



DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY

TENDER NUMBER: T10/2024

RE-APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO SERVICE, REPAIR AND REPLACEMENT OF ELECTRICAL WORKS FOR THE ELECTRICAL DEPARTMENT OF DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY.

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BID INFORMATION

Project No : **T10/2024**

Project Name : Re- APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO SERVICE, REPAIR AND REPLACEMENT OF ELECTRICAL WORKS FOR THE ELECTRICAL DEPARTMENT OF DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY.

Tender's Name: _____

CSD SUPPLIER NO : _____

CLOSING DATE: FRIDAY, 18 OCTOBER 2024 AT 12:00

CONTENTS

- 1. BID INVITATION (*MBD1*)**
- 2. TERMS OF REFERENCE**
- 3. PRICING SCHEDULE**
- 4. MBD FORMS**
 - 4.1 DECLARATION OF INTEREST (*MBD 4*)
 - 4.2 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011 (*MBD 6.1*)
 - 4.6 DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (*MBD 8*)
 - 4.7 CERTIFICATE OF INDEPENDENT BID DETERMINATION (*MBD 9*)

MBD 1

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY					
TENDER NO:	T10/2024	CLOSING DATE:	18 OCTOBER 2024	CLOSING TIME:	12:00
DESCRIPTION	RE: APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO SERVICE, REPAIR AND REPLACEMENT OF ELECTRICAL WORKS FOR THE ELECTRICAL DEPARTMENT OF DR PIXLEY KA ISAKA SEME LOCAL MUNICIPALITY.				
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

Dr Pixley ka Isaka Seme Local Municipality Offices (Entrance Foyer)
Cnr Adelaide Tambo Street and Dr Nelson Mandela Drive
Volksrust
2470

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:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT <input type="checkbox"/> Yes <input type="checkbox"/> No		

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED	N/A	TOTAL BID PRICE	N/A
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	ELECTRICAL	CONTACT PERSON	Mr. R. Nkabinde
CONTACT PERSON	Ms. M. Ralinotsi	TELEPHONE NUMBER	017 734 6100
TELEPHONE NUMBER	017 734 6100	FACSIMILE NUMBER	086 6302209
FACSIMILE NUMBER	086 6302209	E-MAIL ADDRESS	richardn@pixleykaseme.gov.za
E-MAIL ADDRESS	melodyr@pixleykaseme.gov.za		

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, 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 FOREIGN SUPPLIERS

- 3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES NO
- 3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? YES NO
- 3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES NO
- 3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? YES NO
- 3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

TERMS OF REFERENCE

1. BACKGROUND

The municipality seeks to put in place a panel of suppliers so as to speed up the procurement process for services for the electrical department. The procurement process turnaround is shortened since the suppliers are pre-qualified.

2. DISCUSSIONS

The Dr Pixley Ka Isaka Seme Local Municipality would like to appoint panel of service providers for the electrical department.

3. SCOPE OF WORK AND SPECIFICATION

SCOPE OF WORK:

Dr Pixley Ka Isaka Seme Local Municipality requires the service providers to service, repair and replacement of electrical works for the municipality.

Medium Voltage Installations:

A	11kV SWITCHGEAR
1	Installation only extensible s/w panel excl. civil work
A	SF6/vac/oil-panel
B	Fuse switch
2	T3/OF or K3 non extensible
3	T3/OF or K3 extensible
4	Metering unit
B	Install Mini Substations with RMU
A	630Kva
B	500Kva
C	315kVA
D	200kVA
2	Plinth for Below
A	500 KVA with RMU
B	315 KVA with RMU
C	T3 or K3
3	Trf free standing
A	800KVA
B	500kVA
C	400kVA
D	315kVA
E	200kVA
F	100kVA
4.	Install Pole Mounted Transformers
A	200 kVA 3 phase
B	100 KVA 3 phase
C	50 KVA 3phase
C	UNDER GROUND RETICULATION
1	Excavate and backfill
A	Hard rock (600 width/750depth)
B	Soft rock/ clay (600width/750depth)
C	Soil (600 width/750 depth)
D	Breaking up concrete

