferred Bidders**

The Employer may negotiate the final terms of a contract with bidders identified through a competitive tendering process as preferred bidders provided that such negotiation:

- a) does not allow any preferred bidder a second or unfair opportunity.
- b) is not to the detriment of any other bidder; and
- c) does not lead to a higher price than the tender as submitted.
- d) Minutes of any such negotiations shall be kept for record purposes.

## **17. In Service of The State**

**NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE (see definition below)**

\* 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.

## **18. Grounds For Disqualification**

Joburg City Theatres reserves the right to disqualify any bidder which does any one or more of the following, and such disqualification may take place without prior notice to the offending bidder, however the bidder shall be notified in writing of such disqualification:

- bidders who do not submit a **valid Tax PIN** issued by **SARS**, on the closing date and time of the bid.
- bidders who submitted **incomplete information and documentation** according to the requirements of this Bid

- bidders who submitted *information that is fraudulent, factually untrue or inaccurate*, for example memberships that do not exist, BEE credentials, experience, etc.
- bidders who received information not available to other vendors through fraudulent means; and/or
- bidders who do not comply with *mandatory requirements* as stipulated in this bid.
- Bidders are reminded that *all alterations in the bid document must be signed in full* by the bidder's authorised signatory and an accompanying letter on the bidder's official letterhead must be provided indicating such alterations.
- This bid correctly endorsed is to be addressed to Joburg City Theatres and must be deposited into the tender box at the time and date shown herein. Under no circumstances will late RFQs be accepted.
- The bid document is to be completed in **black ink pen** and in full. It is not to be retyped at all.
- The bid document is to be *submitted in full in the same order as issued* with all sections attached.
- Joburg City Theatres will not award the RFQ to any firm that cannot provide proof to substantiate its successful completion of a *minimum of 3 projects of similar size and nature*.
- Proposal that does not meet Joburg City Theatres' requirements shall be considered as unsuitable and non-responsive and shall be rejected.
- Bidders are required to *cost for all the items as required*. If not, the proposal will be rejected as non-responsive.

**NB: It will be in the best interest of the bidder to base his quote with full and comprehensive information to ensure that the final solution is not jeopardised by an uneconomic bid price.**

#### **19. Certified Copies/Commissioner Of Oaths Certification**

The bidder shall, where required in terms of the bid (bidders' information) submit with the bid, certified copies of all certificates specified. Failure to do so may render the bid liable to rejection on the grounds of being incomplete.

#### **20. Modification And Withdrawal Of Quotes**

- The Bidder may modify or withdraw its bid after the bid's submission, provided that written notice of the modification or withdrawal is received by JCT prior to the deadline prescribed for submission of Quotes.
- The Bidder's modification or withdrawal notice shall be prepared, sealed, marked and dispatched in accordance with the provisions of clause 6. A withdrawal notice may also be sent by fax, followed by a signed confirmation copy, post marked not later than the deadline for submission of Quotes.
- No bid may be modified subsequent to the deadline for submission of Quotes.
- No bid may be withdrawn in the interval between the deadline for submission of Quotes and the expiration of period of bid validity specified by the Bidder on the bid form.

## **21. Requirements To Submit Proposals**

- All schedules in this document must be populated and will form part of the quotation.
- A completed Joburg City Theatres supplier registration application form which is available for download from Joburg City Theatres' website ([www.joburgcitytheatres.com](http://www.joburgcitytheatres.com)). Alternatively, if the supplier is registered on the JCT database, then the service provider need only submit all the mandatory documents with this application.
- The contractor will need to provide examples /references of similar such works performed.

## **22. Enhancement In Rates**

The bidder's rates shall be taken to be firm, and the supplier shall not be entitled to any price variation or escalation.

## **23. Local Office**

In order to be considered for an appointment in terms of this bid, bidders must have an office in the Gauteng Region as stipulated in this Bid. The address of this local office must be indicated on the **SERVICE PROVIDERS INFORMATION** below, and which will be regarded as the domiciliumcitandietexecutandi for the purpose of any contract or service level agreement arising from this bid submission.

