

EMALAHLENI LOCAL MUNICIPALITY



BID DOCUMENT FOR:

APPOINTMENT OF A SERVICES PROVIDER TO SUPPLY AND FIT TOILET PARTITIONS AND
NUTEC CEILING

BID NUMBER: ELM/1/01/2024Q.

BIDDER:

BID PRICE:

CLOSING DATE: 26 JANUARY 2024

CLOSING TIME: 12:00 pm

PREPARED BY:

SUPPLY CHAIN MANAGEMENT OFFICE
EMALAHLENI MUNICIPALITY
37 INDWE ROAD
LADY FRERE
5410

Tel: [047] 878 0020

Fax: [047] 878 0012



Emalahleni Local Municipality

Contract Description:

APPOINTMENT OF A SERVICES PROVIDER TO SUPPLY AND FIT TOILET PARTITIONS AND NUTEC CEILING

Bid No. ELM/1/01/2024Q

Date advertised 19 January 2024

The Emalahleni Municipality invites suitable service providers to submit quotes for Appointment of a Services Provider to Supply and Fit Toilet Partitions and Nutec Ceiling.

SPECIFICATION:

Description	APPOINTMENT OF SERVICE PROVIDER TO SUPPLY AND FIT TOILET PARTITIONS AND NUTEC CEILING		
1. Introduction	The aim of this bid is to appoint Service Providers to supply and fit toilet partitions and claddit/ nutec ceiling		
2. Dimensions	1. Toilet partitions and Ceiling		
	Panels	Dimensions	Fixings
	Division panels	1700mm H x 1500mm W x 16mm thick supagloss cappuccino division board Mounted approx. 200mm off floor.	Aluminium channel to rear wall and frontal panels supported by legs
	Frontal panels	1800mm H x 300mm W (min. 200mm W)	Aluminium channel fixed to division. Supported by legs.
	Nib panel	1800mm H x 150mm W (min. 80mm W)	Aluminium channel fixed to wall.
	Doors	1700mm H x 600mm W (Standard)	Hinged to the frontals/ nib.
	Headrails	Standard round headrail. Square headrail is optional	Fixed to frontal and nib panels with provided screws
	<i>Leg Assemblies</i>	200mm aluminium legs	Nova legs are fixed to floors with screws
	<i>Locks</i>	Indicator bolt	Fixed with screws
<i>Ceiling</i>	4mm nutec ceiling board fixed on 38mm x 38mm SSAP brandering at 400mm c/c.	Fixed with screws	
3. Scope	a) Supply and fit toilet partitions b) Supply and fit ceiling c) Supply and fit disabled toilet door		

