



REQUEST FOR QUOTATION INVITATION FOR GOODS AND/OR SERVICES
Procurement Less than R750, 000 (including Vat)
(For publication on Joburg Theatre's Notice Board & Website)

ADVERT DATE	07 April 2026
DEPARTMENT	Information Technology
RFQ NO.	RFQ 01099/26
DESCRIPTION OF GOODS/SERVICES	Manage Engine AD Audit Plus licence renewal
RFQ SPECIFICATION FORMS/DOCUMENTS ARE OBTAINABLE FROM:	RFQ SPECIFICATION IS AVAILABLE ON JOBURG THEATRE'S WEBSITE – www.joburgcitytheatres.com
CLOSING DATE: TIME:	15 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: Fanisa@joburgtheatre.com
SUBMISSION:	Sealed quotations marked with the reference no: must be placed in the Tender Box 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
Returnable documents required for tender evaluation purposes	
MBD 1 -Invitation to Bid	
Certificate of Attendance of Site 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	
Additional Documents to be provided by the Bidder and attached to his/her tender	
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)	
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	
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	
Reference letters	
Other	
Any additional bidder information not mentioned above	

SIGNATURE OF BIDDER: _____ CAPACITY: _____



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:
 - 1.1. 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.
 - 1.2. 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.
 - 1.3. 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**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (JOBURG CITY THEATRES)					
RFQ NUMBER:	01099/26	CLOSING DATE:	15 April 2026	CLOSING TIME:	12h00
DESCRIPTION	Manage Engine ADAudit Plus licence renewal				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					
<p>Sealed quotations marked with reference no:</p> <p>Sealed documents individually marked with the abovementioned RFQ and Service Description, must be placed in the Tender box situated at Joburg Theatre Complex on the 01st Floor, Loveday Street in Braamfontein 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>					
SUPPLIER INFORMATION					
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	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					

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

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED—(NOT TO BE RE-TYPED) OR ONLINE
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.
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
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.
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.
2.4	FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.
2.5	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.6	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.7	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1.	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.2.	DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.3.	DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.4.	DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.5.	IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO
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.	

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:

1.Scope of Work

Joburg City Theatres (JCT) hereby invites proposals from all prospective service providers to propose a cost-effective solution for below mentioned. Service Providers are required to respond to this RFQ (Request for Quotation) demonstrating that their proposed approach and solutions are a probable fit to JCT's requirements and are required to complete all categories as stipulated within this document.

All information contained in this RFQ or given by management or staff of JCT is solely for the purpose of providing Service Providers with relevant information with which to complete and submit their proposals. The appointed service provider will be evaluated from time to time on the following basis:

-Timeliness of service delivery; Quality of the service provided; Provision of services in compliance with clearly stated specifications.

2.Specifications

Manage Engine AD Audit Plus renewal services for the following:

	Purchased	In use
Active directory auditing No of domain controllers	2	2
Cloud directory auditing	0	0
File auditing No of file servers	2	0
NAS file auditing	0	0
Server Auditing No of member servers	5	5
Endpoint analytics No of workstations	25	25

Registered to Joburg City Theatres
Licence: Professional registered version
Architecture 64 bit

4.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.

6.MATERIAL AND LABOUR COST FLUCTUATIONS

Requests for Quotation shall be fixed i.e. inclusive of provision for material and labour cost fluctuations during the course of the works.

7.RFQ OFFER VALIDITY

The RFQ offer validity period is 120 days.

8.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 entity's registration documentation (e.g., CIPC) indicating the date of registration/incorporation, and a list of directors, partners, and members.
Provide proof of current and valid SARS Tax Pin and VAT registration certificate. Provide rationale if not VAT registered.
Provide a National Treasury Centralised Supplier Database (CSD) registration summary report (report should not be older than 30 days)
Provide a Valid certified copy of B-BBEE certificate / 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)

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

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 **Identity Documents** or Valid Passports of Members, Directors or owner (Copy with original stamp).

Company profile of all services offered shall be presented together with this document

Minimum of **three recent contactable references** from customers to which the bidder has provided or is providing goods/services that are substantially similar to the service required.

Submit all required schedules, documents and annexures indicated in document

9.ACCEPTANCE OF TENDER OFFER

Tender 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."

10.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.

11. 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.

12. 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.

13.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.

14.MODIFICATION AND WITHDRAWAL OF QUOTES

- 1.1 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.
- 1.2 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.
- 1.3 No bid may be modified subsequent to the deadline for submission of Quotes.
- 1.4 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.

15.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). 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.

16.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.

17.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 domicilium citandiet executandi for the purpose of any contract or service level agreement arising from this bid submission.

18.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.

19.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.

20.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.

21.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 tax payer/ 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 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 consist 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 **120 [one hundred and twenty] 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:

#	DESCRIPTION	AMOUNT
1	Annual subscription fee for Manage Engine ADAudit Plus as per specifications	
	VAT	
	TOTAL COST	

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 **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

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
Total points for Price and SPECIFIC GOALS	100

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	
Percentage (%) Ownership by Disability	Points (1)	
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)
Percentage (%) Ownership by HDIs	Points (2)	
51 - 100	2	
1 - 50	1	
0%	0	
Percentage (%) Ownership by Women	Points (4)	
81 - 100	4	
61-80	3	
21-60	2	
1-20	1	
0%	0	
Percentage (%) Ownership by Youth	Points (3)	
71 - 100	3	
41 - 70	2	
1 - 40	1	
0%	0	
Percentage (%) Ownership by Disability	Points (1)	
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	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). The Database of Restricted Suppliers now resides on the National Treasury’s website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		

Item	Question	Yes	No
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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
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 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 bids¹ invited.
- 2) Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3) Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a) take all reasonable steps to prevent such abuse;
 - b) reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c) cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4) This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5) In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying RFQ:

RFQ001099/26: Annual subscription fee for Manage Engine ADAudit Plus as per specifications
(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 consortium³ will not be construed as collusive bidding.

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.

MBD 9

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