E	Hard rock (900 width/1000depth)
F	Soft rock and clay (900 width/1000depth)
G	Soil (900 width/100 depth)
H	Breaking tar surface
I	Trenching on existing cable
J	Import selected fill (supplied at Municipal yard)
K	Rem excess back fill
L	Re-instate driveway (Contractor supplies concrete)
M	Re-instate paved areas
N	Re-instate Lawn
O	Re-instate road crossings
P	Supply install shuttering
Q	Supply and Repair 20-25mm diameter PVC water joint
R	Supply and Repair 35mm diameter PVC water pipe with joint kit
S	Excavate and backfill large holes for cables joints, water pipe etc. hard rock
T	Excavate and backfill large holes for cable joint ,water pipe repairs, etc. – soft rock/clay
U	Excavate and backfill large holes for cable joint, water pipe repairs, etc. Soil
V	Tunnel and under concrete culverts through at 900 depth for installation of PVC
2	Install ducts
A	150mm PVC
B	110mm PVC
3	Location and Protecting of existing services
A	Install warning tape over HV cables
B	Install concrete table slabs
C	Install concrete cable markers
4	Installation of 11 kV PILCA cable `Aluminium`
A	35mm x3c
B	50mmx3c
C	70mmx3c
D	95mmx3c
E	120mmx3c
F	150mm x3c
G	185mmx3c
5	Termination of through Switch gear of 11kv cable
1	Cable end boxes compound
A	16mmx3c
B	35mmx3c
C	50mmx3c
D	70mmx3c
E	95mmx3c
F	120mmx3c
G	150mmx3c
H	185mmx3c
2	Heat shrink
A	16mmx3c
B	35mmx3c
C	50mmx3c
D	70mmx3c
E	95mmx3c
F	120mmx3c
G	150mmx3c
H	185mmx3c
3	Melting out of compound from filled boxes
6	Installation of through for 11kv cables PILC cable
A	16mmx3c
B	35mmx3c

C	50mmx3c
D	70mmx3c
E	95mmx3c
F	120mmx3c
G	150mmx3c
H	185mmx3c
7	Installation of outdoor pole mounted termination Raychem Heat shrink 11 kV
A	16mmx3c
B	38mmx3c
C	50mmx3c
D	70mmx3c
E	95mmx3c
F	120mmx3c
G	150mmx3c
H	185mmx3c

A	MV test cost 11kv cable (all tests inclusive)
B	Insulation resistance on LV cables
C	Hired Cable Locator/identification Machine KMT/SEBA

LOW VOLTAGE INSTALLATIONS:

A	Installation of PVC LV cables
1	Aluminium conductors
A	35mm x4c
B	50mm x4c
C	70mm x4c
D	95mm x4c
E	120mm x4c
F	150mm x4c
G	185mm x4c
2	Copper conductors
A	10mm Airdac
B	16mm Split concentric
C	16mm x2c
D	16mm x4c
B	Termination of LV PVC Copper Cables (with approve crimping tool where applicable)
1	To switchgear
A	10mm Airdac
B	16mm Split concentric
C	16mm x2c
D	16mm x4c
E	185mm x1c (lug only)
2	To overhead Lines
A	10mm xAirdac
B	16mm Split concentric
C	16mm x2c
D	16mm x4c
C	Termination of Iv Aluminium Cable (lug fixed with aluminium solder process where applicable)
1	To switchgear
A	35mm x4c

