



## **Development Planning, Environment & Management Unit Environmental Planning & Climate Protection Department**

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11 February 2014

### **Request for Quotation: for the design, layout and printing of the Durban Adaptation Charter Annual Report, 2013**

#### **PQ No. 7A- 13865**

##### **1. Background**

The Durban Adaptation Charter (DAC) was the key output of the *Durban Local Government Convention: adapting to a changing climate – towards COP17/CMP7 and beyond* (2 – 4 December 2011) which ran concurrently with the United Nations Framework Convention on Climate Change (UNFCCC) COP17/CMP17 held in Durban, South Africa in December 2011. The COP17/CMP7 Durban Local Government Convention was organised by a Local Government partnership, comprised of the South African Local Government Association (SALGA), the South African Cities Network (SACN), the eThekweni Municipality (the local government responsible for planning and managing the city of Durban), the South African Department of Environmental Affairs (DEA), the Department of Co-operative Governance and Traditional Affairs (COGTA) together with ICLEI– Local Governments for Sustainability.

At the Convention held in Durban's City Hall, 107 mayors and elected officials representing over 950 local governments signed the DAC on 4 December 2011. In doing so, representatives of 27 countries pledged to strengthen local level adaptive capacity to climate change, and committed local governments around the world to urgent and decisive climate adaptation action in the drive to address a climatically extreme and unpredictable future. The DAC complements existing local government climate change initiatives, such as the Mexico City Pact (signed prior to COP16/CMP6) and the associated carbonn Cities Climate Registry. Together they provide a holistic vision for transforming the world's cities and local governments and making them more 'climate smart'.

The participants at the Durban Local Government Convention designated eThekweni Mayor, Councilor James Nxumalo, to present the DAC to the high level segment of COP17/CMP17 on the 8<sup>th</sup> December 2011, in order to urge the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) to acknowledge the critical need for adaptation, especially in the developing world, and to focus on the importance of urbanising the global climate agenda. Mayor Nxumalo assumed the leadership role for the DAC both in terms of eThekweni Municipality as the DAC secretariat, and in his role as one of ICLEI's World Secretariat's Vice Presidents.

Since the signing of the DAC eThekweni municipality in conjunction with the DAC implementing partners have been promoting the DAC, and this has resulted in the development of pioneering work in the field of climate change adaption especially for the global south. In order to communicate these achievements eThekweni Municipality has drafted a DAC annual report for the year 2013. Subsequently quotes for the proof reading

of text, design, layout, printing and delivery of this document are required. Quotations are hereby requested that meet the specifications included below.

## 2. Scope of work

The successful service provider will need to:

Proof read the document text, design, layout, print and deliver 1000 copies of the DAC Annual Report according to following specifications:

Description	Technical requirement
Size of document	A4
Number of pages	32 page (plus 4 cover pages)
Cover page	Front and back covers (inside and outside of covers will have text and/or images)
Colour, design and layout	Full colour, as per Durban Adaptation Charter Brand colours
Type of binding	saddle stitch
Cover specification	matt laminate
Number of copies required	1000
Reverts ( maximum of 3 )	There will be a maximum of three reverts between supplier and EPCPD.

Quotations must include costs for the following:

Description	Amount
Concept, design and layout costs	
Proof reading of the document text	
Full colour set of proofs & final electronic proofs	
High resolution proofs (cover page, content page, etc)	
Archival CD containing material required by the Environmental Planning and Climate Protection Department ( see below)	
Reverts ( maximum of 3 )	
Management /Professional fees	
Printing	
Delivery to EPCPD offices	
Other	
Total cost ( excluding VAT)	

**Note: Please refer to the Terms and Conditions outlined below. Suppliers must ensure that a detailed quotation is submitted and that it reflects the requirement of the Environmental Planning and Climate Protection Department**

- Suppliers must ensure that the materials listed below are submitted to the Environmental Planning and Climate Protection Department before final payment is processed. See table below:

<b>Material</b>	<b>Requirements</b>
Publication	Final text ( word version)
	Final pdf version
	Final pdf version supplied to printers
Archival CD for publication	Final text and Final pdf Photographs, Illustrations, Figures, Maps (if supplied by supplier) Final high and low resolution proofs

- Submissions should include a portfolio of published work undertaken by publishing house and/or by specified designer.
- Failure to comply with deadlines, design and layout requirements will result in the in the appointment of an alternative service provider to ensure that the project is completed.
- Final approval and sign off of work undertaken by the service provider is subject to Deputy Head: Environmental Planning and Climate Protection authorisations.

### **3. Submissions**

Quotations will only be accepted from organisations that are registered on the Municipal Database of Suppliers of eThekweni Municipality, and will be **required to submit a quotation structured under the key items outlined under the *Scope of Work***.

The quotation must be accompanied by the following supporting documents:

1. The location of the submitting entities offices.
2. Tax clearance certificate.
3. eThekweni Municipal Supplier Database Registration Number.
4. (MBD 9) Forms:
  - a. Original Declaration of Interest.
  - b. Original Declaration of Municipal Fees.
  - c. Original Certificate of Independent Bid Determination.
  - d. Certified copy of BBBEE certification.

