

Winnie Madikizela-Mandela Local Municipality

Office of the Municipal
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Physical Address
51Winnie-Madikizela
Mandela Street
Postal Address
P O Box 12
Bizana

REQUEST FOR QUOTATION-WMM LM 16/08/22/01 HSP

ADVERT: SERVICE PROVIDER TO REVIEW HOUSING SECTOR PLAN

Quotations are hereby invited from suitable service providers for the housing sector plan. Specifications and terms of reference are available in the municipal website.

<https://www.winniemmim.gov.za/quotations/>

NB: MANDATORY DOCUMENTS TO BE SUBMITTED, FAILURE TO DO SO WILL LEAD TO THE QUOTATION BEING REGARDED AS NON-RESPONSIVE.

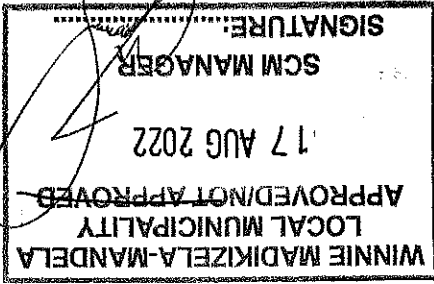
A valid Tax Pin printout as provided by SARS, Copy of company Registration/Founding Statement/CIPC Document. Certified B-BBEE certificate (SANAS Accredited) or Sworn affidavit provided by dti (certified by the commissioner of oath) or a combined B-BBEE in the case of a joint venture (non-elimination item). Signed JV Agreement for joint venture where applicable. Prices quoted must be firm and must be inclusive of VAT for vat vendors. Certified ID Copies of Managing Directors/ Owners. No couriered, taxed, hand delivered, incomplete and late quotation will be accepted. No bidders will be considered if not registered on the Central Supplier Database or if Directors are from the Service of the State. Winnie Madikizela-Mandela Local Municipality reserves the right not to appoint the highest scoring bidder, the value for money will be the key determinant and supply chain management policy will apply. MBD 1, 4, 6.1, 6.2, 6.4, 8 and 9 are compulsory submissions. A signed certificate by the bidder and proof certifying that the bidder has no undisputed commitments for municipal services towards a municipality or other provider in respect of which payment is overdue more than 30 days. All the certified copies of documents must not be more than 3 months old. Winnie Madikizela-Mandela Local Municipality does not bind itself to accept the lowest or any bid and reserves the right to accept the whole or part of the bid. **Evaluation Criteria: Functionally Previous Appointment Letters and References 30 Points, Expertise and Experience of Proposed Team 30 Points, Methodology 40 Points.** Bids need to score 60% of the functionality to proceed to the second stage. 80/20

Published: on the 17th August 2022 Specifications will be available in the Municipal Website as stated above.

Closing date: 26th August 2022. All quotations must be emailed to quotes.scm@mbizana.gov.za by not later than 12h00 "Name of the quotation and Reference number as a subject."

Enquiries: Technical enquiries are addressed to Ms. Z. Ndzeli Manager: Development Planning @ (072) 548 7021 email: ndzeli@mbizana.gov.za and SCM enquiries to Supply Chain Manager, Mr. Z Khala @ 079-886 0942 email: khalez@mbizana.gov.za, or info.scm@mbizana.gov.za

Mr. L. Mahlaka
Municipal Manager



TERMS OF REFERENCE Housing Sector Plan for Winnie Madikizela Mandela Local Municipality



ISSUED BY:

Issued and Prepared by:

Winnie Madikizela-Madikizela Local Municipality

Development Planning Department

51 Winnie Madikizela-Mandela Street

Bizana

4800

Municipal Manager: Mr. L. Mahlaka

Contact Person: Mrs. Z. Ndzelu

Tel: 072 548 7021

NAME OF TENDERER:

AMOUNT:

Bid Number:

1. INTRODUCTION

As part of its legislative mandate, local government is required to develop its communities. Winnie Madikizela Mandela Local Municipality has identified the need to have an updated strategic document that intends to inform and guide the Winnie Madikizela Mandela Local Municipality in the allocation of resources with regards to housing, access to services, administration, and socio-economic realities.

