

Winnie Madikizela-Mandela Local Municipality

Office of the Municipal
Manager
Tel: 039 251 0230
Fax: 039 251 0917
mahlakal@mbizana.org.za



Physical Address
51 Winnie-Madikizela
Mandela Street
Postal Address
P O Box 12
Bizana

REQUEST FOR QUOTATION-WMM LM 16/08/22/02 GIS

ADVERT: SERVICE PROVIDER TO ASSIST WITH SCANNING OF BUILDING PLANS, CREATE A BUILDING PLAN DATABASE IN GIS

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. Ndzeliu Manager: Development Planning @ (072) 548 7021 email: ndzeluz@mbizana.gov.za and SCM enquiries to Supply Chain Manager, Mr. Z Khala @ 079-886 0942 email: khalaz@mbizana.gov.za or info.scm@mbizana.gov.za

Mr. L. Mahlaka
Municipal Manager

WINNIE MADIKIZELA-MANDELA
LOCAL MUNICIPALITY
~~APPROVED/NOT APPROVED~~
17 AUG 2022
SCM MANAGER
SIGNATURE:

TERMS OF REFERENCE

NAME OF THE PROJECT: Building Plans scanning and link with GIS

JULY 2022



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. Ndzele

Tel: 072 548 7021

NAME OF TENDERER:

AMOUNT:

Bid Number:

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INTRODUCTION

Geographic Information Systems (GIS) provides the capability to collect, manage, manipulate, analyze and share location-based information. It is an integral part of the decision support infrastructure that can significantly contribute to planning and informed decision-making regarding service delivery. GIS is also a critical tool that supports a number of municipal legislative requirements contained in the Municipal Systems Act (No. 32 of 2000), the Municipal Structures Act (No. 117 of 1998), the Spatial Data Infrastructure Act (No. 54 of 2003), and the Property Rates Acts (no. 6 of 2004).

It is against this background that the Winnie Madikizela-Mandela Local Municipality is in a process of representing the submitted and approved building plans spatially by scanning and linking them to GIS software (ArcGIS Desktop Basic 10.7). The project will assist in keeping all the records of the approved building plans and be attached spatially to their properties in GIS system.

PURPOSE OF THE PROJECT

It is safer to keep important documents computerized than keeping hardcopies that can be lost in one way or the other. Therefore, the purpose of the project is to develop a dataset that will have building plans data as per the submissions and approvals of building plans and they will be linked with GIS system so it will be easy to keep the plans, present them spatially and be able to identify those that have approved building plans and those do not have building plans. Mapping of the approved building plans will assist the municipality in tracking those developers who establish projects with no building plans as the project will be continually done internally after the project has been completed.

OBJECTIVES OF THE PROJECT

The main objective of the project is to seek a qualified and experienced service provider to assist Winnie Madikizela-Mandela Local Municipality to scan building plans submitted and approved from 2016 up to date and create a building plans dataset in GIS and present them spatially.

ROLE OF A SERVICE PROVIDER

The successful service provider must assist the WMLM to scan the building plans as provided by the municipality and link them GIS.

- ✦ 2 x A1 laminated map showing the work done
- ✦ Hard drive (Disk or USB) with Shapefile/Feature class of the building plan dataset
- ✦ A detailed and comprehensive project close-out report

At the end of the project, the service provider will be required to submit the following:

PROJECT DELIVERABLES

- ✦ Clear project budget aligned to the tasks or activities
- ✦ Clear time frame for the project
- ✦ Comprehensive company profile and contact person to be responsible for the project, Names, qualifications and experience of all professionals that will be part of the project, and further indicate if some consortium will be formed
- ✦ Clear project methodology and planning process to be followed

The project proposal must contain the following:

The project time frame will be Six months from the date of appointment of the service provider.

PROJECT DURATION & TIMEFRAMES

- ✦ Training of the users and Manual
- ✦ Transfer of skills to relevant users
- ✦ Create a building plan dataset in GIS and link all the scanned building plans
- ✦ Scan all the building plans
- ✦ Collect building plans from WMM/LM

The service provider will be responsible for:

SCOPE OF WORK

- ✦ Spatial Planning and Land Use Management Act, (Act No. 16 of 2013)
- ✦ Promotion Access to Information Act, (Act No. 2 of 2000)
- ✦ The Spatial Data Infrastructure Act, (Act No. 54 of 2001)

The following legislations are applicable to this project:

REFERENCE MATERIALS

Payments will be separated and done upon the completion of each phase as stipulated above.

- ✦ Inception report
- ✦ Progress report
- ✦ Capacity building and skills transfer report
- ✦ Final close-out report

following phases of the project:

It is expected that progress reports be presented monthly to the Project Steering Committee for comments and inputs. The Project Manager has the right to change frequency of reporting as and when necessary. Reporting process will be in both written and presentation format on the

REPORTING MECHANISM

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 municipality for the duration of the project.

EDUCATION AND CAPACITY BUILDING

In case where the appointed service provider appoints the services of other consultants or sub-contractors, the appointed service provider will take full responsibility of the work of the sub-contractors. The project is to be coordinated and managed by an Operational Team comprising the Officials from the municipality as well as the appointed service provider. The Project Manager will act as a liaison party between the service provider and the project steering committee.

PROJECT MANAGEMENT

Through consultation between the service provider and the municipality, the service provider will provide technical guidance, while the municipality will be responsible for undertaking the stakeholder consultation, as it is a vital component when establishing a Project Steering Committee.