4. CIDB Grading	GB1 or higher																																						
5. Duration	30 days																																						
6. Standard Service and Conditions	<p>a) The Service Provider shall be responsible for the procurement and installation of all the building material.</p> <p>b) Invoicing must reflect one submission (final invoice).</p> <p>c) All materials used must be SABS Approved.</p>																																						
7. Pricing Schedule	<p>All tariffs (Price) must include production, transportation, labor and all materials necessary to deliver the project as per terms contained in this specification. No claims for transport, labor and material will be accepted. Please indicate your tariffs per unit for the services required as indicated in table 1 below:</p> <p>Table 1: Quotation Pricing Format (Pricing/Bill of Quantities)</p> <table border="1"> <thead> <tr> <th rowspan="2">Item</th> <th rowspan="2">Description</th> <th rowspan="2">Quantity</th> <th rowspan="2">Rate</th> <th colspan="2">Amount</th> </tr> <tr> <th>R</th> <th>C</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Toilet partition</td> <td>5 cubicles</td> <td></td> <td></td> <td></td> </tr> <tr> <td>2</td> <td>Ceiling + associated items (anchoring and steel chrome H ceiling strip)</td> <td>47,6m2</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td>75mm polystyrene cornice</td> <td>53m</td> <td></td> <td></td> <td></td> </tr> <tr> <td>4</td> <td>Framed, Ledged and Braced meranti door SIZE: 950mm x 2032mm</td> <td>1</td> <td></td> <td></td> <td></td> </tr> <tr> <td>5</td> <td>Transport</td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p>Service Providers may change the pricing schedule but must reflect all the items listed above.</p>	Item	Description	Quantity	Rate	Amount		R	C	1	Toilet partition	5 cubicles				2	Ceiling + associated items (anchoring and steel chrome H ceiling strip)	47,6m2				3	75mm polystyrene cornice	53m				4	Framed, Ledged and Braced meranti door SIZE: 950mm x 2032mm	1				5	Transport				
Item	Description					Quantity	Rate	Amount																															
		R	C																																				
1	Toilet partition	5 cubicles																																					
2	Ceiling + associated items (anchoring and steel chrome H ceiling strip)	47,6m2																																					
3	75mm polystyrene cornice	53m																																					
4	Framed, Ledged and Braced meranti door SIZE: 950mm x 2032mm	1																																					
5	Transport																																						
8. Evaluation Criteria	<p>8.1 Functionality Evaluation</p> <p>Circular No. 53 will be applied for functionality</p> <p>Bidders to note that a minimum threshold of 70 % must be scored in order to proceed to the pricing phase.</p> <p>The minimum threshold for functionality is 70%.</p> <table border="1"> <thead> <tr> <th>Item</th> <th>Requirement</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td>Expertise</td> <td> <p>Bidders must submit a CV, certified copy of NQF Level 6 Qualifications in Building or Related Qualification and NHBRC registration with 5 years' experience in Construction Industry. (30 points)</p> <p>Foreman must submit a CV with 5 years' experience in Building Construction field. (15 points)</p> </td> <td>45</td> </tr> <tr> <td>Experience</td> <td> <p>Bidders must attach proof of appointment letter/ purchase order and completion certificate for three similar projects in (Building Construction. Building Repairs or Building Renovations/ alterations)</p> <p>(Points allocation: 15 points per projects)</p> </td> <td>45</td> </tr> </tbody> </table>	Item	Requirement	Score	Expertise	<p>Bidders must submit a CV, certified copy of NQF Level 6 Qualifications in Building or Related Qualification and NHBRC registration with 5 years' experience in Construction Industry. (30 points)</p> <p>Foreman must submit a CV with 5 years' experience in Building Construction field. (15 points)</p>	45	Experience	<p>Bidders must attach proof of appointment letter/ purchase order and completion certificate for three similar projects in (Building Construction. Building Repairs or Building Renovations/ alterations)</p> <p>(Points allocation: 15 points per projects)</p>	45																													
Item	Requirement	Score																																					
Expertise	<p>Bidders must submit a CV, certified copy of NQF Level 6 Qualifications in Building or Related Qualification and NHBRC registration with 5 years' experience in Construction Industry. (30 points)</p> <p>Foreman must submit a CV with 5 years' experience in Building Construction field. (15 points)</p>	45																																					
Experience	<p>Bidders must attach proof of appointment letter/ purchase order and completion certificate for three similar projects in (Building Construction. Building Repairs or Building Renovations/ alterations)</p> <p>(Points allocation: 15 points per projects)</p>	45																																					

	Methodology	Bidders must submit detailed Project Plan with time frames and costs/ milestone. (Points allocation: Project Plan with time frames – 5 points, Breakdown of costs per milestone – 5 points)	10
	Minimum Threshold required		70
	Total Points		100

BIDS WILL BE EVALUATED ON THE BASIS OF RESPOSIVENESS FIRST THEN FUNCTIONALITY AND ONLY RESPONSIVE BIDS WILL BE EVALUATED ON PRICE AND SPECIFIC GOALS AT 80/20 POINTS BASIS AS INDICATED FROM THE BELOW TABLE.

EVALUATION CRITERIA	POINTS ALLOCATION
Pricing	80
Specific Goals	20
TOTAL	100

SPECIFIC GOALS

CATEGORY	VERIFICATION METHOD	Weighting
Youth ownership ≥ 50%	ID copies of Directors, company registration, CSD report	10
Local SMMEs	ID copies of Directors, company registration, CSD report	10
TOTAL POINTS		20

Bidders shall take note of the following bid conditions:

- Bidders will be adjudicated in accordance with the Municipality Supply Chain Management Policy and the Specific Goal Preferential Procurement will be based on the 80/20 points system
- Quotes are to hold good for a period of 30 days
- Submit a company registration certificate (C.K document).
- Bidders must submit a Tax Compliance status document with Pin issued by South African Revenue Services (SARS).
- Submit all director's certified ID copies as reflecting on the company registration document.
- Submit proof of registration (**full Central Supplier Database**).
- The supplier must complete the Local Content and Production **Annexure C, D and E** Forms. This is important, should the supplier fail to complete and submit these, the bidder will be deemed non-responsive.
- All municipal rates and taxes of the supplier must be paid where the business has its head or regional office. Latest billing clearance certificate or account statement not older than 3 months must be submitted with the bid, or if the property is being leased then lease agreement must be attached, failure to do so will result in the bid being disqualified. **NB** the billing clearance certificate is only applicable to bidders who operate their business in an area or property that is not billed by the municipality.
- **Completed, MBD1, MBD3.1, MBD4, MBD 6.1, MBD 6.2 MBD 8 and MBD 9.**
- All certified documents must not be older than three (03) months.
- All other pre-requisites as detailed in the bid documents shall apply.

