Sedibeng District Municipality



BID DOCUMENT

Tender No.	8/2/8/5-2019
Closing Date and Time	Monday,02 September 2019 @ 12H00
Description	
Supply and Delivery of Steel Franniversary of the 3rd September	amed Marquee for the commemoration of the 35th or Vaal Upraising.
Contractor / Bidder	
Bid amount	R
Physical address	
Contact person	
Telephone no.	
Fax no.	
Cell no.	
Email address	

CONDITIONS OF TENDER

- 1. The prospective bidder's attention is drawn to the following list of forms, attached to this document and other documents that **shall** be completed and submitted with his/her bid documents:
 - a) Tender Form
 - b) Form of Offer
 - c) Declaration of interest
 - d) Certificate of independent Bid Determination
 - e) An original Tax Clearance Certificate issued by the South African Revenue Services
 - f) A current account or proof that utilities account (municipal rates and taxes, water and lights account) of the bidder is up to date. (Not in arrears for more than 3 months).
 - g) Proof of registration for VAT (if applicable).
 - h) Valid B-BBEE Certificate
 - i) Central Supplier Database (CSD) Registration Number.

In terms of Section 112 (1)I of the Local Government Municipal Finance Management Act, (Act 56 of 2003), persons who were convicted of fraud or corruption or who willfully neglected, reneged on or failed to comply with a government tender during the past 5 years, or whose tax matters are not cleared by the South African Revenue Services may not participate in the tendering process and the Tenderer shall submit a sworn statement to this effect.

- 2. The official tender form shall be completed in BLACK ink and any corrections to the official tender form must also be made in BLACK ink and signed by the bidder. Any tender documents received with correction fluid (Tippex) corrections shall be disqualified.
- 3. Bids shall be sealed and endorsed (with bid number and bid description) and must be deposited at Sedibeng District Municipality's tender box (Ground Floor, outside the main building).
- 4. Sedibeng District Municipality's Supply Chain Management Policy shall apply.
- 5. Late, Telexed, faxed or emailed tenders will not be accepted.
- 6. The Council does not bind itself to accept the lowest or any tender and reserves the right to accept any tender in whole or in part.
- 7. Persons in the service of the state are not allowed to bid.

- 8. In the event that you are awarded a tender the strict compliance with terms have to observed and in so doing within a period (3 days) (*after an order is issued) a confirmation letter must be forwarded by you in terms of which you need to indicate whether or not you will be in a position to source the items per the tender and deliver same by the due date.
- 9. In the event that you do not furnish us with the said letter as requested and fail to comply as per the tender the Sedibeng District Municipality reserves in terms of rights to cancel this tender automatically after 3 days on the basis of your non-compliance and furthermore should you fail to deliver said goods which may necessitate the allocation of a new supplier the Sedibeng District Municipality may impose any further penalty or charges against you.
- 10. In the case where all MBD Documents are not completely filled and returned, your quotation will be disqualified.
- 11. The 80/20 Preferential Procurement System will be used to evaluate all the Formal Written Quotations.
- 12. Bidders must ensure that, the company status is "in business" with the Company and **Intellectual Property Commission (CIPC).**
- Bidders who are not registered on the Central Supplier Database are requested to 13. contact National Treasury at csd@treasury.gov.za or 012 406 9222 for any assistance.
- 14. Exempted Micro Enterprises can submit a letter from the accounting officer; and
- 15. A trust, consortium or joint venture must submit a consolidated B-BBEE Status Level Verification.

Sedibeng District Municipality RFQ Number: 8/2/8/5-2019

DOCUMENT		PAGE
		NUMBER
INVITATION TO BID	MBD 1	4
CLEARANCE CERTIFICATE FOR WATER & LIGHTS		8
TERMS OF REFERENCE/SPECIFICATIONS		9
PRICING SCHEDULE – FIRM PRICES (PURCHASES)	MBD	15
	3.1	
DECLARATION OF INTEREST	MBD 4	16
PREFERENCE POINTS CLAIM FORM	MBD	19
	6.1	
CONTRACT FORM – PURCHASE OF GOODS	MBD	25
	7.1	
DECLARATION OF BIDDER'S PAST SUPPLY CHAIN	MBD 8	27
MANAGEMENT PRACTICES		