2. BACKGROUND

In terms of Section 9(1) of the National Housing Act 107 of 1997, it is a prerequisite that every municipality as part of the municipality's process of integrated development planning acquire all reasonable and obligatory steps to make certain that people within its area of jurisdiction obtain access to adequate housing on a progressive basis by setting goals for housing delivery, identifying appropriate land for human settlements development and planning, facilitating, initiating and co-ordinating human settlements development in its area of jurisdiction.

Winnie Madikizela Mandela Local Municipality is a small municipality which is made up of rural areas that are under traditional council with a small area which can be identified as an CBD and Extension 2 may be regarded as a mid-class residential area. Extensions 3 and 4 have low cost houses that had been already built but, there are still shacks in Extension 4 (Down Town). The majority of the poor communities' areas that are under traditional council still survive under poor accommodation with no access to basic services such as water, sanitation, refuse removal and electricity. Even those who have jobs find it difficult to sustain a decent quality of life as they fall outside subsidy bracket but at the same time are unable to afford and access mortgage products available from commercial banks.

The purpose of these terms of reference is to appoint a Service Provider that will review a Housing Sector Plan in terms of appropriate legislation and manage all key milestones.

3. Municipal Vision

A Vibrant socio-economic growing municipality that creates sustainable communities with equal opportunities for all.

4. APPROACH

The terms of reference are the municipality's point of reference, with which it will engage the service provider or consultants.

The Municipality expects the successful consultant to undertake the review of a Housing Sector Plan in line with legislation and policies at various government levels. The service

The Service Provider will be required to review and update the existing Housing Sector Plan.

Housing Sector Plan

The consultant is required to engage in this process plan, ensure that all issues are captured within the required timeframe and ensure that all relevant stakeholders are included throughout the process. The Service Provider shall participate in stakeholder meetings and produce information material for stakeholders as required, but guided by legislation or policies.

Consultation is central to this development process and assumes critical significance when dealing with development that involves more than one organisation/party. The Service Provider needs to communicate and consult with the municipality in order to be effective but they also need to exchange information with other relevant stakeholders which necessitates lateral communications. Failure to recognise this need may lead to discrepancy of approach.

The service provider in consultation with the Municipality will be expected to design and implement a consultation process plan.

Consultation

6.1 PHASE 1

Project Area

6. DETAILED SCOPE OF WORK

- Comprehensive Human Settlements Sector Plans for the entire Winnie Madikizela Mandela Local Municipality
- Compiling credible and recent research on all social, economic and demographic issues impacting on housing planning and delivery for the entire Winnie Madikizela Mandela Local Municipality;
- Workshop reports;
- Progress reports (monthly); and
- Presentation of all documents to the relevant committees/ A hard and a soft copy document
- Spatial Maps and shape files.

5. OUTCOMES AND DELIVERABLES

provider will also provide recommendations to the Municipality on the suitable approach with which the project will be best implemented.

Feasibility analysis

A feasibility analysis report for the project; will also be expected. The five principle areas of feasibility that the Service Provider is expected to also take into consideration are technical, economic, legal, operational and scheduling.

Technical: Is the project technically feasible? The Service Provider Given has to overview technical capabilities of the organization, including the availability of skilled staff and appropriate facilities.

Economical: Is the project affordable given the economic resources available? Even if it can be afforded, is the projected return on investment sufficient? A project that is simply too expensive and which doesn't offer sufficient economic benefits is not feasible.

Legal: Is the proposed venture in compliance with applicable laws and regulations?

Operational: Is the project in line with the operations and objectives of the organization?

Schedule: Given the recommended schedule, is it realistic to expect that the project will be completed on time? If the project takes too long to complete, costs can escalate and the overall feasibility can be negatively affected.

Key document

- Inception report
- Legislative and policy background critique review
- Location and general analysis
- Strategic framework review
- Project pipeline and capital budget
- Integration report
- Approved and adopted housing sector plan
- Spatial illustration of projects, demand and backlogs in ward based approach

- A reviewed and updated Housing Sector Plan

Deliverable

It must be noted that failure to meet 60% of the points for functionality (100) will result in the tender not considered further. This will lead to the tender deemed non-responsive ✓ 30 points for company experience are spread as follows:

ITEM	Weight
STAGE 1 OF EVALUATION - FUNCTIONALITY	
Functionality	100
• Previous Experience with similar projects	30
• Expertise, and Experience of proposed team	30
• Methodology	40

Table 1 – Evaluation Criteria

The bid will be evaluated in two stages namely: stage one: Functionality, stage two: Price and B-BEE. Bidders who scores less than 60% on stage 1 will not be evaluated further. Only bidders who score 60% or more would be evaluated further and therefore eligible for the award.