- Failure to complete all the supplementary information will result in bidder being deemed non-responsive.
- **Technical** enquiries should be directed to Mr. A. Qaba at **073 409 6381** or gabaa@emalahlenilm.gov.za between the hours of 8H00 and 15H00.
- **SCM** enquiries should be directed to Mr. N Stemela at **078 112 8036** or stemelan@emalahlenilm.gov.za between the hours of 8H00 and 15H00.

Completed quotation documents are to be place in a sealed envelope Endorse **BID NO: ELM/1/01/2024Q". APPOINTMENT OF A SERVICES PROVIDER TO SUPPLY AND FIT TOILET PARTITIONS AND NUTEC CEILING"** and must be deposited in the bid box, at the offices of the **Emalahleni Municipality, 37 Indwe Road, Cacadu, 5410, not later than Friday, 26 January 2024 at 12H00**, at which time the quotations will be opened in public.

NB Bidders to note that delivery is expected not later than 14 days after receiving the order.



MS POB MAKOMA
MUNICIPAL MANAGER

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF MUNICIPALITY) MUNICIPAL ENTITY)

BID NUMBER:		CLOSING DATE:		CLOSING TIME:	12h00
DESCRIPTION					

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS

EMALAHLENI Local Municipality
37 Indwe Road
Lady Frere
5410

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:		OR	CSD No:	
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
	[IF YES ENCLOSE PROOF]			[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			CONTACT PERSON		
CONTACT PERSON			TELEPHONE NUMBER		
TELEPHONE NUMBER			FACSIMILE NUMBER		
FACSIMILE NUMBER			E-MAIL ADDRESS		
E-MAIL ADDRESS					

**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"/> <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.	

**ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:
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:

DATE:

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

Name of Bidder: Bid Number:

Closing Time: Closing Date.....

OFFER TO BE VALID FOR **NINETY CONSECUTIVE (90) DAYS** FROM THE CLOSING DATE OF BID.

- REQUIRED BY: _____

- AT: _____

BRAND AND MODEL _____ OFFERED

COUNTRY OF ORIGIN _____

- DOES THE OFFER COMPLY WITH ALL SPECIFICATIONS? **YES/NO***

- IF NOT TO SPECIFICATION, INDICATE DEVIATION(S) AND SUBMIT FULL TECHNICAL DETAIL AND DRAWINGS ON DEVIATIONS

DELIVERY PERIOD: _____ DAYS/WEEKS/MONTHS

DELIVERY BASIS: _____ FIRM/NOT FI

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.
- 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, shareholder²):.....

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**

3.8.1 If yes, furnish particulars.....

.....

¹ 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.

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 the past twelve months? **YES / NO**

3.9.1 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**

3.10.1 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**

3.11.1 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**

3.12.1 If yes, furnish particulars.....

.....

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

3.13.1 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

DECLARATION (VALIDITY OF INFORMATION PROVIDED)

I.....declare that the information provided is true and correct, the signature to this application is duly authorized and documentary proof regarding any bidding issue will, when required, be submitted to the satisfaction of the Emalahleni Municipality

.....
SIGNATURE OF DECLARER

DATE

.....
POSITION OF DECLARER

NAME OF COMPANY OF SERVICE PROVIDER

Should the applicant have, in the opinion of the Emalahleni Municipality, acted fraudulently illegally, in bad faith or in any improper manner, misrepresented itself with regard to this application, then the Emalahleni Municipality may, in its sole discretion:

- * Ignore any bids without advising the bidder thereof
- * Cancel any contract without prejudice to any legal rights the Emalahleni Municipality may have

Should the applicant disregard this or conduct affairs in a way that transgresses from good business practices, this could seriously impair future business relations between the Emalahleni Municipality and such applicant.

MBD 6.1

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 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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 **To be completed by the organ of state:**

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:

$$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \quad \text{or} \quad Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$$

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

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

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right) \quad \text{or} \quad Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

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.

Table 1: 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) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Women ownership ≥ 50%	10	
Youth ownership ≥ 50%	10	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company VAT Number:.....

4.5. Company registration number:

4.6. 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]

4.7. 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 CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT

This Municipal Bidding Document (MBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011 and the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:201x.

1 General Conditions

23.1. Preferential Procurement Regulations, 2011 (Regulation 9. (1) and 9.(3) make provision for the promotion of local production and content.

23.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.

23.3. Regulation 9.(3) prescribes that where there is no designated sector, a specific bidding condition may be included, that only locally produced services, works or goods or locally manufactured goods with a stipulated minimum threshold for local production and content, will be considered.