Description: Supply and Delivery of Transport for the Sedibeng Aids Council Meeting. Bid Number: 8/2/8/3-2018

CERTIFICATE OF INDEPENDENT BID DETERMINATION	MBD 9	31
FORM OF OFFER AND ACCEPTANCE		38
CREDIT ORDER INSTRUCTION		38

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SEDIBENG DISTRICT MUNICIPALITY

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BIE		_ ,_ ,_ ,					CLOSING		
NU	MBER:		CLOSING DATE:					12:00	
			Delivery of Steel			for the	commemoration	on of the	35th
DES	CRIPTION	anniversary of	the 3rd September	r Vaal Up	raising.				
			WILL BE BEOLUBI			OF COLUMN	WIDTERDAY GO	NED CE E	10015
	L SUCCESS BD7).	FUL BIDDER V	VILL BE REQUIRI	ED TO FI	LL IN AND	SIGN A	WRITTEN CO	DNIRACI B	ORM
		DOCUMENTS N	MAY BE DEPOSITED) IN THE					
		TED AT (STREE)		, III IIIL					
MU	NICIPAL BI	UILDING							
GR	OUND FLOO	OR							
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VE	REENIGING	r r							
SUI	PLIER INF	ORMATION							
NA	ME OF BIDD	ER							
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STF	EET ADDRI	ESS		1		_			
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CEI	LPHONE N	JMBER							
FAG	SIMILE NU	MBER	CODE			NUMBE	R		
E-M	AIL ADDRE	ESS							

Description: Supply and Delivery of Transport for the Sedibeng Aids Council Meeting. Bid Number: 8/2/8/3-2018

							5
VAT REGISTRATION NUMBER							
TAX COMPLIANCE STATUS	TCS PIN:			OR	CSD No:		
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	☐ Yes			SWOF AFFIL	US LEVEL RN DAVIT	☐ Yes	
[A E-BBEE STATUS LEVEL VERIFICA ORDER TO QUALIFY FOR PREFEREN			N AFFID.	AVIT (I	FOR EMES &	QSEs) MUS	ST BE SUBMITTED IN
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes	□ N OSE PROC		FOR SUR THE /SE	E YOU A REIGN BA PPLIER FO E GOOD RVICES ORKS FERED?	OR	☐ Yes ☐ No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED				TO' PRI	TAL BID		R
SIGNATURE OF BIDDER				DA'	ТЕ		
CAPACITY UNDER WHICH THIS BID IS SIGNED							
BIDDING PROCEDURE ENQUIRI TO	ES MAY BE DIF	RECTED	TECH TO:	NICAI	L INFORMA	ATION M.	AY BE DIRECTED
DEPARTMENT	N T	DEPAI	RTME	NT	Office mayor	of the Executive	
CONTACT PERSON	Sophy Ntjepela		CONT	ACT P	ERSON	Busi S	habalala
TELEPHONE NUMBER	016 450 3131		TELEP	HONE	NUMBER	016 45	50 3211
E-MAIL ADDRESS	sophyk@sediber	ıg.gov.za	E-MAI	L ADE	DRESS	bestm(@sedibeng.gov.za

PART B TERMS AND CONDITIONS FOR BIDDING

1	1	R	П)	C	П	R	T	Л	T	C	C	T	n	N	J	

- 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, 2017, 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 FOREIG	SN SUPPLIERS
------------------------------------	--------------

REC	E ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO STER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH CAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.
3.5.	THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO
3.4.	OES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO
3.3.	OES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? — YES — NO
3.2.	OES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO
3.1.	S THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO

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	E	βI	D	D	E	EF	₹.												

CAPACITY		 -		
	•••••	 	•••••	• • • • • • • • •
DATE:	••••			

MIBID2: IDISCONTINUIEID MIFMA CIIRCUILAIR NO.90



DEPARTMENT: SUPPLY CHAIN MANAGEMENT

Sedibeng District Municipality P.O. Box 471 Vereeniging, 1930 Republic of South Africa Tel: +27 16 450 3241

Fax: +27 86 682 9820

CLEARANCE CERTIFICATE FOR WATER & LIGHTS

Section 38 (d) (i) of Municipal Supply Chain Regulations requires that the municipality must reject a bidder whose municipal rates and taxes are in arrears for more than three months.