Evaluation of submitted proposals is on both price and functionality and 80/20 preference point system will apply:
 Functionality [100]
 Price [80]
 B-BEE [20]

7. QUALIFICATION/ELIGIBILITY

Indicators for set objectives
 A schedule of activities and responsibilities

Deliverable

The implementation of the outcomes of the project will be the responsibility of the Municipality. The project must, however provide guidance to the Municipality for the implementation with indicators and responsibilities to achieve this. The implementation Plan is designed to be a key resource for the municipality in ensuring that the goals and policies of the Housing Sector Plan are reflected in day-to-day municipal operations and services including preparing plans and programs, reviewing development proposals, and maintaining infrastructure. The implementation plan must also consider the institutional arrangements and capacity. Implementation Plan should address specific actions required of the municipality.

Implementation plan

PHASE 2

Terms of reference

- i. 10 and more similar projects undertaken by the Tenderer in the past 5 years with references (30 points)
- ii. 5-9 similar projects undertaken by the Tenderer in the past 5 years with references (15 points)
- iii. 2-4 similar projects by the Tenderer in the past 5 years with references (7.5 points)
- iv. 0-4 similar projects undertaken by the Tenderer in the past 5 years with references (0 points)
- v. 30 points for Experience and Expertise of proposed team are spread as follows:
 - i. 7.5 points for the relevant experience of the team members (Pr Planner, GIS, Socio Sciences, Social Facilitation, Engineering)
 - ii. 7.5 points for the team leader (Professional Planner)
 - iii. 15 points for having NQF level 7 qualifications in Planning, and extensive experience in development and management of at least the proposed team leader and the project manager.

- ✓ 40 points for methodology
 - i. Proposed Methodology and the implementation plan;
 - ii. Appropriateness of proposed approach and methodology
 - iii. Skills transfer
 - iv. Proposed Project Management linked to the milestone and timeframe
 - v. The degree to which the methodology proposed is sound, professional, realistic and logical. Method and clarity regarding presentation of the final outputs of the project
 - vi. Programme with clear timelines and output;
 - vii. Quality assurance steps indicated;
 - viii. Clear reporting mechanism
 - ix. Indicators and means of verifying progress

Table 2 – Price and B-BBEE

CRITERIA	SUB-CRITERIA	WEIGHTING/ POINTS
Price	Detailed budget breakdown	80
BBBEE (Status Level Verification Certificate)	BBBEE Level Contributor	20
TOTAL		100

Supply Chain Management Policy shall apply and will be the base for evaluation of the tenders received, 80/20 system will apply.

The closing date for the submission of proposals is specified on the advert. Proposals must be emailed to tenders.scm@mbizana.gov.za, late proposals will not be accepted. A compulsory briefing will be attended as per communication in the advert.

Submission of proposals

Shortlisted candidates might be requested to come and present.

Presentation

A compulsory briefing will be held on the day specified on the advert.

Briefing

The appointed service provider will be required to transfer skills and share knowledge on this nature of the exercise with the relevant officials and management from the WMMLM for the duration of the project, as the data updates and maintenance will be done internally.

Education AND Capacity Building

The project will be guided by the project process plan developed. The project, from appointment should not take longer than 6 Months from the date of appointment.

Project Duration

A valid tax clearance
Certified copies of company registration documents

Non-submission of the following document will render the tender document as a non-submission:

- A detailed cost breakdown including incidentals
- A company profile
- Curriculum vitae of proposed members of the team
- Proof of registration with relevant authorities
- A valid tax clearance certificate
- Company registration

Proposals must be accompanied by:



OUT-CLAUSE

The Municipality reserves the right not to appoint if suitable candidates are not found, at the complete discretion of the municipality.

The municipality reserves the right to terminate the contract in the event that there is clear evidence of non-performance.

