



Sundays River Valley
Municipality
Masipala
Munisipaliteit

P.O. Box 47
Kirkwood
6120
(042) 230 7700
(042) 230 1799
nozuko@srvm.gov.za

Ons verw. / Our ref:
In Isalathiso sethu:

**INFORMAL TENDER ADVERT /
REQUEST FOR QUOTATION**

QUOTATION NO: SCU-016/SRVM

Issue Date: 2014/08/14

SUPPLY CHAIN PRACT: Ms N. Zengethwa

Closing Time: 12:00

REFER ALL ENQUIRIES TO: Mr. Snyman

Closing Date: 2014/08/25

Contact no: 042 2307700

Title: REFURBISHMENT AND ALTERATION AT TRAFFIC DEPARTMENT

Description: The Sunday's River Valley Municipality in the Eastern Cape invites service providers to quote on the refurbishment and alteration at Traffic Department.

SPECIFICATION

You can get the specification at the SCM office free of charge or on the municipalities website which is : www.srvm.gov.za under Request for Quotations.

Preference Point system		Points Allocation
1.	Price	80
2.	Broad -Based Black Economic Empowerment (BBBEE)	20
Total Points		100

Rig alle korrespondensie aan die Munisipale Bestuurder • Address all correspondence to the Municipal Manager
Nceda uthumela yonke imbalelwano ku Mphathi kaMasipala

TERMS AND CONDITIONS:

1. A valid original Tax Clearance Certificate MUST be submitted. Failure to submit an original Valid Tax Clearance certificate will invalidate the quotation.
2. The completed MBD 4 , 6.1, 8 and 9 documents attached to this RFQ must be completed and returned with the quotation. Failure to submit completed and signed MBD 4, 6.1, 8 and 9 documents with quotation will invalidate the quotation.
3. Failure to submit a valid BBBEE Certificate will result in no points for BBBEE being awarded. If the quoting entity's annual total revenue is R5m or less, then an Exemption Certificate may be submitted which has been issued by a registered Auditor, Accounting Officer (as contemplated in section 60(4) of the Close Corporation Act, 1984 (Act No. 69 of 1984) or an accredited SANAS verifying agency. Exempted Suppliers submitting an Exemption Certificate will be considered to be Level 4 BBBEE Contributors, and will automatically be entitled to claim / be awarded 12 out of the 20 Points.
4. No late quotations will be accepted under any circumstances, you can email or fax when submitting.
5. Suppliers must complete and return all the required documents with the following information:
 - i.) Copy of company registration
 - ii.) Original Tax Clearance certificate
 - iii.) Quotation must be valid for 60 days
 - iv.) Quotation must have company's letterhead
 - v.) MBD 4 , 6.1, 8 and 9

.....

N. ZENGETHWA
SCM PRACTITIONER

.....

Ms. N. Ponco
CHIEF FINANCIAL OFFICER
APPROVE / DECLINE

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Item No.	Description	Unit	Quantity	Rate	Amount
	BILL NO. 1				
	ALTERATIONS				
	TEMPORARY BARRIERS, SCREENS, ETC				
	Temporary barriers. Screen. etc including removal				
1	Dust screen 2700mm high between floor and ceiling formed of suitable timber framing with polyethylene sheeting stapled on including corners, ends, etc	Item	1		
	REMOVAL OF EXISTING WORK				
	Breaking down and removing brickwork etc				
2	Half brick wall	m ²	35		
	Taking out and removing doors, windows, etc including thresholds, sills etc (building up openings elsewhere)				
3	Timber single door and frame 813 x 2013mm high overall from 110mm brick wall	No.	5		
4	Glazed Aluminium window 600 x 900mm high from 230mm brick w	No.	4		
	Taking out and removing sundry joinery work				
5	Timber skirting from brickwork	m	20		
	Taking out and removing piping, sanitary fittings, etc including disconnecting piping from fittings and making good floor and wall finishes (making good tiling and paintwork)				
6	Vitreous china wash hand basin	No.	8		
7	Vitreous china WC pan with cistern	No.	5		
8	Vitreous china wall hung urinal with flush valve	No.	6		
	Taking out and removing glass and mirrors				
9	Mirror 300 x 400mm high from wall	No.	2		
	BUILDING UP OPENINGS				
	Brickwork in NFP bricks in class II mortar in building up openings				
2	Half brick walls	m ²	17		
	BILL NO. 2				
	MASONRY				
	For Preambles see "Model Preambles for Trades".				
	SUPPLEMENTARY PREAMBLES				
	Trade Names				
	Reference to any particular trademark, name, patent, design, type, specific origin or producer is purely to establish a standard for requirements. Products or articles of an equivalent standard may be substituted.				
	BRICKWORK				
	Brickwork of NFX bricks (14 MPa nominal compressive strength) in class I mortar				
1	Half brick wall	m ²	20		
	Brickwork reinforcement				
8	75mm Wide reinforcement built in horizontally	m	19		