The purpose of this form is to obtain prove that municipal services, rates and taxes of the service provider are not more than three months in arrears with the relevant municipality / landlord in the municipal area where the service provider conduct his / her business. This form is to be completed only if the service provider's rates and taxes are not in arrears for more than three months.

EACH BIDDER MUST COMPLETE THE BELOW CHECKLIST (*Please tick with X where appropriate*):

	QUESTION	S	YES	NO
	Is your municipal rates and taxes account to for more than three months)?			
	If yes, please submit proof in the form of the bidder's municipal rates and taxes account			
3.	Does the bidder lease/rent the property when	re the business is situated?		
4.	If yes provide the contact name and contact	number of the lessor/landlord:		
Con	tact Name:	Contact Number:		
	Please attach the copy of the lease agreement and the tenant/lessee as proof.	nt signed by the Landlord/ lessor		

τ /	(FULL NAMES),	OF (PHYSICA)
1 ((FULL NAMES),	OF (PILISICA)

ADDRESS)	being	a	Director	/	principa
shareholder, owner of company ¹ (COMPANY NAME):					

Hereby confirms that, the information submitted in this form is accurate, to the best of my knowledge.











SPECIFICATION:

REQUEST FOR PROPOSALS: Supply of steel frame marquee for the Commemoration of the 35th Anniversary of the 3rd September Vaal Uprisings

Bid No.: 8/2/8/5-2019

1. PURPOSE

To ensure proper planning and coordination of 35th anniversary of the 3rd September Vaal Uprising and commemorative event on Tuesday the 3rd September 2019. Theme

"Celebrating 25 years of democracy, Growing South Africa together"

2. INTRODUCTION

Living heritage plays an important role in promoting cultural diversity, social cohesion, reconciliation, peace and economic development. In every community there are living human treasures who possess a high degree of knowledge, skills and history pertaining to different aspects of diverse living heritage. It is therefore important for the communities of Sedibeng District Municipality (SDM) to reclaim, restore and preserve these various aspects of living heritage to accelerate the use of living heritage to address challenges communities are facing today. In essence, this is done through recognition of historical events and honouring the impact they made within our societies.

For the purpose of this event, this recognition will be made by remembering and commemorating historical event that took place within this region on the 3rd September 1984. On the 3rd September 1983, the Tricameral Parliament opened in Cape Town with wide protest demonstrations across the

Signature

NB: IF YOU FAIL TO COMPLETE THIS FORM, PLEASE REGARD YOUR BID AS NON RESPONSIVE!

Description: Supply and Delivery of Transport for the Sedibeng Aids Council Meeting. Bid Number: 8/2/8/3-2018

then Transvaal in particular the Vaal Triangle area, marking the start of the longest and most widespread period of black resistance to white rule. The then Lekoa and Evaton Town Council's idea to raise tariffs for municipal services caused the demonstrations and stay ways in the Vaal Triangle area. The Vaal Civic Association (VCA) organised the stay away, school boycott and a march for 3rd September 1984, which led to clashes with both police and township councillors. The marchers also looted shops, set fire to houses and four (04) councillors died as a result thereof; thus creating a highly political charged situation that eventually impacted on the whole country.

Requirements:

The successful bidders will be expected to erect the tent day before the event.

Description	Quantity	Cost	Total
Frame marquee	1		
• 20m (long) x 10m (width)			
heavy duty rectangular steel			
frame marquee			
 4 French window sidewalls 			
 Sidewalls are easily 			
removable			
 Flat roofing linning 			
 2 fire extinguishers 			
 Engineering Certificate 			
Plastic chairs	300		

NB: Appointed service provider must ensure there is enough capacity and manpower to cover the event

Minimum Requirements of the bid

- 1 Registered on central supplier database (CSD) Tax compliant status /Tax Compliant status pin (to enable the municipality to verify the bidder's tax compliance status)
- 2 Submission of an up to date utilities account (Not in arrears for more than 90 days).
- 3 Submission of a project implementation plan.