B	50mm x4c
C	70mm x4c
D	95mm x4c
E	120mm x4c
F	150mm x4c
G	185mm x4c
2	To overhead Lines
A	35mm x4c
B	50mm x4c
C	70mm x4c
D	95mm x4c
E	120mm x4c
F	150mm x4c
G	185mm x4c
D	Through joints in LV Cable
1	Aluminium conductors (Aluminium soldier process)
A	35mm x4c
B	50mm x4c
C	70mm x4c
D	95mm x4c
E	120mm x4c
F	150mmx 4c
G	185mmx 4c
2	
A	10mm Airdac
B	16mm Split concentric
C	16mm x2c
D	16mm x4c
A	16mm
B	35mm
C	64mm
E	
A	16mm
B	35mm
C	64mm
D	Silbraloy bonding joints (cadweld)
F	
1	Glass fibre with base
A	6 way
B	9 way
C	12 way
2	Sheet steel (3CR12) with concrete base
A	6 way
B	9 way
C	12 way
3	Stubby
A	6 way
B	9 way
C	12 way
4	Remove damaged Kiosk /stubby (all sizes)
H	Strapping of Cable against poles
A	MV
B	LV
I	Sealing of Cable ends
A	600-1000v PVC PVC SWA

B	6.35 /11KV PILCA
J	Installation/Replacement of Stolen Cable and Damaged Readyboard Indigent Households
A	Install Readyboard (for 60Amp supply)
B	Install concentric cable/airdeck (35m to maximum 60 metres from supply lines) to the house
C	Install pre-paid meter base plate
D	Remove old installation (meter/readyboard/cable)

PUBLIC LIGHTING:

A	Repair of High Mast Light
A	Lower and Raising of high mast light
B	Replace lamp
C	Replace contactor
D	Replace photo cell
E	Replace ballast
F	Replace ignitor
G	Replace light fitting
H	Repair wiring inside control panel of the high mast
I	Jointing of 16mm by 4-core cable
J	25-Ton Crane hire per day (NB: Contractor to obtain prior approval from client for Crane hire/usage)
K	Excavation (750mm depth and 600mm width)
L	Handling of material
M	Cable fault finding
N	Mechanical Winch Hire per day
B	Streetlight Maintenance
A	Replace ballast
B	Replace photocell
C	Replace globe/bulb
D	Replace the entire light fitting
E	Replace the contactor
F	Replace capacitor
G	Replace 5A or 10A Circuit breaker
H	Repair/Replace wiring inside streetlight pole
I	Cable fault finding
J	Cable joint and termination 16mm by 4-core
K	Excavation and Backfill (750mm depth and 600mm width)
7	Supply of oil (cost per litre)

GENERAL	
ITEM NO.	DESCRIPTION
1	Clean oil spillage
2	Remove old oil/210 litre drum NON-PCB
3	PCB contaminated oil removal and disposal certificate 31-50PPM
4	PCB contaminated oil removal and disposal certificate 51-70PPM
5	Removal glass by 1 meter from all sides of transformer/mini substation or ring main unit

4. REQUIREMENT OF TENDER

Based on the above-indicated Specification DPKISLM intends to appoint a panel of service providers for electrical works, who will meet all the minimum requirements of the tender responsiveness as detailed in the tender document.

5. BID EVALUATION CRITERIA

FUNCTIONALITY EVALUATION MINIMUM SCORE 45

NB: FAILER TO OBTAIN MINIMUM SCORE WILL RESULT IN DISQUALIFICATION.