	<u>SUNDRIES</u>				
	<u>Prestressed fabricated lintels</u>				
1	75 x 110mm Wide prestressed precast concrete lintel not exceeding 3m and building into brickwork.	m	12		
	<u>Galvanised hoop iron cramps, ties, etc.</u>				
3	1.6mm Thick x 30mm wide Galvanised hoop iron brick ties 300mm girth with one end built into brickwork and other end nailed in timber door frame	No	25		
	<u>BILL NO.3</u>				
	<u>CARPENTRY AND JOINERY</u>				
	For Preambles see "Model Preambles for Trades".				
	<u>SUPPLEMENTARY PREAMBLES</u>				
	<u>Trade Names</u>				
	Reference to any particular trademark, name, patent, design, type, specific origin or producer is purely to establish a standard for requirements. Products or articles of an equivalent standard may be substituted.				
	<u>Fixing</u>				
	Items described as "nailed" shall be deemed to be fixed with hardened steel nails or shot pins to brickwork or concrete.				
	<u>SKIRTINGS, RAILS, ETC.</u>				
	<u>Wrot Meranti</u>				
1	19mm x 76mm Skirting with 19mm quadrant bead plugged and screwed to wall at 400mm centres.	m	20		
	<u>DOORS, ETC.</u>				
	<u>Wrot Meranti doors</u>				
3	44mm Thick Swartland Cape Culture SD19 Cape Dutch door size 1813 x 2032mm high with styles, top, bottom and middle rails, bolection mouldings to panel bottom and cottage frame top section in nine panes.	No	2		
	<u>Hollow core doors</u>				
4	44mm Swartland Cape Culture Classique interior door size 813 x 2032mm high code EBCSSLIO with bolection mouldings	No	4		
	<u>BILL NO.4</u>				
	<u>IRONMONGERY</u>				
	For Preambles see "Model Preambles for Trades".				
	<u>SUPPLEMENTARY PREAMBLES</u>				
	<u>Trade Names</u>				
	Reference to any particular trademark, name, patent, design, type, specific origin or producer is purely to establish a standard for requirements. Products or articles of an equivalent standard may be substituted.				
8	Supply and fit new 3 lever locksets on relocated office doors	No	6		
	<u>The following locks are to be suitable for master key operation</u>				
9	'DPL1000' 47mm Padlock (master keyed)	No	2		
	<u>LETTERS, NAMEPLATES, ETC.</u>				
22	190 x 190mm White and green plastic symbol fixed to the doors (Names will be provided by Traffic services).	No	6		

	<u>PINNING BOARDS, WRITING BOARDS, PROJECTION SCREENS, ETC.</u>				
	<u>"Vitrex"</u>				
11	Standard pinning board (model 2308) size 1800 x 1200mm high complete with frame & fixing brackets fixed to wall in strict accordance with manufacturer's specifications.	No	5		
12	Standard whiteboard (model 2204) size 2500 x 1500mm high complete with frame and fixing brackets fixed to wall in strict accordance with manufacturer's specifications.	No	3		
	<u>BILL NO. 6:</u> <u>METALWORK</u>				
	For Preambles see "Model Preambles for Trades".				
	<u>SUPPLEMENTARY PREAMBLES</u>				
	<u>Trade Names</u>				
	Reference to any particular trademark, name, patent, design, type, specific origin or producer is purely to establish a standard for requirements. Products or articles of an equivalent standard may be substituted.				
	<u>GALVANIZED STEEL GATES, SCREENS, ETC.</u>				
	<u>Heavy Duty welded screens and gates</u>				
3	Double security gate size 3500 x 1800mm high overall high including hinges, bolts, lock etc. (Vehicle entrances gate)	No	1		
3	Security gate size 910 x 2100mm high overall high including hinges, bolts, lock etc. (Doors leading outside)	No	1		
	<u>BILL NO. 6</u> <u>PLASTERING</u>				
	For Preambles see "Model Preambles for Trades".				
	<u>SUPPLEMENTARY PREAMBLES</u>				
	<u>Trade Names</u>				
	Reference to any particular trademark, name, patent, design, type, specific origin or producer is purely to establish a standard for requirements. Products or articles of an equivalent standard may be substituted.				
	<u>SCREEDS</u>				
	<u>1:3 Cement mortar screed finished smooth on concrete to receive floor finishes (where the brickwork was removed)</u>				
1	25mm Thick on floors and landings	m ²	1		
	<u>INTERNAL PLASTER</u>				
	<u>Cement plaster on brickwork</u>				
5	On walls	m ²	43		
6	On walls in narrow widths	m ²	5		
	<u>BILL NO. 7</u> <u>TILING</u>				
	For Preambles see "Model Preambles for Trades".				
	<u>SUPPLEMENTARY PREAMBLES</u>				
	Prime Cost amounts for tiles are NET				
	Rates for tiling, in addition to the PC amount, must include for fixing, adhesive, grout, wastage, profit, etc				
	<u>FLOOR TILING, ETC.</u>				
1	On floors and landings	m ²	1		