CONTACT PERSONS WITH REGARDS TO THIS DISPOSAL BRIEF

- | | | | |
|----|---------------|-------------------------------|---------------------|
| 1. | Mr Z Khala | Supply Chain Manager | Tel: (039) 251 0230 |
| 2. | Mrs Z. Ndzelu | Manager Planning and Land Use | Tel: (072) 548 7021 |

Recommended by

Mrs. Z. Ndzelu
Manager Land Use Planning
Date: 13 July 2022

Approved by

Ms. N. Matumbatha
Senior Manager: Development Planning
Date: 13 July 2022

**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:
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)

SUPPLIER INFORMATION

NAME OF BIDDER	STREET ADDRESS	TELEPHONE NUMBER	CELLPHONE NUMBER	FACSIMILE NUMBER	E-MAIL ADDRESS	VAT REGISTRATION NUMBER	TAX COMPLIANCE STATUS	TCS PIN:	OR	CSD No.:	B-BEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] B-BEE STATUS LEVEL VERIFICATION CERTIFICATE
											<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

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

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	<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, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R	DATE		

SIGNATURE OF BIDDER	
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
TELEPHONE NUMBER	FACSIMILE NUMBER
E-MAIL ADDRESS	E-MAIL ADDRESS

DATE:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

SIGNATURE OF BIDDER:

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.

<p>1. BID SUBMISSION:</p> <p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE</p> <p>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.</p>	
<p>2. TAX COMPLIANCE REQUIREMENTS</p> <p>2.1. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>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</p> <p>2.4. FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B.3.</p> <p>2.5. BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.6. IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.7. WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>	
<p>3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</p> <p>3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>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.</p>	

**PART B
TERMS AND CONDITIONS FOR BIDDING**

MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in 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.

¹MSCM Regulations: "in the service of the state" means to be –

(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:

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.

1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.

1.3. Where necessary, for tenders referred to in paragraph 1.2 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 B-BBEE.

1.4. 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.

1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand 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 South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on <http://www.thedti.gov.za/industrialdevelopment/dp.jsp> at no cost.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

Description of services, works or goods	Stipulated minimum threshold
_____	_____ %
_____	_____ %
_____	_____ %

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

YES	NO
-----	----

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid.

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

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY 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)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):

NB

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thedti.gov.za/industrial_development/tip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below. Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of (name of bidder
entity), the following:

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that:

(i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and

(c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R	
Imported content (x), as calculated in terms of SATS 1286:2011	R	
Stipulated minimum threshold for local content (paragraph 3 above)		
Local content %, as calculated in terms of SATS 1286:2011		

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017

promulgated under the Preferential Policy Framework Act (PPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

WITNESS No. 1 _____

WITNESS No. 2 _____

DATE: _____

DATE: _____

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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, 2017.

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
 - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2 a) The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the preference point system shall be applicable; or
 b) Either the 80/20 or 90/10 preference point system will be applicable to this tender *(delete whichever is not applicable for this tender).*

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

POINTS	
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 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.

In terms of Regulation 6 (2) and 7 (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:

POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

Ps = Points scored for price of bid under consideration
 Pt = Price of bid under consideration
 Pmin = Price of lowest acceptable bid

Where

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

A maximum of 80 or 90 points is allocated for price on the following basis:
 80/20 or 90/10

THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

POINTS AWARDED FOR PRICE

- (a) "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) "B-BBEE status level of contributor" means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) "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 goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) "Broad-Based Black Economic Empowerment Act" means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) "EME" means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) "functionality" means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents;
- (g) "prices" includes all applicable taxes less all unconditional discounts;
- (h) "proof of B-BBEE status level of contributor" means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) "QSE" means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

4.1

4.

3.1

3.

DEFINITIONS

2.

Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Designated Group: An EME or QSE which is at least 51% owned by:	<input checked="" type="checkbox"/> EME	<input checked="" type="checkbox"/> QSE

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

YES	NO
-----	----

(Tick applicable box)

- iv) Whether the sub-contractor is an EME or QSE
- iii) The B-BBEE status level of the sub-contractor.....
- ii) The name of the sub-contractor.....
- i) What percentage of the subcontracted.....% contract will be

If yes, indicate: 7.1.1

YES	NO
-----	----

(Tick applicable box)

7.1 Will any portion of the contract be sub-contracted?

7. SUB-CONTRACTING

6.1 B-BBEE Status Level of Contributor: = (maximum of 10 or 20 points)
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

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

5. BID DECLARATION

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	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

8.9 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 contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/firm for the preference(s) shown and I / we acknowledge that:

8.8 Total number of years the company/firm has been in business:.....

Registered Account Number:

Stand Number:.....