## **24. Delays In The Supplier's Performance**

- Delivery of the goods and performance of services shall be made by the supplier in accordance with the time schedule prescribed by JCT in the contract.
- If at any time during performance of the contract, the supplier or its subcontractor(s) should encounter conditions impeding timely delivery of the goods and performance of services, the supplier shall promptly notify JCT in writing of the fact of the delay, its likely duration and its cause(s). As soon as practicable after receipt of the supplier's notice, JCT shall evaluate the situation and may at its discretion extend the supplier's time for performance, with or without the imposition of penalties, in which case the extension shall be ratified by the parties by amendment of contract.
- No provision in a contract shall be deemed to prohibit the obtaining of supplies or services from a national department, provincial department, or local authority.
- The right is reserved to procure outside of the contract small quantities or to have minor essential services executed if an emergency arises, the supplier's point of supply is not situated at or near the place where the supplies are required, or the supplier's services are not readily available.
- Except as provided under GCC clause 3.25, a delay by the supplier in the performance of its delivery obligations shall procure the supplier liable to the imposition of penalties, pursuant to GCC clause 3.22, unless an extension of time is agreed upon pursuant to GCC clause 3.21.2 without the application of penalties.
- Upon any delay beyond the delivery period in the case of a supplies contract, JCT shall, without cancelling the contract, be entitled to purchase supplies of a similar quality and

up to the same quantity in substitution of the goods not supplied in conformity with the contract and to return any goods delivered later at the supplier's expense and risk, or to cancel the contract and buy such goods as may be required to complete the contract and without prejudice to his other rights, be entitled to claim damages from the supplier.

## **25. Penalties**

Subject to GCC clause 3.25, if the supplier fails to deliver any or all of the goods or to perform the services within the period(s) specified in the contract, JCT shall, without prejudice to its other remedies under the contract, deduct from the contract price, as a penalty, a sum calculated on the delivered price of the delayed goods or unperformed services using the current prime interest rate calculated for each day of the delay until actual delivery or performance. JCT may also consider termination of the contract pursuant to GCC clause 3.23.

## **26. Indemnity**

- The Contractor agrees that the occupational use of JCT's premises and buildings shall be at his own risk, and that he acknowledges the risks and dangers inherent therein. The Contractor furthermore acknowledges that JCT and / or its employees shall not be liable or responsible for any loss, liability, damages, accident or injury, whether fatal or otherwise, of whatsoever nature and howsoever arising, whether directly from the permission granted by JCT to execute certain events or otherwise, including but not limited to, the use of the premises and / or buildings, and indemnifies JCT and/or its employees against all and any loss of / or damage to property, or injury or death, and any claim for such loss, damage, injury or death, from any cause whatsoever and howsoever arising, which may be suffered in this regard.
- The Contractor and / or its officers, employees, agents, concessionaires, suppliers, Contractors or customers shall not have any claim of any nature against the JCT for any loss, damage, injury or death which any of them may directly or indirectly suffer (whether or not such loss, damage, injury or death is caused through negligence of JCT or its agents or employees) or for:
  - any latent or patent defect in the premises.
  - a fire on the premises.
  - a theft from the premises.
  - the Premises or any part thereof being in a defective condition or state of disrepair.
  - force majeure of *causus fortuitus* or any other cause either wholly or partly beyond the JCT's control.
  - the use of the services offered on the premises.
  - consequential loss howsoever caused.
  - any loss or damage whether to persons or property caused by riots, civil commotion, insurrection or actions taken by the Contractor or JCT to mitigate the effect of / or prevent the aforesaid, and any other cause whatsoever.

- Save for any wilful acts or omission or gross negligence by JCT, its officers, employees, agents, concessionaires, suppliers and Contractors, the Contractor indemnifies JCT and holds it harmless from and against all claims, actions, damages, liability and expense in connection with loss of life, personal injury and / or damage to property arising from or out of any occurrence in, upon or at the premises or the occupancy or use by the Contractor of the premises.

**27. Conditions**

1. In the event of a mistake having been made on the pricing, it shall be crossed out in ink and accompanied by signature.
2. All goods or services purchased will be subject to Joburg Theatre General Conditions of contract.
3. All prices quoted must be inclusive of Value Added Tax (VAT).
4. Prices quoted must include delivery charges and goods must be delivered to the address indicated.
5. 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.