REQUIREMENT	EXPERIENCE	POINTS
Relevant Experience	And Project Value(s)	
Valid Proof of Insurance for Public Liability	<ul style="list-style-type: none"> • Proof Attached • Proof not Attached 	10 0
Proof of Experience Similar work done: <ul style="list-style-type: none"> • Completion Certificate 	Completion Certificate: <ul style="list-style-type: none"> • Above 6 appointment • 5-6 appointments • 3-4 appointments • 1-2 appointments • No appointment attached 	20 15 10 5 0
Qualified Electrician attach: <ul style="list-style-type: none"> • Trade Test Certificate and Installation Certificate 	<ul style="list-style-type: none"> • 4-years and more • 1 to 3 years • 	15 10
Attached proof of Bank rating	<ul style="list-style-type: none"> • Bank rating A • Bank rating B • Bank rating C • Bank rating D 	15 10 5 0
Locality (within municipal Jurisdiction)		
Attach Proof of: <ul style="list-style-type: none"> • Municipal Rates and Taxes • Valid lease Agreement 		20
Plant and Equipment		
Crane Track	<ul style="list-style-type: none"> • Ownership Certificate or letter of hire • Proof no attached 	10 0
Aerial platform truck	<ul style="list-style-type: none"> • Ownership Certificate or Letter of intent to hire • Proof not attached 	5 0
LDV	<ul style="list-style-type: none"> • Ownership Certificate or Letter of intent to hire • Proof not attached 	5 0
Total points 100		

6. REQUIREMENT OF SERVICE PROVIDERS

Technical Specifications requirements

CONDITION

- Valid Original Tax Clearance Certificate and a compliance tax status;
- Company registration Certificate not older than 3 months;
- Certified copies ID of shareholders not older than 3 months;
- Latest Municipal statement (rate and taxes) not older than 3 months and Valid signed Lease Agreement if leasing property(Lease agreement must be accompanied by municipal rates not owing more than 90 days);
- Letter of Authority for signatory;
- Tender document completed in full;
- BBBEE certificate obtained from accredited agencies by SANAs or registered auditors approved IRBA (independent Regulatory Broad of Auditors) or in case Exempted Micro Enterprise, BBBEE certificate may be issued by register Accountant as well.

OTHER TENDER COMPLIANCE REQUIREMENTS

- Proof of Registration as an Electrical Contractor with the Department of Labour.
- Proof of Registration with the Workman's Compensation Commissioner (COIDA)
- Previous Relevant experience on Medium Voltage Cable Joints and Termination, Installation switchgear and Ring Main Units.
- Proof of registration as Qualified Electrician with 1 or 3-phase installation certificate
- Proof of registration as Qualified Electrician with Wireman's License. Certified copy of qualification as an installation.
- Previous Relevant experience on Public Lightings, Low Voltage , Medium Voltage Network , Cable Joint and Termination, Installation and Servicing of Switchgear and Ring Main Units.
- Proof of registration with CIDB with EP.

7. MUNICIPAL RATES AND TAXES

DPKISLM reserves the right to:

- 1) Section 45(1)(d) 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.
- 2) The purpose of this schedule is to obtain proof that municipal services, rates and taxes of the service provider are not in arrears for more than three months, with the relevant municipality in the municipal area where the service provider conduct his / her business.
- 3) Statements providing water, electricity and rates & taxes accounts that are up to date/ Lease agreement that is accompanied by the municipal rates where applicable, (failure to do so will lead to disqualification)

8. RESERVATION OF RIGHTS

DPKISLM reserves the right to:

- 1) Extend the tender period.
- 2) Amend the requirements at any time prior to the closing date, provided that the amendment is notified to prospective respondents.
- 3) Seek information from or negotiate with one or more of the respondents on any issue at any time and to continue to negotiate with other respondents.
- 4) Abandon this process whether before or after the receipt of submissions.
- 5) Make enquiries of any person, company or organization to ascertain information regarding the respondent and its submission.

6) RETURNABLE DOCUMENTS

- 1) Statements providing water, electricity and rates & taxes accounts that are up to date/ Lease agreement that is accompanied by the municipal rates where applicable;
- 2) Declaration of Interest fully completed;
- 3) Company registration certificate;
- 4) Valid BBBEE Certificate;
- 5) Proof of latest CSD report;
- 6) Tax compliant status pin;
- 7) Letter of authority;
- 8) Certified ID copies of directors (NOT OLDER THAN 3 MONTHS);
- 9) All documents listed in the evaluation criteria;
- 10) This tender will be subjected to terms of General Conditions of Contract.