Non-compliance with the above will result in bids being non-responsive.

- The bidding company must have extensive proven experience in installing sound and stage.
- 5 Service provider must ensure there is enough capacity and manpower to cover the event
- The bidding company must provide, with bidding documents, three contactable references of similar work undertaken.
- 7 The bidding company must have operational presence within the Sedibeng Region.

TECHNICAL EVALUATION

 $VAL\ VES:\ 1 = POOR:\ 2 = AVERAGE:\ 3 = GOOD:\ 4 = VERY\ GOOD:\ 5 = EXCELLENT$

NB: A threshold of a minimum of 75 average points is required for further evaluation

No	Category	Points	Value(max of 5 points per criteria	Score = (weight x value) (max score of 500)
			Max 5	Max 500
1.	Track Record (Attached 3 contactable references) 1=1 Point	30		
	2=3 Points			
	3=5 Points			
2.	1. Project Implementation plan to include - Delivery method with timelines - Execution plan - Assess Man power	70		

EVALUATION CRITERIA

Proposals will be evaluated based on 80/20 principle and the details are as follows:

- I		
DE	CRIPTION	POINTS
PRI	CE	80
В-В	BEE	20
TO	ΓAL	100

PRICING SCHEDULE – FIRM PRICES (PURCHASES)

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

	ing Time: 12H00 Closing Date: Monday, 02 S	Bid Number: 8/2/8/5-2019 eptember 2019 @ 12H00
OFFER	R TO BE VALID FOR 90 DAYS FROM THE C	CLOSING DATE OF BID.
NO.	QUANTITY DESCRIPTION BID PRICE L APPLICABLE TAXES INCLUDED)	IN RSA CURRENCY
-	Required by:	
-	At:	
-	Brand and Model	
-	Country of Origin	
-	Does the offer comply with the specification(s *YES/NO)?
-	If not to specification, indicate deviation(s)	
-	Period required for delivery	
*Delive	ery: Firm/Not firm	
-	Delivery basis	
Note: ** "all insuran	All delivery costs must be included in the bid particle applicable taxes" includes value- added tax, ace fund contributions and skills development le	, pay as you earn, income tax, unemployment
*Delete	e if not applicable	

MBD 4 DECLARATION OF INTEREST

- 1. No bid will be accepted from persons in the service of the state¹.
- 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 positioning relation to the evaluating/adjudicating authority.

	order to give effect omitted with the bid	t to the above, the follo	wing questionnaire m	ist be completed and
3.1	Full Name of bidder	or his or her representative	/e:	
3.2	Number:			Identity
3.3	Position occupied in	the Company (director, to	rustee, hareholder²):	
3.4	Company Registration	on Number:		
3.5	Number:	Tax		Reference
3.6 Number:		VAT		Registration
3.7		ectors / trustees / sharehole employee numbers must b		_
3.8	Are you presently i	n the service of the state?		YES / NO
	3.8.1 particulars	If	yes,	furnish
(a) a m (i) (ii)	Regulations: "in the sember of – any municipal coany provincial leg	gislature; or	to be –	
(iii)	i ille national Asse	mbly or the national Coun	ch of provinces,	

(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

(b) a member of the board of directors of any municipal entity;

(c) an official of any municipality or municipal entity;

No.1 of 1999);

14

- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) An employee of Parliament or a provincial legislature.
- ² 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.