NAME OF BIDDER: \_\_\_\_\_ CAPACITY: \_\_\_\_\_

SIGNATURE OF BIDDER: \_\_\_\_\_ DATE: \_\_\_\_\_

## TAX CLEARANCE CERTIFICATE REQUIREMENTS

1. It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder’s tax obligations. Bids will not be considered if these requirements are not met.
2. Previously a taxpayer (bidder) was required to submit a valid, original paper Tax Clearance Certificate (TCC), the taxpayer/ bidder MUST now submit TAX COMPLIANCE STATUS PIN NO. Bids WILL NOT be considered if the correct PIN NO and Tax Reference Number are not included in this document
3. Applications for the Tax Clearance Certificates MUST be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website [www.sars.gov.za](http://www.sars.gov.za) or contact the SARS Contact Centre on 0800007277
4. The bidder (Name) ..... Hereby grants Joburg City Theatres Permission to use the following TAX COMPLIANCE STATUS PIN NO ..... With reference to the following Tax reference Number.....
5. The bidder (Name) ..... Hereby further grants SARS permission to disclose the bidders TAX COMPLIANCE STATUS to Joburg City Theatres on an on-going basis during the Contract Term.
6. A bidder who appoints a Sub-Contractor / Joint Venture / Consortia to execute a portion of a contract (Sub-Contractor in excess of National Treasury threshold) must ensure that each appointment is TAX COMPLIANT and remains TAX COMPLIANT for the duration of the contract. Successful bidders must provide JCT authority from their appointments confirming that SARS may, on an on-going basis during the contract term, disclose the appointed Sub-Contractor / Joint Venture / Consortia TAX COMPLIANCE STATUS.
7. A bidder who acts on behalf of an undisclosed principal must disclose such a fact upon submission of a bid as well as identity of that principal. The TAX COMPLIANCE STATUS of that principle must be verified in the same manner as that of the bidder. The same principle applies mutatis mutandis to any Sub-Contractor / Joint Venture / Consortia appointed by a successful bidder to execute a portion of a contract.
8. The TAX COMPLIANCE STATUS of all parties must be disclosed and verified if the bidder consists of a partnership and
9. A bidder, who is not resident in the Republic of South Africa, must apply for TAX CLEARANCE at SARS.

SIGNATURE OF BIDDER \_\_\_\_\_ DATE: \_\_\_\_\_

CAPACITY UNDER WHICH THIS BID IS SIGNED: \_\_\_\_\_

WITNESS 1 \_\_\_\_\_ DATE: \_\_\_\_\_

WITNESS 2 \_\_\_\_\_ DATE: \_\_\_\_\_

## PRICING AND DELIVERY SCHEDULE

*Respondents are required to complete and submit.*

- (i) a signed, dated and stamped quotation.

### 1. Notes to Pricing

- a. Please indicate your total bid price here: R..... (compulsory)
- b. **Important: It is mandatory to indicate your total bid price as requested above. This price must be the same as the total bid price you submit in your pricing schedule. Should the total bid prices differ, the one indicated above shall be considered the correct price.**
- c. To facilitate like-for-like comparison bidders must submit pricing strictly in accordance with this pricing schedule and not utilize a different format. **Deviation from this pricing schedule could result in a bid being declared nonresponsive.**
- d. Prices quoted must be held valid for a period of **90 [NINETY] days** from closing date of this Bid.  
**NOTE: All prices must be VAT inclusive and must be quoted in South African Rand (ZAR).**
- e. Please note that should you have offered a discounted price(s), Joburg City Theatres will only consider such price discount(s) in the final evaluation stage if offered on an unconditional basis.
- f. Are the rates quoted firm for the full period of the contract? 

YES	NO
-----	----
- g. **Mandatory:** If not firm for the full period, provide details of the basis on which adjustments shall be applied e.g., CPI, and also details of the cost breakdown.
- h. All prices must be VAT inclusive and must be quoted in South African Rand (ZAR)
- i. The bidder must supply a **detailed quote as an annexure** with the full specs of the hardware quoted on to this quote. Failure to meet any of the specifications will result in the bid not being considered.

**NB: It will be in the best interest of the bidder to base his bid with full and comprehensive information to ensure that the final solution is not jeopardised by an uneconomic bid price.**

# QUOTATION FORM

I/We \_\_\_\_\_ hereby offer to supply the goods/services at the prices quoted in the Price Schedule below, in accordance with the conditions related thereto.

I/We agree to be bound by those terms and conditions in:

- the Standard Terms and Conditions for the Supply of Goods or Services to Joburg City Theatres; and
- Any other standard or special conditions mentioned and/or embodied in this bid document.