SCHEDULE OF PREVIOUS CONTRACT AWARDED TO THE BIDDER FOR SIMILAR SERVICES

The Bidder must insert in the spaces provided below a complete list of previous contracts awarded to him. This information shall be deemed to be material for inclusion in the panel.

EMPLOYER (NAME, TEL.NO. AND EMAIL ADDRESS.)	DESCRIPTION OF SERVICES RENDERED	VALUE OF CONTRACT	YEAR COMPLETED

SIGNED ON BEHALF OF BIDDER:

AMENDMENTS OR QUALIFICATIONS BY THE BIDDER

PAGE	DESCRIPTION

SIGNED ON BEHALF OF BIDDER

SPECIAL CONDITIONS OF THE BID

1. All the returnable schedules must be completed to enable the adjudication of the proposals. **No points will be allocated in the evaluation if the relevant schedules are not completed in full.**
2. Bidders must initial **all the pages** of the Bid document and sign the Bidder particulars page in full.
3. Bidders must complete the original Bid document in **black ink**, and notice must be taken that correction fluid (tippex) must not be used in the document.
4. The transaction shall be subject to any stipulations in any Act, Ordinance or By-law pertaining thereto.
5. No proposals by any person that is not competent to enter into an agreement will be considered and if it is established that it is the case, the contract agreement in this regard will be considered null and void by Council.
6. Disputes must be settled by means of mutual consultation, mediation (with or without legal representation) or when unsuccessful, in a South African court of law on an attorney and client scale.
7. Should any legal action be deemed necessary to determine any aspect arising out of these conditions or to enforce any rights in terms of these conditions, then and in that event the parties hereto agree categorically to the jurisdiction of the Magistrate's Court to hear such action and to pass judgment notwithstanding the fact that the cause of action is beyond the jurisdiction of the Court: Provided always that Council shall have the right in its sole discretion to take action in any competent higher court in any matter exceeding the ordinary jurisdiction of the Magistrate's Court.

Council reserves the right not accept any proposal in a tender submitted or part thereof.

TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

1. In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
5. Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.
6. Applications for the Tax Clearance Certificates may also be made via e-Filing. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state*.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest.

3. To give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name:

3.2 Identity Number:

3.3 Company Registration Number:

3.4 Tax Reference Number:

3.5 VAT Registration Number:

3.6 Are you presently in the service of the state* YES / NO

3.6.1 If so, furnish particulars.

.....

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

3.7.1 If so, furnish particulars.

.....

3.8 Do you, have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? YES / NO

3.8.1 If so, furnish particulars.

* 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.

.....
.....

3.9 Are you, aware of any relationship (family, friend, other) between a 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**

3.9.1 If so, furnish particulars.
.....
.....

3.10 Are any of the company's directors, managers, principal shareholders or stakeholders in service of the state? **YES / NO**

3.9.1 If so, furnish particulars.
.....
.....

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

3.11.1 If so, furnish particulars.
.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

**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

a) The applicable preference point system for this tender is the **80/20** preference pointsystem.

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:

80/20

or

90/10

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

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:

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

80/20 **or** **90/10**

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)
Enterprises that are at least 51% black-owned.	4	
Enterprises that are at least 51% women-owned.	4	
Enterprises that are at least 51% youth-owned (18-35 years)	4	
People with disability	3	
Locality (within municipal Jurisdiction)	5	
TOTAL POINTS	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
 - One-person business/sole propriety
 - Close corporation
 - Public Company
 - Personal Liability Company
 - (Pty) Limited
 - Non-Profit Company
 - State Owned Company
- [TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audialteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....	
SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:
DATE:
ADDRESS:

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Municipal Bidding Document must form part of all bids invited.
2. It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
3. The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a) abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b) been convicted for fraud or corruption during the past five years;
 - c) willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - d) been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	<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"/>

Item	Question	Yes	No
4.3.1	If so, furnish particulars:		
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	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 bids 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.
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation);
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

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.**