8.7 MUNICIPAL INFORMATION

Municipality where business is situated:

- Manufacturer
 - Supplier
 - Professional service provider
 - Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

8.6 COMPANY CLASSIFICATION

.....

.....

.....

.....

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

[TICK APPLICABLE BOX]

8.4 TYPE OF COMPANY/ FIRM

number:.....

8.3 Company registration number:.....

8.2 VAT registration number:.....

8.1 Name of company/firm:.....

DECLARATION WITH REGARD TO COMPANY/FIRM

Black people who are military veterans		
OR		
Any EME		
Any QSE		

<p style="text-align: center;">SIGNATURE(S) OF BIDDER(S)</p> <p>DATE:</p> <p>ADDRESS</p> <p>.....</p> <p>.....</p> <p>.....</p>	<p style="text-align: center;">WITNESSES</p> <p>1.</p> <p>2.</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------

- 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 6.1, 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 contributor 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) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2001
LOCAL CONTENT OF PRODUCTS**

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES SPECIFIED IN CLAIM FORM MBD 6.1 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2001

1. Regulation 12(1) of the Preferential Procurement Regulations makes provision for the promotion of locally manufactured products within the preference point systems.

SPECIFIC GOAL **POINTS ALLOCATED**

The stimulation of the S.A economy by procuring locally

Manufactured products.

2. Preference points may only be claimed for products, which will be manufactured (fabricated, processed or assembled), in the Republic of South Africa. In cases where production has not yet commenced at time of bid closure, evidence shall be produced that at the time of bid closure, the bidder was irrevocably committed to local production of the product.

3. "Local content" means that portion of the bid price, excluding Value Added Tax (VAT), which is not included in imported content, provided that local manufacture does take place.

4. "Imported content" means that portion of the bid price represented by the costs of components, parts or materials which have been or are still to be imported (whether by the bidder or his suppliers or sub-contractors) and which costs are inclusive of the costs abroad, plus freight and other direct importation costs such as landing costs, dock dues, import duties, sales duties, or other similar taxes or duties at the South African place of entry as well as transportation and handling charges to the factory in the Republic where the supplies for which a bid has been submitted are manufactured.

BID INFORMATION

Bidders who wish to claim points in respect of this goal must furnish the information in paragraph 7 below.

POINTS CLAIMED

Indicate whether point(s) allocated for this goal is (are) claimed. Yes / No

7. INFORMATION WITH REGARD TO LOCAL MANUFACTURE

Indicate in the table below which product(s) [item number(s)] is/are manufactured locally against the % local content of each product / item in relation to the bid price (exclusive of VAT). Points claimed must be indicated in the "points claimed" column.

Percentage local content in relation to bid Price	Indicate item numbers	Points Allocated	Points Claimed
61 % or more			
31 % - 60 %			
10 % - 30 %			

BID DECLARATION 8.

I/we, the undersigned, who warrants that he/she is duly authorised to do so on behalf of the firm declare that points claimed, based on the local content of the product(s) above, qualifies the firm for the point(s) shown and I / we acknowledge that:

(i) The information furnished is true and correct.

(ii) In the event of a contract being awarded as a result of points claimed, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.

(iii) If the claims are found to be incorrect, the purchaser, in addition to any other remedy it may have -

(a) recover all costs, losses or damages it has incurred or suffered as a result of that person's conduct; and

(b) 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;

WITNESSES:

1.

.....

2.

.....

DATE:

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

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	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? (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). 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.	<input type="checkbox"/>	<input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? 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.	<input type="checkbox"/>	<input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	<input type="checkbox"/>	<input type="checkbox"/>

Position

Name of Bidder

Signature

Date

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.

CERTIFICATION

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?	<input type="checkbox"/>	<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?	<input type="checkbox"/>	<input type="checkbox"/>
4.7.1	If so, furnish particulars:		

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

- (a) has been requested to submit a bid in response to this bid invitation;
- (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
- (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

1. 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:

(Name of Bidder)

I certify, on behalf of: _____ that:

do hereby make the following statements that I certify to be true and complete in every respect:

(Name of Municipality / Municipal Entity)

in response to the invitation for the bid made by:

(Bid Number and Description)

I, the undersigned, in submitting the accompanying bid:

CERTIFICATE OF INDEPENDENT BID DETERMINATION

MBD 9

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.

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.

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Name of Bidder	Position
Date	Signature

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.

MBD 9