3.9	Have you been	in the service of the state for	r the past twelve months? .	YES / NO
articulars	3.9.1	If	yes,	furnish
3.10		ny relationship (family, frien ay be involved with the YES / NO		
	•	furnish particulars.		
3.11	Are you, awa	re of any relationship (fami n the service of the state wh f this bid?	ly, friend, other) between a	any other bidder and
	•	furnish particulars		
3.12		company's directors, trustee eholders or stakeholders in s		NO
	•	urnish particulars.		
3.13	Are any spouse	e, child or parent of the comp	pany's director'strustees, m	anagers, principle shareholders or stakehold
		urnish particulars.		
3.14	Do you or any Principle share have any inter	of the directors, trustees, ma eholders or stakeholders of the est in any other related comp her or not they are bidding for	nagers, his company panies or	
	•	furnish particulars:		
Fu		etors / trustees / members / sł		

1	
-	

Full Name	Identity Number	State Employee Number
Signature	Date	
Capacity	Name of Bidder	

MBD 6.1

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

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

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

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
 - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- 1.2 The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.
- 1.3 Preference points for this bid shall be awarded for:
 - (a) Price; and
 - (b) B-BBEE Status Level of Contribution.
- 1.3.1 The maximum points for this bid are allocated as follows:

1.3.1.1	PRICE	POINTS 80
1.3.1.2	B-BBEE STATUS LEVEL OF CONTRIBUTION	20
	Total points for Price and B-BBEE must not exceed	100

- 1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.
- 1.5. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. **DEFINITIONS**

2.1 **"all applicable taxes"** includes value-added tax, pay as you earn, income tax, unemployment insurance

fund contributions and skills development levies;

2.2 **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad

-Based Black Economic Empowerment Act;

2.3 "B-BBEE status level of contributor" means the B-BBEE status received by a measured entity based

on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

2.4 **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by

organ of state for the provision of services, works or goods, through price quotations, advertised

competitive bidding processes or proposals;

2.5 **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic

Empowerment Act, 2003 (Act No. 53 of 2003);

2.6 **"comparative price"** means the price after the factors of a non-firm price and all unconditional

discounts that can be utilized have been taken into consideration;

2.7 **"consortium or joint venture"** means an association of persons for the purpose of combining their

expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract;

- 2.8 "contract" means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 "EME" means any enterprise with an annual total revenue of R5 million or less.
- 2.10 **"Firm price"** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **"functionality"** means the measurement according to predetermined norms, as set out in the bid

documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a

service and the technical capacity and ability of a bidder;

- 2.12 "non-firm prices" means all prices other than "firm" prices;
- 2.13 "person" includes a juristic person;
- 2.14 **"rand value"** means the total estimated value of a contract in South African currency, calculated at

the time of bid invitations, and includes all applicable taxes and excise duties;

2.15 **"sub-contract"** means the primary contractor's assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;

2.16 "total revenue" bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-

Based

Black Economic Empowerment Act and promulgated in the Government Gazette on 9 February

2007;

- 2.17 "trust" means the arrangement through which the property of one person is made over or Bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 "trustee" means any person, including the founder of a trust, to whom property is bequeathed order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

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

POINTS AWARDED FOR PRICE

4.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - P\min}{P\min} \right)$$

Where

Ps Points scored for comparative price of bid under consideration

Pt Comparative price of bid under consideration

Pmin Comparative price of lowest acceptable bid

5. Points awarded for B-BBEE Status Level of Contribution

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

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

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity,

provided that the entity submits their B-BBEE status level certificate.

5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated

entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group

structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the

sub-contract.

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

BID DECLARATION 6.

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

B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF **PARAGRAPHS 1.3.1.2 AND**

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

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

SUB-CONTRACTING

8.1	W11.	l any portion of	the contract be	sub-contracted?	YES /	NO (delete wh	ich is not
applic	cable)						
8.1.1	If yes	, indicate:					
	(i)	What percentag	2 ,	will be subcontract	ted?		
	(ii)	The	name	of	the	sub-co	ontractor?
	(iii)	The B-BBEE s	tatus level of the	sub-contractor?			
	(iv)	Whether the su	b-contractor is a	n EME?	YES / NO	(delete which	h is not

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1	Name of firm	:
9.2 9.3	VAT registration number Company registration number	:
	:	

9.4 TYPE OF COMPANY/ FIRM

> Partnership/Joint Venture / Consortium One person business/sole propriety

applicable)

