

UBUNTU MUNICIPALITY

**PREFERENTIAL
PROCUREMENT**

PREFERENCE CERTIFICATE AND CODE OF CONDUCT

UBUNTU MUNICIPALITY
PREFERENTIAL PROCUREMENT
PREFERENCE CERTIFICATE
AND
CODE OF CONDUCT

NAME OF FIRM:

FOR OFFICE USE

CREDITOR CODE:

REGISTRATION NO:

DATE OF REGISTRATION:

UBUNTU MUNICIPALITY

GENERAL CONDITIONS AND DEFINITIONS FOR ANY REFERENCE CLAIMED

BEFORE COMPLETING THE CERTIFICATE, TENDERERS MUST CAREFULLY STUDY THE CONDITIONS AND DEFINITIONS

GENERAL CONDITIONS

1. The preference certificate shall be completed in all cases where preference points are claimed for previous disadvantaged persons and for suppliers who support the RDP principles.
2. Failure on the part of a supplier to complete and/or sign the certificate shall be interpreted to mean that preference points are not claimed.
3. The City Council reserves the right to require of a supplier, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preference, in any manner required by the City Council.
4. Preference points may only be claimed if the contractor are in “good standing in so far his tax and service charges obligations are concerned” and no tender will be considered from a tenderer who has failed to submit an original Tax Clearance Certificate from the SARS with his tender, certifying that the taxes of that person to be in order, or that suitable arrangements have been made with SARS.
5. The City Council supports the process of subcontracting or outsourcing or the forming of joint ventures with SMME’s or emerging contractors. These linkages must however make business sense. Preference will only be granted on the basis of actual amount flowing to the SMME of emerging contractor.
6. Certification is done on a self-certification basis linked to a system of registration which permits transgressors to be de-registered and prevented from participation in future contracts for a period of (3) three years.
7. The applicant must carry on business and be registered enterprise/undertaking.
8. The applicant must have a fixed address and own business telephone.
9. Preference points may not be claimed in respect of individuals (shareholding) who are not actively involved in the business and who do not exercise control over a business commensurate with their degree of ownership.
10. The applicant must comply with the provisions of all relevant legislation, such as the Labour Relations Act, Workman’s Compensation Act, Occupational Health and Safety Act, Unemployment Insurance Fund, etc.
11. The applicant must be a signatory to the Code of Conduct of Ubuntu Municipality.

12. If an applicant has ever been sentenced for a criminal offence, particulars thereof must be furnished.
13. State of solvency must be declared, or when in the process of rehabilitation, particulars of the insolvency.
14. Tenders are evaluated on functionality and price. Tenderers that are not functional in respect of delivery and specifications will not qualify for further adjudication.

UBUNTU MUNICIPALITY

DEFINITIONS AND APPLICATIONS

Meanings for all words, expressions, definitions and applications are contained in the Preferential Procurement Policy Framework Act, No.5 of 2000, and the Preference Procurement Regulation No. 7134 (Notice No: R725 of 10 August 2001).

The City Council emphasizes the following:-

Definitions

1. “Historically Disadvantaged Individual (HDI)” means a South African citizen –
 - (i) who, due to the apartheid policy that had be in place, had no franchise in National elections prior to the introductions of the constitution of the Republic of South Africa, 1983 (Act No: 110 of 1983), or the constitution of the Republic of South Africa, 1993 (Act No: 200 of 1993); and/or
 - (ii) who is a female; and/or
 - (iii) who has a disability.
2. A person who obtained South African citizenship on or after the coming to effect of the Interim Constitution, is deemed not to be a “historically disadvantaged individual (HDI)”.
3. “Disability” means in respect of a person, a permanent impairment of a physical, intellectual on sensory function which results in restricted or lack of ability to perform an activity in the manner, or within the range, considered normal for a human being.

Applications

Over and above the awarding of preference points in favour of HDI’s, certain activities are regarded as a contribution towards achieving goals of the RDP (published in Government Gazette No. 16085 dated 23 November 1994).

The method used to calculate the points scored for HDI’s and for achieving specific RDP goals is included in this document.

DECLARATION AFFIDAVIT

Name of Firm:

Postal Address:

.....

Telephone No:

Fax No:

Contact Authorised Person:

Identity Number:

Income Tax Reference No (SARS):

Residential Municipal Services Account No:

Business Municipal Services Account No:

(A) Type of firm (x tick one box)

(1) Partnership	
(2) One person business/sole trader	
(3) Closed Corporation	
(4) Company	
(5) Proprietary Limited	

(B) Principles business activities

.....

(C) Total number of months the firm has been in business:

(D) Do you share any facilities with another business?

(x tick one box)

Yes		No	
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If yes, which facilities are shared?

.....

.....

What are the other firm's principal business activities?

.....

(E) Describe all property agreements relating to facilities shared:

FACILITY	MONTHLY	RENTAL	AMOUNT	OWNER	AGREEMENT / WRITTEN

(F) Did the firm exist under a previous name?

(x tick one box)

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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If yes, what was it's previous name and who were the owner/partner/directors?

.....

(G) Identify any owner or shareholder who has membership interest, or is an employee of, or has duties in another business enterprise.

OWNER / SHAREHOLDER	NAME & ADDRESS OF OTHER FIRM	TITLE IN OTHER FIRM	% OWNERSHIP	TYPE OF BUSINESS OF OTHER FIRM

(H) Is this a joint venture contract?

(x tick one box)

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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If yes, describe the joint venture (with what firm and value of work)

.....

.....
The undersigned, who warrants that he/she is duly authorized to do so on behalf of the firm, affirms that:

- (i) the information furnished is true and correct;
- (ii) NB:- no part of this contract, other than stated at the time of tender or application, will be subcontracted to other parties;
- (iii) the signatory to the tender document is duly authorized thereto;
- (iv) documentary proof regarding any tendering issues will, when required, be submitted to the satisfaction of the City Council.

SIGNATURE:

NAME (PRINT):

DULY AUTHORISED TO SIGN ON BEHALF OF:

.....
ADDRESS:

.....
DATE:

WITNESS (1): DATE:

WITNESS (2): DATE:

THE COUNCIL OF UBUNTU

AFFIRMATIVE PROCUREMENT PROGRAMME

Code of Conduct for Emerging and Small Businesses

I, the undersigned, provider of goods and services to the Ubuntu Municipal Council, pledge to conduct myself strictly in accordance with the code outlined below.

1. I will co-operate fully as required in terms of the definitions and applications referred to in this document, in order to participate successfully in the programme.
2. I will attach the greatest importance to honesty