23.4. Where necessary, for bids referred to in paragraphs 1.2 and 1.3 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and SPECIFIC GOALS.

23.5. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.

23.6. The local content (LC) as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 201x as follows:

$$LC = 1 - \left(\frac{x}{y} \right) \times 100$$

Where

x imported content

y bid price excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date, one week (7 calendar days) prior to the closing date of the bid as required in paragraph 4.1 below.

23.7. A bid will be disqualified if:

9. the bidder fails to achieve the stipulated minimum threshold for local production and content indicated in paragraph 3 below; and

10. this declaration certificate is not submitted as part of the bid documentation.

2 Definitions

- 23.1. **“bid”** includes advertised competitive bids, written price quotations or proposals;
- 23.2. **“bid price”** price offered by the bidder, excluding value added tax (VAT);
- 23.3. **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 23.4. **“designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;
- 23.5. **“duly sign”** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility(close corporation, partnership or individual).
- 23.6. **“imported content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad, plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 23.7. **“local content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 23.8. **“stipulated minimum threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and
- 23.9. **“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.

3 The stipulated minimum threshold(s) for local production and content for this bid is/are as follows:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

4 Does any portion of the services, works or goods offered have any imported content? **YES / NO**

4.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.6 of the general conditions must be the rate(s) published by the SARB for the specific currency at 12:00 on the date, one week (7 calendar days) prior to the closing date of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za.

Indicate the rate(s) of exchange against the appropriate currency in the table below

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used

Annex C Local Content Declaration - Summary Schedule

Tender No.	
Tender description: Designated product(s)	
Tender Authority:	
Tendering Entity name:	
Tender Exchange Rate:	Pula <input style="width: 50px;" type="text" value="N/A"/> EU <input style="width: 50px;" type="text" value="N/A"/> GBP <input style="width: 50px;" type="text" value="N/A"/>
Specified local content %	

Note: VAT to be excluded from all calculations

- (C1)
- (C2)
- (C3)
- (C4)
- (C5)
- (C6)
- (C7)

		Calculation of local content				Tender summary					
Tender item no's	List of items	Tender price - each (excl VAT)	Exempted imported value	Tender value net of exempted imported content	Imported value	Local value	Local content % (per item)	Tender Qty	Total tender value	Total exempted imported content	Total Imported content
(C8)	(C9)	(C10)	(C11)	(C12)	(C13)	(C14)	(C15)	(C16)	(C17)	(C18)	(C19)
Total tender value									R		
Signature of tenderer from Annex C											
content											
(C20) Total Exempt imported content									R		
(C21) Total Tender value net of exempt imported content									R		
(C22) Total Imported content									R		
(C23) Total Imported content									R		

Date: _____

(C24) Total local content

(C25) Average local content % of tender

SATS 1286.2011

Annex D

Imported Content Declaration - Supporting Schedule to Annex C

(D1) Tender No.)
(D2) Tender description:)
(D3) Designated Products:)
(D4) Tender Authority:)
(D5) Tendering Entity name:)
(D6) Tender Exchange Rate:)

Note: VAT to be excluded from all calculations

Pula EU GBP

A. Exempted imported content

Calculation of imported content

Summary

D. Other foreign currency payments

Calculation of foreign currency payments

Type of payment	Local supplier making the payment	Overseas beneficiary	Foreign currency value paid	Tender Rate of Exchange
(D46)	(D47)	(D48)	(D49)	(D50)

(D52) Total of foreign currency payments declared by tenderer and/or 3rd party

(D53) Total of imported content & foreign currency payments - (D32),

(D45) & (D52) above

Summary of payments

Local value of payments	(D51)

Signature of tenderer from Annex B

Date: _____

This total must correspond with Annex C - C 23

R

Annex E

Local Content Declaration - Supporting Schedule to Annex C

(E1) TenderNo.

(E2) Tender description:

(E3) Designated products:

(E4) Tender Authority:

(E5) Tendering Entity name:

Note: VAT to be excluded from all calculations

Local Products (Goods, Services and Works)	Description of items purchased	Local suppliers	Value
	(E6)	(E7)	(E8)
	(E9) Total local products (Goods, Services and Works)		R

Services and Works)

(E10) **Manpower costs** (Tenderer's manpower cost) R

(E11) **Factory overheads** (Rental, depreciation & amortisation, utility costs, consumables etc.) R

(E12) **Administration overheads and mark-up** (Marketing, insurance, financing, interest etc.) R

**(E13) Total local
content**

R

**This total must correspond with
Annex C - C24**

Signature of tenderer from Annex B

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).
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>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.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>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.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>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?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

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 <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"/>
4.7.1	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.

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 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

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

Js9141w 4