STAKEHOLDERS CONSULTATION

ITEM	Weight
STAGE 1 OF EVALUATION – FUNCTIONALITY	
Functionality	100
• Previous Appointment letters and References	30

Table 1 – Evaluation Criteria

Received Responsive Proposals will be evaluated based on the following criteria:

- ✦ A proof of Professional Indemnity,
- ✦ Proposed Project Team,
- ✦ Their CV's and proof of professional registration with relevant professional bodies.

The bid will be evaluated in two stages namely: Functionality and Price and B-BBEE, 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 PROCESS

The following policies should be considered as part of this project:

- ✦ National Building Regulations and Building Standard, (Act No. 103 of 1977)
- ✦ Municipal Property Rates Act, (Act No. 6 of 2004)
- ✦ Municipal Systems Act, (Acts No. 32 of 2000)
- ✦ Municipal IDP

The following standards should be applied in this project, where applicable:

- ✦ Data distribution policy (office of the Premier)
- ✦ NSIF (National Spatial Information Framework) Data distribution policy
- ✦ NSIF Metadata Catalogue
- ✦ Open GIS Consortium (OGC) data storage and data interchange

✦ SANS 1883 (Part 1, Part2, and Part3): Address standards SANS 1878/19115: Metadata Standard

- ✦ SANS 1880: South African Geospatial Data Dictionary
- ✦ SANS 19104/ISO 19104: Geographic Information-Terminology SANS 19999: Managing Geographic

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

Table 2 – Price and B-BBEE

- ix. Indicators and means of verifying progress
 - viii. Clear reporting mechanism
 - vii. Quality assurance steps indicated;
 - vi. Programme with clear timelines and output;
 - 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
 - iv. Proposed Project Management linked to the milestone and timeframe
 - iii. Skills transfer
 - ii. Appropriateness of proposed approach and methodology
 - i. Proposed Methodology and the implementation plan;
- 40 points for methodology
- iii. Professional and extensive experience in development and management of at least 5 years for the proposed team leader or the project manager.
 - ii. 7.5 points for the team leader (Software Developer, GIS Professional)
 - i. 7.5 points for the relevant experience of the team members (minimum of 5 years working in similar projects)
- 30 points for Experience and Expertise of proposed team are spread as follows:
- iii. 0-1 similar projects undertaken by the Tenderer in the past 5 years with references (10 points maximum)
 - ii. 1-2 similar projects by the Tenderer in the past 5 years with references (20 Points Max)
 - i. 3 and more similar projects undertaken by the Tenderer in the past 5 years with references and appointment letters (30 points maximum)
- 10 points for each company experience confirmation is spread as follows:
- iii. 0-1 similar projects undertaken by the Tenderer in the past 5 years with references (10 points maximum)
 - ii. 1-2 similar projects by the Tenderer in the past 5 years with references (20 Points Max)
 - i. 3 and more similar projects undertaken by the Tenderer in the past 5 years with references and appointment letters (30 points maximum)
- 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

• Expertise, and Experience of proposed team	30
• Methodology	40

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

SUBMISSION OF PROPOSALS

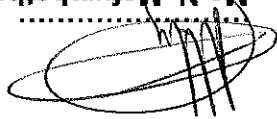
The closing date for the submission of proposals is specified on the advert. Proposals must be emailed to tenders.scm@mbizana.gov.za, late proposals will not be accepted. A compulsory briefing will be attended as per communication in the advert.

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: _____
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD1).
 BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX
 SITUATED AT (STREET ADDRESS)

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

SUPPLIER INFORMATION			
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?		[IF YES, ANSWER PART B:3]	
<input type="checkbox"/> Yes	<input type="checkbox"/> No		
ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BEE			
[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]			
TOTAL NUMBER OF ITEMS OFFERED		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		E-MAIL ADDRESS	
CONTACT PERSON		FACSIMILE NUMBER	
TELEPHONE NUMBER		TELEPHONE NUMBER	
CONTACT PERSON		FACSIMILE NUMBER	
E-MAIL ADDRESS		TELEPHONE NUMBER	

**PART B
TERMS AND CONDITIONS FOR BIDDING**

MBD1

1. BID SUBMISSION:	<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>
2. TAX COMPLIANCE REQUIREMENTS	<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>
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	<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>

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:

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/adjudging 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 –

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;

- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

² Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

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

3.9.1 If yes, furnish particulars.....

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

3.10.1 If yes, furnish particulars.

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? YES / NO

3.11.1 If yes, furnish particulars

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? YES / NO

3.12.1 If yes, furnish particulars.

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

3.13.1 If yes, furnish particulars.

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. YES / NO

3.14.1 If yes, furnish particulars:

.....

.....

Capacity

Name of Bidder

Signature

Date

I ACCEPT THAT THE MUNICIPALITY MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I, THE UNDERSIGNED (NAME)

CERTIFICATION

State Employee Number	Identity Number	Full Name

4. Full details of directors / trustees / members / shareholders.

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/p.jsp](http://www.thedti.gov.za/industrialdevelopment/development/p.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/industrialdevelopment/isp>. 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 (name of bidder of 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;

DEFINITIONS

4.1

4.

3.1

3.

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		

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

YES	NO
-----	----

7.1.1 If yes, indicate:
 7.1 Will any portion of the contract be sub-contracted?
 (Tick applicable box)

7. SUB-CONTRACTING

(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.
 6.1 B-BBEE Status Level of Contributor: = (maximum of 10 or 20 points)

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 Contributor 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 OSE		

<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.

5. BID INFORMATION

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

6. 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 *de 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.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

MBD 9

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 communication between partners in a joint venture or consortium" 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