	Close co Compan (Pty) Lir	•
	[TICK AI	PPLICABLE BOX]
9.5	DESCRI	IBE PRINCIPAL BUSINESS ACTIVITIES
	• • • • • • • • • • • • • • • • • • • •	
9.6	COMPA	NY CLASSIFICATION
	Other se	
9.7	MUNIC	IPAL INFORMATION
	Municip	ality where business is situated
		ed Account Number umber
9.8	TOTAL	NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?
9.9	company contribu	ne undersigned, who is / are duly authorised to do so on behalf of the y/firm, certify that the points claimed, based on the B-BBEE status level of tion indicated in paragraph 7 of the foregoing certificate, qualifies the y/ firm for the preference(s) shown and I / we acknowledge that:
	(i)	The information furnished is true and correct;
	(ii)	The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
	(iii)	In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

(iv)

If the B-BBEE status level of contribution has been claimed or obtained on

a fraudulent basis or any of the conditions of contract have not been

fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) Disqualify the person from the bidding process;
- (b) Recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) Cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, from obtaining business from any organ of state for a period not exceeding 10 years, after the audialteram'partem (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution

WITNESSES:		
1.		
		CICNATUDE(C) OF
BIDDER	$\mathcal{L}(S)$	SIGNATURE(S) OF
2.		
		DATE:
		ADDRESS:

CONTRACT FORM - PURCHASE OF GOODS/WORKS

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL BIDDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SUCCESSFUL BIDDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE BIDDER)

1.	I hereby undertake to supply all or any of the goods and/or works described in the attached bidding
	documents to (name of institution) in accordance with the
	requirements and specifications stipulated in bid number
	offer/s remain binding upon me and open for acceptance by the purchaser during the validity period
	indicated and calculated from the closing time of bid.

- 2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, *viz*
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
- 3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
- 4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
- 5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
- 6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)	
CAPACITY	 WITNESSES
SIGNATURE	 1
NAME OF FIRM	 2
DATE	

MBD 7.1

CONTRACT FORM - PURCHASE OF GOODS/WORKS

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1.				in	my	capacity
	Accept your		number	dated	for the see(s).	upply of
2.	An official or	der indicating deliver	y instructions is fort	theoming.		
i.					ce with the terms and co anied by the delivery no	
	ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMU M THRESH OLD FOR LOCAL PRODUC TION AND CONTEN T (if applicable)
	I confirm that	I am duly authorized	to sign this contrac	t.		
IGNEI	O AT		ON			
	,					
IGNA					WITNESSES	
FFICI.	AL STAMP				1	
					2	
					DATE	

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).
- 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?	Yes	No
	(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>audialterampartem</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.		
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? TheRegister for Tender Defaulters can be accessed on the National Treasury's	Yes	No
	website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.		
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	No

Description: Supply and Delivery of Transport for the Sedibeng Aids Council Meeting. Bid Number: 8/2/8/3-2018

١.	1	

4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
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	No
4.4.1	If so, furnish particulars:	1	
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	No 🗌
4.7.1	If so, furnish particulars:		
	CERTIFICATION THE UNDERSIGNED (FULL NAME)	······································	
DE (I A AC'	CLARATION FORM TRUE AND CORRECT. CCEPT THAT, IN ADDITION TO CANCELLATION OF A GRID THAT THE TAKEN AGAINST ME SHOULD THIS DECOVE TO BE FALSE.		
 Sigr	nature Date		
Posi	ition Name of Bidder	• • • • • • • • • • • • • • • • • • • •	Js367bW



DEPARTMENT: SUPPLY CHAIN MANAGEMENT

Sedibeng District Municipality P.O. Box 471 Vereeniging, 1930 Republic of South Africa Tel: +27 16 450 3126

Fax: +27 86 682 9892

Please provide at least 3 references

	*
1.	Name:
	Company:
	Position Held:
	Contact Number (s) work
	Mobile
2.	Name:
	Company:
	Position Held:
	Contact Number (s) work
	Mobile
3.	Name:
	Company:
	Position Held:
	Contact Number (s) work
	Mobile
4.	Name:
	Company:
	Position Held:
	Contact Number (s) work
	Mobile
5.	Name:
	Company:
	Position Held:
	Contact Number (s) work
	Mobile