BILL NO. 8 PAINTWORK For Preambles see "Model Preambles for Trades"					
SUPPLEMENTARY PREAMBLES <u>Trade Names</u> Reference to any particular trademark, name, patent, design, type, specific origin or producer is purely to establish a standard for requirements. Products or articles of an equivalent standard may be substituted.					
<u>PAINTWORK ETC TO NEW WORK</u> Prepare surface and remove all loose material, and rinse with and allow to dry before applying any paint finish					
<u>ON FLOATED PLASTER</u> <u>Prepare one coat plaster primer and two coats interior quality PVA emulsion paint on:</u>					
1	Internal plastered walls	m ²	43		
<u>ON FIBRE-CEMENT SURFACES</u> <u>Prepare one coat primer, one coat 'Plascon wall & all' pure acrylic thinned 20% and two coats 'Plascon wall & all' pure acrylic paint on:</u>					
3	Ceilings and cornices	m ²	10		
TOTAL CARRIED FORWARD TO SUMMARY					

BILL NO. 21:			
<u>PROVISIONAL SUMS AND MONETARY ALLOWANCES</u>			
<u>PROVISIONAL SUMS</u>			
<u>MONETARY ALLOWANCES</u>			
1	Provide the sum of R 20 000.00 (Twenty Thousand Rand) for Electrical installation and fittings supplied and fixed complete	Item	1
2	Add for profit	item	1
1	Provide the sum of R 5 000.00 (Five Thousand Rand) for closing and blocking all water pipes the feeds to the toilets and sewer lines.	Item	1
2	Add for profit	Item	1
1	Provide the sum of R 80 000.00 (Eighty Thousand Rand) for Timber decking and to be constructed according to the engineer's specifications and instruction.	Item	1
2	Add for profit	Item	1
1	Provide the sum of R25 000.00 (Twenty Five Thousand Rand) for L-shaped Counter and shelves in an open plan offices.	Item	1
2	Add for profit	Item	1
1	Provide the sum of R 10 000.00 (Ten Thousand Rand) for security fencing to be erected at the front section of the building.	Item	1
2	Add for profit	item	1

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. **In order 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.

.....

* 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.

3.8 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.

.....
.....

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

3.10.1 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 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 R1 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed/not exceed R1 000 000 (all applicable taxes included) and therefore the.....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:

	POINTS
1.3.1.1 PRICE
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION
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 an 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 in 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.
- 3.5 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.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 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

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

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{\min} = Comparative price of lowest acceptable bid

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

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference 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 (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	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.

6. BID DECLARATION

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

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

7.1 B-BBEE Status Level of Contribution: =(maximum of 10 or 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).

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

(i) what percentage of the contract will be subcontracted?%

(ii) the name of the sub-contractor?

(iii) the B-BBEE status level of the sub-contractor?

(iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of firm :

9.2 VAT registration number :

9.3 Company registration number

9.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

9.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

9.7 MUNICIPAL INFORMATION

Municipality where business is situated

Registered Account Number

Stand Number

9.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?

9.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ 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 audi alteram partem (hear the other side) rule has been applied; and

- (e) forward the matter for criminal prosecution

WITNESSES:

1.

.....
SIGNATURE(S) OF BIDDER(S)
.....

2.

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"/>

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

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 consortium⁹ 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.

⁹ 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

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