These terms of reference are subject to any changes that may stem from a negotiation of the final terms with the service provider, as well as any additional budget that may be allocated to the project.

Please note that the appointment will be made in terms of the Council’s Procurement Policy.

**THE CLOSING DATE FOR SUBMISSIONS OF QUOTATIONS IS 21<sup>st</sup> February 2014 at 11:00 am.**

Each service provider must submit a quotation clearly marked “**Durban Adaptation Charter Annual Report, 2013.**” Quotations need to be addressed to Nongcebo Hlongwa and submitted (only by hand delivery) to:

166 KE Masinga  
Archie Gumede Complex  
Corporate Procurement Building  
Tel: 031 311 - 7477

Enquiries may be directed at Dr. Sean O’Donoghue via email [Sean.O'Donoghue@durban.gov.za](mailto:Sean.O'Donoghue@durban.gov.za) or phone 031 322 4304

#### 4. Timeframes

The deadline for the receipt of quotations is the 21<sup>st</sup> February 2014, at 11h00 am. An appointment will be made by the 10<sup>th</sup> March 2014.

The delivery of the report and all material required (as stated in the table above) is the 11<sup>th</sup> April 2014. Submission of invoice for payment is to be made available on the same day as delivery of the report.

#### 5. Service Provider Skills and Experience

The design companies submitting quotations for the appointment should provide a portfolio of relevant products that demonstrate the quality and impact of the items requested by the *Scope of Work*.

Quotations will be considered from individuals and companies.

#### 6. Tender Adjudication

The adjudication of this Request for Proposals will be in terms of a two stage tender process. Stage 1 will be based on functionality and stage 2 on price and empowerment. Companies or individuals that obtain above 60 points in the functionality stage will then be eligible for the price and empowerment evaluation stage.

##### Stage 1: Functionality

CRITERION	Maximum Score
<b>Functionality</b>	<b>100</b>
Evidence of having produced publication materials similar to those required in the Scope of Work. Provide at least three examples.	90
Submission of a detailed time line and budget with the work commencing at latest on 11 March 2014 and being finalized on 11 April 2014.	10

**Stage 2: Budget and Empowerment**

<b>CRITERION</b>	<b>Maximum</b>
Budget	80
Broad – Based Black Economic Empowerment	20

Broad Based Black Economic Empowerment Points will be awarded to bidders in accordance with the table below:

B-BBEE Status Level of Contributor	80/20 Point System
1	20
2	18
3	16
4	12
5	8
6	6
7	4
8	2

**Annexure: Supporting Documents**

**A. DECLARATION OF INTEREST**

1. No bid will be accepted from persons in the service of the state<sup>1</sup>
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/adjudging authority.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1. Full Name of bidder or his or her representative:.....

3.2. Identity Number: .....

3.3. Position occupied in the Company (director, trustee, shareholder<sup>2</sup>):.....

3.4. Company Registration Number: .....

3.5. Tax Reference Number:.....

3.6. VAT Registration Number: .....

3.7. The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8. Are you presently in the service of the state? **YES / NO**

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<sup>1</sup> 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.

<sup>2</sup> Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

If yes, furnish particulars.....

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

If yes, furnish particulars.....

.....

3.10. 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**

If yes, furnish particulars.

.....

.....

3.11. Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

If yes, furnish particulars

.....

.....

3.12. Are any of the company’s directors, trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

If yes, furnish particulars.

.....

.....

3.13. Is any spouse, child or parent of the company’s directors, trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

If yes, furnish particulars.

.....

.....

3.14. Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this

company have any interest in any other related companies or business whether or not they are bidding for this contract? **YES / NO**

3.14.1 If yes, furnish particulars:

.....  
.....

4. Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	State Employee Number

.....

.....

**Signature**

**Date**

.....

.....

**Capacity**

**Name of Bidder**



**B. DECLARATION OF MUNICIPAL FEES**

I/We do hereby declare that the Municipal fees of \_\_\_\_\_ (company name), are, as at the date of the tender closing, fully paid up, or arrangements have been concluded with the Municipality to pay the said fees :

<b>ACCOUNT</b>	<b>ACCOUNT NUMBER</b>
ELECTRICITY	_____
WATER	_____
RATES	_____
JSB LEVIES	_____
OTHER	_____

I acknowledge that should it be found that the Municipal fees are not up to date, the Council may take such remedial action as is required, including termination of contract, and any income due to the Contractor shall be utilised to offset any monies due to the Council.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Designation

\_\_\_\_\_  
Date

## **C. 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 per se prohibition meaning that it cannot be justified under any grounds.
3. Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
4. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
5. In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

<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.

**MBD 9 CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

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(Bid Number and Description)

in response to the invitation for the bid made by:

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(Name of Municipality / 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.
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

.....

Date

<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.