I/We accept that unless Joburg City Theatres should otherwise decide and so inform me/us, this Quotation [and, if any, its covering letter and any subsequent exchange of correspondence], together with Joburg City Theatres' acceptance thereof shall constitute a binding contract between Joburg City Theatres and me/us.

I/We further agree that if, after I/we have been notified of the acceptance of my/our Quotation, I/we fail to deliver the said goods/service/s within the delivery lead-time quoted, Joburg City Theatres may, without prejudice to any other legal remedy which it may have, cancel the order and recover from me/us any expenses incurred by Joburg City Theatres in calling for Quotations afresh and/or having to accept any less favourable offer.

## Price Schedule

I/We quote as follows for the goods required:

JOBURG THEATRE					
FACILITY	QUANTITY	ITEM	UNIT PRICE	VAT	TOTAL PRICE
Hire, and delivery of refillable compressed medical oxygen cylinders					
• Mandela Stage	2	G size Bullnose fitting oxygen cylinder, Double Gauge flowmeter oxygen regulator including mask			

Supply, and delivery of refillable compressed medical oxygen cylinders					
<ul style="list-style-type: none"> <li>• Customer services office</li> <li>• Lesedi Theatre</li> <li>• Peoples Theatre</li> <li>• Mandela Theatre Stage manager office</li> <li>• First floor First Aid room</li> <li>• -1 First aid room</li> </ul>	6	D Size Pin-index fitting oxygen cylinder (portable), Double Gauge flowmeter oxygen regulator including mask			
<b>JOBURG THEATRE SUB TOTAL</b>					
ROODEPOORT THEATRE					
Supply, and delivery of refillable compressed medical oxygen cylinders					
<ul style="list-style-type: none"> <li>• Roodepoort Stage</li> <li>• Emergency room</li> </ul>	2	F Size Pin-index fitting oxygen cylinder, Double Gauge flowmeter oxygen regulator including mask			
Supply, and delivery of refillable compressed medical oxygen cylinders					
<ul style="list-style-type: none"> <li>• Security</li> </ul>	3	D Size Pin-index fitting oxygen cylinder			

<ul style="list-style-type: none"> <li>• Customer service</li> <li>• Admin office</li> </ul>		(portable), Double Gauge flowmeter oxygen regulator including mask			
<b>ROODEPOORT THEATRE SUB TOTAL</b>					
<b>SOWETO THEATRE</b>					
<b>Supply, and delivery of refillable compressed medical oxygen cylinders</b>					
<ul style="list-style-type: none"> <li>• Gibson Kente Theatre</li> <li>• Blue Theatre</li> <li>• Yellow Theatre</li> <li>• Amphitheatre</li> <li>• Sick bay</li> </ul>	5	F Size Pin-index fitting oxygen cylinder, Double Gauge flowmeter oxygen regulator including mask			
<b>Supply, and delivery of refillable compressed medical oxygen cylinders</b>					
<ul style="list-style-type: none"> <li>• Customer services office 3<sup>rd</sup> floor</li> <li>• Security</li> <li>• Building and maintenance</li> </ul>	3	D Size Pin-index fitting oxygen cylinder (portable), Double Gauge flowmeter oxygen regulator including mask			
<b>SOWETO THEATRE SUB TOTAL</b>					
<b>JOBURG THEATRE SUB TOTAL</b>					
<b>ROODEPOORT THEATRE SUB TOTAL</b>					

SOWETO THEATRE SUB TOTAL	
VAT	
GRAND TOTAL	

NB: It will be in the best interest of the bidder to base his bid with full and comprehensive information to ensure that the final solution is not jeopardised by an uneconomic bid price.

A detailed, itemized quotation that clearly addresses each component of the Scope of Work shall be included.

**Note:**

- a) In case of discrepancy between unit and total prices, the unit price shall prevail.
- b) All prices must be inclusive of VAT, Transport, Delivery and Handling Charges
- c) All Prices must be quoted in South African Rand, inclusive of VAT.
- d) To facilitate like-for-like comparison bidders must submit pricing strictly in accordance with this price schedule and not utilise a different format. Deviation from this pricing schedule could result in a bid being disqualified.

By signing this Quotation Form the Respondent is deemed to acknowledge that he/she has made himself/herself thoroughly familiar, and agrees, with all the conditions governing this bid, including those contained in any printed form stated to form part hereof, including but not limited to the documents stated in the **above, (Conditions and Evaluation of bids)** and Joburg City Theatres will recognise no claim for relief based on an allegation that the Respondent overlooked any such condition or failed properly to take it into account for the purpose of calculating tendered prices or otherwise.