PLEASE NOTE THAT THIS IS COMPULSORY***

DESCRIPTION		NO
	(√)	(X)
1. All pages are completely filled and signed by the authorized person	:	
2. Original valid Tax Clearance Certificate obtainable from any Sou	uth	
African Revenue Services branch has been attached:		
3. Original BBBEE Certificate		
4. Original current account of water and lights/Rates and Tax		
obtainable from any Local or Metropolitan Municipality has be attached	een	
5. In a case of Joint Ventures (JV)/Consortium, the JV agreement I been attached	has	
6. The bidder has provided at least three contactable references		
7. Company registration documents e.g. CK document has be		
attached, in a case of a Private/Public company, shareholdi	ing	
information e.g. share certificate, has been attached		
8. Central Supplier Database summary report.		

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 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.

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.
- 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 preventany form of bid-rigging.
- In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:	
(Bid Number and Description)	
in response to the invitation for the bid made by:	
(Name of Municipality / Municipal Entity)	
do hereby make the following statements that I certify to be true and complete in every resp	pect
I certify, on behalf of:th	nat:
(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

- 1. 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.
- 2. 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.
- 3. 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.
- 4. 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.

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.

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
	1.0444

Js9141w 4

FORM OF OFFER AND ACCEPTANCE

OFFER

The Employer, identified in the acceptance signature block, has solicited offer to enter into a Contract in respect of the following service:

TENDER No: 8/2/8/5-2019

The tenderer, identified in the offer signature block has examined the documents listed in the tender data and addenda thereto as listed in the tender schedules, and by submitting this offer has accepted the Conditions of Tender.

By the representative of the tenderer, deemed to be duly authorized, signing this part of this form of offer and acceptance, the tenderer offer to perform all of the obligations and liabilities of the Service Provider under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount of R...... be determined in accordance with the conditions of contract identified in the Conditions of Contract.

THE OFFERED PRICE IS R..... (INCLUSIVE OF VAT)

This offer may be accepted by the Employer by signing the Acceptance part of this form of offer and acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Conditions of Tender, whereupon the Tenderer becomes the party named as the Service Provider in the Condition of Contract.

Signature(s):
Name(s):
Capacity for the Tenderer:
Name and address of organization)
Name and Signature of Witness:
Date:

ACCEPTANCE

By signing this part of this form of offer and acceptance, the Employer identified below accepts the Tenderer's offer. In consideration thereof, the Employer shall pay the Service Provider the amount due in accordance with the Conditions of Contract identified in the contract that is the subject of this agreement.

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the tender scheduled as well as any changes to the terms of the offer agreed by the tenderer and the Employer during this process of offer and acceptance, are contained in the schedule of deviations attached to, and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in this schedule, which must be signed by the authorized representative(s) of both parties.

The tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the Employer's agent (whose details are given in the contract data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the Contract Data at, or just after, the date this agreement comes into effect. Failure to fulfill any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now Service Provider) within five days of the date of such receipt notifies the Employer in writing of any reason why he cannot accept the contents of this agreement shall constitute a binding between the parties.

Signature(s):	
Name(s):	
Capacity for the Employer:	
(Name and address of organization)	
	
Name and Signature of	
Witness:	
Date:	

CREDIT ORDER INSTRUCTION

It is the policy of the Sedibeng District Municipality to pay all creditors by means of direct bank transfers.

Please complete this information and acquire your banker's confirmation.

Name of Firm Account Holder	
Address:	
Name	of Bank:
Name Branch:	of
Branch Code:	
Account Number:	
Type Account:	of
I/we hereby requested and authorize the Sediben accrue to me/us to the credit of my/our bank according to the credit of my/our bank acc	g District Municipality to pay any amounts that may unt.
	upplied by the Sedibeng District Municipality in the funds will be available in my/our bank account and
	District Municipality in advance of any change in ty may only be cancelled by me/us by giving thirty
Initials and Surname	Authorized Signature
Date:	

FOR BANK USE ONLY

26

I/We hereby certify that the details of our clients bank account as		
indicated on the credit order instruction is correct:		
AUTHORISED SIGNATURE(S)		
	OFFICIAL	DATE
	STAMP	