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

PRINT NAME \_\_\_\_\_

DESIGNATION \_\_\_\_\_

## 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: .....
  - 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.....

---

• 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 with in 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.

3.8 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.....  
.....

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

## 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
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

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
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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

#### 3.1 POINTS AWARDED FOR PRICE

##### 3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$\begin{array}{ccc}
 \text{80/20} & \text{or} & \text{90/10} \\
 Ps = 80 \left( 1 - \frac{Pt - Pmin}{Pmin} \right) & \text{Or} & Ps = 90 \left( 1 - \frac{Pt - Pmin}{Pmin} \right)
 \end{array}$$

Where?

Ps	=	Points scored for price of tender under consideration
Pt	=	Price of tender under consideration
Pmin	=	Price of lowest acceptable tender

#### 3.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

##### 3.2.1 POINTS AWARDED FOR PRICE

$$\begin{array}{ccc}
 \text{80/20} & \text{or} & \text{90/10} \\
 Ps = 80 \left( 1 + \frac{Pt - Pmin}{Pmin} \right) & \text{Or} & Ps = 90 \left( 1 + \frac{Pt - Pmin}{Pmin} \right)
 \end{array}$$

Where?

Ps	=	Points scored for price of tender under consideration
Pt	=	Price of tender under consideration
Pmax	=	Price of highest acceptable tender

### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the 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:

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

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1 (80/20): Specific goals for the tender and points claimed are indicated per the table below.

*(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)*

*Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)*

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Percentage (%) Ownership by HDIs	Points (05)	
81 - 100	5	
61 - 80	4	
41 - 60	3	
21 - 40	2	
1 - 20	1	
0%	0	
Percentage (%) Ownership by Women	Points (8)	
91 - 100	8	
81 - 90	7	
71 - 80	6	
61 - 70	5	
51 - 60	4	
41 - 50	3	
21 - 40	2	
1 - 20	1	
0	0	
Percentage (%) Ownership by Youth	Points (6)	
81 - 100	6	
71 - 80	5	
61 - 70	4	
41 - 60	3	
31 - 40	2	

1 -30	1	
0%	0	
<b>Percentage (%) Ownership by Disability</b>	<b>Points (1)</b>	
1 - 100	1	
0%	0	

Table 2 (90/10): Specific goals for the tender and points claimed are indicated per the table below.

*Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)*

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system)	Number of points claimed (90/10 system) (To be completed by the tenderer)
<b>Percentage (%) Ownership by HDIs</b>	<b>Points (2)</b>	
51 - 100	2	
1 - 50	1	
0%	0	
<b>Percentage (%) Ownership by Women</b>	<b>Points (4)</b>	
81 - 100	4	
61-80	3	
21-60	2	
1-20	1	
0%	0	
<b>Percentage (%) Ownership by Youth</b>	<b>Points (3)</b>	
71 - 100	3	
41 - 70	2	
1 - 40	1	
0%	0	
<b>Percentage (%) Ownership by Disability</b>	<b>Points (1)</b>	
1 - 100	1	
0%	0	

#### DECLARATION WITH REGARD TO COMPANY/FIRM

- 4.3 Name of company/firm.....
- 4.4 Company registration number: .....
- 4.5 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]

4.6 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:

- 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 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.
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process.
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct.
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

.....

**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

.....

.....

## DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 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. 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 bid.

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury’s Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p><b>The Register for Tender Defaulters can be accessed on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Item	Question	Yes	No
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:		
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"/>
4.5.1	If so, furnish particulars:		

## CERTIFICATION

I, THE UNDERSIGNED (FULL NAME) \_\_\_\_\_

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TRUE AND CORRECT.

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1) This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> 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:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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, the undersigned, in submitting the accompanying RFQ:

**RFQ 01096/26: PROVISION OF LEASING, SUPPLY AND DELIVERY OF REFILLABLE COMPRESSED  
MEDICAL OXYGEN CYLINDERS SERVICES**  
(RFQ Number and Description)

in response to the invitation for the RFQ made by:

**JOBURG THEATRE (SOC) LTD**  
(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 consortium<sup>3</sup> will not be construed as collusive bidding.

<sup>3</sup> 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.

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**